

Ashley Shiwarski - National League of Cities Service Line Program

Brandon Garrett - EPA Grant

Review Agenda

**Executive Session**



**City Council Meeting Minutes  
December 17, 2018**

**CALL TO ORDER**

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday December 17, 2018 at 7:00 p.m.  
Council Members Present: Melissa Head, Roger Sandau, Nate Watson, Sharon White and Mike Wolf.  
Staff Present: Jodi Quakenbush and Richard Wade.

**CONSENT AGENDA**

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

Reading, correction and approval of the November 26, 2018 City Council Meeting Minutes.

**Resolution 18-333**

Resolution of intent to dispose of City property and setting Public Hearing for January 14, 2019 at 7:00 pm legally described as the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition. Location: West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition. OTB-18-021.

**Resolution 18-335**

Resolution accepting the work of Anderson Construction for the Council Bluffs Fire Station #6 Renovation Project as complete and authorizing the Finance Director to issue the final payment and retainage in the amount of \$37,021.71 in 30 days.

**Resolution 18-336**

Resolution accepting the work of Larson Backhoe and Excavating Service as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Levee Certification Project, PFE Pump Station Abandonment. Project # PW17-06E.

#### Mayor's Appointments

Board of Appeals, Planning Commission, Community Development Advisory Committee & Historic Preservation Commission.

#### Annual Financial Report (R&F)

#### Council Bluffs Water Works 2019 Budget

#### Claims

#### Notice of Right of Redemption

Melissa Head and Sharon White moved and seconded approval of Consent Agenda, except item 3D, Resolution 18-334 to be voted on separately.. Unanimous, 5-0 vote.

#### Resolution 18-334

Resolution setting a public hearing for 7:00 p.m. on January 14, 2019 on the plans, specifications, form of contract, and cost estimate for the Mid America Center Score Board Replacement Project. Project No. BM19-03.

Melissa Head and Nate Watson moved and seconded approval of Resolution 18-334. Voice Vote, 4-0 vote.  
(Abstain: Sandau)

### **MAYORS PROCLAMATIONS**

### **PUBLIC HEARINGS**

#### Ordinance 6372

Ordinance to amend Chapter 15.05, A-2/Parks, Estates and Agricultural District of the 2015 Municipal Code (Zoning Ordinance) by amending Section 15.05.030 "Conditional Uses" to include "Greenhouse, Commercial". ZT-18-003.

Heard from Peter Hult, 324 East Ferndale Drive

Mike Wolf and Sharon White moved and seconded approval of Second Consideration of Ordinance 6372. Unanimous, 5-0 vote.

Nate Watson and Melissa Head moved and seconded approval of Motion to Waive Third Consideration. Ordinance passes to law. Unanimous, 5-0 vote.

#### Ordinance 6374

Ordinance to amend Chapter 15.18-P-C/Planned Commercial District of the 2015 Municipal Code by amending Section 15.18.020 "Principal Uses" to include "School" ZT-18-004.

Sharon White and Melissa Head moved and seconded approval of Second Consideration of Ordinance 6374. Unanimous, 5-0 vote.

Nate Watson and Mike Wolf moved and seconded approval of Motion to Waive Third Consideration. Ordinance passes to law.. Unanimous, 5-0 vote.

#### Ordinance 6376

Ordinance to amend the zoning map as adopted by reference in Section 15.02.070 of the 2015 Municipal Code, by rezoning properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey's Addition, from C-1/Commercial District to R-3/Low Density Multifamily Residential District as defined in Chapter 15.10. ZC-18-011.

Heard from John Hunter, 4208 Savage Street

Sharon White and Nate Watson moved and seconded approval of Second Consideration of Ordinance 6376. Unanimous, 5-0 vote.

Nate Watson and Mike Wolf moved and seconded approval of Motion to Waive Third Consideration. Ordinance passes to law.. Unanimous, 5-0 vote.

#### Resolution 18-337

Resolution to vacate the City's interest in Murphy Road right-of-way, lying West of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and North of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying East of Gifford Road and West of Indian Creek. Location: Lying West of Indian Creek and East of South 19th Street/Gifford Road. SAV-18-014

Sharon White and Melissa Head moved and seconded approval of Resolution 18-337. Unanimous, 5-0 vote.

#### Resolution 18-338

Resolution approving the plans and specifications for the Mid-America Center Parking Lots Rehab, Phase 1. Project # BM19-01

Melissa Head and Mike Wolf moved and seconded approval of Resolution 18-338. Unanimous, 5-0 vote.

## **RESOLUTIONS**

Resolution 18-332 (Continued from 11-26-18)

Resolution authorizing the Mayor to execute an agreement for the future voluntary annexation of property at 13667 192nd Street.

No Motion. Item fails.

Resolution 18-339

Resolution authorizing the Mayor to execute the Amended and Restated Advance Southwest Iowa Corporation Operating Agreement.

Melissa Head and Roger Sandau moved and seconded approval of Resolution 18-339. Voice Vote, 4-0 vote.  
(Abstain: White)

Resolution 18-340

Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the removal of solid waste nuisances upon said properties and directing them to be collected in the same manner as a property tax.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-340. Unanimous, 5-0 vote.

Resolution 18-341

Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the abatement of weeds upon properties and directing them to be collected in the same manner as a property tax.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-341. Unanimous, 5-0 vote.

Resolution 18-342

Resolution to approve and adopt the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-342. Unanimous, 5-0 vote.

Resolution 18-343

Resolution authorizing and adopting the updated Operation and Maintenance Manual for the Council Bluffs Missouri River Levee System in connection with FEMA Accreditation.

Roger Sandau and Melissa Head moved and seconded approval of Resolution 18-343. Unanimous, 5-0 vote.

Resolution 18-344

Resolution authorizing the use of eminent domain in connection with West Broadway Reconstruction, Segment 3. Project #PW19-20.

Nate Watson and Mike Wolf moved and seconded approval of Resolution 18-344. Unanimous, 5-0 vote.

Resolution 18-345

Resolution authorizing the Mayor to execute an agreement with Snyder & Associates, Inc. for engineering services in connection with the South 1st Street Neighborhood Rehab, Phase X. Project # PW20-12.

Sharon White and Nate Watson moved and seconded approval of Resolution 18-345. Unanimous, 5-0 vote.

Resolution 18-346

Resolution authorizing the Mayor to execute an agreement with other local organizations to retain the services of a lobbyist at the state level to represent the interests of our community.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-346. Unanimous, 5-0 vote.

## **APPLICATIONS FOR PERMITS AND CANCELLATIONS**

Liquor License Renewals

- 1) Ameristar Casino, 2200 River Road
- 2) The Grass Wagon, 110 South 29th Street
- 3) Speedy Gas N Shop, 430 South 35th Street, Suite 1
- 4) Target Store, 3804 Metro Drive
- 5) Woods Sporting Goods, 531 Veteran's Memorial Highway

Sharon White and Melissa Head moved and seconded approval of Application for Permits and Cancellations, Liquor License Items 6A 1-5. Unanimous, 5-0 vote.

## **OTHER BUSINESS**

## **CITIZENS REQUEST TO BE HEARD**

Heard from Deborah Peterson, 215 South Main Street. Requesting the Council re-consider the median placement.

Council Discussion

Heard from Bruce Kelly, 864 McKenzie

Head wished everyone happy & safe holiday's.

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 7:45 p.m.

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

Matthew J. Walsh, Mayor

Attest: Jodi Quakenbush, City Clerk

**Council Communication**

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

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

Council Action: 12/17/2018

<b>Description</b>
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<b>Background/Discussion</b>
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<b>Recommendation</b>
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**Council Communication**

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

Reading, correction and approval of the  
November 26, 2018 City Council Meeting  
Minutes.

Council Action: 12/17/2018

**Description**

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">11-26-18 Minutes</a>	Other	12/4/2018



## **City Council Meeting Minutes November 26, 2018**

### **CALL TO ORDER**

A regular meeting was called to order by Mayor Matthew J. Walsh on Monday November 26, 2018 at 7:00 p.m.

Council Members Present: Roger Sandau, Nate Watson, Sharon White and Mike Wolf. Council Member Present Via Telephone: Melissa Head  
Staff Present: Jodi Quakenbush and Richard Wade.

### **CONSENT AGENDA**

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

Reading, correction and approval of the November 5, 2018 City Council Meeting Minutes.

Ordinance 6372

Ordinance to amend Chapter 15.05, A-2/Parks, Estates and Agricultural District of the 2015 Municipal Code (Zoning Ordinance) by amending Section 15.05.030 "Conditional Uses" to include "Greenhouse, Commercial" and setting Public Hearing for December 17, 2018 at 7:00 pm. ZT-18-003

Ordinance 6374

Ordinance to amend Chapter 15.18-P-C/Planned Commercial District of the 2015 Municipal Code by amending Section 15.18.020 "Principal Uses" to include "School" and setting Public Hearing for December 17, 2018 at 7:00 pm. ZT-18-004

Ordinance 6376

Ordinance to amend the zoning map and setting Public Hearing for December 17, 2018 at 7:00 pm as adopted by reference in Section 15.02.070 of the 2015 Municipal Code, by rezoning properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey's Addition, from C-1/Commercial District to R-3/Low Density Multifamily Residential District as defined in Chapter 15.10. ZC-18-011

Resolution 18-320

Resolution of intent to vacate Murphy Road right-of-way and setting Public Hearing for December 17, 2018 at 7:00 p.m., property lying West of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and North of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying East of Gifford Road and West of Indian Creek. SAV-18-014

Resolution 18-321

Resolution setting a Public Hearing for 7:00 p.m. on December 17, 2018 for the Mid-America Center Parking Lots Rehab, Phase 1.

Project # BM19-01

October FY19 Financial Reports, Mayor's Appointments & Claim

Nate Watson and Sharon White moved and seconded approval of Consent Agenda, with the following changes. Amending Agenda Order and an Edit to Minutes from November 5, 2018.. Unanimous, 5-0 vote.

**PUBLIC HEARINGS**

Resolution 18-325

Resolution approving the Urban Revitalization Plan for the South Pointe Urban Revitalization Area. URV-18-007

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-325. Unanimous, 5-0 vote.

Resolution 18-326

Resolution approving the plans and specifications for the S. 6th Street Reconstruction. Project #PW18-08

Roger Sandau and Nate Watson moved and seconded approval of Resolution 18-326. Voice Vote, 4-0 vote. (Abstain: Wolf)

**ORDINANCES ON 1ST READING**

Ordinance 6375

Ordinance establishing the South Pointe Urban Revitalization Area within the City of Council Bluffs. URV-18-007

Sharon White and Mike Wolf moved and seconded approval of First Consideration of Ordinance 6375, Second Consideration to be December 17, 2018 at 7:00 p.m.. Unanimous, 5-0 vote.

## RESOLUTIONS

### Resolution 18-327

Resolution confirming the appointment of Jon Finnegan as the City's Representative to engage in collective bargaining negotiations with the American Federation of State, County and Municipal Employees (AFSCME, Local 2844) employees.

Nate Watson and Mike Wolf moved and seconded approval of Resolution 18-327. Unanimous, 5-0 vote.

### Resolution 18-328

Resolution approving the use of 2019 Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program funds and directing the Mayor to submit the 2019 Annual Plan to the City of Omaha and the U.S. Department of Housing and Urban Development (HUD).

Nate Watson and Sharon White moved and seconded approval of Resolution 18-328. Unanimous, 5-0 vote.

### Resolution 18-329

Resolution authorizing for annual certification for Tax Increment Financing Indebtedness.

Sharon White and Mike Wolf moved and seconded approval of Resolution 18-329. Unanimous, 5-0 vote.

### Resolution 18-330

Resolution of the City Council of the City of Council Bluffs approving the Annual Urban Renewal Report for Fiscal year 2017-2018.

Mike Wolf and Nate Watson moved and seconded approval of Resolution 18-330. Unanimous, 5-0 vote.

### Resolution 18-332

Resolution authorizing the Mayor to execute an agreement for the future voluntary annexation of property at 13667 192nd Street.

Roger Sandau and Nate Watson moved and seconded approval of Resolution 18-332. Withdrawn, 0-0 vote.

Roger Sandau and Nate Watson moved and seconded approval of postponing Resolution 18-332 until December 17, 2018 at 7:00 p.m.. Unanimous, 0-0 vote.

## APPLICATIONS FOR PERMITS AND CANCELLATIONS

Liquor Licenses: 1) 712, 1851 Madison Avenue, Suite 700, 2) Applebee's, 3000 Dial Drive, 3) Hy-Vee #2, 1745 Madison Avenue, 4) Squirrel Cage Jail, 226 Pearl Street (New Applications), 5) Wal-Mart #3150, 1800 N 16th Street.

Nate Watson and Sharon White moved and seconded approval of Liquor Licenses 7A 1-5. Unanimous, 5-0 vote.

## PUBLIC HEARINGS

Ordinance 6371 (Public Hearing continued from 11-5-18)

Ordinance to amend the zoning map as adopted by reference in Section 15.27.020 by rezoning 6.19 acres of land, more or less, legally described as Lot 2, Arbor Creek, from A-2/Parks, Estates and Agricultural District to R-3/Low-Density Multifamily Residential District with a P-R/Planned Residential Overlay; as set forth and defined in Chapters 15.10 and 15.28. Location: Generally located at the Northwest corner of College Road and Railroad Avenue. ZC-18-013 and PR-18-003

Heard from:

Randy Nash, 723 College Road  
Erica Stevens, 709 College Road  
Justin James, 23009 272nd Street, Underwood  
Marti Nerenstone, 33 Indian Hills Road  
Emmalee Cain, 116 College Road  
Damien Shull, 23699 Murphy Lane  
Ryan Durant, 17117 Burt Street, Omaha

No Motion, Ordinance 6371 fails.

Resolution 18-313 (Postponed from 11-5-18)

Resolution to amend the *Bluffs Tomorrow: 2030 Plan (Comprehensive Plan)*, specifically the Future Land Use Plan in Chapter 5, to reclassify Lot 2, Arbor Creek from "Rural Residential/Agricultural" to "Medium-Density Residential". Location: Generally located at the Northwest corner of College Road and Railroad Avenue. CP-18-001

Heard from:

Deborah Peterson, 215 South Main Street  
Ron Wolfe, 536 College Road  
Marti Nerenstone, 33 Indian Hills Road

No Motion, Resolution 18-313 fails.

Resolution 18-322

Resolution to adopt a planned residential development plan for the Valley Ridge Apartments. Location: Generally located at the northwest corner of College Road and Railroad Avenue. PR-13-003

No Motion, Resolution 18-322 fails.

Resolution 18-310 (Postponed from 11-5-18)

Resolution to dispose of City property legally described as Lot 2, Arbor Creek. Location: Northwest Corner of College Road and Railroad Avenue. OTB-18-028

Heard from :

Jeff Beckler from Zimmerman  
Deborah Peterson, 215 South Main Street

No Motion, Resolution 18-310 fails.

Resolution 18-323

Resolution to dispose of City property legally described as Lot 2, Arbor Creek. OTB-18-029

Roger Sandau and Melissa Head moved and seconded for discussion of Resolution 18-323, Withdrawn, 0-0 vote.

Heard from:

Cory Nelson, 337 Golden Oaks Drive  
Ed Kemp, 11800 Gow Circle  
Ron Wolfe, 536 College Road  
Deborah Peterson, 215 South Main Street  
Linda Kemp, 11800 Gow Circle  
Marti Nerenstone, 33 Indian Hills Road  
Dick Kirshenbaum, 12422 Road Lane, Omaha  
Carol Meduna, 2664 Avenue J Michelle Kolbel,  
365 Lincoln Avenue Kristy Hassay, 1116  
College Road

No Motion, Resolution 18-323 fails.

Resolution 18-324

Resolution postponing the Public Hearing for the Arbor Creek Urban Revitalization Area to January 28, 2019

Nate Watson and Sharon White moved and seconded to hold Public Hearing on Resolution 18-324, .Unanimous, 5-0 vote.

No Motion, Resolution 18-324 fails.

## **RESOLUTIONS**

Resolution 18-331

Resolution to modify the Corridor Master Plan for the Reconstruction of West Broadway to include raised medians in Segments 3, 4 & 5.

Heard from :

David Drake, 2909 6th Avenue

Deborah Peterson, 215 South Main Street

Nate Watson and Sharon White moved and seconded to Receive & File.

Unanimous. 5-0

Sharon White and Nate Watson moved and seconded to Receive & File.

Unanimous. 5-0

Chad Belt, 402 South 28th Street

Scott Brown, 310 West Kanseville

Jeff Bremer, Omaha

Tim Courtney, 2210 Avenue L

Mark Hansen, 110 Highclere,

Steve Burnsides, 2385 Avenue M Way

Nancy Jones, 1728 Avenue F

Lyle Golden, 621 Arnold Avenue

Jeff Shudak, 120 Ivy Drive

Rita Dodge, 8 Granville Court

Bruce Kelly, 864 McKenzie Avenue

Maria Belt, 403 South 28th Street

Jeff Ballenger, 12606 Greystone Court

Deborah Peterson, 215 South Main Street

Sharon White and Nate Watson moved and seconded approval of Resolution 18-331. Passed, 3-2 vote. (Nays: Head, Sandau)

## **CITIZENS REQUEST TO BE HEARD**

Heard from Bruce Kelly, 864 McKenzie Avenue, Dave Flavin, 3606 Avenue E and Jeff Shudak, 120 Ivy Drive.

## **ADJOURNMENT**

Mayor Walsh adjourned the meeting at 11:45 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.: OTB-18-021  
Submitted by: Chris Meeks, Planner

Resolution 18-333

Council Action: 12/17/2018

**Description**  
Resolution of intent to dispose of City property and setting Public Hearing for January 14, 2019 at 7:00 pm legally described as the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition. Location: West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition. OTB-18-021.

**Background/Discussion**  
See attachments.

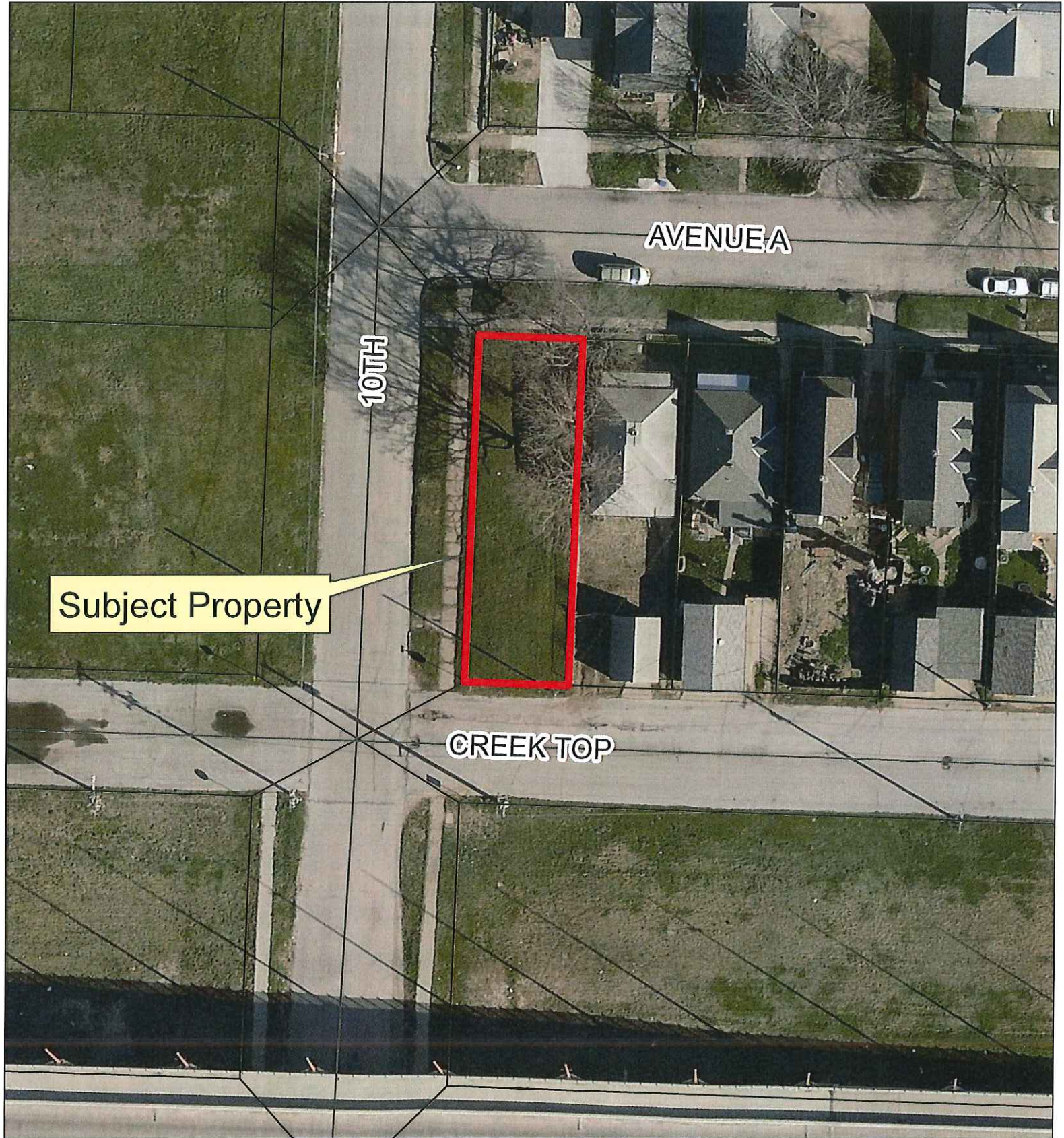
**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">OTB-18-021 Wiggins Staff Report Including Attach A, B and C</a>	Other	12/6/2018
<a href="#">OTB-18-021 Wiggins PH Notice</a>	Other	12/6/2018
<a href="#">Resolution 18-333</a>	Resolution	12/12/2018

## Council Communication

<p>Department: Community Development</p> <p>CASE #OTB-18-021</p> <p>Applicant: Patti S. Wiggins 829 Avenue A Council Bluffs, IA 51503</p>	<p>Resolution of Intent No. _____</p> <p>Resolution to Dispose No. _____</p>	<p>Set Public Hearing: 12/17/2018</p> <p>Public Hearing: 1/14/2019</p>
<b>Subject/Title</b>		
<p>Request of Patti S. Wiggins to purchase property legally described as the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa. Formerly known as 929 Avenue A.</p>		
<b>Background/Discussion</b>		
<p>The City has received an offer to purchase the property described above. The property is classified as ‘transitional preserve’ and ‘non-buildable’. The applicant intends to purchase the property and use it for residential purposes in cooperation with the adjacent property she also owns, 927 Avenue A. The applicant has offered \$500.00 to purchase the property.</p> <p>On June 25, 2018, Patti Wiggins, the applicant, appeared before the City Council to ask that the subject property be reclassified from the "Transitional Preserve" classification to be sold to her, and connected to her adjacent lot. The City Council agreed to sell it to her once Creek Top reconstruction project is complete and the easements on the subject property be established. The construction has completed, and the location of the easements on the property has been included with this report as "Attachment C".</p> <p>If approved, the subject property would be required to remain combined with the adjacent property that is also owned by the applicant, which is addressed as 927 Avenue A. The property will also be subject to the restrictions outlined in the attached easement agreement (Attachment B).</p>		
<b>Recommendation</b>		
<p>The Community Development Department recommends setting a public hearing on the disposal of the property described as the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa on the January 14, 2019 City Council Meeting.</p>		
<p><b>Attachment A:</b> Location map.  <b>Attachment B:</b> Easement Agreement  <b>Attachment C:</b> Location of Easements  <b>Prepared By:</b> Chris Meeks, Planner, Community Development Department</p>		



AVENUE A

10TH

Subject Property

CREEK TOP



105 0 10 20 30 Feet



PREPARED BY: City of Council Bluffs Public Works Department, 209 Pearl Street, Council Bluffs, Iowa 51503 (712) 328-4635  
RETURN TO: David Vermillion, Public Works, 209 Pearl Street, Council Bluffs, Iowa 51503

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**PERMANENT EASEMENT  
FOR STORM SEWER  
RIGHT-OF-WAY**

For the consideration of \_\_\_\_\_ and 00/100 (\_\_\_\_) Dollars and other valuable consideration, Patti Wiggins, a \_\_\_\_\_ person, does hereby grant to City of Council Bluffs, a municipal corporation of the State of Iowa, and its agents, contractors and assigns, (hereinafter called the "City"), a permanent nonexclusive easement for the purpose of conveying storm drainage and constructing, reconstructing, repairing, enlarging and maintaining storm water structures together with necessary appurtenances thereto in, on, over, and across the following described real estate:

**SEE ATTACHED EXHIBIT 'A'**

This easement shall be subject to the following terms and conditions:

1. **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.
2. **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.
3. **RIGHT OF ACCESS:** City shall have the right of access to the Easement Area and have all right of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described.
4. **REMOVAL AND REPLACEMENT:** The cost of removal and replacement of any unauthorized improvement or structures within the Easement Area, necessitated by the exercise of the rights under this easement, shall be borne by the Grantor or their successors or assigns.
5. **SURFACE RESTORATION:** City's liability to restore the surface within the Easement Area shall be limited only to grading and seeding, and replacement of grantors surfaced roadway.
6. **DUTY TO REPAIR:** City agrees that any drain tile, drive or access way, fence, or yard or other improvements outside of the Easement Area which may be damaged as a result of any entry made through an exercise of the City's right of access shall be repaired at no expense to Grantor.
7. **EASEMENT RUNS WITH LAND:** This easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.
8. **GRANTOR RESERVATION:** Grantor reserves the right to use the Easement Area for other purposes provided however these purposes shall not interfere with grantees use of the Easement Area under the rights of this agreement.

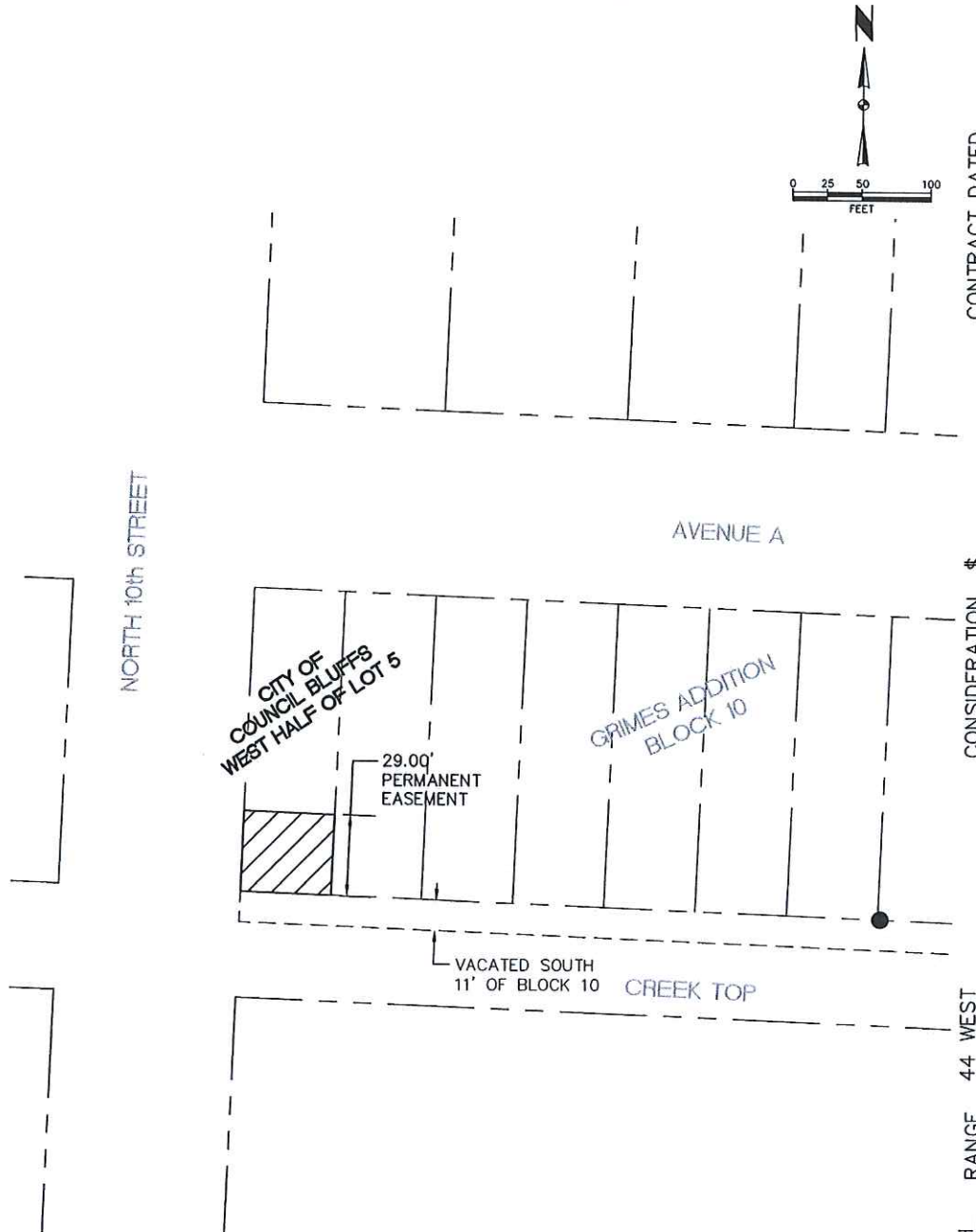


PROJECT NO. 151913  
BROS-1642(664)--8J-78  
CREEK TOP CULVERT

# EXHIBIT "A" PERMANENT EASEMENT

PAGE 1 OF 1  
PARCEL NO. 1

ACQUIRED FROM CITY OF COUNCIL BLUFFS



CONTRACT DATED \_\_\_\_\_

CONSIDERATION \$ \_\_\_\_\_

TEMPORARY EASEMENT 0 s.f. ACQUIRED BY \_\_\_\_\_

SECTION 25 TOWNSHIP 75 NORTH RANGE 44 WEST

PERMANENT EASEMENT 957 s.f.

### LEGAL DESCRIPTION - PERMANENT EASEMENT

A STRIP OF LAND BEING THE NORTH 29.00 FEET OF THE SOUTH 40.00 FEET OF THE WEST HALF OF LOT 5, BLOCK 10 IN GRIMES ADDITION, IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

SAID PARCEL CONTAINS AN AREA OF 957 s.f. (0.02 ACRE), MORE OR LESS.

LICENSED LAND SURVEYOR

JONATHAN M. LEISINGER

14415

IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*Jonathan M. Leisinger* 10/20/18  
 JONATHAN M. LEISINGER DATE

License Number 14415  
 My license renewal date is December 31, 2018

Pages or sheets covered by this seal:  
 SHEET 1 OF 1

POTTAWATTAMIE COUNTY

PROJECT NO. 151913-005



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

RESOLUTION NO. 18-333

A RESOLUTION OF INTENT TO DISPOSE OF CITY PROPERTY LEGALLY DESCRIBED AS THE WEST ½ OF LOT 5 EXCLUDING THE SOUTH 11 FEET, BLOCK 10, GRIMES ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City has received an offer from Patti S. Wiggins to purchase the City owned property legally described as the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa.

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

That the City does hereby express its intent to dispose of City owned property legally the West ½ of Lot 5 excluding the South 11 feet, Block 10, Grimes Addition, City of Council Bluffs, Pottawattamie County, Iowa; and

BE IT FURTHER RESOLVED

That a public hearing be scheduled for January 14, 2019.

ADOPTED

AND

APPROVED:

December 17, 2018

\_\_\_\_\_  
Matthew J. Walsh

Mayor

ATTEST:

\_\_\_\_\_  
Jodi Quakenbush

City Clerk

(Case #OTB-18-021)

**Council Communication**

Department: Public Works Admin  
Case/Project No.: BM-17-02  
Submitted by: Fire Chief Justin James and Rick Reichenberg, Building Maintenance Superintendent

Resolution 18-335

Council Action: 12/17/2018

**Description**  
Resolution accepting the work of Anderson Construction for the Council Bluffs Fire Station #6 Renovation Project as complete and authorizing the Finance Director to issue the final payment and retainage in the amount of \$37,021.71 in 30 days.

**Background/Discussion**  
Council Bluffs Fire Department’s Station #6 was opened in 1959 and currently houses Engine 61 and Medic 6. There are 5 personnel assigned to the station 365 days a year. Since 1959 there have been multiple small scale projects that have tried to keep the station serving the needs of both the department and the community. In recent years there has been consideration of abandoning the station and building a new station further to the east. After years of discussion it has been determined to continue with its’ current location for the foreseeable future or until growth to the east creates a demand that a new station be relocated there. A new further east fire station in today’s dollars would cost roughly 4-5 million to construct. Due to these large costs and the current forecast of growth it has been determined to be more fiscally sound to repair the current location.  
Currently the station’s rig floor and a major portion of the living quarters are in need of repair. The rig floor has deteriorated quickly in recent years and must be raised to ensure continued use. Currently the floor has multiple large cracks and the underground HVAC has completely deteriorated. Due to the complexity of the project it has been determined that it would be best to reconstruct the underground utilities while the floor is out. The relocation of much of the mechanical and electrical of the building will help bring the building up to today’s codes. This project will also be done in conjunction with the separate project of replacing the current fire station alerting system which will be completed while the station is being remodeled. It is the intent of staff to bring the station into a condition in which it will last the citizens of Council Bluffs into the foreseeable future.  
This project will resolve both the current ADA issues and will aid with the change in staffing demographics of the department.  
A public hearing was held and the plans, specification and form of contract were approved by City Council on October 23, 2017 at 7:00 pm. On November 15, 2017 at 10:00 am the City Clerk received bids for the Council Bluffs Fire Station #6 Renovation Project and on November 30, 2017, the City entered into a contract with Anderson Construction for the Council Bluffs Fire Station #6 Renovation Project.  
Anderson Construction -\$696,887.00  
Funding for this project will be paid for by General Obligation Bonds (2016A bond).

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Resolution 18-335</a>	Resolution	12/12/2018

RESOLUTION NO. 18-335

RESOLUTION ACCEPTING THE COMPLETION OF THE  
COUNCIL BLUFFS FIRE STATION #6 RENOVATION PROJECT  
AS COMPLETE AND AUTHORIZING THE FINANCE DIRECTOR  
TO RELEASE THE FINAL PAYMENT OF \$37,021.71 IN 30 DAYS

- WHEREAS, the City of Council Bluffs, Iowa entered into a contract with Anderson Construction for the Council Bluffs Fire Station #6 Renovation Project; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the City Clerk; and
- WHEREAS, a request for final payment in the amount of \$37,021.71 from Anderson Construction has been submitted to the City Council for approval and payment; and
- WHEREAS, final payment is due within 30 days after acceptance of the work; and
- WHEREAS, the City Council of the City of Council Bluffs has been advised and does believe that said \$37,021.71 constitutes a valid obligation of the City and should in its best interest be paid.

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

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

AND BE IT FURTHER RESOLVED

That the Finance Director is hereby authorized and directed to issue a City check in the amount of \$37,021.71 to Anderson Construction, Inc. in 30 days.

ADOPTED  
AND  
APPROVED December 17, 2018

\_\_\_\_\_  
Matthew Walsh Mayor

Attest:

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

**Council Communication**

Department: Public Works Admin  
Case/Project No.: PW17-06E  
Submitted by: Matthew Cox, City Engineer

Resolution 18-336

Council Action: 12/17/2018

**Description**  
Resolution accepting the work of Larson Backhoe and Excavating Service as complete and authorizing release of the retainage after 30 days if no claims are filed in connection with the Levee Certification Project, PFE Pump Station Abandonment. Project # PW17-06E.

**Background/Discussion**  
The City of Council Bluffs owns or sponsors multiple levee segments which encompass the City Federal Levee System, providing flood protection from the Missouri River, Mosquito Creek, and Indian Creek. These levee systems are currently shown on FEMA floodplain maps as being accredited and are identified as providing protection from the 100-year flood or 1% annual chance flood event.  
In order to maintain the level of protection identified on the FEMA Flood Insurance Rate Map, it is necessary to provide documentation to FEMA that complies with the requirements of 44 CFR 65.10. If the levees are not certified, they will be de-accredited and FEMA will begin the process of updating maps. Areas previously protected by the levees will be identified as flood-prone.  
In order to meet the criteria for levee certification, improvements to each of the levee systems will be necessary. This project also addresses deficiencies identified during past USACE inspections.  
The PFE Pump Station Abandonment project demolished a deteriorated pump station structure, removed the associated gate well structure, and permanently filled underground piping. The infrastructure facilities impacted by the work had been out of service for many years and needed to be properly abandoned as a risk reduction measure for the levee system.  
The FY17 CIP included \$2,278,000 funded by the Iowa Flood Mitigation Program and \$2,722,000 in Sales Tax Funds programmed for levee improvements. The budget for this project was \$100,000.  

Original Contract Amount	\$40,791.03
Change Orders (-7.53%)	(\$ 3,073.54)
Final Contract Amount	\$37,717.49
Less Previous Payments	(\$35,831.62)
Retainage Due Contractor	\$ 1,885.87

  
The Contractor did not complete the project on time and liquidated damages in the amount of \$1,500 were assessed.

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Resolution 18-336</a>	Resolution	12/12/2018

**RESOLUTION  
NO 18-336**

**RESOLUTION ACCEPTING THE WORK OF  
LARSON BACKHOE AND EXCAVATING IN CONNECTION WITH  
THE LEVEE CERTIFICATION PROJECT, PFE PUMP STATION ABANDONMENT  
AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE  
A CITY CHECK IN THE AMOUNT OF \$1,885.87  
PROJECT #PW17-06E**

- WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Larson Backhoe and Excavating, Crescent, IA for the Levee Certification Project, PFE Pump Station Abandonment; and
- WHEREAS, said contractor has fully completed the construction of said improvements in accordance with the terms and conditions of said contract and plans and specifications filed with the city clerk; and
- WHEREAS, a request for final payment in the amount of \$1,885.87 to Larson Backhoe and Excavating has been submitted to the city council for approval and payment; and
- WHEREAS, final payment is due 30 days after acceptance of the work; and
- WHEREAS, the city council of the City of Council Bluffs has been advised and does believe that said \$1,885.87 constitutes a valid obligation of the City and should in its best interest be paid.

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

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

AND BE IT FURTHER RESOLVED

That the finance director is hereby authorized and directed to issue a city check in the amount of \$1,885.87 payable to Larson Backhoe and Excavating from budget codes Division I, E16100-676000; Division VIII, E16100-676900; Project #1706E.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED December 17, 2018

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

ATTEST:

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

**Council Communication**

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

Mayor's Appointments

Council Action: 12/17/2018

**Description**  
Board of Appeals, Planning Commission, Community Development Advisory Committee & Historic Preservation Commission.

**Background/Discussion**  
With City Council concurrence, I would like to make the following appointments and reappointments:  
**BOARD OF APPEALS**  
Reappoint the following with terms expiring on 08/30/2023:  
Alan Byers  
1100 N 31st St  
John Kilnowski  
1310 9th Ave  
Jason McIntosh  
110 S 18th St  
Chris Rochleau  
1705 McPherson Ave  
Stephanie Rostermundt  
419 Wendy Heights Rd  
Doug Tweedt  
4030 Greenview Rd  
Kevin Walters  
324 Buena Vista Cir  
**CITY PLANNING COMMISSION**  
Appoint the following with terms expiring 04/01/2023:  
Darian Scott  
103 W Broadway Apt 302  
David Stroebele  
1613 Tipton Dr  
**COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**  
Reappoint the following with term expiring 12/31/2022:  
Melissa Brunow  
625 Oakland Dr  
**HISTORIC PRESERVATION COMMISSION**  
Appoint and reappoint the following with terms expiring 12/31/2021:  
Teresa Dowell  
445 Glen Ave  
Mark Petersen  
608 Oakland Ave

**Recommendation**

**Council Communication**

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

Annual Financial Report (R&F)

Council Action: 12/17/2018

**Description**

**Background/Discussion**  
The annual financial report for the City of Council Bluffs for the year ending June 30, 2018 was published in the Council Bluffs Daily Nonpareil on December 9, 2018.  
The City of Council Bluffs is required to submit its Annual Financial Report with the Auditor of the State of Iowa.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Annual Financial Report Publication</a>	Resolution	12/6/2018

STATE OF IOWA  
2018  
FINANCIAL REPORT  
FISCAL YEAR ENDED  
JUNE 30, 2018  
CITY OF COUNCIL BLUFFS, IOWA

16207800400000  
City of Council Bluffs  
209 Pearl Street  
Council Bluffs, Iowa 51503-0826

ALL FUNDS

Item description	Governmental (a)	Proprietary (b)	Total actual (c)	Budget (d)
<b>Revenues and Other Financing Sources</b>				
Taxes levied on property	43,188,002		43,188,002	43,306,269
Less: Uncollected property taxes-levy year	0		0	0
<b>Net current property taxes</b>	<b>43,188,002</b>		<b>43,188,002</b>	<b>43,306,269</b>
Delinquent property taxes	7,221		7,221	0
TIF revenues	4,764,496		4,764,496	4,743,176
Other city taxes	21,538,532	0	21,538,532	17,800,355
Licenses and permits	5,773,976	0	5,773,976	4,383,430
Use of money and property	1,169,287	-250	1,169,037	929,300
Intergovernmental	29,849,498	10,520	29,860,018	24,522,388
Charges for fees and service	6,442,230	12,508,139	18,950,369	20,251,719
Special assessments	305,145	0	305,145	166,000
Miscellaneous	5,741,076	43,010	5,784,086	5,336,800
Other financing sources, including transfers in	62,757,402	6,238,620	68,996,022	74,369,712
<b>Total revenues and other sources</b>	<b>181,536,865</b>	<b>18,800,039</b>	<b>200,336,904</b>	<b>195,809,149</b>
<b>Expenditures and Other Financing Uses</b>				
Public safety	33,135,638	0	33,135,638	34,240,721
Public works	9,771,340	0	9,771,340	9,541,858
Health and social services	553,808	0	553,808	684,910
Culture and recreation	12,007,442	0	12,007,442	12,759,173
Community and economic development	4,793,219	0	4,793,219	6,652,687
General government	14,571,616	0	14,571,616	12,881,029
Debt service	17,686,355	0	17,686,355	17,620,043
Capital projects	41,063,277	0	41,063,277	40,193,100
<b>Total governmental activities expenditures</b>	<b>133,582,695</b>	<b>0</b>	<b>133,582,695</b>	<b>134,573,521</b>
Business type activities	0	15,434,167	15,434,167	16,206,371
<b>Total ALL expenditures</b>	<b>133,582,695</b>	<b>15,434,167</b>	<b>149,016,862</b>	<b>150,779,892</b>
Other financing uses, including transfers out	28,022,955	118,600	28,141,555	41,459,712
<b>Total ALL expenditures/And other financing uses</b>	<b>161,605,650</b>	<b>15,552,767</b>	<b>177,158,417</b>	<b>192,239,604</b>
<b>Excess revenues and other sources over (under) Expenditures/And other financing uses</b>	<b>19,931,215</b>	<b>3,247,272</b>	<b>23,178,487</b>	<b>3,569,545</b>
Beginning fund balance July 1, 2017	50,143,792	159,860,216	210,004,008	216,603,256
Ending fund balance June 30, 2018	70,075,007	163,107,488	233,182,495	220,172,801
<p>Note - These balances do not include \$0 held in non-budgeted internal service funds; \$0 held in Pension Trust Funds; \$0 held in Private Purpose Trust Funds and \$0 held in agency funds which were not budgeted and are not available for city operations.</p>				
Indebtedness at June 30, 2018				
General obligation debt	\$64,475,858	Other long-term debt		\$3,006,767
Revenue debt	\$4,078,700	Short-term debt		\$0
TIF Revenue debt	\$4,249,238			
		General Obligation Debt Limit		\$241,950,558

**Council Communication**

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

Council Bluffs Water Works 2019 Budget

Council Action: 12/17/2018

**Description**

**Background/Discussion**

Chapter 384.2 of the Code of Iowa, requires the Board of Water Works Trustees to submit budget to the Council for consideration.

On November 20, 2018, the Board of Water Works Trustees held a public hearing and adopted the Calendar Year 2019 Budget which begins on January 1, 2019.

**Recommendation**

**Council Communication**

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

Claims

Council Action: 12/17/2018

**Description**

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Claims</a>	Other	12/12/2018

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

CITY CLAIM NO. 18 PW-1931

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Erin and Mary Killpack DAY PHONE: 702-253-4512  
ADDRESS: \_\_\_\_\_ DOB: 4-8-76, 9-27-46

DATE & TIME OF LOSS/ACCIDENT: 12-2-2018 between 8:00am & 10:00am

LOCATION OF LOSS/ACCIDENT: 417, 420, & 424 Golden Oaks Drive

DESCRIPTION OF LOSS/ACCIDENT: A winter city snowplow was plowing snow on Golden Oaks Drive & struck a set of 3 mailboxes belonging to the three addresses above, knocking them down & their mounting down & severely damaging the back of form, if necessary)

TOTAL DAMAGES CLAIMED: \$166.00

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:  
N/A

HAVE YOU RESUMED NORMAL ACTIVITIES?  YES  NO

IF YOU INCURRED PROPERTY DAMAGE, PLEASE DESCRIBE AND PROVIDE COPIES OF ESTIMATES, INVOICES, PHOTOGRAPHS, AND ANY OTHER RELEVANT INFORMATION: 3 mail boxes & news paper receptacles were knocked from their mounting & severely damaged them

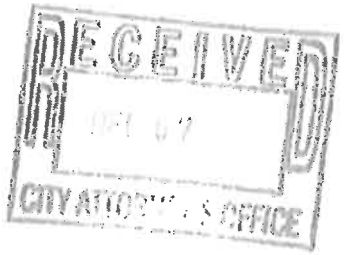
LIST INSURANCE PROVIDER AND COVERAGE: None

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

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

DATE: 12/5/18

Mary Killpack  
CLAIMANT'S SIGNATURE



CLERK RCVD  
7 DEC 18  
PM 2:25

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

CITY CLAIM NO. 15-10-1938

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Helen Lydon DAY PHONE: 712-256-2212  
ADDRESS: 417 Golden Oaks Dr DOB: 07-23-1951

DATE & TIME OF LOSS/ACCIDENT: 12-2-2018 between 7:00 am & 10:00 am

LOCATION OF LOSS/ACCIDENT: 417, 420, & 424 Golden Oaks Drive

DESCRIPTION OF LOSS/ACCIDENT: A winter city snow plow was plowing snow on Golden Oaks Drive & struck a set of 3 mailboxes belonging to the three addresses above, knocking them down & their mounting down & severely damaging them.

TOTAL DAMAGES CLAIMED: \$166.00

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:  
N/A

HAVE YOU RESUMED NORMAL ACTIVITIES?  YES  NO

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

3 mail boxes & News paper receipts were knocked from their mounting & severely damaged them

LIST INSURANCE PROVIDER AND COVERAGE: None

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

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

12-5-18  
DATE

Helen Lydon  
CLAIMANT'S SIGNATURE

CLERK ROOM  
7 DEC 18  
PM 2:25



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

CITY CLAIM NO. 18-PW-1937

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Thomas A. Wilbur DAY PHONE: 712-310-0335  
ADDRESS: 420 Golden Oaks Drive DOB: 01-28-1941

DATE & TIME OF LOSS/ACCIDENT: 12-2-2018 between 7:00 am & 10:00 am

LOCATION OF LOSS/ACCIDENT: 417, 420, & 424 Golden Oaks Drive

DESCRIPTION OF LOSS/ACCIDENT: A snowplow was plowing snow on Golden Oaks Drive & struck each of 3 mailboxes belonging to the three addresses above, knocking them down & their mounting down & severely damaging (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$166.00

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:  
N/A

HAVE YOU RESUMED NORMAL ACTIVITIES? \_\_\_ YES \_\_\_ NO

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

OTHER RELEVANT INFORMATION: 3 mail boxes & newspaper receptacles were knocked from their mounting & severely damaged them

LIST INSURANCE PROVIDER AND COVERAGE: N/A

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

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

12-4-2018  
DATE

Thomas A. Wilbur  
CLAIMANT'S SIGNATURE



CLERK RCVD  
7 DEC '18  
PN2:25

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

CITY CLAIM NO. 18-PD-1922

**NOTICE OF CLAIM/LOSS**

NAME OF CLAIMANT: Diane Kay Peck DAY PHONE: 402-490-6679  
ADDRESS: 1100 N 30<sup>th</sup> St Council Bluffs IA 51501 DOB: 3-26-59

DATE & TIME OF LOSS/ACCIDENT: 10-24-18 at 4:10 PM

LOCATION OF LOSS/ACCIDENT: 700 Block W. Kaneville right

DESCRIPTION OF LOSS/ACCIDENT: heading north on 8<sup>th</sup> street. Lt turned green  
proceeded north across intersection Kaneville. police  
Cruiser turned in front of me hitting my car on my Lt Drivers  
Side front area (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ 3,296.88

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

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

LIST INSURANCE PROVIDER AND COVERAGE: Liberty

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)

11-15-18  
DATE

Diane Peck  
CLAIMANT'S SIGNATURE

NOV 15

CLERK RGD

20 NOV 18

PM 2:40

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

CITY CLAIM NO. 18-PW-1923

**NOTICE OF CLAIM/LOSS**

NAME OF CLAIMANT: Sarah Bottler DAY PHONE: 402-650-9177  
ADDRESS: 1531 Willis Ave Omaha NE 68110 DOB: 04-01-1985  
DATE & TIME OF LOSS ACCIDENT: 10-10-2018 3:30 pm  
LOCATION OF LOSS ACCIDENT: Council Bluffs Recycling Center  
DESCRIPTION OF LOSS ACCIDENT: My husband and I were dropping some items off at the facility and one of the workers started operating his skid loader next to us and he ran over on a disposal can that Blew up  
TOTAL DAMAGES CLAIMED: \$1,400.00 in medical \$3,000.00 pain and suffering  
WITNESSES (IN case of Adversity, Please Print): Conrad Bottler 1531 Willis Ave 402-350-2887  
Tony Ficker (Facility manager) 712-328-4985  
Several employees 4441 Wifford Road  
WAS POLICE REPORT FILED  YES  NO  
IF MEDICAL ATTENTION WAS REQUIRED, PLEASE PROVIDE NAME, ADDRESS, AND TELEPHONE NO. OF TREATING PHYSICIAN AND FACILITY:  
CHI health Bergan Meraj medical center  
601 N 30th St 402-444-4000  
Peter M Daxner, MD

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:

HEALTH INSURANCE PROVIDER AND COVERAGE: United health / member id 000722591

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)

11-13-18  
DATE

[Signature]  
CLAIMANT'S SIGNATURE

NOV 19

CLERK RCVD

20 NOV 18

PH2:41

UP and FRED INTO the back of my head. Facility members were notified on the incident. manager of the facility called me the following Monday to discuss what happened. I suffered a mild concussion, meningitis and pain for days. The MD that treated me also stated it had cracked or layer or a or my skull and was suppressed it didn't split completely open. he also said the split won't heal properly leaving a deformity for life.

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

CITY CLAIM NO. 18-039200  
18-PD-1924

**NOTICE OF CLAIM/LOSS**

NAME OF CLAIMANT: Diane Watson DAY PHONE: 712-308-4846  
ADDRESS: \_\_\_\_\_ DOB: 9/14/88

DATE & TIME OF LOSS/ACCIDENT: SEPT 7, 2019 /  
LOCATION OF LOSS/ACCIDENT: 18th and Broadway  
DESCRIPTION OF LOSS/ACCIDENT: silver laptop Hp - Blank Mercedes Benz School Books total 3 Arrested at Buckys gas station on fire arms charge and Samsung galaxy cell phone

TOTAL DAMAGES CLAIMED: \$ 2300  
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  
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)

11-21-2018  
DATE

Diane Watson  
CLAIMANT'S SIGNATURE



CLERK RVD  
21 NOV '18  
PM 2:13

NOV 21

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

CITY CLAIM NO. 18-PD-1825

### NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Cristian Rivera DAY PHONE: 402-328-0795 or 402-328-5874  
ADDRESS: 2027 Read St Lot #14 Omaha, NE 68112 DOB: 01/10/1997

DATE & TIME OF LOSS/ACCIDENT: 10/27/2018 at 3:00 a.m.  
LOCATION OF LOSS/ACCIDENT: 2027 Read St Lot #14 Omaha, NE 68112  
DESCRIPTION OF LOSS/ACCIDENT: Stolen 04' Chevy Silverado. I am filing this claim because I wasn't notified it was found right away via phone call found right away via phone call and had to pay almost \$400. I had my phone number and my significant other's phone number on the stolen vehicle report and neither of us were notified. I reached out to detective in charge of the case the day after I got the mailed notification, and he wasn't aware our vehicle was found. I simply don't find it fair that after my vehicle was stolen I have to pay so much (USE BACK OF FORM, IF NECESSARY) to recover it, which is why I am filing this claim.  
TOTAL DAMAGES CLAIMED: \$ 390.95

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Detective Groth from Omaha Police Dept. his phone number is (402) 444-5541 works 2:00- 10:00 pm on weekdays except for tuesdays.

WAS POLICE REPORT FILED  YES  NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES?  YES  NO

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

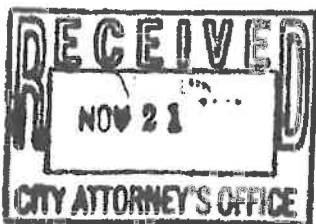
LIST INSURANCE PROVIDER AND COVERAGE:

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

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

11/21/2018  
DATE

Cristian Rivera  
CLAIMANT'S SIGNATURE



CLERK  
21 NOV 18  
PM 2:13

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

CITY CLAIM NO. 18-PW-1927

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: Rachel Hanover DAY PHONE: 712-314-3974  
ADDRESS: 2933 Ave F DOB: 1-27-85

DATE & TIME OF LOSS/ACCIDENT: August 20<sup>th</sup> 2018

LOCATION OF LOSS/ACCIDENT: 2933 Ave F

DESCRIPTION OF LOSS/ACCIDENT: The city water/sewer lines backed up into my home. We informed that there were several sinkholes and due to all the rain there were damaged sewer lines.

TOTAL DAMAGES CLAIMED: \$ See attached estimates (USE BACK OF FORM, IF NECESSARY)

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Donald Hanover 2933 Ave F Council Bluffs IA 712-326-6940

WAS POLICE REPORT FILED YES  NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES? YES  NO

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

LIST INSURANCE PROVIDER AND COVERAGE: All State - denied to file a claim due to the cities sewer lines

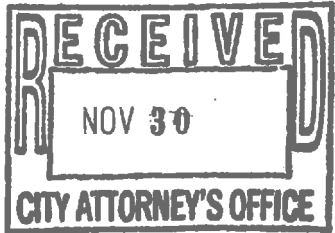
I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IN SUPPORT OF MY CLAIM IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

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

11-8-18  
DATE

Rachel Hanover  
CLAIMANT'S SIGNATURE

we had several inches of sewer water come up through the shower and toilet in our basement



CLERK RCVD  
30 NOV 18  
PM 2:56

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

CITY CLAIM NO. 18-PD-1926

NOTICE OF CLAIM/LOSS

NAME OF CLAIMANT: L.A. Auto Sales Inc. DAY PHONE: 402 5927887

ADDRESS: 7700 L St. Omaha NE 68127 DOB: \_\_\_\_\_

DATE & TIME OF LOSS/ACCIDENT: 11-20-18

LOCATION OF LOSS/ACCIDENT: 919 Ave C Council Bluffs, IA

DESCRIPTION OF LOSS/ACCIDENT: 18-050588 police report number

Vehicle was stolen from L.A. Auto Sales and recovered  
in Council Bluffs. Police released vehicle 11-21-18 from

Arrow Towing but did not notify L.A. Auto's until 11-27-18 (USE BACK OF FORM, IF NECESSARY)

TOTAL DAMAGES CLAIMED: \$ \$160 in storage \$405 total / please refund \$160

WITNESS(ES) (Name(s), Address(es), Phone No(s)): Det. Hney CB Police

WAS POLICE REPORT FILED  YES  NO

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

HAVE YOU RESUMED NORMAL ACTIVITIES?  YES  NO

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

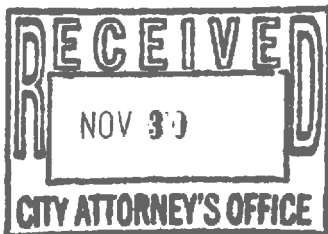
LIST INSURANCE PROVIDER AND COVERAGE:

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

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

11-27-18  
DATE

[Signature]  
CLAIMANT'S SIGNATURE



CLERK RCVD  
30 NOV 18  
PM 2:55

**Council Communication**

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

Notice of Right of Redemption

Council Action: 12/17/2018

**Description**

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Notices</a>	Other	12/12/2018

Amended

MT1 Investments  
122 Locust Lodge Avenue  
Council Bluffs, Iowa 51503

11-30-2018

David C. & Kelly L. Davis  
1009 4<sup>th</sup> Avenue  
Council Bluffs, IA 51501

Merchant Credit Adjusters  
4005 S. 148<sup>th</sup> street  
Omaha, NE 68137

Midland Funding LLC  
PO Box 939069  
San Diego, CA 92193

Portfolio Recovery Association LLC  
PO Box 12914  
Norfolk, VA 23541

City of Council Bluffs  
209 Pearl Street  
Council Bluffs, IA 51501

Pottawattamie County Treasurer  
227 South 6<sup>th</sup> Street  
Council Bluffs, IA 51501

First Bank National Association  
C/O US Bank  
ATTN: MIKE  
5065 WOOSTER RD  
CINNCINATI, OH 45226

On June 15, 2015, MT1 Twenty Nine Investments purchased Tax Sale Certificate # 15/0695 with a Parcel Number of 754436151005 and an address of 1009 4<sup>th</sup> Avenue, Council Bluffs, Iowa 51501, Legal Description- Lot 2 in Block 18 in Bayliss 2<sup>nd</sup> Addition to Council Bluffs, City of Council Bluffs, Pottawattamie County, Iowa. Under Iowa Code 447.9, we are required to provide you with a "Notice of Right of Redemption." As of the date of this letter, you have 90 (ninety) days to redeem the parcel or a Treasurer's Deed will be given to the purchaser of the Tax Sale Certificate.

CLERK RQW  
4 DEC 19  
AM 10:40

Sincerely,

A handwritten signature in black ink, appearing to be 'MS' or similar initials, written in a cursive style.

Mike Stoll  
MT1 Investments  
Vice President

**Council Communication**

Department: Public Works Admin  
Case/Project No.: BM19-03  
Submitted by: Pat Miller, Public Works  
Operations Director

Resolution 18-334

Council Action: 12/17/2018

**Description**  
Resolution setting a public hearing for 7:00 p.m. on January 14, 2019 on the plans, specifications, form of contract, and cost estimate for the Mid America Center Score Board Replacement Project. Project No. BM19-03.

**Background/Discussion**  
The existing scoreboards in the arena were installed when the Mid America Center was built in 2002. The failure rate and reliability of this scoreboard during events has escalated over the last few years. Replacement parts are becoming more expensive and difficult to obtain. Reliability has become a concern.  
The new high resolution LED display board will captivate audiences. It will provide the guests with some of today’s most advanced video technology enhancing their overall experience. Advertising upcoming events will aid in marketing this venue.  
The estimated cost of this project is \$ 625,000.00. Funding for this project will be paid for by capital improvement funds.  
The project schedule is as follows:  
Set Public Hearing      December 17, 2018  
Hold Public Hearing     January 14, 2019  
Letting                     February 13, 2019  
Award                       February 25, 1019  
Construction End        May 1, 2019

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Notice of Public Hearing</a>	Other	12/7/2018
<a href="#">Resolution 18-334</a>	Resolution	12/12/2018

Notice of Public Hearing  
on the  
Plans, Specifications, Form of Contract, and Cost Estimate  
for the  
Mid America Center Scoreboard Replacement Project

A Public Hearing will be held on January 14, 2019 at 7:00 P.M., in the Council Chambers of City Hall, 209 Pearl Street, Council Bluffs, Iowa, on the proposed plans, specifications, form of contract, and cost estimate for the Mid America Center Scoreboard Replacement Project. At said hearing any interested person may appear and file objections to such plans and specifications.

---

Jodi Quakenbush, City Clerk

RESOLUTION NO. 18-334

RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE  
AND SETTING A PUBLIC HEARING ON THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND COST ESTIMATE  
FOR THE MID AMERICA CENTER SCOREBOARD REPLACEMENT PROJECT

WHEREAS, the City of Council Bluffs desires to replace the scoreboard at the Mid America Center; and

WHEREAS, HGM Associates Inc. was hired to provide professional services; and

WHEREAS, funding for this project will be provided by capital improvement funds; and

WHEREAS, the plans, specifications, form of contract, and cost estimate as prepared by HGM Associates Inc. 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 the plans, specifications, form of contract, and cost estimate for the Mid America Scoreboard Replacement Project on January 14, 2019 at 7:00 p.m.

ADOPTED  
AND  
APPROVED December 17, 2018

\_\_\_\_\_  
Matthew Walsh Mayor

Attest:

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

**Council Communication**

Department: City Clerk  
Case/Project No.: ZT-18-003  
Submitted by: Chris Meeks, Planner

Ordinance 6372

Council Action: 12/17/2018

**Description**  
Ordinance to amend Chapter 15.05, A-2/Parks, Estates and Agricultural District of the 2015 Municipal Code (Zoning Ordinance) by amending Section 15.05.030 "Conditional Uses" to include "Greenhouse, Commercial". ZT-18-003.

**Background/Discussion**  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">ZT-18-003 Staff Report Including Attach</a>	Other	11/15/2018
<a href="#">ZT-18-003 Commercial Greenhouse as CUP in a A-2 District PH Notice CC</a>	Other	11/14/2018
<a href="#">Ordinance 6372</a>	Ordinance	11/16/2018

**Council Communication**

<p>Department: Community Development</p> <p>Case #ZT-18-003</p> <p>Applicant: Johnson Enterprises, LTD d/b/a Dallas Johnson Greenhouses 2802 Twin City Drive Council Bluffs, IA 51501</p>	<p>Ordinance No.</p>	<p>City Council: November 26, 2018</p> <p>Planning Commission: November 13, 2018</p>
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**Subject/Title**

CASE #ZT-18-003: Public hearing on the request of Johnson Enterprises, LTD, to amend Section 15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) to allow “Greenhouse, Commercial”, as defined in Section 15.03.312, as a conditional use in the A-2/Parks, Estates, and Agricultural District.

**Background**

The Community Development Department has received a request of Johnson Enterprises, LTD, for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) for:

- An amendment to §15.05.030, Conditional uses in the A-2/Parks, Estates, and Agricultural District, to add “10. Greenhouse, Commercial”.

The purpose of this text amendment is to bring the Dallas Johnson Greenhouses, located at 2802 Twin City Drive, into conformance with city zoning so that they may expand their greenhouse facility. The Dallas Johnson Greenhouses were established in 1991 when the property was zoned A-2. At that time, a greenhouse was allowed as a principal use in the A-2 District. On August 26, 1996, the Council Bluffs City Council adopted Ordinance #5285 which amended the principal uses in the A-2 Zoning District, and greenhouses were removed as a principal use. Subsequently, the Dallas Johnson Greenhouses became a nonconforming use due to this text amendment. The proposed text amendment will bring the Dallas Johnson Greenhouses into conformance with the Council Bluffs Municipal Code, and will also allow other greenhouse uses to occur in the A-2 District upon issuance of a conditional use permit.

Commercial greenhouses or hoop houses are defined in Section 15.03.312 of the Municipal Code as “an establishment engaged in the propagation and growth of plant material for gardening, landscaping, and/or food production purposes, intended for wholesale or retail sales”. Commercial greenhouses are currently allowed as Principal uses in only the I-1/Light Industrial District and I-2/General Industrial District. Commercial greenhouse are required to adhere to all applicable site development regulations for the zoning district which they are located within. The current zoning ordinance does not have specific off-street parking standards for a commercial greenhouse. Due to the differing operating characteristics of the property, (e.g. manufacturing space, warehousing space, and office space) parking requirements will be set forth using Schedule A of Chapter 15.23 of the Municipal Code, as follows:

- Office or administrative activity: 1 space per 300 square feet
- Indoor sales, display, or service area: 1 space per 500 square feet
- Outdoor sales, display, or service area: 1 space per 2,000 square feet
- Equipment servicing or manufacturing: 1 space per 1,000 square feet
- Indoor or outdoor storage or warehousing: 1 space per 5,000 square feet

The applicant would also have the option to conduct a professional parking study for their site to determine the appropriate parking which could be approved by the Zoning Board of Adjustment as part of the conditional use permit review.

All City departments and utility providers received a copy of the proposed text amendment. The Council Bluffs Public Works Department, Black Hills Energy, Council Bluffs Water Works, and MidAmerican Energy all responded that they have no comments on the request.

No other comments have been received.

**Recommendation**

The Community Development Department recommends approval of the request for an amendment to §15.05.030, by adding “10. Greenhouse, Commercial” as a Conditional use in the A-2/Parks, Estates and Agricultural District.

**Public Hearing**

Speakers in favor:

1. Peter Hult, Dallas Johnson Greenhouse, 2802 Twin City Drive, Council Bluffs, IA 51501

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends approval of the request for an amendment to §15.05.030, by adding “10. Greenhouse, Commercial” as a Conditional use in the A-2/Parks, Estates and Agricultural District.

VOTE: AYE 9 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 2 Motion: Carried

**Attachment**

**Attachment A:** Proposed text amendment

Prepared by: Chris Meeks, Planner

## Chapter 15.05

### A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT

#### Sections:

<b>15.05.010</b>	<b>Statement of intent</b>
<b>15.05.020</b>	<b>Principal uses</b>
<b>15.05.030</b>	<b>Conditional uses</b>
<b>15.05.040</b>	<b>Accessory uses</b>
<b>15.05.050</b>	<b>Site development regulations</b>
<b>15.05.060</b>	<b>Additional regulations</b>
<b>15.05.070</b>	<b>Signs</b>

**15.05.010 Statement of intent.** This district is intended to preserve lands best suited for agricultural, recreational, and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur.

**15.05.020 Principal uses.** The following principal uses shall be permitted outright in an A-2 district:

1. Animal production
2. Cemetery
3. Dwelling, single family detached
4. Family home
5. Government maintenance facility
6. Horticulture and crop production
7. Local utility services
8. Park and recreation services
9. Public campground
10. Public safety services
11. Religious assembly (Ord. #5523, Sec. 1,10/23/00)
12. Secondary airports and private light plane landing strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Administration (FAA) and when situated on a site containing not less than thirty (30) acres. (Ord. 6055, Sec. 1, 3/8/10)

13. Animal shelter (non-profit). (Ord. #6081, Sec. 1, 5/24/10)

**15.05.030 Conditional uses.** The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.02: (Ord. 6055, Sec 2, 3/8/10)

1. Agricultural sales and service
2. Commercial recreation (outdoor)
3. Day care services
4. Extraction activity
5. Funeral service in conjunction with a cemetery
6. Outdoor firing range
7. Private campground
8. Sanitary landfill
9. Rubble dump (Ord. #5523, Sec. 2, 10/23/00)

**10. Greenhouse, Commercial**

**15.05.040 Accessory uses.** Accessory uses shall include uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. In an A-2 District only, an accessory structure may exceed the ground floor coverage of the principal structure.

**15.05.050 Site development regulations.**

Minimum Lot Size

Lot area: 3 acres  
 Lot width: 150 feet  
 Lot depth: 200 feet

<u>Minimum Setbacks</u>	<u>Principal Structure</u>	<u>Accessory Structure</u>
Front yard:	50 feet	greater of 50 feet or existing front setback line of principal structure
Street side yard:	20 feet	20 feet
Side yard:	10% of lot width or 10 feet whichever is greater	10% of lot width or 10 feet whichever is greater

Rear yard:	20 feet	20 feet
Maximum height:	35 feet	25 feet

Lot coverage - all structures            10% maximum

**15.05.060 Additional regulations.**

1. Reserved

**15.05.070 Signs.** Signage in this district shall comply with Chapter 15.33 "Signs".  
(Ord. 5285, 8/26/96)

## **NOTICE OF PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 17<sup>th</sup> day of December, 2018 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to amend §15.05.030 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'Greenhouse, Commercial', as defined by §15.03.312, as a conditional use in an A-2/Parks, Estates, and Agricultural District.

(CASE ZT-18-003)

**ORDINANCE NO. 6372**

**AN ORDINANCE TO AMEND CHAPTER 15.05, A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT OF THE 2015 MUNICIPAL CODE (ZONING ORDINANCE) OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.05.030 “CONDITIONAL USES” TO INCLUDE “GREENHOUSE, COMMERCIAL”.**

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

**SECTION 1.** That Chapter 15.05 “A-2/Parks, Estates, and Agricultural District” of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.05.030 “Conditional uses” to read as follows:

15.05.030 - Conditional uses.

The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.02:

- (1) Agricultural sales and service;
- (2) Commercial recreation (outdoor);
- (3) Day care services;
- (4) Extraction activity;
- (5) Funeral service in conjunction with a cemetery;
- (6) Outdoor firing range;
- (7) Private campground;
- (8) Sanitary landfill;
- (9) Rubble dump; **and**
- (10) Greenhouse, Commercial.**

(Ord. No. 6055, § 2, 3-8-2010).

**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

December 17, 2018.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 11-26-18  
Second Consideration: 12-17-18  
Public Hearing: 12-17-18  
Third Consideration: \_\_\_\_\_

**Council Communication**

Department: City Clerk  
Case/Project No.: ZT-18-004  
Submitted by: Christopher Gibbons, Planning  
coordinator

Ordinance 6374

Council Action: 12/17/2018

**Description**  
Ordinance to amend Chapter 15.18-P-C/Planned Commercial District of the 2015 Municipal Code by amending Section 15.18.020 "Principal Uses" to include "School" ZT-18-004.

**Background/Discussion**  
The Community Development Department requests that the 3rd Reading be waived for Ordinance 6374.  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">ZT-18-004 Staff Report Final Including Attach</a>	Other	11/15/2018
<a href="#">ZT-18-004 Schools in a PC District PH Notice</a>	Other	11/15/2018
<a href="#">Ordinance 6374</a>	Ordinance	11/16/2018

**Council Communication**

Department: Community Development  Case #ZT-18-004  Applicant: City of Council Bluffs	Ordinance No. _____	City Council: 11/26/18  Planning Commission: 11/13/2018
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**Subject/Title**

CASE #ZT-18-004: Public hearing on the request of the Community Development Department to amend §15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding ‘School’ as a principal use in a P-C/Planned Commercial District.

**Background**

The Community Development Department is requesting to amend Title 15 of the Municipal Code (Zoning Ordinance) relative to ‘schools’ as follows:

- Amend §15.18.020, *Principal uses, P-C/Planned Commercial District*, of the Municipal Code (Zoning Ordinance) by adding §15.18.020(20) ‘School’ as a principal use

Per Section 15.03.595 of the Municipal Code (Zoning Ordinance) a ‘school’ is defined as “public or non-public, at all levels from prekindergarten level through grade twelve, which meet the requirements of the State Board of Public Instruction, and accredited schools that provide post-secondary education. Said “School” shall include the buildings and all land contiguous to said buildings”. On November 13, 2017, the Council Bluffs City Council approved Ordinance No. 6311, which amended the definition of a ‘school’ to include post-secondary education. The purpose of the text amendment was to allow EQ School of Hair to adaptively reuse the former Petersen School at 2600 S. 9<sup>th</sup> Street as their new educational facility.

Schools are allowed as a principal use in the following zoning districts, as per the Council Bluffs Zoning Ordinance:

- R-1/Single-Family Residential District;
- R-1M/Single-Family Mobile Home Residential District;
- R-2/Two-Family Residential District;
- R-3/Low Density Multi-Family Residential District;
- R-4/High Density Multi-Family Residential District;
- C-1/Neighborhood Commercial District;
- C-2/Commercial District; and
- C-3/Central Business District

The proposed text amendments will allow a ‘school’, as defined in Section 15.03.595, as a principal use in the P-C/Planned Commercial District. Properties zoned P-C District in the City of Council Bluffs generally include all major retail shopping centers (e.g., Lake Manawa Power Center, Marketplace, Metro Crossing, Mall of the Bluffs, and Bluffs Northway), the Mid-America Center area, and several large acre tracts of vacant land located along S. 24<sup>th</sup> Street, S. 35<sup>th</sup> Streets, and 23<sup>rd</sup> Avenue. The proposed text amendments would allow for office and retail spaces in the areas identified above to be used for public, private, and/or secondary education facilities. A recent inquiry by the Council Bluffs Community School District to locate classrooms in the former Target building while Kim and Wilson Middle Schools are being renovated has necessitated this text amendment. An anticipated positive side effect of locating a school in the Mall of the Bluffs area is that the increased pedestrian traffic has the potential to reinvigorate the facility.

All City departments and utility providers received a copy of the proposed text amendment. The Building Division, Council Bluffs Fire Department, Council Bluffs Police Department, Council Bluffs Water Works, Black Hills Energy and MidAmerican Energy stated they have no comments with the proposed amendment.

No other comments have been received.

**Recommendation**

The Community Development Department recommends approval to amend §15.18.020, *Principal uses, P-C/ Planned Commercial District*, of the Municipal Code (Zoning Ordinance) by adding §15.18.020(20) 'School' as a principal use.

**Public Hearing**

Speakers in favor:

1. Christopher Gibbons, Planning Coordinator, City of Council Bluffs, Community Development Department, 209 Pearl Street, Council Bluffs, IA 51503

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends approval to amend §15.18.020, *Principal uses, P-C/ Planned Commercial District*, of the Municipal Code (Zoning Ordinance) by adding §15.18.020(20) 'School' as a principal use.

VOTE: AYE 9 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 2 Motion: Carried

**Attachment**

**Attachment A:** Proposed text amendment to Chapter 15.18.020, P-C District relative to a 'school'.

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

## Chapter 15.18

### P-C PLANNED COMMERCIAL DISTRICT

#### Sections:

<b>15.18.010</b>	<b>Statement of intent</b>
<b>15.18.020</b>	<b>Principal uses</b>
<b>15.18.030</b>	<b>Conditional uses</b>
<b>15.18.040</b>	<b>Accessory uses</b>
<b>15.18.050</b>	<b>Site development regulations</b>
<b>15.18.060</b>	<b>Development plan review procedure</b>
<b>15.18.070</b>	<b>Signs</b>

**15.18.010 Statement of intent.** The PC district is intended to provide for the development of retail shopping centers, hotel/motel services, destination resorts, and office parks. Facilities in planned commercial districts are designed to be used in common, such as ingress and egress roads, extensive parking accommodations, proper relations to traffic arteries, and compatibility with surrounding uses. Because large retail/service centers have significant impact upon the development of the city, final authority over their development shall be retained by the city council, with extensive review by the planning commission.

**15.18.020 Principal uses.** The following principal uses shall be permitted outright in a PC district:

1. Automobile service establishment
2. Business, professional office
3. Business goods and service establishment
4. Commercial recreation (indoor)
5. Consumer service establishment
6. Cultural service
7. Financial service
8. General government use
9. Hotel/motel
10. Local utility service
11. Places of public assembly, entertainment or recreation

12. Private parking lot
13. Public parking lot
14. Public safety service
15. Retail shopping establishment
16. Restaurant (drive-in, limited and general)
17. Tavern (Ord. #5634, Sec. 1, 6/25/01)
18. Consumer fireworks sales (Ord. #6333, Sec. 1, 6/11/18)
19. Small alcohol production facility (Ord. 6344, Sec. 1, 8/13/18)

**20. School**

**15.18.030 Conditional uses.** The following conditional uses shall be permitted in a PC district in accordance with the requirements set forth in Chapter 15.02:

1. Communication tower
2. Day care services (Ord. #6116, Sec. 1, 1/10/11)
3. Auction, Indoor (Ord. #6142, Sec. 3, 12/12/11)

**15.18.040 Accessory uses.** The following accessory uses shall be permitted in a PC district:

1. Uses of land or structures customarily incidental and subordinate to one of the principal uses in the PC district, unless otherwise excluded.

**15.18.050 Site development regulations.** Minimum tract size, lot size, setback requirements, height, lot coverage, signage and landscaping shall be determined through the development plan review procedure described in this chapter. The components of an approved development plan shall prevail over conflicting standards or regulations elsewhere in this title.

**15.18.055 Additional regulations.**

1. Consumer fireworks sales from a temporary structure shall not be located within 300 feet of a residential structure. (Ord. #6333, Sec. 1, 6/11/18)

**15.18.060 Development plan review procedure.**

1. Application. A completed application form, ten copies of the development plan along with the required fee shall be submitted to the community development department. The development plan shall be reviewed in

accordance with the procedures outlined below. The following information shall be submitted to the community development department:

- a. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame and phasing.
- b. The development name and legal description of the boundary.
- c. A north arrow, scale, bar scale and date.
- d. The names and addresses of the owner, and the architect or engineer preparing the plan.
- e. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas.
- f. All established floodway or floodway fringe encroachment limits.
- g. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development.
- h. Location and size of any sites to be considered for dedication to public use.
- i. Layout, numbers and dimensions of proposed lots.
- j. The location, width, name, grade and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred feet of the site.
- k. The location and width of other public ways, railroad right-of-ways, utility and all other easements, existing or proposed within the development and within two hundred feet.
- l. Existing and proposed contour intervals of not more than five feet.
- m. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities.
- n. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, and landscaping.
- o. Proposed landscaping plan.

- p. Proposed signage plan.
- q. Traffic impact study to include: 1) data on existing peak hour traffic volumes and conditions; 2) directional distribution estimates of added traffic; 3) projections of added traffic volumes for all of the appropriate critical hours; 4) determination of needed improvements, controls, driving locations, and their design; and 5) identification of any need for additional right-of-way which could be secured from the developer.
- r. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

The community development director shall determine the adequacy and completeness of the development plan application. The community development director may require additional information prior to scheduling review by the city planning commission.

1. Review by city planning commission. The city planning commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary to reduce noise and glare, and designation of responsibility for maintenance of the property.
2. Review by city council. After review of the development plan by the city planning commission, it shall be forwarded to the city council, with its written recommendations, whether for approval or denial, whereupon the city council may take action on the plan. Approval of the development plan shall be by city council resolution.
3. Building permit review. The community development director shall review all building and public works construction permits for compliance with the approved development plan. No building or public works construction permit shall be issued if determined by the community development director to be inconsistent with the approved development plan. However,

the community development director shall have the authority to approve minor changes to the development plan. If the community development director determines that major changes are requested, review and approval by the city planning commission and city council shall be required.

4. Amendment to development plan. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application.

**15.18.070 Signs.** In addition to the signage approved in the development plan, signage in this district shall comply with Chapter 15.33 "Signs" (Ord. #5469, Sec. 2, 8/99)

## **NOTICE OF PUBLIC HEARING**

TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 17<sup>th</sup> day of December, 2018 at 7:00 p.m. in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to amend §15.18.020 of the Council Bluffs Municipal Code (Zoning Ordinance) by adding 'Schools', as defined by §15.03.595, as a principle use in a P-C/Planned Commercial District.

(CASE ZT-18-004)

**ORDINANCE NO. 6374**

**AN ORDINANCE TO AMEND CHAPTER 15.18-P-C/PLANNED COMMERCIAL DISTRICT OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING SECTION 15.18.020 “PRINCIPAL USES” TO INCLUDE “SCHOOL”.**

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

**SECTION 1.** That Chapter 15.18-P-C/Planned Commercial District of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.18.020 “Principal uses” to read as follows:

**15.18.020 - Principal uses.**

The following principal uses shall be permitted outright in a P-C district:

- (1) Automobile service establishment;
- (2) Business, professional office;
- (3) Business goods and service establishment;
- (4) Commercial recreation (indoor);
- (5) Consumer service establishment;
- (6) Cultural service;
- (7) Financial service;
- (8) General government use;
- (9) Hotel/motel;
- (10) Local utility service;
- (11) Places of public assembly, entertainment or recreation;
- (12) Private parking lot;
- (13) Public parking lot;
- (14) Public safety service;
- (15) Retail shopping establishment;
- (16) Restaurant (drive-in, limited and general);
- (17) Tavern;
- (18) Consumer fireworks sales;
- (19) Small alcohol production facility; and
- (20) School**

(Ord. 5634 § 1, 2001).

(Ord. No. 6333, § 1, 6-11-2018, Ord. No. 6344, § 1, 8-13-18).

**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

December 17, 2018.

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

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 11-26-18  
Second Consideration: 12-17-18  
Public Hearing: 12-17-18  
Third Consideration: \_\_\_\_\_

**Council Communication**

Department: City Clerk  
Case/Project No.: ZC-18-011  
Submitted by: Chris Meeks, Planner

Ordinance 6376

Council Action: 12/17/2018

**Description**  
Ordinance to amend the zoning map as adopted by reference in Section 15.02.070 of the 2015 Municipal Code, by rezoning properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey’s Addition, from C-1/Commercial District to R-3/Low Density Multifamily Residential District as defined in Chapter 15.10. ZC-18-011.

**Background/Discussion**  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">ZC-18-011 Samar Realty Jeanette Fox Staff Report Including Attachs</a>	Other	11/19/2018
<a href="#">ZC-18-011 Samar Realty Jeanette Fox PH Notice</a>	Other	11/19/2018
<a href="#">Ordinance 6376</a>	Ordinance	11/19/2018

### Council Communication

Department: Community Development  CASE # ZC-18-011  Applicant/Property Owner: Samar Realty by Jeannette Fox 3110 Gold Rush Road Council Bluffs, IA 51501  Representative: John Huston Hunter Key Real Estate 501 S. Main Street Council Bluffs, IA 51503	Ordinance No. _____	City Council: 12/17/18  Planning Commission: 8/14/18
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#### Subject/Title

**Request:** Rezone property legally described as being the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

The Community Development Department expanded the request to rezone properties legally described as Lots 4 and 5, Block A and the North 43 Feet of Lot 6, Block A, all in Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multi-Family Residential District.

**Location:** 1000 5<sup>th</sup> Avenue, 1006 5<sup>th</sup> Avenue, 1010 5<sup>th</sup> Avenue, and 410 S. 10<sup>th</sup> Street.

#### Background

The Community Development Department has received an application from Samar Realty LLC, by Jeanette Fox, represented by John Huston Hunter of Key Real Estate, to rezone the property legally described as the South 87 feet of Lot 6, Block A, Curtis and Ramsey's Addition from C-1/Commercial District to R-3/Low Density Multifamily Residential. The applicant is proposing this rezoning to allow an existing building on the site to be renovated and used as a four unit multifamily dwelling. The building has historically been used as a multifamily dwelling, but has been vacant for many years, and has therefore lost the status as a legally nonconforming use in the C-1/Commercial District. The building is addressed as 1000 5<sup>th</sup> Avenue.

The Community Development Department has expanded the request to include surrounding properties that are also currently legally nonconforming uses in the C-1/Commercial District. These properties are described as Lot 4, Lot 5, and the North 43 Feet of Lot 6, all in Block A, Curtis and Ramsey's Addition. The addresses of these properties are 1006 5<sup>th</sup> Avenue, 1010 5<sup>th</sup> Avenue, and 410 S. 10<sup>th</sup> Street. The expansion of the request also prevents the applicant's property from being spot-zoned in the C-1/Commercial District. The property owners included in the expansion of this rezoning have been notified, and the applicant was able to secure signatures from these property owners showing their approval.

#### Land Use and Zoning

The following land uses surround the subject properties:

North: Residential structures that are zoned in the R-3/Low Density Multifamily Residential District.

South: A commercial building that is zoned in the C-2/Commercial District  
East: A commercial building that is zoned in the C-1/Commercial District  
West: Residential structures that are zoned in the R-3/Low Density Multifamily Residential

The future land use plan of the Bluffs Tomorrow 2030 (comprehensive Plan) designates the subject property as Low-Density Residential.

Public notices were mailed to all property owners within 200 feet of the request. No comments were received for the request.

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

- The Council Bluffs Fire Marshall stated they have no comments on the request.
- The Permits and Inspections Division stated the property has been vacant for a long time, and has lost its nonconforming provisions. The building will need to be brought up to current fire and building code requirements for multi-family dwellings.
- The Public Works Department stated they have no comments regarding the rezoning request, though feel that the availability of off-street parking for the multi-family dwelling needs to be addressed.
- Council Bluffs Water Works stated they have no comments on the request.

The following attachments are included with the case staff report:

- Attachment A: Location/zoning map
- Attachment B: Site Photos
- Attachment C: Approval of Owners of Properties Included in the Rezoning Request

**Discussion**

1. If approved, the subject properties will be zoned to the same district as properties located in the area.
2. The proposed rezoning is consistent with the Future Land Use Plan of the Bluffs Tomorrow: 2030 Comprehensive Plan.
3. As stated in Section 15.26.030 – *Nonconforming uses* – (3) Abandonment of Nonconforming Use- “If any nonconforming use ceases for a continuous period of more than six months, any subsequent use shall conform to the regulations of this title.”. The applicant has stated that the subject four-unit multifamily dwelling (addressed as 1000 5<sup>th</sup> Avenue) has been vacant for approximately 12 years, meaning that the use is to be considered abandoned per the Zoning Ordinance. The proposed multifamily dwelling would not be an allowable use in the C-1/Commercial District, as it is currently zoned, but would be allowed in the proposed R-3/Low Density Multifamily Residential Zoning District as a Principal use.
4. Adequate utilities (e.g., water, sanitary sewer, electric, etc.) are available to accommodate the uses permitted in the R-3/Low Density Multi-Family Residential District.

**Recommendation**

The Community Development Department recommends approval of the request to rezone the properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey’s Addition, City of Council Bluffs, Pottawattamie County, Iowa, from C-1/Commercial District to R-3/Low Density Multifamily Residential District., based on reasons stated above.

**Public Hearing**

**Speakers in favor:**

1. John Huston Hunter, 4208 Savage Street, Council Bluffs, IA 51501

**Speakers against:** None.

**Planning Commission Recommendation**

The Planning Commission recommends approval of the request to rezone the properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey's Addition, City of Council Bluffs, Pottawattamie County, Iowa, from C-1/Commercial District to R-3/Low Density Multifamily Residential District., based on reasons stated above.

VOTE: AYE 7 NAY 0 ABSTAIN 0 ABSENT 0 VACANT 4 Motion: Carried

**Attachments**

Attachment A: Location/zoning map

Attachment B: Site Photos

Attachment C: Approval of Owners of Properties Included in the Rezoning Request

Prepared by: Chris Meeks, Planner

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #ZC-18-011 LOCATION/ZONING MAP



**Map Legend**

- Subject Properties
- Parcels



Last Amended: 7/19/18

**DISCLAIMER**  
This map is prepared and compiled from various sources. The City of Council Bluffs does not warrant the accuracy, reliability, or completeness of the information contained on this map. The user of this map should verify the information shown on this map before relying on it for any legal purpose. The City assumes no legal responsibility for the information contained on this map.

Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

# Attachment B:

## Site Photos

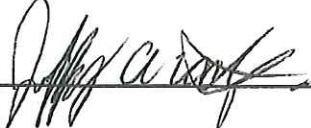




Above: Aerial photo of subject properties (highlighted in red).


Below: Ground level photo of subject properties (from Google Earth).



<b>PETITION TO REZONE TO R3 MULTIFAMILY</b>
<b>1000 S 10<sup>TH</sup> St</b>
<b>Council Bluffs, IA 51501</b>
<b>7/25/2018</b>

	Name	Address	City/State/Zip	Signature
1	Coats Realty LLC	1006 5th Ave	CB/IA/51501	
2	John Skradski	410 S 10th St	CB/IA/51501	
3	Sean Thomsen	1010 5th Ave	CB/IA/51501	
<b>Notes:</b>				

**Any questions Please contact:**



PLANNING & COMMUNITY DEVELOPMENT  
 209 PEARL STREET  
 COUNCIL BLUFFS, IA 51503  
 OFFICE: 712-328-4629  
 FAX: 712-328-4915

**CHRIS MEEKS**  
PLANNER

email: [cmeeks@councilbluffs-ia.gov](mailto:cmeeks@councilbluffs-ia.gov)

## NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a Public Hearing on an ordinance to amend the zoning map as adopted by reference in Section 15.02.070, by rezoning properties legally described as Lots 4-6, Block A Curtis and Ramsey's Addition, City of Council Bluffs, Pottawattamie County, Iowa from C-1/Commercial District to R-3/Low Density Multifamily Residential District.

You are further notified that the Public Hearing on said matters will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 17<sup>th</sup> day of December, 2018, in the City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

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Jodi Quakenbush, City Clerk

**ORDINANCE NO. 6376**

**AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF COUNCIL BLUFFS, IOWA, AS ADOPTED BY REFERENCE IN SECTION 15.02.070 OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REZONING PROPERTIES LEGALLY DESCRIBED LOTS 4, 5, AND 6, BLOCK A, CURTIS AND RAMSEY’S ADDITION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, FROM C-1/COMMERCIAL DISTRICT TO R-3/LOW DENSITY MULTIFAMILY RESIDENTIAL DISTRICT AS DEFINED IN CHAPTER 15.10 OF THE MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA.**

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

**SECTION 1.** That the Zoning Map of the City of Council Bluffs, Iowa, as adopted by reference in Section 15.02.070 of the 2015 Municipal Code of the City of Council Bluffs, Iowa, be and the same is hereby amended by rezoning properties legally described Lots 4, 5, and 6, Block A, Curtis and Ramsey’s Addition, City of Council Bluffs, Pottawattamie County, Iowa, from C-1/Commercial District to R-3/Low Density Multifamily Residential District.

**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

December 17, 2018.

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

\_\_\_\_\_  
Mayor

Attest:

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

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

First Consideration: 11-26-18  
Second Consideration 12-17-18  
Public Hearing: 12-17-18  
Third Consideration: \_\_\_\_\_

Planning Case No. #ZC-18-011

**Council Communication**

Department: Community Development  
Case/Project No.: SAV-18-014  
Submitted by: Christopher Gibbons, Planning  
Coordinator

Resolution 18-337

Council Action: 12/17/2018

**Description**  
Resolution to vacate the City’s interest in Murphy Road right-of-way, lying West of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and North of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying East of Gifford Road and West of Indian Creek. Location: Lying West of Indian Creek and East of South 19th Street/Gifford Road. SAV-18-014

**Background/Discussion**  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">SAV-18-014 Murphy Road Staff Report</a>	Other	12/7/2018
<a href="#">SAV-18-014 Murphy Road Attach A</a>	Other	12/7/2018
<a href="#">SAV-18-014 Murphy Road Attach B and C</a>	Other	12/7/2018
<a href="#">SAV-18-014 Murphy Road Attach D</a>	Other	12/7/2018
<a href="#">Resolution 18-337</a>	Resolution	12/12/2018

## Council Communication

<p>Department: Community Development</p> <p>CASE #SAV-18-014</p> <p>Applicant/Owner: Council Bluffs Industrial Foundation 149 West Broadway Council Bluffs, Iowa 51503</p> <p>Representatives: Matthew G. O'Reilly, President Council Bluffs Industrial Foundation 312 East Ferndale Drive Council Bluffs, IA 51503</p> <p>A.W. Tauke 310 West Kaneshville Blvd, 2<sup>nd</sup> Floor Council Bluffs, IA 51503</p>	<p>Resolution No. _____</p>	<p>City Council: 12/17/18</p> <p>City Council: 11/26/18</p> <p>Public Hearing: 11/13/18</p> <p>Planning Commission: 11/1/318</p>
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### Subject/Title

**Request:** Vacate and dispose of Murphy Road right-of-way, lying west of Indian Creek and East of South 19<sup>th</sup> Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa.

Location: Lying West of Indian Creek and East of South 19<sup>th</sup> Street/Gifford Road.

### Background/Discussion

On September 24, 2018, the Council Bluffs City Council adopted Resolution No. 18-272, which granted final plat approval for a five lot industrial subdivision known as South Pointe Subdivision, Phase 2. Included in this subdivision is a former County right-of-way known as 'Murphy Road', which bisects Lot 5, South Pointe Subdivision, Phase 2 (see Attachments A and B). The subject Murphy Road is an unimproved street that contains 42,876 square feet (0.984 acres) of land and was established on the subject property prior to it being annexed into the City (see Attachment C). The right-of-way extends from Indian Creek to South 19<sup>th</sup> Street/Gifford Road and is not needed for required vehicular access to said Lot 5, South Pointe Subdivision, Phase 2.

Based on the existing condition and function of Murphy Road right-of-way, the Community Development Department and Public Works Department recommended the right-of-way be vacated and disposed of to the applicant so that it can be platted as part of said Lot 5. The resolution to approve the South Pointe Subdivision, Phase 2 preliminary subdivision plan and final plat included a requirement that the applicant must vacate and acquire Murphy Road right-of-way prior to their final plat being executed by the City. The applicant requests approval to vacate said right-of-way so that they can combine the right-of-way area with said Lot 5 in order to execute their South Pointe Subdivision, Phase 2 final plat.

The following attachments are included with this report for reference purposes:

**Attachment A:** Location and zoning Map

**Attachment B:** South Pointe Subdivision, Phase 2 final plat

**Attachment C:** Murphy Road right-of-way exhibit

**Attachment D:** Letter from A.W. "Tony" Tauke regarding the purchasing of Murphy Road right-of-way.

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

1. *To provide due process and citizen participation in the application and review process for vacations.*  
The applicant owns all of the land that abuts the subject Murphy Road right-of-way. The Community Development mailed the applicant and their representative a petition asking if they are in favor of/opposed to and if they are willing to/not willing to acquire the right-of-way, if vacated. The response to this petition is summarized in Comment #10 below.
2. *To ensure that no property owner is deprived of required and reasonable access.*  
The subject right-of-way bisects Lot 5, South Pointe Subdivision, Phase 2, which has road frontage along South 19th Street, and Gifford Road. The request to vacate and dispose of the subject right-of-way will not deprive the property owner of required and/or reasonable access to said Lot 5.
3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.* This request will eliminate a dead-end street as Murphy Road extends from Indian Creek to the South 19<sup>th</sup> Street.
4. *To reduce or eliminate hazardous and dangerous traffic conditions.* The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.
5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

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

- Council Bluffs Parks, Recreation, and Public Properties Department stated they have no comment on the request.
- Council Bluffs Public Works Department stated they have a storm sewer within the subject right-of-way and that an easement must be retained, if vacated.
- Council Bluffs Fire Department stated they no comments for the request.
- Council Bluffs Permits and Inspections stated they have no comments for the request.
- Council Bluffs Water Works stated they have no utilities in the subject right-of-way.
- MidAmerican Energy Company stated they have no utilities in the right-of-way and have no objection to the request.
- Black Hills Energy stated they have no concerns with the vacation request.
- Cox Communication stated they have no issues with the vacation request.
- CenturyLink stated they have an active copper line that is located within the subject right-of-way and that an easement must be retained, if vacated. CenturyLink also stated that any cost to move or relocate this line will be at the expense of the applicant.

Based on the information stated above an easement must be retained over the subject right-of-way, if vacated.

- 6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.* Not applicable.
- 7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.* This request is to vacate all of Murphy Road right-of-way from Indian Creek to South 19<sup>th</sup> Street/Gifford Road.
- 8. *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).
- 9. *To reduce the City’s maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.* Not applicable.
- 10. *To establish an equitable price for surplus public property.*

The Community Development Department mailed the applicant and their representative, A.W. ‘Tony’ Tauke, a petition to sign stating if they are in favor of/opposed to vacation request and if they are willing to/not willing to acquire the right-of-way for a total cost \$19,613.00. The applicant signed the petition stating that they are in favor of the vacation request but are not willing to acquire it for the cost of \$19,613.00. The applicant’s representative provided the City with a letter outlining their opinion of why the applicant is not legally obligated to purchase the right-of-way (see Attachment ‘D’). The Community Development Department and the Legal Department reviewed this letter and concurred with their reasoning as to why the applicant is not legally obligated to purchase the Murphy Road right-of-way from the City. The applicant has requested the City vacate and dispose of their interest in Murphy Road as a roadway and has verbally agreed to establish an easement over the vacated right-of-way on the South Pointe Subdivision, Phase 2 final plat for utility access and maintenance purposes.

**Recommendation**

The Community Development Department recommends approval to vacate and dispose of the City’s interest in the Murphy Road right-of-way, as legally described on Attachment ‘C’, as a roadway subject to an easement being retained over the right-of-way on the South Pointe Subdivision, Phase 2 final plat for utility access and maintenance purposes.

**Public Hearing**

Speakers in favor:

- 1. Tony Tauke. Stuart Tinley Law Firm, 310 West Kaneshville Boulevard, Council Bluffs, IA 51503

Speakers against: None.

**Planning Commission Recommendation**

The Planning Commission recommends approval to vacate and dispose of the City’s interest in the Murphy Road right-of-way, as legally described on Attachment ‘C’, as a roadway subject to an easement being retained over the right-of-way on the South Pointe Subdivision, Phase 2 final plat for utility access and maintenance purposes.

VOTE: AYE 9    NAY 0    ABSTAIN 0    ABSENT 0    VACANT 2    Motion: Carried

**Attachments**

**Attachment A:** Location and Zoning Map

**Attachment B:** South Pointe Subdivision, Phase 2 final plat

**Attachment C:** Murphy Road Right-of-way Exhibit

**Attachment D:** Letter from A.W. "Tony" Tauke regarding the purchasing of Murphy Road ROW.

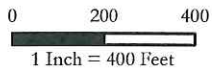
Surveyor: Johnathan M. Leisinger, L.S., HGM Associates Inc., 640 5<sup>th</sup> Avenue, Council Bluffs, Iowa 51501

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

# CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION CASE #SAV-18-014 STREET/ALLEY/ROW VACATION MAP

**Map Legend**

- Murphy Road ROW
- Parcels



2016 Aerial Photograph



Note: Subject properties are highlighted in red.

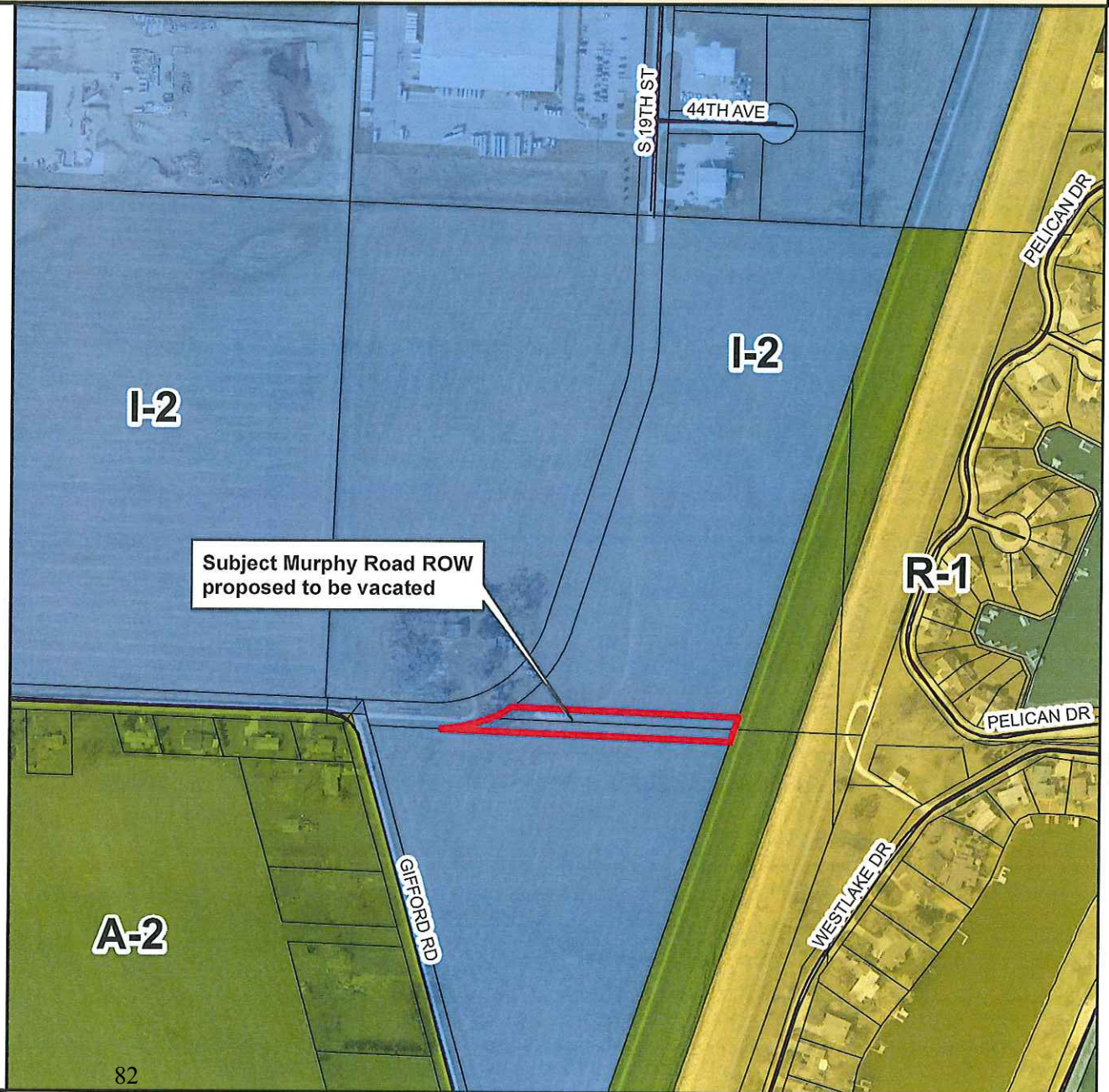


Last Amended: 10/22/18



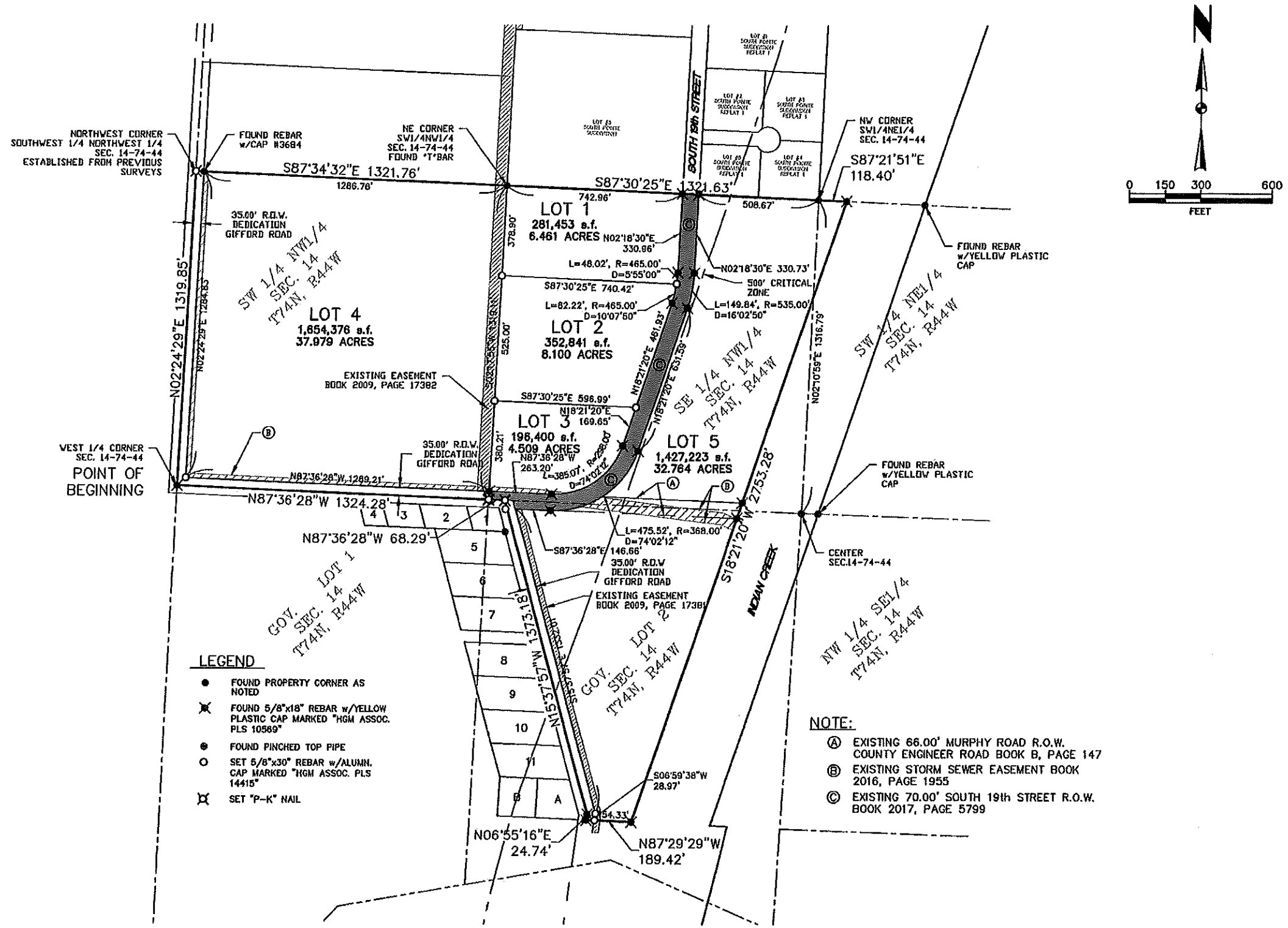
Council Bluffs Community  
Development Department  
209 Pearl Street  
Council Bluffs, IA 51503  
Telephone: (712) 328.4629

**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 reliance of the user 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.



# FINAL PLAT OF SOUTH POINTE SUBDIVISION, PHASE 2

A PARCEL OF LAND, BEING A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S1/2NW1/4), A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER (SW1/4NE1/4) AND A PORTION OF GOVERNMENT LOT 2, ALL IN SECTION 14, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.



THIS PLAT IS SUBJECT TO THE REVISIONS AND CORRECTIONS MADE HEREON AND TO THE RECORDS OF THE COUNTY ENGINEER'S OFFICE AND TO THE RECORDS OF THE CITY ENGINEER'S OFFICE.

**hgm**  
ASSOCIATES INC.  
ENGINEERING ARCHITECTURE SURVEYING  
council bluffs iowa

DATE: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
DATE: \_\_\_\_\_

**SOUTH POINTE SUBDIVISION, PHASE 2**  
S1/2NW1/4, SW1/4NE1/4 AND GOV. LOT 2, SEC. 14-74-44  
COUNCIL BLUFFS INDUSTRIAL FOUNDATION  
FINAL PLAT

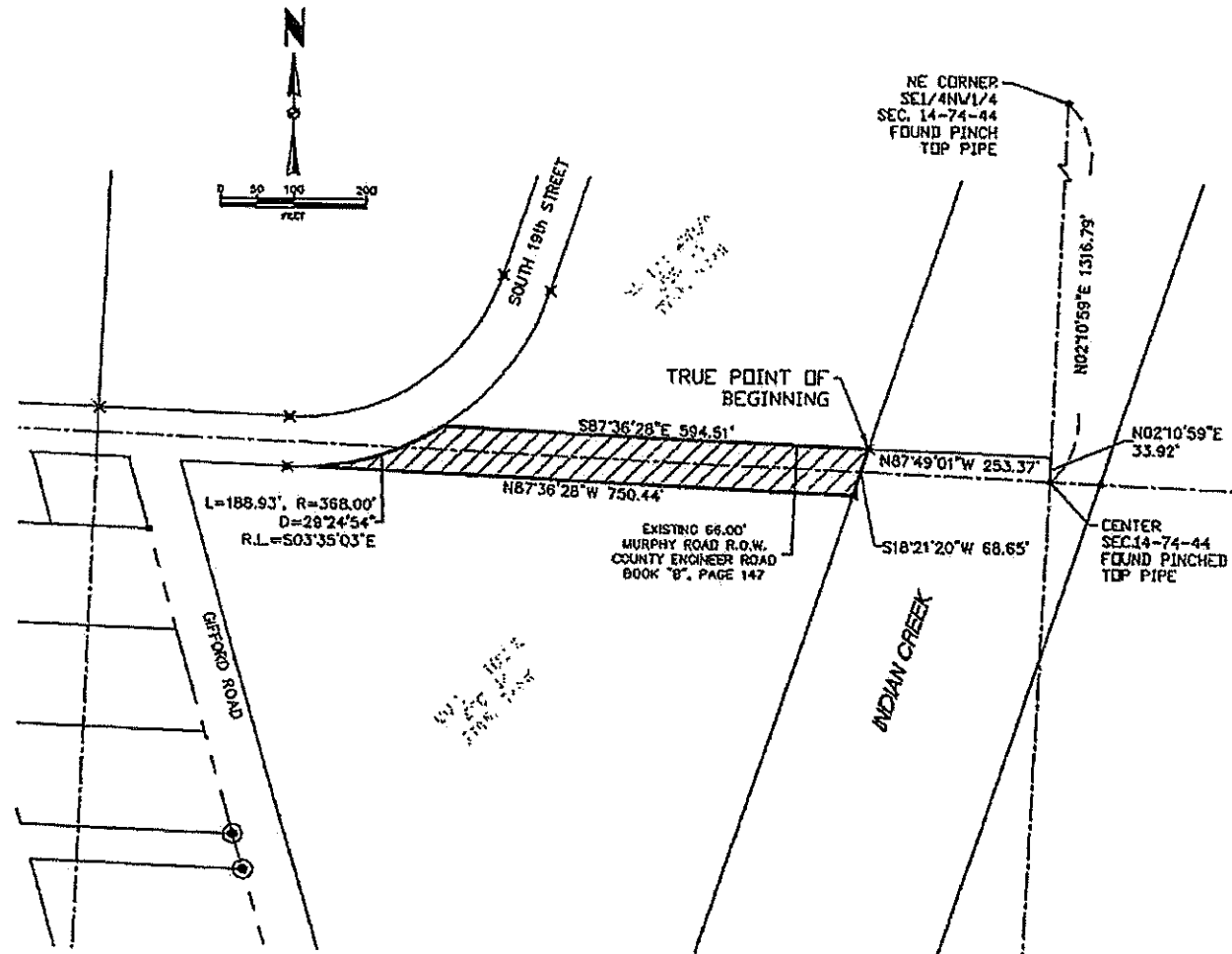
project no.  
108618  
sheet  
2 OF 2

ATTACHMENT B

EXHIBIT

A PARCEL OF LAND, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4) AND A PORTION OF GOVERNMENT LOT 2, ALL IN SECTION 14, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

PREPARED BY: JONATHAN M. LEISINGER, P.L.S., HGM ASSOCIATES INC., P.O. BOX 919, COUNCIL BLUFFS, IOWA 51502 (712)323-0530



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF MURPHY ROAD RIGHT-OF-WAY SHOWN IN THE POTTAWATTAMIE COUNTY ENGINEER ROAD BOOK "B" ON PAGE 147, SAID MURPHY ROAD RIGHT-OF-WAY BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PORTION OF GOVERNMENT LOT 2 ALL IN SECTION 14, TOWNSHIP 74 NORTH, RANGE 44 WEST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 14;

THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4), NORTH 02 DEGREES 10 MINUTES 59 SECONDS EAST, 33.92 FEET;

THENCE NORTH 87 DEGREES 49 MINUTES 01 SECOND WEST, 253.37 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF INDIAN CREEK, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 18 DEGREES 21 MINUTES 20 SECONDS WEST, 68.65 FEET;

THENCE NORTH 87 DEGREES 36 MINUTES 28 SECONDS WEST, 750.44 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH 19th STREET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY TO WHICH POINT A RADIAL LINE BEARS SOUTH 03 DEGREES 35 MINUTES 03 SECONDS EAST, 368.00 FEET;

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29 DEGREES 24 MINUTES 54 SECONDS, 188.93 FEET;

THENCE SOUTH 87 DEGREES 36 MINUTES 28 SECONDS EAST, 594.51 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 42,876 SQUARE FEET (0.984 ACRE), MORE OR LESS.

Small text block containing project details and dates.

**hgm**  
ASSOCIATES INC.  
440 PTH ANDRE COUNCIL BLUFFS, IOWA  
PHONE: (712) 323-0530

DATE	BY	REVISION

Project: SOUTH POINTE SUBDIVISION, PHASE 2  
Client: COUNCIL BLUFFS INDUSTRIAL FOUNDATION  
Title: MURPHY ROAD RIGHT-OF-WAY EXHIBIT

108616  
1 OF 1



Kristopher K. Madsen\*  
*Partner*

October 31, 2018

Rick D. Crowl\*  
*Partner*

Robert M. Livingston\*  
*Partner*

City of Council Bluffs  
Community Development and Planning Department  
City Planning Commission  
Attn: Chris Gibbons  
209 Pearl Street  
Council Bluffs, IA 51503

Jennifer A. Carlson\*  
*Partner*

Michael G. Reilly  
*Partner*

Zachary M. Winter\*  
*Associate*

Re: VACATION OF MURPHY RIGHT-OF-WAY

William R. Hughes, Jr.\*  
*Of Counsel*

A. W. "Tony" Tauke  
*Of Counsel*

\* Admitted in Iowa & Nebraska

As a follow up of our previous discussions with staff of Community Development and City Attorney and on behalf of the Council Bluffs Board of Directors, it is our opinion that Murphy "street" is a right-of-way easement for a public road obtained by Pottawattamie County before annexation by the City. The County, contrary to a city, has a right-of-way easement over the land for a road rather than a dedicated fee title given to a city for a city street.

Robert M. Stuart  
1914-1986

Annexation by a city gives the city only those rights held by the County. The interest in the road right-of-way does not become a "dedicated street" with fee title to the city after annexation but rather remains as it was titled and held by the County. In this case and similar cases, a county has a right-of-way easement with the underlying property owned by the adjoining landowners.

Jack W. Peters  
1931-1993

Emmet Tinley  
1916-2002

James E. Thorn  
1935-2009

Consequently, when the right-of-way easement is vacated the land underlying the easement reverts to the adjoining landowners as fee titled property free of the easement. The City has no ownership interest in the land and therefore it has no right of payment from the landowners for the vacated land.

Gary R. Faust  
1944-2014

The Council Bluffs Industrial Foundation has purchased and owns the land underlying the Murphy right-of-way. It is also to be noted that Murphy right-of-way was not platted or shown on the title when it was purchased by the Foundation. The land underlying the right-of-way was included by the assessor as part of the total acreage which was the basis for the purchase price.

For these reasons, the Foundation is unwilling to pay the City for the vacated right-of-way and is requesting your approval for vacating the right-of-way without any payment to the City.

October 31, 2018

We appreciate your consideration and approval of this request. If you require any additional information or if you have any questions, please contact me.

Yours very truly,

STUART TINLEY LAW FIRM LLP

By



A. W. Tauke

Direct email: [awtauke@stuarttinley.com](mailto:awtauke@stuarttinley.com)

Cc: Dan Koenig, Matt O'Reilly, Paula Hazelwood by email

**RESOLUTION NO. 18-337**

**A RESOLUTION TO VACATE THE CITY’S INTEREST IN MURPHY ROAD RIGHT-OF-WAY, LYING WEST OF INDIAN CREEK AND EAST OF SOUTH 19TH STREET RIGHT-OF-WAY, AND ABUTTING PROPERTIES LEGALLY DESCRIBED AS BEING PART OF THE SE1/4 NW1/4 OF SECTION 14.74-44, LYING WEST OF INDIAN CREEK AND NORTH OF MURPHY ROAD RIGHT-OF-WAY, ALONG WITH GOVERNMENT LOT 2 IN THE NE1/4 SW1/4 OF SECTION 14-74-44, LYING EAST OF GIFFORD ROAD AND WEST OF INDIAN CREEK, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.**

**WHEREAS,** following public hearing and having given careful study to the proposal, the City Council determines that the City’s interest in the Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa and being more particularly described in Attachment ‘C’ of the case staff report, is of no benefit to the public and should be vacated; and

**WHEREAS,** a public meeting was held on this matter on the 17<sup>th</sup> day of December, 2018; and

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

**WHEREAS,** said Murphy Road right-of-way was established as an easement, and not as a dedicated right-of-way, under Pottawattamie County jurisdiction prior to being annexed into the City of Council Bluffs and said land area for Murphy Road right-of-way reverts back to the underlying property owner once the easement is vacated, by operation of law and without compensation; and

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

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

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

Council Bluffs Industrial Foundation and all successors in interest: Murphy Road right-of-way, lying west of Indian Creek and East of South 19th Street right-of-way, and abutting properties legally described as being part of the SE1/4 NW1/4 of Section 14.74-44, lying West of Indian Creek and north of Murphy Road right-of-way, along with Government Lot 2 in the NE1/4 SW1/4 of Section 14-74-44, lying east of Gifford Road and West of Indian Creek, City of Council Bluffs, Pottawattamie County, Iowa, and being more particularly described in Attachment 'C' of the case staff report for no cost.

**BE IT FURTHER RESOLVED**

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

ADOPTED  
AND  
APPROVED:

December 17, 2018

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

ATTEST:

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

STATE OF IOWA )  
COUNTY OF )ss  
POTTAWATTAMIE)

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

\_\_\_\_\_  
Notary Public in and for said State

**Council Communication**

Department: Public Works Admin  
Case/Project No.: BM19-01  
Submitted by: Matthew Cox, City Engineer

Resolution 18-338

Council Action: 12/17/2018

**Description**  
Resolution approving the plans and specifications for the Mid-America Center Parking Lots Rehab, Phase 1. Project # BM19-01

**Background/Discussion**  
The Entertainment District located between 23<sup>rd</sup> Avenue and I-80/29 and from 24<sup>th</sup> Street to 35<sup>th</sup> Street is a premier destination location within the City of Council Bluffs. The area includes the Mid-America Center, Horseshoe Casino, Bass Pro Shop store, and several hotels and restaurants. The recent construction of the Field House and another hotel are adding to the amenities offered in the area.  
The parking lots that surround the Mid-America Center are owned by the City. The paving has degraded to the point where maintenance is difficult and there are safety concerns because of the poor condition.  
A study was performed in 2011 and updated in 2015, which recommended the replacement of the parking lots. The conceptual plan suggested that the work could be performed in multiple phases over a few years. Proceeding with replacement is now necessary and five phases have been programmed in the CIP.  
The phase 1 limits are a portion of the parking lot south of the main entrance to the convention center, and a portion of the lot west of the U.S. Social Security Administration offices.  
This project was included in the FY19 CIP with a budget of \$1,000,000 from the General Fund.  
The project schedule is as follows:

Hold Public Hearing	December 17, 2018
Bid Letting	January 15, 2019
Award	January 28, 2019
Construction Start	March 2019

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Map</a>	Map	12/7/2018
<a href="#">Resolution 18-338</a>	Resolution	12/12/2018

24TH AVE

# BM 19-01 MID-AMERICA CENTER PARKING LOT REHAB PH I

ARENA WAY

S 29TH ST

MID  
AMERICA  
CENTER

PROJECT LOCATION

PROJECT LOCATION

PLAZA VIEW DR

BASS PRO DR

HORSESHOE

HORSESHOE

MARC BLVD

## Legend

 BM19-01

**RESOLUTION**  
**NO 18-338**

**RESOLUTION APPROVING THE  
PLANS, SPECIFICATIONS, FORM OF CONTRACT  
AND COST ESTIMATE FOR THE  
MID-AMERICA CENTER PARKING LOTS REHAB, PHASE 1  
PROJECT #BM19-01**

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the Mid-America Center Parking Lots Rehab, Phase 1; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on December 17, 2018.

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

That the plans, specifications, form of contract and cost estimate are hereby approved for the Mid-America Center Parking Lots Rehab, Phase 1 Project.

ADOPTED  
AND  
APPROVED

December 17, 2018

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

ATTEST:

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

**Council Communication**

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

Resolution 18-332 (Continued from 11-26-18)

Council Action: 12/17/2018

**Description**  
Resolution authorizing the Mayor to execute an agreement for the future voluntary annexation of property at 13667 192nd Street.

**Background/Discussion**  
12-10-18 - A RISE grant is being re-submitting regarding this property. If the re-submitted RISE Grant is approved this Item will be presented again, but at this time please take no action.  
Pursuant to the two-mile limit area policy agreement entered between Pottawattamie County and the City of Council Bluffs, the county will defer to the city for the appropriateness of certain subdivisions.  
Parcel number 7443 17 176 006  
The parcel identified above is adjacent to the city limits and covered by the aforementioned two-mile policy agreement.  
The owner of said parcel is requesting that the city spin off on a proposed subdivision of same but is requesting that any annexation of the parcel be deferred for 5 years.  
The county is making application for a rise grant to cover the cost of hard surfacing the road that services this parcel. This project will also benefit other parcels in the area, some being under city jurisdiction and some being county jurisdiction.

**Recommendation**  
Approval of this Resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Annexation Agreement</a>	Agreement	11/20/2018
<a href="#">Resolution 18-332</a>	Resolution	11/19/2018

ANNEXATION AGREEMENT  
REGARDING PARCEL NUMBER 7443 17 176 006  
COMMONLY KNOWN AS  
13667 192<sup>ND</sup> STREET  
COUNCIL BLUFFS, IOWA

The City of Council Bluffs, Iowa hereinafter referred to as “City” has been approached by Armstrong Investments, LLC, hereinafter referred to as “Owner” wanting to subdivide the parcel referenced in the caption above hereinafter referred to as the “Subject Parcel”.

The Subject Parcel lies outside but immediately adjacent to the City’s boundary. As such and pursuant to the Two-Mile Area Policy Agreement between the City and Pottawattamie County, the Owner is required to get the consent of the City prior to the County subdividing its property.

In many cases where the City is asked to approve subdivisions of similarly situated properties they are required to submit petitions for voluntary annexation. In this particular case, the Owner is agreeable to the voluntary annexation but is requesting that it be delayed for at least 5 years.

The City is agreeable to such a delay so long as the Owner agrees to the following terms and conditions.

1. The Owner shall submit to the City a petition for voluntary annexation to take place no sooner than January 1, 2024. The subdivision plat shall reflect that all parcels generated by any future subdivision of the Subject Parcel shall be subject to the petition for voluntary annexation. Owner shall also be obligated at the time of transfer of any such parcel to include in the transfer documents the requirement of all subsequent Owners to commit to said voluntary annexation under the same terms and conditions set out in this agreement. An executed petition for voluntary annexation shall be submitted to the City at the time of execution of this agreement.
2. Owner agrees to design its subdivision of the Subject Parcel so that it will comply with all standards of the City’s subdivision ordinances.
3. The Owner must receive preliminary subdivision plan and final plat approval from the City, as part of the County subdivision approval process, so that City can verify the subdivision is designed and constructed to meet City standards when annexed.
4. Owner also agree that, if and when the City extends sanitary sewer lines to service this area, it shall connect to same within a reasonable amount of time. Owner further agrees to so bind any subsequent purchaser of any parcels generated by the subdivision of the Subject Parcel.

5. If prior to January 1, 2024, it becomes necessary for City to annex the Subject Parcel, Owner and its assigns agree to consent to the annexation so long as the City agrees to partially exempt Owner and its assigns from taxes as provided for in Chapter 368 of the Iowa Code. In the first and second year, the exemption shall be for 75% of the taxes due. In years, three and four the exemption shall be for 60% of the taxes due. No taxes becoming due after January 1, 2024 shall be exempted by this provision.

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

CITY OF COUNCIL BLUFFS, IOWA

ARMSTRONG INVESTMENTS, LLC

By: \_\_\_\_\_  
MATTHEW J. WALSH  
Mayor  
209 Pearl Street  
Council Bluffs, Iowa 51503

By \_\_\_\_\_  
3131 Hascall Street  
Omaha, Nebraska 68105

STATE OF IOWA )  
COUNTY OF ) ss.  
POTTAWATTAMIE )

Subscribed and sworn to me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

STATE OF IOWA )  
COUNTY OF ) ss.  
POTTAWATTAMIE )

Subscribed and sworn to me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**RESOLUTION NO. 18-332**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE FUTURE VOLUNTARY ANNEXATION OF PARCEL NUMBER 7443 17 176 006 OTHERWISE IDENTIFIED AS 13667 192<sup>ND</sup> STREET.**

**WHEREAS,** Pursuant to the two-mile limit area policy agreement entered between Pottawattamie County and the City of Council Bluffs, the county will defer to the city for the appropriateness of certain subdivisions; and

**WHEREAS,** The parcel identified above is adjacent to the city limits and covered by the aforementioned two-mile policy agreement; and

**WHEREAS,** The owner of said parcel is requesting that the city spin off on a proposed subdivision of same but is requesting that any annexation of the parcel be deferred for 5 years; and

**WHEREAS,** The county is making application for a rise grant to cover the cost of hard surfacing the road that services this parcel. This project will also benefit other parcels in the area, some being under city jurisdiction and some being county jurisdiction; and

**WHEREAS,** It is the opinion of the Mayor and his staff that it would be in the best interest of the City of Council Bluffs to enter the proposed agreement.

**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 Agreement for Future Voluntary Annexation with the owner of 13667 192nd Street Council Bluffs, Iowa.

ADOPTED  
AND  
APPROVED

November 26, 2018.

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

Mayor

Attest:

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

City Clerk

**Council Communication**

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

Resolution 18-339

Council Action: 12/17/2018

**Description**  
Resolution authorizing the Mayor to execute the Amended and Restated Advance Southwest Iowa Corporation Operating Agreement.

**Background/Discussion**

**Recommendation**  
Approval of this Resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">bylaws</a>	Other	11/30/2018
<a href="#">2nd bylaws</a>	Other	11/30/2018
<a href="#">Operation Agreement 12-2013</a>	Agreement	11/30/2018
<a href="#">Revised Operating Agreement</a>	Agreement	11/30/2018
<a href="#">Resolution 18-339</a>	Resolution	12/12/2018

**BYLAWS UNDER  
REVISED IOWA  
NONPROFIT  
CORPORATION ACT**

**BYLAWS  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION**

**ARTICLE I. OFFICES AND REGISTERED AGENT**

Section 1.1 Principal Office. The location of the principal office of the corporation in the State of Iowa will be identified in the corporation's biennial report filed with the Iowa Secretary of State.

Section 1.2. Registered Office and Registered Agent. The initial registered agent and office of the corporation are set forth in the Articles of Incorporation. The registered agent or registered office, or both, may be changed by resolution of the board of directors.

**ARTICLE II. MEMBERS**

Section 2.1. The corporation shall have no members.

**ARTICLE III. BOARD OF DIRECTORS**

Section 3.1. General Powers. The affairs of the corporation shall be managed by its board of directors. Directors shall be residents of the state of Iowa. The Board of Directors may authorize a person or persons to exercise some or all of the powers of the Board of Directors as the Board deems appropriate.

Section 3.2. Number, Tenure and Qualifications. The Board of Directors shall consist of five (5) directors initially and may be increased and the qualifications and requirements for being a director of the corporation may be changed from time to time by a majority vote of the Board of Directors present and voting and by approval of the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

One director shall be appointed by and represent the Iowa West Foundation, one director shall be appointed by and represent the Pottawattamie County Board of Supervisors, one representative shall be appointed by and represent the Council Bluffs City Council, one director shall be appointed by and represent the Council Bluffs Chamber/Growth Alliance, and one director shall be appointed by and represent WIDA (Western Iowa Development Association). There shall be two ex-officio members that shall be allowed to participate in the Board of Directors meetings and they shall consist of the President of the Council Bluffs Chamber of Commerce and the Executive Director of the Western Iowa Development Association who shall not be given a right to vote on

any resolution of the Board of Directors. Each director shall be allowed to serve on the Board at the discretion and direction of the entity for which they are a representative.

Section 3.3. Regular and Annual Meetings. The regular and annual meetings of the board of directors shall be held on such date as the board of directors shall by resolution specify. The board of directors may provide by resolution the time and place, either within or outside of the state of Iowa, for the holding of additional regular meetings of the board without other notice than the resolution.

Section 3.4. Special Meetings. Special meetings of the board of directors may be called by or at the request of the president or any two directors. The persons authorized to call special meetings of the board may fix any place, either within or outside of the state of Iowa, as the place for holding any special meeting of the board called by them.

Section 3.5. Notice. Notice of any special meeting of the board of directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each director at the director's address as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

Section 3.6 Place of Meetings. The board of directors may hold its meetings at such place or places within or without the state of Iowa, as the board may from time to time determine. A director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 3.7. Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board; but if less than a majority of the directors are present at the meeting, a majority of the directors present may continue the meeting to a later time.

Section 3.8. Manner of Acting. The act of a majority of the directors shall be the act of the board of directors, unless the act of a greater number is required by law or by these bylaws.

Section 3.9 Resignation. Any director of the corporation may resign at any time by delivering written notice to the board of directors and the entity for whom they are the representative. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

Section 3.10. Vacancies. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by the entity for which the vacant director represented. Any director who shall be absent from three consecutive regular meetings of the corporation shall be subject to being removed by the corporation with a notice being given to the entity for which the director represents.

Section 3.11. Compensation. Directors shall not receive any stated salaries for their services, but by resolution of the board of directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the board; but nothing contained here shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation for such services.

Section 3.12. Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the directors. The director consent may be transmitted electronically in accordance with Article XII (Electronic Transmission) of these bylaws. A director's consent may be withdrawn by a revocation signed by the director and delivered to the corporation prior to the delivery to the corporation of unrevoked written consents signed by all of the directors.

ARTICLE IV. OFFICERS

Section 4.1. Officers. The officers of the corporation shall be a president, one or more vice-presidents (the number to be determined by the board of directors), a secretary, a treasurer and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint the other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the board of directors. Any two or more offices may be held by the same person.

Section 4.2. Election and Term of Office. The officers of the corporation shall be elected annually by the board of directors at the regular annual meeting of the board of directors. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the board of directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

Section 4.3. Removal. Any officer elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation would be served by such director's removal.

Section 4.4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the entity for which the vacant director represented.

Section 4.5. President. The president shall preside at all meetings of the members and of the board of directors. The president may sign, with the secretary or any other proper officer of the corporation authorized by the board of directors, any deeds, mortgages, bonds, and contracts or other instruments which the board of directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the board of directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

Section 4.6. Vice-President. In the absence of the president or in event of the president's inability or refusal to act, the vice-president (or in the event there be more than one vice-president, the vice-presidents in the order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The vice-president shall perform such other duties as may be assigned by the president or by the board of directors.

Section 4.7. Treasurer. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of the treasurer's duties in such sum and with such surety as the board of directors shall determine. The treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VII (Contracts, Checks, Deposits and Gifts) of these bylaws; and in general perform all the duties incident to the office of treasurer and such other duties as may be assigned to the treasurer by the president or by the board of directors.

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Section 4.8. Secretary. The secretary shall keep the minutes of the meetings of the members and of the board of directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each member which shall be furnished to the secretary by that member; and in general perform all duties incident to the office of secretary and such other duties as may be assigned by the president or by the board of directors.

Section 4.9. Assistant Treasurers and Assistant Secretaries. If required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors shall determine. The assistant treasurers and assistant secretaries, in general, shall perform the duties assigned to them by the treasurer or the secretary or by the president or the board of directors.

#### ARTICLE V. COMMITTEES

Section 5.1. Committees of Directors. The board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the board of directors in the management of the corporation; provided, however, that no such committee shall have the authority of the board of directors in reference to authorized distributions; approve or recommend to members dissolution, merger, or sale, pledge, or transfer of all or substantially all of the corporation's assets; elect, appoint, or remove directors or fill vacancies on the board or any of its committees; or adopt, amend, or repeal the articles or bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the board of directors of any responsibility imposed upon it by law.

Section 5.2. Other Committees. Other committees not having and exercising the authority of the board of directors in the management of the corporation may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the corporation, and the president of the corporation shall appoint the members of the committees. Any member may be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal.

Section 5.3. Term of Office. Each member of a committee shall continue as a member until the next annual meeting of the members of the corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

Section 5.4. Chair. One member of each committee shall be appointed chair by the person or persons authorized to appoint the members of the committee.

Section 5.5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 5.6. Quorum. Unless otherwise provided in the resolution of the board of directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

ARTICLE VI. CONTRACTS, CHECKS, DEPOSITS AND GIFTS

Section 6.1. Contracts. The board of directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 6.2. Checks, Drafts, etc. All checks, drafts or orders for the payment of money, or other evidences of indebtedness issued in the name of the corporation, shall be signed by those officers or agents of the corporation and in a manner as shall be determined by resolution of the board of directors. In the absence of this determination by the board of directors, the instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president or a vice-president of the corporation.

Section 6.3. Deposits. All funds of the corporation shall be deposited to the credit of the corporation in the banks, trust companies or other depositories as the board of directors may select.

Section 6.4. Gifts. The board of directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.

## ARTICLE VII. BOOKS AND RECORDS

Section 7.1 Books and Records. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the board of directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

Section 7.2. Director's Access to Records. A director is entitled to inspect and copy the books, records, and documents of the corporation at any reasonable time to the extent reasonably related to the performance of the director's duties as a director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the corporation.

## ARTICLE VIII. FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

## ARTICLE IX. ELECTRONIC TRANSMISSION

"Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. Each written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

## ARTICLE X. AMENDMENTS TO BYLAWS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting, HOWEVER; no Bylaw change shall be effective unless approved by the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

ADVANCE SOUTHWEST IOWA CORPORATION

By \_\_\_\_\_  
Its president

Approved by: Council Bluffs City Council

By [Signature]  
Its Mayor

AND

Pottawattamie County Board of Supervisors  
By [Signature]  
Its CHAIRMAN

**BYLAWS UNDER  
REVISED IOWA  
NONPROFIT  
CORPORATION ACT**

**BYLAWS  
OF  
ADVANCE SOUTHWEST IOWA CORPORATION**

**ARTICLE I. OFFICES AND REGISTERED AGENT**

Section 1.1 Principal Office. The location of the principal office of the corporation in the State of Iowa will be identified in the corporation's biennial report filed with the Iowa Secretary of State.

Section 1.2. Registered Office and Registered Agent. The initial registered agent and office of the corporation are set forth in the Articles of Incorporation. The registered agent or registered office, or both, may be changed by resolution of the board of directors.

**ARTICLE II. MEMBERS**

Section 2.1. The corporation shall have no members.

**ARTICLE III. BOARD OF DIRECTORS**

Section 3.1. General Powers. The affairs of the corporation shall be managed by its board of directors. Directors shall be residents of the state of Iowa. The Board of Directors may authorize a person or persons to exercise some or all of the powers of the Board of Directors as the Board deems appropriate.

Section 3.2. Number, Tenure and Qualifications. The Board of Directors shall consist of five (5) directors initially and may be increased and the qualifications and requirements for being a director of the corporation may be changed from time to time by a majority vote of the Board of Directors present and voting and by approval of the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

One director shall be appointed by and represent the Iowa West Foundation, one director shall be appointed by and represent the Pottawattamie County Board of Supervisors, one representative shall be appointed by and represent the Council Bluffs City Council, one director shall be appointed by and represent the Council Bluffs Chamber/Growth Alliance, and one director shall be appointed by and represent WIDA (Western Iowa Development Association). There shall be two ex-officio members that shall be allowed to participate in the Board of Directors meetings and they shall consist of the President of the Council Bluffs Chamber of Commerce and the Executive Director of the Western Iowa Development Association who shall not be given a right to vote on

any resolution of the Board of Directors. Each director shall be allowed to serve on the Board at the discretion and direction of the entity for which they are a representative.

Section 3.3. Regular and Annual Meetings. The regular and annual meetings of the board of directors shall be held on such date as the board of directors shall by resolution specify. The board of directors may provide by resolution the time and place, either within or outside of the state of Iowa, for the holding of additional regular meetings of the board without other notice than the resolution.

Section 3.4. Special Meetings. Special meetings of the board of directors may be called by or at the request of the president or any two directors. The persons authorized to call special meetings of the board may fix any place, either within or outside of the state of Iowa, as the place for holding any special meeting of the board called by them.

Section 3.5. Notice. Notice of any special meeting of the board of directors shall be given at least two days previously by written notice delivered personally or sent by mail, fax or other electronic means to each director at the director's address as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If notice is given by fax or other electronic means, it shall be deemed to be delivered when successfully transmitted to the recipient. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

Section 3.6 Place of Meetings. The board of directors may hold its meetings at such place or places within or without the state of Iowa, as the board may from time to time determine. A director may participate in any meeting by any means of communication, including, but not limited to telephone conference call, by which all directors participating may simultaneously hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 3.7. Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board; but if less than a majority of the directors are present at the meeting, a majority of the directors present may continue the meeting to a later time.

Section 3.8. Manner of Acting. The act of a majority of the directors shall be the act of the board of directors, unless the act of a greater number is required by law or by these bylaws.

Section 3.9 Resignation. Any director of the corporation may resign at any time by delivering written notice to the board of directors and the entity for whom they are the representative. A resignation is effective when the notice is delivered unless the notice specifies a later effective date.

Section 3.10. Vacancies. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by the entity for which the vacant director represented. Any director who shall be absent from three consecutive regular meetings of the corporation shall be subject to being removed by the corporation with a notice being given to the entity for which the director represents.

Section 3.11. Compensation. Directors shall not receive any stated salaries for their services, but by resolution of the board of directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the board; but nothing contained here shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation for such services.

Section 3.12. Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by all of the directors. The director consent may be transmitted electronically in accordance with Article XII (Electronic Transmission) of these bylaws. A director's consent may be withdrawn by a revocation signed by the director and delivered to the corporation prior to the delivery to the corporation of unrevoked written consents signed by all of the directors.

ARTICLE IV. OFFICERS

Section 4.1. Officers. The officers of the corporation shall be a president, one or more vice-presidents (the number to be determined by the board of directors), a secretary, a treasurer and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint the other officers, including one or more assistant secretaries and one or more assistant treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the board of directors. Any two or more offices may be held by the same person.

Section 4.2. Election and Term of Office. The officers of the corporation shall be elected annually by the board of directors at the regular annual meeting of the board of directors. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the board of directors. Each officer shall hold office until their successor shall have been elected and shall have qualified.

Section 4.3. Removal. Any officer elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation would be served by such director's removal.

Section 4.4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the entity for which the vacant director represented.

Section 4.5. President. The president shall preside at all meetings of the members and of the board of directors. The president may sign, with the secretary or any other proper officer of the corporation authorized by the board of directors, any deeds, mortgages, bonds, and contracts or other instruments which the board of directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the board of directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

Section 4.6. Vice-President. In the absence of the president or in event of the president's inability or refusal to act, the vice-president (or in the event there be more than one vice-president, the vice-presidents in the order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. The vice-president shall perform such other duties as may be assigned by the president or by the board of directors.

Section 4.7. Treasurer. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of the treasurer's duties in such sum and with such surety as the board of directors shall determine. The treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article VII (Contracts, Checks, Deposits and Gifts) of these bylaws; and in general perform all the duties incident to the office of treasurer and such other duties as may be assigned to the treasurer by the president or by the board of directors.

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Section 4.8. Secretary. The secretary shall keep the minutes of the meetings of the members and of the board of directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each member which shall be furnished to the secretary by that member; and in general perform all duties incident to the office of secretary and such other duties as may be assigned by the president or by the board of directors.

Section 4.9. Assistant Treasurers and Assistant Secretaries. If required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors shall determine. The assistant treasurers and assistant secretaries, in general, shall perform the duties assigned to them by the treasurer or the secretary or by the president or the board of directors.

#### ARTICLE V. COMMITTEES

Section 5.1. Committees of Directors. The board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the board of directors in the management of the corporation; provided, however, that no such committee shall have the authority of the board of directors in reference to authorized distributions; approve or recommend to members dissolution, merger, or sale, pledge, or transfer of all or substantially all of the corporation's assets; elect, appoint, or remove directors or fill vacancies on the board or any of its committees; or adopt, amend, or repeal the articles or bylaws. The appointment of any such committee and the delegation of authority shall not operate to relieve the board of directors of any responsibility imposed upon it by law.

Section 5.2. Other Committees. Other committees not having and exercising the authority of the board of directors in the management of the corporation may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, members of each such committee shall be members of the corporation, and the president of the corporation shall appoint the members of the committees. Any member may be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal.

Section 5.3. Term of Office. Each member of a committee shall continue as a member until the next annual meeting of the members of the corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

Section 5.4. Chair. One member of each committee shall be appointed chair by the person or persons authorized to appoint the members of the committee.

Section 5.5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 5.6. Quorum. Unless otherwise provided in the resolution of the board of directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

ARTICLE VI. CONTRACTS, CHECKS, DEPOSITS AND GIFTS

Section 6.1. Contracts. The board of directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 6.2. Checks, Drafts, etc. All checks, drafts or orders for the payment of money, or other evidences of indebtedness issued in the name of the corporation, shall be signed by those officers or agents of the corporation and in a manner as shall be determined by resolution of the board of directors. In the absence of this determination by the board of directors, the instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president or a vice-president of the corporation.

Section 6.3. Deposits. All funds of the corporation shall be deposited to the credit of the corporation in the banks, trust companies or other depositories as the board of directors may select.

Section 6.4. Gifts. The board of directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.

## ARTICLE VII. BOOKS AND RECORDS

Section 7.1 Books and Records. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the board of directors as well as other documents required to be maintained pursuant to the Revised Iowa Nonprofit Corporation Act.

Section 7.2. Director's Access to Records. A director is entitled to inspect and copy the books, records, and documents of the corporation at any reasonable time to the extent reasonably related to the performance of the director's duties as a director, including any duties as a member of a committee, but not for any other purpose or in any manner that would violate any duty to the corporation.

## ARTICLE VIII. FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

## ARTICLE IX. ELECTRONIC TRANSMISSION

"Electronic transmission" or "electronically transmitted" means any process of communication not directly involving the physical transfer of paper that is suitable for the retention, retrieval, and reproduction of information by the recipient. Notice by electronic transmission is written notice. Notices and written consents may be given by electronic transmission. Each written consent given by electronic transmission shall contain an electronic signature of the person giving such written consent.

## ARTICLE X. AMENDMENTS TO BYLAWS

These bylaws may be altered, amended or repealed and new bylaws may be adopted by a majority of the directors present at any regular meeting or at any special meeting, if at least two days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting, HOWEVER; no Bylaw change shall be effective unless approved by the Council Bluffs City Council and the Pottawattamie County Board of Supervisors.

ADVANCE SOUTHWEST IOWA CORPORATION

By \_\_\_\_\_  
Its president

Approved by:

Council Bluffs City Council

By [Signature]  
Its Mayor

AND

Pottawattamie County Board of Supervisors

By [Signature]  
Its CHAIRMAN

**ADVANCE SOUTHWEST IOWA CORPORATION  
OPERATING AGREEMENT**

This Agreement is made by and between the following parties:

A. The Iowa West Foundation (IWF), an Iowa non-profit corporation, qualified under §501C3 of the Internal Revenue Code;

B. Advance Southwest Iowa Corporation (ASWI), an Iowa non-profit corporation, qualified under §501C6 of the Internal Revenue Code;

C. Western Iowa Development Association (WIDA), an Iowa non-profit corporation, qualified under §501C6 of the Internal Revenue Code;

D. Council Bluffs Chamber of Commerce/Growth Alliance (CBCC), an Iowa non-profit corporation, qualified under §501C6 of the Internal Revenue Code;

E. Omaha Chamber Foundation (OCF), a Nebraska non-profit corporation, qualified under §501C3 of the Internal Revenue Code;

F. Pottawattamie County (PC), an Iowa municipality;

G. City of Council Bluffs (CCB), an Iowa municipality.

Purpose

WHEREAS, ASWI is organized to recruit new business and industry in the Southwest Iowa region through aggressive marketing of development assets in Southwest Iowa, along with the greater Omaha region and desires to carry out a variety of activities in cooperation with the CBCC, WIDA, OCF, PC, and CCB with the specific focus and direction of attracting new businesses and entrepreneurial activity, creating new jobs and expanding the tax base of the region. ASWI shall establish and coordinate marketing and promotional efforts to enhance the recognition of the Southwest Iowa development assets as part of the overall image and recognition of the Greater Omaha/Council Bluffs region. ASWI shall operate and serve as a point of contact for all prospects looking to relocate in the Southwest Iowa region and shall coordinate such activities with OCF programs designed to increase entrepreneurial and developmental activity in Southwest Iowa and Omaha region;

WHEREAS, IWF agrees to give a grant to OCF in the amount of \$400,000.00 with \$200,000.00 to assist OCF in its marketing for business development in the Omaha regional area and the other \$200,000.00 to be allocated to the Council Bluffs Chamber/Growth Alliance to support on-going economic development functions of the Council Bluffs Chamber/Growth Alliance;

WHEREAS, OCF agrees to accept the \$400,000.00 grant and utilize one half of it for its own marketing purposes and one half to support on-going economic development functions of the Council Bluffs Chamber/Growth Alliance;

WHEREAS, PC has previously agreed to contribute \$120,000.00 annually to WIDA to support on-going economic development functions of the WIDA;

WHEREAS, CCB agrees to fund the ASWI in the amount of \$100,000.00 annually to assist in the support of ASWI;

WHEREAS, PC agrees to fund the ASWI in the amount of \$100,000.00 annually to assist in the support of ASWI;

WHEREAS, ASWI and CBCC shall enter into an agreement to employ a Vice-President of Economic Development to carry out the activities and mission of ASWI consistent with the job description established by ASWI, CBCC, AND WIDA with all payroll and benefit costs of such employment reimbursed to CBCC by ASWI;

THEREFORE, IN CONSIDERATION of the mutual promises, covenants and payments, the parties agree as follows:

1. IWF hereby agrees to allocate a grant to OCF in the amount of \$400,000.00, commencing with January, 2014 and agrees to continue such allocation for an additional four years.
2. OCF agrees to allocate \$200,000.00 annually to CBCC commencing January 2014 and agrees to continue such allocation for an additional four years. OCF further agrees to supervise the day-to-day activities of the Vice President for Economic Development consistent with the job description provided to the OCF by ASWI.
3. CCB agrees to allocate to the ASWI an amount of \$100,000.00 annually, commencing January 2014 and agrees to continue such allocation for an additional four years. Payments may be made on a quarterly basis. Quarterly payments shall be made on or before the 1<sup>st</sup> day of each quarter.
4. PC agrees to allocate to the ASWI an amount of \$100,000 annually commencing January 1, 2014 and agrees to continue such allocation for an additional four years. Payments may be made on a quarterly basis. Quarterly payments shall be made on or before the 1<sup>st</sup> day of each quarter.

- 5. PC agrees to continue allocating to WIDA an amount of \$120,000.00, annually which fulfills the County's previous agreement with WIDA.
- 6. ASWI agrees to utilize its funds to carry out its mission and to enter into an agreement of employment of the current Vice President of Economic Development with CBCC.
- 7. All of the parties hereto agree as follows:
  - a. to cooperate with each other in prioritizing the purposes of marketing and advancing business development in the Southwest Iowa and the Greater Omaha regions;
  - b. to diligently consult and work together to meet the purposes and goals outlined in the Purpose Statement of ASWI;
  - c. to fully fund their respective entities as outlined and that a failure of one to allocate funds as scheduled shall negate the obligations of the others until compliance by the non funding party; and, however, any party not intending to allocate funds shall give 180-day advance written notice of such intent to all other parties.
  - d. to review, amend, or modify this agreement at any time during this five-year period by unanimous written agreement of the parties;
  - e. to continue and extend this agreement on terms and conditions as unanimously agreed upon in writing at the expiration of the five year period if deemed beneficial for all parties.


WHEREFORE the parties have executed this agreement on this 19<sup>th</sup> day of December, 2013.

IOWA WEST FOUNDATION, an Iowa Non-Profit Corporation,

By: 


Pete Tulipana  
12/17/13

ADVANCE SOUTHWEST IOWA CORPORATION, an Iowa Non-Profit Corporation,

By: 


Sharon White  
12/19/13

WESTERN IOWA DEVELOPMENT ASSOCIATION, an Iowa Non-Profit Corporation,

By: 

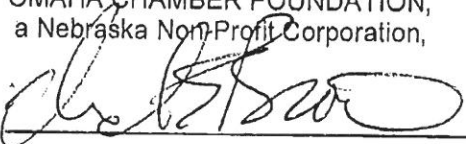
Pete Sorenson  
12/19/2013

COUNCIL BLUFFS CHAMBER OF COMMERCE, an Iowa Non-Profit Corporation,

By: 

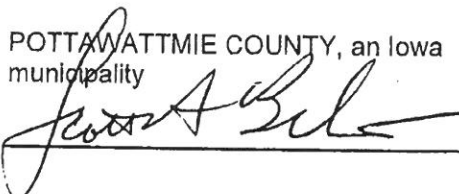
Roger Wilhelmus  
12/17/13

OMAHA CHAMBER FOUNDATION, a Nebraska Non-Profit Corporation,

By: 

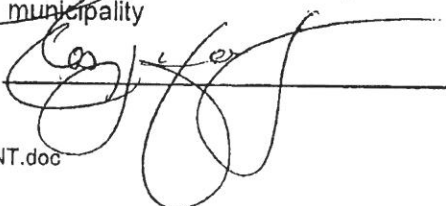
David Litow  
12/31/2013

POTTAWATTMIE COUNTY, an Iowa municipality

By: 

Scott Bell  
12/16/13

CITY OF COUNCIL BLUFFS, an Iowa municipality

By: 

Tom Hanafan  
12/14/13

**AMENDED AND RESTATED  
ADVANCE SOUTHWEST IOWA CORPORATION  
OPERATING AGREEMENT**

This Amended and Restated Agreement is made by and between the following parties:

- A. Advance Southwest Iowa Corporation (ASWI), an Iowa non-profit corporation, qualified under §501C6 of the Internal Revenue Code;
- B. City of Council Bluffs (CCB), an Iowa municipality;
- C. Pottawattamie County (PC), an Iowa municipality;
- D. Council Bluffs Area Chamber of Commerce (CBCC), an Iowa non-profit corporation, qualified under §501C6 of the Internal Revenue Code;
- E. Omaha Chamber Foundation (OCF), a Nebraska non-profit corporation, qualified under §501C3 of the Internal Revenue Code;
- F. The Iowa West Foundation (IWF), an Iowa non-profit corporation, qualified under §501C3 of the Internal Revenue Code.

WHEREAS, ASWI is organized to recruit and retain business and industry in Council Bluffs and rural Pottawattamie County through aggressive marketing of assets along with the greater Omaha region and desires to carry out a variety of activities in partnership with the CCB, PC, CBCC, OCF and IWF with specific focus and direction of attracting new businesses, retaining existing businesses, entrepreneurial development, site development, job creation and the expansion of the tax base in the region. ASWI shall establish and coordinate marketing and promotional efforts to enhance the recognition of Council Bluffs and rural Pottawattamie County assets as part of the overall image and recognition of the Greater Omaha/Council Bluffs region. ASWI shall operate and serve as a point of contact for all prospects looking to locate or expand in Council Bluffs and rural Pottawattamie County and shall coordinate such activities to increase the overall developmental activity in the region;

WHEREAS, IWF agrees to give a grant to OCF in the amount of \$500,000 to assist OCF in its marketing and economic development purposes in the region;

WHEREAS, OCF agrees to accept the \$500,000 grant and utilize it for marketing and economic development purposes in the region;

WHEREAS, CCB agrees to fund ASWI in the amount of \$125,000 to promote economic development activities for the City of Council Bluffs as well as the administrative support for ASWI;

WHEREAS, PC agrees to fund ASWI in the amount of \$180,000 to promote economic development activities in the City of Council Bluffs and rural Pottawattamie County as well as the administrative support for ASWI;

WHEREAS, ASWI shall continue to employ an Executive Director to carry out the economic development activities and mission of ASWI which is consistent with the job description established by ASWI.

THEREFORE, IN CONSIDERATION of the mutual promises, covenants and payments, the parties agree as follows:

1. IWF hereby agrees to allocate a grant to OCF in the amount of \$500,000, commencing in January 2019 and agrees to fund \$100,000 per year for the next four (4) years.
2. CCB agrees to allocate to ASWI an amount of \$125,000, commencing January 2019 and agrees to fund \$125,000 per year for the next four (4) years.
3. PC agrees to allocate to ASWI an amount of \$180,000, commencing January 2019 and agrees to fund \$180,000 per year for the next four (4) years.
4. ASWI agrees to utilize the allocated funds to carry out its mission of promoting economic development in the City of Council Bluffs and rural Pottawattamie County. ASWI also agrees to employ an Executive Director to oversee the day-to-day operations of the organization.
5. All of the parties hereto agree as follows:
  - a. to cooperate with each other in prioritizing the purposes of marketing and advancing economic development in Council Bluffs, rural Pottawattamie County and the region;
  - b. to diligently consult and work together to meet the purposes and goals outlined in ASWI's Program of Work;
  - c. to fully fund their respective entities as outlined and that a failure of one to allocate funds as scheduled shall negate the obligations of the others until compliance by the non-funding party is met;

- d. to review, amend, or modify this agreement at any time during this five (5) year period by unanimous agreement of all of the parties;
- e. to continue and extend this agreement on terms and conditions as unanimously agreed upon at the expiration of the five year period if deemed beneficial for all parties.

Wherefore the parties have executed this agreement on this \_\_\_\_\_ day of December, 2018.

By: \_\_\_\_\_  
Advance Southwest Iowa Corporation, an Iowa Non-Profit Corporation

By: \_\_\_\_\_  
City of Council Bluffs, an Iowa municipality

By: \_\_\_\_\_  
Pottawattamie County, an Iowa municipality

By: \_\_\_\_\_  
Council Bluffs Area Chamber of Commerce, an Iowa Non-Profit Corporation

By: \_\_\_\_\_  
Omaha Chamber Foundation, a Nebraska Non-Profit Corporation

By: \_\_\_\_\_  
Iowa West Foundation, an Iowa Non-Profit Corporation

**RESOLUTION NO. 18-339**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE AMENDED AND RESTATED ADVANCE SOUTHWEST IOWA CORPORATION OPERATING AGREEMENT.**

**WHEREAS**, an Amended and Restated Advance Southwest Iowa Corporation Operating Agreement has been drafted; and

**WHEREAS**, it is in the best interest of the City of Council Bluffs to execute the Amended and Restated Advance Southwest Iowa Corporation Operating Agreement.

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

That the Mayor of Council Bluffs is hereby authorized to execute the Amended and Restated Advance Southwest Iowa Corporation Operating Agreement.

ADOPTED  
AND  
APPROVED

December 17, 2018.

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

Mayor

Attest:

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

City Clerk

**Council Communication**

Department: Community Development  
Case/Project No.:  
Submitted by: Cindy Clark, Administrative  
Secretary

Resolution 18-340

Council Action: 12/17/2018

**Description**  
Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the removal of solid waste nuisances upon said properties and directing them to be collected in the same manner as a property tax.

**Background/Discussion**  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">2018 Quarter 4 Solid Waste Lien List Staff Report (8-24-18 thru 12-7-18)</a>	Other	12/5/2018
<a href="#">2018 Quarter 4 Solid Waste Lien List (8-24-18 thru 12-7-18)</a>	Other	12/5/2018
<a href="#">Resolution 18-340</a>	Resolution	12/12/2018

## Council Communication

Department: Community Development	Resolution _____	City Council: 12-17-18
<b>Subject/Title</b>		
<p>Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the removal of nuisances upon said properties and directing them to be collected in the same manner as a property tax.</p>		
<b>Background/Discussion</b>		
<p>This item is a resolution assessing \$2,084.00 in unpaid costs of solid waste abatement against these properties. It is recommended that Council pass this resolution.</p> <p>The properties were inspected by personnel of the Building Division and found to contain a nuisance of solid waste on private property or on public right-of-way, as specified in Municipal Code 10.02.040 and/or 4.12.140. The title-holder of record was notified by posting notice on the property and given 48 hours to remove materials from public right-of-way and 3 days to remove materials from private property.</p> <p>Or, in the case of a nuisance deemed an emergency, Municipal Code 10.02.060 states that the “City may perform any action required by this chapter without prior notice to the abutting property owner, and assess the costs and administrative charges in the same fashion as set out in 10.02.040.”</p> <p>Upon failure of the owner to abate the problems, the property was referred to the City contractor who abated the nuisance. The City was billed for this work and has paid the contractor. We have in turn sent a statement to the titleholder of record requesting payment of this amount plus the cost to the City for enforcing the ordinance. To date, payment has not been received and at least ten (10) days have elapsed from the date of billing.</p> <p>City ordinance states that these unpaid costs “may be assessed against the property for collection in the same manner as a property tax, pursuant to the provisions of Section 364.12 of the Code of Iowa. An additional administrative fee shall be added to each delinquent account if it is certified for collection by the county auditor.”</p> <ol style="list-style-type: none"><li>1. Take no action: The cost of the abatement at these properties will be paid from the general fund. The cost will be spread among all taxpayers including the vast majority who care for their property, keeping it free of solid waste.</li><li>2. Assess the costs to the specific property: The responsible property owner will bear the cost of failing to comply with City ordinance (unless they choose not to pay the taxes). In addition to all costs incurred, an additional \$5.00 has been added to each amount to help pay for the extra work involved in the assessment process.</li></ol>		

<b>Recommendation</b>
Brandon Garrett, Director of the Community Development Department is recommending that the Council adopt alternative 2: Assessment of all costs against the properties. This resolution accomplishes this alternative.
<b>Attachments</b>
1. 2018 - Quarter 4 - Solid Waste Abatements

Submitted by: Cindy Clark, Administrative Secretary

Approved by: Brandon Garrett, Director

2018

Quarter 4 Solid Waste Abatements

START: August 29, 2018

Parcel	Address	Description	Name	Number	Lien
7543 31 106 004	509 DAMON ST	STUTSMAN SECOND ADD LTS 13 AND 14 BLK 10	MOORE, RICHARD D	SW 45	\$ 385.00
7544 25 277 022	286 BENTON ST	AUD SUB LTS 50, 51 56 & PT 55 JOHNSONS ADD LT 6	MCKINNON, LYNN	SW 129	\$ 169.00
7544 25 360 006	VACANT LOT NORTH OF 743 MYNSTER STREET	GRIMES ADDITION EX W84.6 FT LT 1 BLK 3	MEEHAN, BRIAN	SW 132	\$ 196.00
7544 26 130 011	1306 WESTSIDE DR	WESTSIDE SECOND LT 23	GOOD, MELANIE ANNE	SW 43	\$ 221.00
7544 27 402 010	2628 AVE G	WEAVERS 1ST LT 37	EMERT, JEOFFREY S-SHANAN J	SW 41	\$ 223.00
7544 33 429 013	3518 10TH AVE	BROWN SUB LT 26 BLK 32	SLECHTA, JONATHAN W	SW 47	\$ 223.00
7544 35 105 010	2300 2ND AVE	COCHRANS ADD LTS 5 & 6 BLK 5	SHANKS, LORA J	SW 46	\$ 140.00
7544 35 182 011	1818 6TH AVE	PIERCES SUB E11' LT 13 BLK 5 LT 14 BLK 5	ANDERSON, ERNIE	SW 39	\$ 196.00
7544 35 406 008	1604 10TH AVE	FLEMING & DAVIS LTS 13 & 14 BLK 6 & S1/2 VAC E/W ALLEY ADJ	ROLLINS, OTIS-NANCY	SW 44	\$ 331.00
				<b>TOTAL</b>	<b>\$2,084.00</b>

**RESOLUTION NO. 18-340**

**A RESOLUTION AUTHORIZING THE CITY CLERK TO CERTIFY ASSESSMENTS AGAINST PROPERTIES TO THE POTTAWATTAMIE COUNTY TREASURER FOR UNREIMBURSED COSTS INCURRED BY THE CITY FOR THE REMOVAL OF NUISANCES UPON SAID PROPERTIES AND DIRECTING THEM TO BE COLLECTED IN THE SAME MANNER AS A PROPERTY TAX.**

**WHEREAS,** Council Bluffs' City Ordinance No. 5219 and 5220, passed and approved by the Council Bluffs City Council on May 22, 1995, requires all property owners to abate any nuisance upon public right-of-way of materials stored for more than 24 hours, or materials stored on private property for more than 3 days; and

**WHEREAS,** the owner of each specific property was given proper notification to remove materials from public right-of-way and from private property; and/or

**WHEREAS,** an emergency existed as defined in Council Bluffs Municipal Code, Section 10.02.060; and

**WHEREAS,** the owner failed to remove the materials in the allotted time; and

**WHEREAS,** the City's contractor has removed the materials; and

**WHEREAS,** the City has billed the owner by mail for the cost of removing the materials from their properties; and

**WHEREAS,** more than 10 days have elapsed since the billing and the bills remain unpaid; and

**WHEREAS,** the City Council may have these unpaid costs assessed against the properties from which the materials were removed pursuant to Council Bluffs Municipal Code, Section 10.02.070 or 4.12.140 as authorized by Iowa Code, Section 364.

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

That the unreimbursed costs incurred by the City for the removal of nuisances found on these properties be assessed against said properties; and

**BE IT FURTHER RESOLVED**

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED  
AND  
APPROVED

December 17, 2018.

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

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk

**Council Communication**

Department: Community Development  
Case/Project No.:  
Submitted by: Cindy Clark, Administrative  
Secretary

Resolution 18-341

Council Action: 12/17/2018

**Description**  
Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the abatement of weeds upon properties and directing them to be collected in the same manner as a property tax.

**Background/Discussion**  
See attachments.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">2018 Quarter 4 Weed Lien List Staff Report (8-24-18 thru 12-7-18)</a>	Other	12/5/2018
<a href="#">2018 Quarter 4 Weed Lien List (8-24-18 thru 12-7-18)</a>	Other	12/5/2018
<a href="#">Resolution 18-341</a>	Resolution	12/12/2018

**Council Communication**

Department: Community Development	Resolution _____	City Council: 12-17-18
--------------------------------------	------------------	------------------------

**Subject/Title**

Resolution authorizing the City Clerk to certify assessments against properties to the Pottawattamie County Treasurer for unreimbursed costs incurred by the City for the abatement of weeds upon properties and directing them to be collected in the same manner as a property tax.

**Background/Discussion**

This item is a resolution assessing \$8,093.00 in unpaid costs of weed abatement against these properties. It is recommended that Council pass this resolution.

The properties were inspected by personnel of the Building Division and found to contain weeds, brush and/or debris in violation of City Ordinance 4.19.010 or 8.54.010. The titleholder of record was notified by mail of the violation and given at least seven (7) days to abate the nuisance.

Upon failure of the owner to comply with the notice the property was referred to the City contractor who abated the weeds, brush and/or debris. The City was billed for this work and has paid the contractor. We have in turn sent a statement to the titleholder of record requesting payment of this amount plus the cost to the City for enforcing the ordinance. To date, payment has not been received and at least ten (10) days have elapsed from the date of billing.

The Council has for the past thirty-seven years assessed all costs of weed abatement against other properties.

City ordinance states that these unpaid costs “may be assessed, therefore, there are two major alternatives possible:

1. Take no action: The cost of the abatement at these properties will be paid from the general fund. The cost will be spread among all taxpayers including the vast majority who care for their property and keep it cut.
2. Assess the costs to the specific property: The responsible property owner will bear the cost of failing to comply with City ordinance (unless they choose not to pay the taxes). In addition to all costs incurred, an additional \$5.00 has been added to each amount to help pay for the extra work involved in the assessment process.

**Recommendation**

Brandon Garrett, Director of the Community Development Department is recommending that the Council adopt alternative 2: Assessment of all costs against the properties. This resolution accomplishes this alternative.

**Attachments**

1. Weed Abatement - 4th Quarter - 2018 Lien List

Submitted by: Cindy Clark, Administrative Secretary

Approved by: Brandon Garrett, Director

Parcel	Address	Description	Name	Number	Lien
7444 02 283 008	2000 S 11TH ST	BURNS ADD LTS 21 & 22 BLK 21	U S BANK NA	133	\$190.00
7444 10 331 014	3100 RAWLINS DR	TWIN CITIES PLAZA LT 411	SONTERRE, LARRY C-TAMMIE	106	\$155.00
7444 10 385 010	4017 BEL AIR DR	TWIN CITIES PLAZA LOT 206	LARSEN, ANTHONY-DAWN	124	\$155.00
7543 20 303 009	56 HILLSDALE DR	RANDOM HEIGHTS LT 28	STEPHENS, PATTI JO	111	\$964.00
7543 30 311 001	100 FRANK ST	VOORHIS ADD WLY1/2 NLY83' LT 20 BLK 2	PODENDORF, DAVID A	127	\$236.00
7543 31 158 009	730 MADISON AVE	A S ORIGINAL PLAT 93 LT 3	REINDERS, JOSHUA	116	\$182.00
7543 31 158 033	223 E GRAHAM AVE	ORIGINAL PLAT N50 FT S200 FT LT 3 LT 91	JOHNSON-ARMSTRONG LIFE ESTATE C/O RODNEY JOHNSON/LINDA ARMSTRONG	131	\$196.00
7544 25 277 022	286 BENTON ST	AUD SUB LTS 50, 51 56 & PT 55 JOHNSONS ADD LT 6	MCKINNON, LYNN	109	\$1,343.00
7544 25 278 005	VACANT LOT NORTH OF 278 BENTON STREET	JOHNSON ADD PT LT 52 COMM 50'N SE COR LT 52 TH W49.85' N47' E50' S44.1' TO POB	BERNER, WILLIAM A-JENNIFER L	112	\$155.00
7544 25 309 007	830 AVE E	HALLS ADD LT 12 BLK 8	TWO LEG LLC	120	\$189.00
7544 25 316 003	VACANT LOT WEST OF 758 MILL STREET.	AS 9IN3 GRIMES BLK 1 HALL ADD EX E28 FT LT 6	BLAKEMAN, LAVONNE L C/O KARLEEN RISNER	121	\$155.00
7544 25 356 002	1ST VACANT LOT SOUTH OF 215 NORTH 8TH STREET	GRIMES ADD N26' W94' EXC 3.5' LT 7 BLK 3	BIG CAT INC C/O UPLAND MTG	117	\$155.00
7544 25 402 011	501 OAKLAND AVE	MILL ADD PT LT 20 BLK 15	FERRILL, MARK	72	\$155.00
7544 25 356 003	2ND VACANT LOT SOUTH OF 215 NORTH 8TH STREET	GRIMES ADDITION S32 FT W94 FT LT 7 BLK 3	ATHAY, WILLIAM T III	118	\$155.00
7544 26 283 007	1316 AVE I	POTTER - COBBS FIRST ADD LOT 0012BLOCK 0008	HANISCH, JAMES M	119	\$160.00
7544 26 308 004	2213 AVE G	BURKES ADD LT 4 BLK 1	VALE LLC	134	\$186.00
7544 26 410 005	1625 AVE D	MULLINS SUB LT 6 BLK 34	DILLEY, RUSSELL A	125	\$159.00
7544 26 490 001	223 N 12TH ST	SNOWS SUB OF BEERS ADD LT 1	YOUNG, COBY L-MANDI	122	\$249.00
7544 27 409 021	2710 AVE C	SACKETTS ADD LT 3 BLK 2	DANNER, JAMES F	100	\$182.00
7544 33 429 013	3518 10TH AVE	BROWN SUB LT 26 BLK 32	SLECHTA, JONATHAN W	113	\$277.00
7544 34 203 007	2710 2ND AVE	TWIN CITY PLACE E14' LT 29, ALL LT 30 & W6' LT 31 BLK 2 & S1/2 VAC ALLEY ADJ	CHAMBERS, MICHAEL EUGENE	136	\$388.00
7544 34 251 005	2739 4TH AVE	TWIN CITY PLACE LT 12 BLK 5	STARR, DAVID	105	\$236.00
7544 35 156 028	2126 6TH AVE	SQUIRES ADDITION LOT 32 BLOCK 5	HANNAN, DORIE ANN	104	\$213.00
7544 35 182 002	1813 5TH AVE	PIERCES SUB LTS 7-8 BLK 5	RICE, JAMES DELANO	115	\$172.00
7544 35 182 005	1805 5TH AVE	PIERCES SUB LT 3 BLK 5	ABBOTT, GENE	102	\$209.00
7544 35 185 008	1918 7TH AVE	PIERCES SUB E13 FT LT 12 BLK 9 W24 FT LT 13 BLK 9	DREHER, PAUL M	98	\$202.00
7544 35 190 007	LOT WEST OF 1816 8TH AVENUE	PIERCES SUB LT 11 BLK 11	L B T IOWA 9591	123	\$216.00
7544 35 190 007	LOT WEST OF 1816 8TH AVENUE	PIERCES SUB LT 11 BLK 11	L B T IOWA 9591	139	\$270.00
7544 35 267 002	708 S 16TH ST	EVERETTS ADD LT 6 EXC UNION AVE ROW BLK 33	KINSER, JAKE	135	\$171.00
7544 36 184 010	716 S 7TH ST	HYATTS SUB LT 4 BLK 11	CROWTHER, SUZZANNE	103	\$236.00
7544 36 262 004	706 S 3RD ST	JACKSONS ADDITION LT 2 AND S2' LT 1 BLK 12	RAITHER, ROBERT R-JANE A	138	\$182.00

**Total                    \$ 8,093.00**

**RESOLUTION NO. 18-341**

**A RESOLUTION AUTHORIZING THE CITY CLERK TO CERTIFY ASSESSMENTS AGAINST PROPERTIES TO THE POTTAWATTAMIE COUNTY TREASURER FOR UNREIMBURSED COSTS INCURRED BY THE CITY FOR THE ABATEMENT OF WEEDS UPON PROPERTIES AND DIRECTING THEM TO BE COLLECTED IN THE SAME MANNER AS A PROPERTY TAX.**

**WHEREAS,** Council Bluffs' City Ordinance No. 4849, passed and approved by the Council Bluffs City Council on April 15, 1988, requires all property owners within the City of Council Bluffs, Iowa, to cut or destroy all weeds exceeding 18 inches in height; and

**WHEREAS,** all property owners in Council Bluffs were notified of the above requirements by ordinance and by publication in the Council Bluffs Nonpareil; and

**WHEREAS,** the owner of each specific property was notified by regular mail and given at least seven (7) days to abate the nuisance; and

**WHEREAS,** the City, through its contractor, has attempted to cut or destroy all weeds exceeding 18 inches in height found upon property where the owners have failed to cut or destroy the weeds themselves; and

**WHEREAS,** more than ten days have elapsed since the City has billed each property owner by mail for the cost of removing the weeds from their properties; and

**WHEREAS,** the cost of weed abatement on these properties has been incurred by the City and remains unpaid; and

**WHEREAS,** the City Council may have these unpaid costs assessed against the properties from which the weeds were removed pursuant to Council Bluffs Municipal Code Section 4.19.010 or 8.54.010 as authorized by Iowa Code, Section 364.

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

That the unreimbursed costs incurred by the City for the abatement of weeds found upon the properties be assessed against said properties; and

**BE IT FURTHER RESOLVED**

That the City Clerk is hereby authorized, empowered and directed to certify assessments against said properties to the Pottawattamie County Treasurer to be collected in the same manner as a property tax.

ADOPTED  
AND  
APPROVED

December 17, 2018.

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

Attest: \_\_\_\_\_  
JODI QUAKENBUSH City Clerk

**Council Communication**

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

Resolution 18-342

Council Action: 12/17/2018

**Description**  
Resolution to approve and adopt the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan.

**Background/Discussion**  
See supporting documents.

**Recommendation**  
Approval

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Notice</a>	Letter	12/6/2018
<a href="#">Memo</a>	Other	12/6/2018
<a href="#">Part B Mitigation plan</a>	Other	12/6/2018
<a href="#">Resolution 18-342</a>	Resolution	12/12/2018



**FEMA**

September 27, 2018

V. Joyce Flinn, Acting Director  
 Iowa Homeland Security & Emergency Management Division  
 7900 Hickman Road, Suite 500  
 Windsor Heights, IA 50324

**Subject: Review of the Pottawattamie County, Iowa Hazard Mitigation Plan**

Dear Ms. Flinn:

The purpose of this letter is to provide the status of the above referenced Local Hazard Mitigation Plan, pursuant to the requirements of 44 CFR Part 201 - Mitigation Planning and the Local Multi-Hazard Mitigation Planning Guidance. The Local Hazard Mitigation Plan Review Tool documents the Region’s review and the plan compliance with all required elements of 44 CFR Part 201.6. The Plan Review Tool also identifies the jurisdictions participating in the planning process. FEMA’s approval will be for a period of five years effective starting the date of receipt of adoption documentation. Formal adoption documentation must be submitted to the Regional office within one calendar year of the date of this letter, or the plan will need to be updated and resubmitted for review.

Prior to the expiration of the plan the community will be required to review and revise their plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval in order to continue to be eligible for mitigation project grant funding.

Local Jurisdiction	Date Submitted	Date Approved Pending Adoption	Date of Plan Adoption	Date of Plan Expiration	Review Status
Pottawattamie County	9/10/2018	9/27/2018			Approved pending FEMA’s receipt of adoption documentation

If you have any questions or concerns, please contact Joe Chandler, Planning Team Lead, at (816) 283-7071.

Sincerely,

Michael Scott, Director  
 Mitigation Division



## Memo

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**To:** Municipal Governments  
County Government  
Community School Districts/Systems

**From:** Doug Reed, Director

**CC:** Emergency Management Commission

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Preparedness Partners,

I am pleased to report that we have received approval from the Federal Emergency Management Agency (FEMA) in regards to our required five (5) year update of the county-wide Hazard Mitigation Plan.

This plan is important to your jurisdiction, subordinate agencies, and schools when it comes to access to federal grant funds to mitigate the impacts and effects of emergencies and disaster. This update was conducted completely in-house by emergency management staff (with input from local data and information) for this first time since these plans have been required. This effort saved \$60,000 in taxpayer funds. It is a very detail oriented and time intensive process that must meet very stringent federal requirements in order to be approved at the federal level and qualify our political subdivisions for access to the mitigation grant funding streams. Attached to this correspondence you will find the preliminary approval letter from FEMA, a copy of the plan, and a sample resolution for you to adopt.

*If your municipality, county seat of government, school district, private school system, or community college does NOT approve, sign, and return the attached adoption resolution, you will not be eligible or have access to grant funding to implement mitigation future desired action items.*

Please place the resolution on your next available agenda and provide an executed copy to Emergency Management via email at [pott.ema@pottcounty-ia.gov](mailto:pott.ema@pottcounty-ia.gov) for submission to FEMA at your earliest possible convenience. Please contact me direct at [doug.reed@pottcounty-ia.gov](mailto:doug.reed@pottcounty-ia.gov) if you have any questions.

**IMPORTANT:** Do NOT redistribute a copy of this plan via email or in print outside of your agency. This plan contains some information that is exempt from public disclosure under Iowa Law as well as prohibited from release under the federal Privacy Act of 1974.



EMERGENCY MANAGEMENT COMMISSION  
**POTTAWATTAMIE COUNTY**

**COMPREHENSIVE EMERGENCY PLAN**

**PART B – MITIGATION**

**2018**



Pottawattamie County  
Emergency Management Agency  
227 S. 6<sup>th</sup> Street, Suite 23B  
Council Bluffs, Iowa 51501

POTTAWATTAMIE COUNTY  
MULTI-JURISDICTION HAZARD MITIGATION PLAN

Pottawattamie County, Iowa

2018



Prepared by:

**Pottawattamie County Emergency Management Agency**

Emergency Operations Center

227 S. 6<sup>th</sup> Street, Suite 23B

Council Bluffs, Iowa 51501

(712) 328-5777 • [www.pottcounty-ia.gov](http://www.pottcounty-ia.gov)

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## FOREWORD

The Pottawattamie County Emergency Management Agency, in coordination with jurisdictional and organizational stakeholders, prepared the Multi-Jurisdiction Hazard Mitigation Plan for the jurisdictions of Pottawattamie County, Iowa.

The planning committee was representative of all jurisdictions covered in the plan and coordinated planning support at the local level in development of this plan.

Listed below are the planning committee primary points of contact, significant local plan contributors and the jurisdictions represented in the planning process.

Multi-Jurisdiction Hazard Mitigation Planning Committee		
Name	Title	Jurisdiction
Doug Reed, Chair	EM Director	Pottawattamie Co EMA
Michael Bertacini, Secretary	EM Specialist	Pottawattamie Co EMA
Supervisor Tim Wichman	Supervisor	County of Pottawattamie
Hon. Aaron Long	Mayor	City of Avoca
Hon. Tim Todd	Mayor	City of Carson
Hon. Ron Cumberledge	Mayor	City of Carter Lake
Hon. Matt Walsh	Mayor	City of Council Bluffs
Hon. Brian Shea	Mayor	City of Crescent
Hon. Harold Hoffman	Mayor	City of Hancock
Hon. Mitchell Kay	Mayor	City of McClelland
Hon. Gary Wax	Mayor	City of Macedonia
Hon. Kevin Zimmerman	Mayor	City of Minden
Hon. Dawn Goodsell	Mayor	City of Neola
Hon. Brant Miller	Mayor	City of Oakland
Hon. Tom Lewis	Mayor	City of Treynor
Hon. Dennis Bardsley	Mayor	City of Underwood
Hon. Gene Larsen	Mayor	City of Walnut
Jesse Ulrich	Superintendent	AHSTW Community Schools
Dr. Vickie Murillo	Superintendent	Council Bluffs Community Schools
Larry Gray	Superintendent	Heartland Christian Schools
Mark Schweer	Superintendent	Lewis Central Community Schools
Dr. Timothy Mitchell	Superintendent	Riverside Community Schools
David Schweitzer	President	St. Albert Catholic Schools
Lou Howell	Superintendent	Treynor Community Schools
Angela Huseman	Superintendent	Tri-Center Community Schools
Ed Hawks	Superintendent	Underwood Community Schools
Kevin Bollinger	Security Supervisor	Iowa Western Community College

Multi-Jurisdiction Hazard Mitigation Plan Local Contributors		
Name	Title	Jurisdiction
Matt Wyant	Director	Pottawattamie Co Planning Dept.
Maria Sieck	Public Health Admin.	Pottawattamie Co Planning Dept.
Lt. Andy Brown	Court Security	Pottawattamie Co Sheriff
David Bayer	Chief Information Officer	Pottawattamie Co IT
Mark Shoemaker	Director	Pottawattamie Co Conservation
John Rassmussen	County Engineer	Pottawattamie Co Eng./Roads
Lt. Sam Arkfeld	Civil/Records	Pottawattamie Co Sheriff
Clint Fichter	City Manager	City of Avoca
Drew Becker	Fire Chief/Public Works	City of Avoca
Brianne Duede	City Clerk	City of Carson
Dan Easton	Fire Chief	City of Carson
Chad Gordon	Maintenance Supervisor	City of Carson
Phillip Newton	Fire-EMS Coordinator	City of Carter Lake
Stan Olson	Interim Supervisor	City of Carter Lake Public Works
Justin James	Fire Chief	City of Council Bluffs
Tim Carmody	Police Chief	City of Council Bluffs
Matt Cox	City Engineer	Council Bluffs Public Works
Pat Miller	Operations Director	Council Bluffs Public Works
Brandon Garrett	Director	Council Bluffs Community Dev.
Doug Drummey	CEO/GM	Council Bluffs Water Works
Galen Barrett	Fire Chief	City of Crescent
Craig Peterson	Maintenance Supervisor	City of Crescent
Jim Kock	Fire Chief	City of Hancock
Rob Eckes	Fire Chief	Macedonia Fire Dept.
Ron Ransom	Maintenance Supervisor	City of Macedonia
Curtis Letner	Fire Chief	City of McClelland
Denise Magnuson	City Clerk	City of McClelland
Tom Schneckloth	Fire Chief	City of Minden
Teresa Tenner	City Clerk	City of Minden
Phil Bintz	Maintenance Supervisor	City of Minden
Paul Ward	Fire Chief	City of Neola
Clint Fichter	City Manager	City of Neola
Jeremy VanArsdol	Maintenance Supervisor	City of Neola
Mike Baragary	Public Works Director	City of Oakland
Marissa Lockwood	City Clerk	City of Oakland
Russ Maguire	Fire Chief	Treynor Fire Dept.
Kelly Groskurth	City Clerk	City of Treynor
Justin Mayabb	Public Works Director	City of Underwood
Cindy Sorlein	City Clerk	City of Underwood
Jim Pingel	Fire Chief	City of Underwood
Terri Abel	City Clerk	City of Walnut
Jim Blum	Superintendent	City of Walnut
Justen Tooley	Fire Chief	City of Walnut

The Multi-Jurisdiction Hazard Mitigation Plan was funded completely through local budget appropriations. Historically, this plan was funded through a grant from Iowa Homeland Security and Emergency Management and the Federal Emergency Management Agency which allowed for the contracting of the development of the plan.

Due to decreased mitigation planning grant funds this plan has been developed by local agency staff and local budget dollars with a priority objective of maintaining a multi-jurisdictional hazard mitigation plan that meets the standards set forth in the Disaster Mitigation Act of 2000 [Public Law 106-390—Oct. 30, 2000] to keep jurisdictions eligible for available mitigation grants that may become available during the lifecycle of this five-year plan.

The predecessor to this plan was approved by the State of Iowa Homeland Security and Emergency Management Department and the Federal Emergency Management Agency in 2013 as a partial multi-jurisdiction plan. It was amended in May of 2014 to include the City of Council Bluffs, creating a true countywide multi-jurisdictional plan.

It should be noted that this iteration of the mitigation plan has been completely redrafted to exclude ancillary or irrelevant information from historic single jurisdiction plans that carried over into the process in 2013 and 2014. Hazards have been amended to align more closely with the identified hazards in the Iowa Statewide Mitigation Plan and legacy mitigation projects or strategies that have not been addressed were removed.

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## CHAPTER I EXECUTIVE SUMMARY

The Pottawattamie County Multi-Jurisdiction Hazard Mitigation Plan was developed for and applicable to (1) county government, (14) incorporated municipal governments, (9) community school districts, and (1) community college.

The entities included in this plan are:

- County of Pottawattamie, Iowa
- City of Avoca
- City of Carson
- City of Carter Lake
- City of Council Bluffs
- City of Crescent
- City of Hancock
- City of McClelland
- City of Macedonia
- City of Minden
- City of Neola
- City of Oakland
- City of Treynor
- City of Underwood
- City of Walnut
- Avoca-Hancock-Shelby-Tenant (AHSTW) Community School District
- Council Bluffs Community School District
- Heartland Christian Schools
- Lewis Central Community School District
- Riverside Community School District
- St. Albert Catholic Schools
- Treynor Community School District
- Tri-Center Community School District
- Underwood Community School District
- Iowa Western Community College

The previously adopted mitigation plan (2013) was a culmination of the adopted single jurisdiction plans that existed previous to that year. All governments were combined into a multi-jurisdictional plan except for the City of Council Bluffs. Council Bluffs was added to plan, by amendment, in 2014 upon expiration of their single jurisdiction plan.

The emergency management agency initiated this update by coordinating the formation of a planning committee and beginning the process of updating countywide data and information contained in the plan.

Planning contributors identified sixteen (16) hazards that were possible or likely to occur throughout Pottawattamie County. This is a significant reduction in previously identified hazards. Although the DMA2000 standards require only addressing natural hazards, planners included certain man-made and/or technological hazards in this plan to capture the entirety of risk and mitigation strategies to address that risk. The reduced number of identified hazards was primarily due to combining like-hazards. The table below identifies the cross-walk from the 2013 to the 2018 hazard identification and also provides justification on the removal of non-applicable hazards.

The study of these hazards led the planners and contributors to examine current mitigation activities and assessed gaps in the mitigation and preparedness of these hazards. Planners and contributors also addressed what were called “legacy” goals, objectives, and activities to see if they were still valid based on applicability and/or possibility, considering funding and other factors. This was done in order to streamline the goals, objectives and activities to ensure they focused on the updated identified hazards, and, if accomplished, would contribute to actual impact reduction of hazards on citizens, businesses, and governments countywide.

The adoption of this plan by all governing bodies represented in the plan demonstrates a countywide commitment to fulfill the identified mitigation goals and objectives. Adoption further legitimizes the plan and authorizes responsible entities to execute their mitigation responsibilities identified herein.

## CHAPTER II PURPOSE AND PROCESS

### 2.1 Purpose

There are three (3) primary purposes for the development of the Multi-jurisdictional Mitigation Plan:

- To protect the health, safety, and economic interests of residents and businesses by reducing the impacts of natural and manmade catastrophic or disaster events through planning, awareness, and implementation. Disaster mitigation is any action taken to permanently eliminate or reduce the long-term risk to human life and property from natural and manmade hazards.
- Ensure compliance with the requirements set forth in Iowa Administrative Code 605—7.3 (29C), 7.3(4)(d) *Planning* and the Disaster Mitigation Act of 2000 [Public Law 106-390—Oct. 30, 2000] as established by the Federal Emergency Management Agency.
- Identify short- and long-term strategies to eliminate hazards or reduce the impact of hazards that cannot be eliminated.

### 2.2 Process

Work on this plan began with assembling background information, using the State of Iowa Hazard Mitigation Plan and previously approved Pottawattamie County Hazard Mitigation Plan materials. Additional sources of information included: U.S. Census Bureau, the USCB American Community Survey, Iowa Department of Management, Western Iowa Development Association, National Flood Insurance Program, Pottawattamie County Conservation, Iowa Department of Revenue, Pottawattamie County Assessor, Pottawattamie County Geographic Information Services, Federal Emergency Management Agency, National Weather Service, Council Bluffs Chamber of Commerce, Iowa State University, University of Iowa, Pottawattamie County Auditor, and staff from local jurisdictions. Information from these plans and sources were used to develop this plan's background information, vulnerabilities, critical facilities, historic events, valuations, and other pertinent details.

The planning process was facilitated by the Emergency Management Agency in consultation and coordination with each of the political subdivisions included in this plan. Local and/or regional agencies with hazard mitigation responsibilities/activities or development regulatory authority are represented on the planning team and contributors list found at pages i and ii. For the purposes of this plan “stakeholders” consists of neighboring emergency managers, who in turn, represent any of their jurisdictional interested parties in relation to this mitigation plan, updates, and activities. No contiguous partners elected to attend any formal meetings and after invitation to review the draft plan, no additional comments or input was provided.

Planning participants and stakeholders were notified of this planning process through various means, including: in-person notification at briefings/meetings/regional coordination meetings, email, and phone calls. Participation in the process was conducted in a similar manner with participants being inclusive in the project through various means, such as: meeting attendance, email, telephone, and in-person collaboration. Committee members and contributors completed required tasks between meetings to gather, validate, and collate planning materials and data needed for the project.

The planning process officially began in December 2016 by engaging public officials and local stakeholders in the development of a planning team. Committee members were initially briefed on the timeline for the planning process and milestones to be accomplished. All meetings requiring deliberation and/or discussion on the plan were conducted in accordance with Iowa's open meetings laws [Chapter 21, Code of Iowa] to ensure that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people. Advertisement of these public meetings, where citizens could participate in discussion, review materials, and provide input was conducted by publically posting meeting notices and providing copies of the notices to all city clerks for posting in their individual communities. No citizens elected to attend any of the open public meetings.

Upon completion of a final draft, the plan was made available for review and comment by all jurisdictions covered in the plan, contiguous county emergency managers, and the public. Upon receipt of review notes or comment, a final "clean" draft was finalized for submission to Iowa Homeland Security and Emergency Management Department and the Federal Emergency Management Agency for approval and certification.

Approval and adoption by each legal jurisdiction will be documented by Resolution and filed with the FEMA approved mitigation plan upon execution of each. Prior to adoption by the legal jurisdictions, announcement of plan approval is announced on a legally advertised agenda in order to provide information or answer public questions regarding the plan, prior to adoption, at a legally conducted open public meeting that complies with the Iowa Open Meetings law.



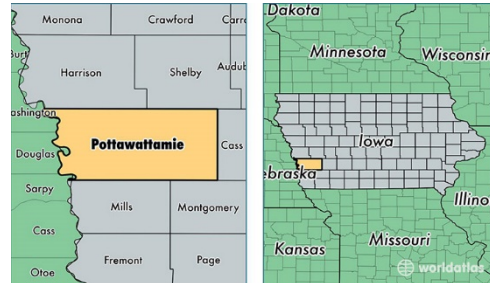
PLANNING PROCESS / PARTICIPATION																										
Date	Activity	Participating Jurisdiction																								
		County	Avoca	Carson	Carter Lake	Council Bluffs	Crescent	Hancock	McClelland	Macedonia	Minden	Neola	Oakland	Treynor	Underwood	Walnut	A-H-S-T-W	CBCSD	HCS	Lewis Central	Riverside	St. Alberts	Treynor	Tri-Center	Underwood	IWCC
12-21-16	Project brief, process orientation.	X	X	X	X	X	X	X	X	X	X	X	X	X	X											
01-2017	Data collection and plan review.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
03-2017	HVA review and update.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
12-11-2017	HVA final draft presented, critical facilities confirmed, HVA approval.	X	X	X	X	X	X	X	X	X	X	X	X	X	X											
01-25-2018	Goals, objectives review.	X	X	X	X	X	X	X	X	X	X	X	X	X	X											
02-2018	Data collection /updates to goals, objectives, mitigation activities.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
04-2018	Goals, objectives, activities for plan inclusion finalized.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
5-2018	Final draft review period.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Ongoing	Resolutions adopted.																									

## CHAPTER III COUNTY-WIDE PROFILE

This chapter of the plan describes a variety of characteristics of Pottawattamie County. It includes demographic, climactic, geographic, and community specific information. Some datasets are not available for unincorporated areas of the county.

Pottawattamie County is a county located in the southwest corner of Iowa. The county was established on February 24, 1847 and organized on September 21, 1848. The county seat is in the City of Council Bluffs. Other population centers in

Pottawattamie County include: Avoca, Carson, Carter Lake, Crescent, Hancock, Macedonia, McClelland, Minden, Neola, Oakland, Treynor, Underwood and Walnut.



### 3.1 History

Pottawattamie County was a part of the Pottawattamie Purchase of 1847. The county was originally named after the Native American tribe that once existed and lived within the Iowa Territory. Pottawattamie is a traditional word meaning “Fire Keepers” or “Keepers of the Council Fires”.



The county commissioners proposed Kanesville and Pleasant Grove, about 8 miles apart, for the county seat. At an election held April 7, 1851, all but seven votes were cast for Kanesville, named for Colonel Kane of Philadelphia. Kanesville was previously known as Hart’s Bluff and then Miller’s Hollow before it was renamed Council Bluffs on January 19, 1853. The rapidly growing village had a population of about 7,000 at the time, mainly Mormons on their way from Illinois to Utah. It was also an important outfitting town for gold seekers and others on their way to California and the West. Hyde’s New Hall was used for several years for the court house.



The historic courthouse on South Pearl Street was perhaps the most famous landmark in Council Bluffs for almost ninety years. Construction of the courthouse and the Squirrel Cage Jail began in 1885 and was completed in 1888, replacing the original courthouse, which dated to 1868. The new courthouse included an 11-foot-tall statue of Lady Justice. She was placed on a platform 74 feet above the sidewalk for some 90 years. The statue is now displayed in the lobby of the current 1978 courthouse. The ground for the new modern facility was broken in February 1975 and the building was dedicated November 20, 1977.

The Squirrel Cage Jail was invented by William H. Brown and Benjamin F. Haugh of Indianapolis, Indiana. Seventeen human rotary or “squirrel cage” jails were built in the late 1800’s. Only three of these remain. One resides in Council Bluffs, and the others in Missouri and Indiana. The Council Bluffs jail is the only one left having three stories. The jail was designed to achieve maximum security with minimum personal contact between the prisoner and the jailer. The jail was placed on the National Register of Historical Places in 1972 and is now operated as a small museum.



Avoca is the judicial seat of eastern Pottawattamie County. This town of 1,500 residents was founded in 1869. It was originally known as Pacific, and then Botna. It was finally named Avoca in reference to a Thomas Moore poem entitled “The Meeting of the Waters”. Avoca is home to the Old Time Music Festival which is held annually the week before Labor Day. This festival last for seven days; over 600 musicians perform on ten stages.



The Loess Hills (pronounced “luss”), which span the western part of the county, were once home to many prehistoric species. Mammoths, mastodons, camels, bison, musk ox, ground sloth, three-toed horses, dire wolf, stag moose, and stilt-legged deer were among the animal fossils discovered in the Loess Hills. Today the Loess Hills are home to many different species of birds, reptiles and amphibians.



The Loess Hills of western Iowa were deposited in three stages during the last two major glaciations of the upper Midwest. When continental glaciers in the upper Midwest began melting, many rivers (including the Missouri) became conduits for vast quantities of melt-water. This melt-water contained fine grained sediment of silt, sand, and clay. Strong winds created by air pressure gradients around glaciers swept some of this sediment out of the river floodplains and deposited it downwind creating the loess hills.

General Grenville Mellen Dodge is an important historical figure in Pottawattamie County.



General Dodge organized the Fourth Iowa Volunteers and the 2nd Iowa Battery to serve in the Civil War. In 1864, the general lead a campaign to rid Missouri of guerillas who were terrorizing residents of the state. In 1866, he became Chief Engineer for the Union Pacific Railroad’s westward movement. He also became a United States Congressman that same year. On May 10, 1869 the Union and Central Pacific Railroads met in Promontory Summit, Utah. General Dodge’s crew had laid 1,086 miles of track. In 1869, General Dodge and his wife, Ruth Anne Dodge, started construction of their home in Council Bluffs. The house is located at 605 Third Street. The General Dodge House is a National Historic Landmark. The house is now a museum that is open to the public.

### 3.2 Government

The County of Pottawattamie's main unit of government, the Board of Supervisors, is comprised of five elected officials, including an administrative staff that serves numerous offices/departments. The term of office for Board members is four years. The Board meets weekly with additional meetings called by the Chairperson when necessary. Additional elected officers of the county include the County Auditor, County Treasurer, County Recorder, County Attorney, and the County Sheriff.

Each incorporated city elects a Mayor and five (5) council members to serve a term of two (2) to four (4) years, as selected in each City Charter. Each city determines the type of municipal services it provides and varies among the fourteen (14) communities.

### 3.3 Climate

The climate of the county and region is continental with relatively warm summers and cold, dry winters. The region is situated between the humid east and dry west, therefore it experiences climatic fluctuations. The fluctuations between the two zones produce weather conditions for periods that are characteristic of either zone, or a combination of both. Low pressure systems commonly affect the weather of the area by causing periodic and rapid changes, especially during the winter months.

Most precipitation falls during the evening as sharp showers or thunderstorms, which occur mostly during the growing season of April through September. About 75 percent of the total precipitation falls during that period. Although winters are relatively cold, precipitation is light, accounting for 10 percent of total annual precipitation.

### 3.4 Legal Jurisdictions

The following are the legal jurisdictions within geographic Pottawattamie County with correlating 2016 U.S. Census Bureau estimates.

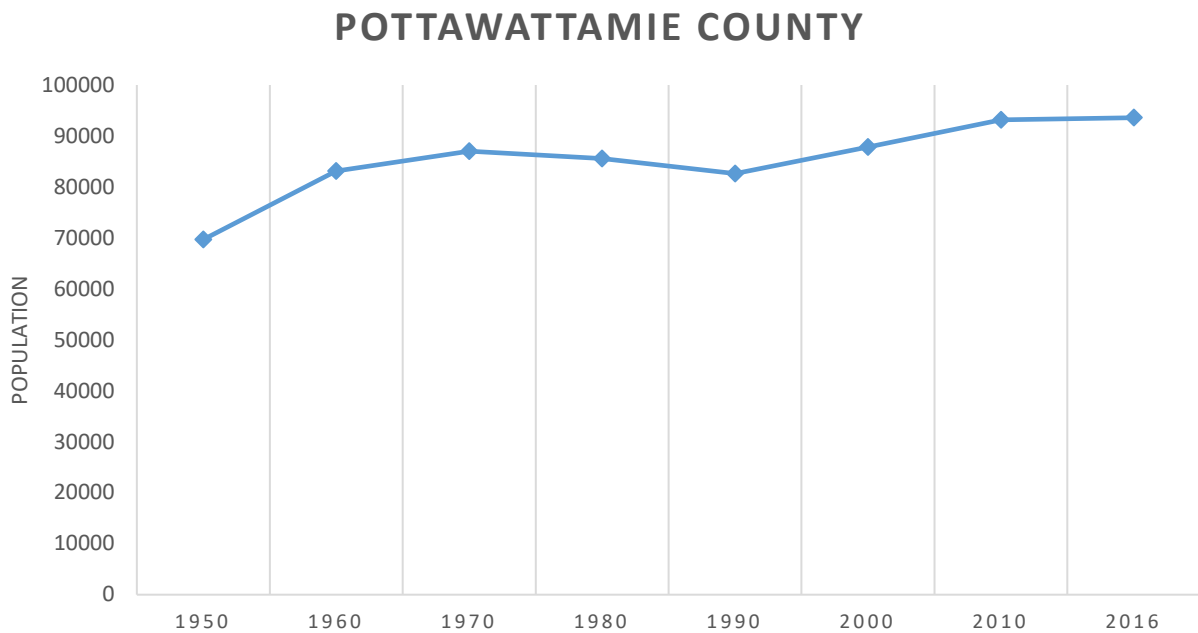
Countywide Population – 93,582			
Avoca	1,513	Minden	594
Carson	815	Neola	859
Carter Lake	3,784	Oakland	1,509
Council Bluffs	62,524	Shelby <sup>1</sup>	23
Crescent	617	Treynor	950
Hancock	195	Underwood	939
Macedonia	245	Walnut	779
McClelland	150	Unincorporated County	18,086

<sup>1</sup> The City of Shelby is in both Pottawattamie and Shelby Counties; the population figure for Shelby accounts only for those on the Pottawattamie side of the boundary. The City of Shelby is accounted for in the Shelby County Hazard Mitigation Plan but is included in all preparedness programs and considerations.

### 3.5 Population Trends

Pottawattamie County’s total population is ranked third (3<sup>rd</sup>) out of eight (8) counties in the Omaha, NE – Council Bluffs, IA Metropolitan Statistical Area (MSA), and eighth (8<sup>th</sup>) out of ninety-nine (99) counties in the State of Iowa according to the 2010 census. Population data for Pottawattamie County and its municipalities is provided in the table below.

Jurisdiction	1950	1960	1970	1980	1990	2000	2010	2016
<b>Pottawattamie County Totals</b>	<b>69,682</b>	<b>83,102</b>	<b>86,991</b>	<b>86,561</b>	<b>82,628</b>	<b>87,803</b>	<b>93,158</b>	<b>93,582</b>
Avoca	1,595	1,540	1,535	1,650	1,497	1,610	1,506	1,513
Carson	596	583	756	716	705	668	812	815
Carter Lake	1,183	2,287	3,268	3,438	3,200	3,248	3,785	3,784
Council Bluffs	45,429	55,641	60,348	56,449	54,315	58,268	62,230	62,524
Crescent	N/A	296	284	547	469	537	617	617
Hancock	264	252	228	254	201	207	196	195
Macedonia	208	290	330	279	262	325	246	245
McClelland	159	150	146	177	139	129	151	150
Minden	328	355	433	483	539	564	599	594
Neola	839	870	968	839	909	845	842	859
Oakland	1,296	1,340	1,603	1,552	1,496	1,487	1,527	1,509
Treynor	247	368	472	981	897	950	919	950
Underwood	278	337	424	448	515	688	917	939
Walnut	888	777	870	897	857	877	785	779
Unincorporated County	16,282	18,016	15,320	17,793	16,560	17,336	18,026	18,086



The median age of residents is 38.5 years old based on the American Community Survey’s current five (5) year estimate.

### 3.6 Housing

The following table illustrates when homes were built in the county and its municipalities. Approximately forty (40) percent of the homes were built prior to 1940 in seven (7) communities. More homes were built prior to 1940 than any other decade throughout much of the county.

Jurisdiction	Before 1940	1940-1949	1950-1959	1960-1969	1970-1979	1980-1989	1990-1999	2000-2004	After 2005
Unincorporated County	28.7	5.3	14.0	11.9	14.0	6.6	10.0	7.4	2.0
Avoca	55.2	6.7	7.2	8.6	5.7	5.5	5.8	5.1	0.2
Carson	41.2	3.3	8.7	10.7	16.7	10.4	5.4	3.6	0.0
Carter Lake	11.6	6.8	15.0	23.9	19.9	4.1	10.9	3.0	4.8
Council Bluffs	29.3	5.9	16.7	10.9	11.5	6.3	9.7	8.1	1.6
Crescent	10.7	0.0	3.6	15.2	44.2	11.2	11.2	0.0	4.1
Hancock	64.8	9.1	10.2	2.3	5.7	1.1	4.5	2.3	0.0
Macedonia	45.8	4.6	7.6	6.1	1.5	20.6	12.2	1.5	0.0
McClelland	53.9	1.5	6.0	7.5	13.4	0.0	9.0	9.0	0.0
Minden	26.4	8.3	4.9	10.2	14.7	14.0	17.4	0.0	4.2
Neola	48.8	2.1	5.5	15.8	13.0	9.1	3.9	0.8	1.0
Oakland	27.2	8.0	11.9	15.6	16.8	6.5	8.5	5.4	0.0
Treynor	15.7	0.8	9.0	19.1	33.2	5.2	15.5	1.5	0.0
Underwood	20.0	0.0	17.5	8.9	21.9	4.1	16.5	2.9	8.3
Walnut	64.5	3.2	7.8	10.5	9.1	2.7	1.3	0.8	0.0

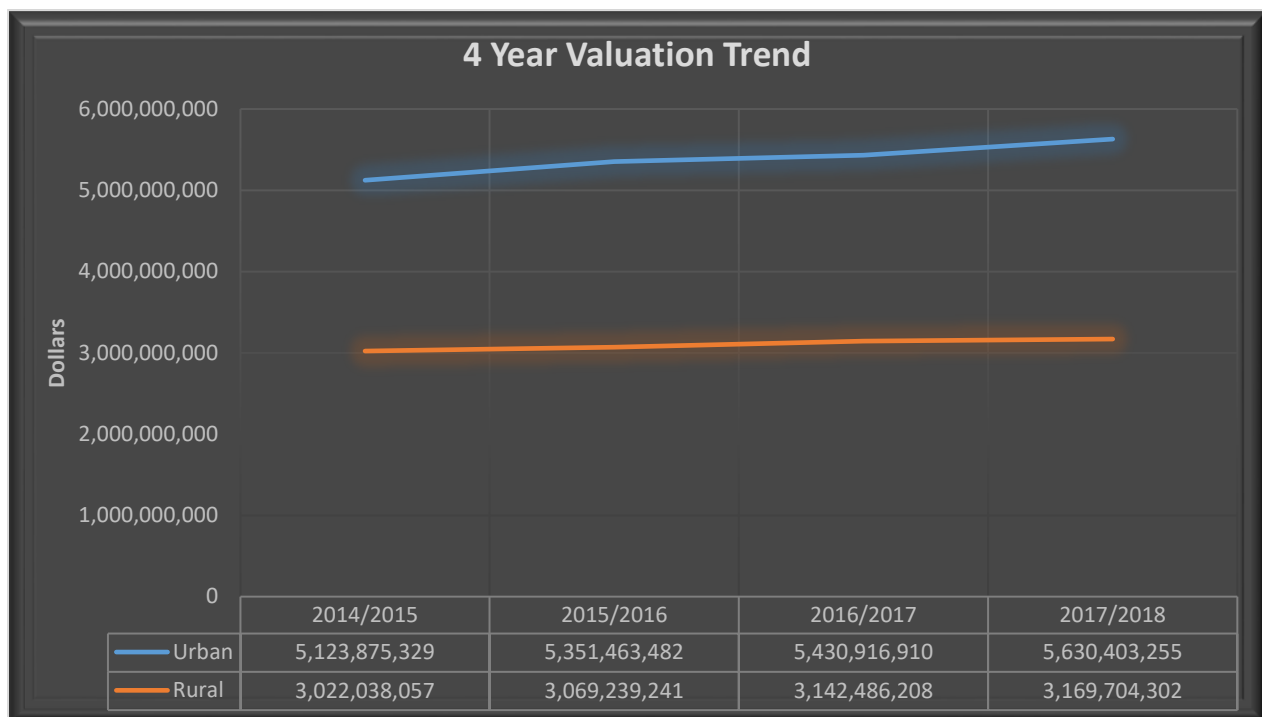
Pottawattamie County and its municipalities all experienced positive growth in median home valuation since 2000 and is shown in the table below sorted by percentage of change.

JURISDICTION	2000 MEDIAN VALUE	2016 MEDIAN VALUE	% CHANGE
Underwood	\$95,900	\$168,900	76.12%
Hancock	\$46,500	\$76,500	64.52%
McClelland	\$93,000	\$143,300	54.09%
Unincorporated County	\$84,900	\$128,500	51.35%
Avoca	\$73,000	\$109,800	50.41%
Treynor	\$108,100	\$158,700	46.81%
Council Bluffs	\$78,200	\$113,500	45.14%
Crescent	\$102,900	\$148,100	43.93%
Carter Lake	\$70,400	\$100,300	42.47%
Oakland	\$76,800	\$106,700	38.93%
Neola	\$86,500	\$119,100	37.69%
Carson	\$82,000	\$112,100	36.71%
Minden	\$97,000	\$120,500	24.23%
Walnut	\$66,900	\$82,100	22.72%
Macedonia	\$62,900	\$74,400	18.28%

### 3.7 Financial Analysis

The jurisdictions within Pottawattamie County receive their tax revenues through tax levies based on an approved rate multiplied by per \$1,000 of assessed valuation of residential, agriculture, and commercial property taxes. The approved tax levy rate varies by year and authorized taxing authority and/or district. Assessed valuations by jurisdiction are shown below, sorted by valuation.

Jurisdiction	Assessed Valuation
Council Bluffs	\$4,839,011,160
Unincorporated County	\$3,169,704,302
Carter Lake	\$217,745,256
Avoca	\$95,105,627
Oakland	\$80,876,322
Treynor	\$61,665,568
Underwood	\$59,457,373
Neola	\$50,027,885
Crescent	\$42,709,556
Carson	\$39,777,580
Walnut	\$39,593,464
Minden	\$28,948,553
Hancock	\$12,901,989
Macedonia	\$9,966,129
McClelland	\$7,822,911



## 3.8 Public Works

### 3.8.1 Roads

The road system in Pottawattamie County consists of 77 miles of interstate highway, 251 miles of paved two lane roads and 1,231 miles of unpaved two lane road miles with 346 bridges, over 1,700 culverts, and approximately 17,000 signs. These figures do not include the numerous miles of incorporated city streets and infrastructure within the fourteen (14) incorporated cities.

### 3.8.2 Water Supply and Distribution

County government does not provide residents with water service. Water is provided by private wells, rural water organizations or connection to a municipal water provider or adjacent community. Municipalities either provide water service directly or through a third party provider. The table below provides water supply and distribution details for each municipality.

JURISDICTION	Provider/Operator	Average Daily Capacity*	Peak Capacity*
Avoca	Large well field; 280k gallon tower	215,300	348,200
Carson	4 wells; 150k gallon tower	90,000	100,000
Carter Lake	Provided by City of Omaha	97,000,000	200,000,000
Council Bluffs	Provided by Council Bluffs Water Works	11,000,000	25,000,000
Crescent	Provided by Council Bluffs; 50k gallon tower	10,445,000	16,610,000
Hancock	Provided by Oakland; 70k gallon tower	500,000	800,000
Macedonia	Well field & 2 pumps; 30k gal tower	15,000	25,000
McClelland	Regional Water, Inc.	11,000,000	18,200,000
Minden	5 wells; 40k gallon tower	59,000	59,000
Neola	2 wells; 200k gallon tower	90,700	130,000
Oakland	9 wells; 2-300,000k gallon towers	750,000	1,100,000
Treynor	2 deep wells; 150k gallon tower	80,000	348,200
Underwood	Regional Water, Inc.; 250k gallon storage	215,300	348,200
Walnut	2 wells; 250k gallon storage	80,000	225,000

\*Gallons per day

### 3.8.3 Wastewater Treatment

The county does not provide residents with wastewater treatment service. This service is provided by private septic systems, onsite lagoon systems or connection to a city treatment system. Municipalities either provide wastewater treatment service directly or through a third party provider. The table below provides wastewater treatment details for each municipality. Most cities in the county utilize a lagoon treatment system.

JURISDICTION	Treatment System	Rated Capacity*
Avoca	3 Cell Lagoon system	255,000
Carson	Automated Trickling Filter System	70,000
Carter Lake	City of Omaha	232,000,000
Council Bluffs	Automated Trickling Filter System	12,000,000
Crescent	Lagoon System	72,000
Hancock	2 Cell Lagoon system	40,000
Macedonia	3 Cell Lagoon system	18,000
McClelland	Individual Septic Systems	N/A
Minden	Lagoon System	90,000
Neola	Mechanical Treatment Facility	135,000
Oakland	2 Cell Lagoon system	416,000
Treynor	3 Cell Lagoon system	200,000
Underwood	3 Cell Lagoon system	113,000
Walnut	2 Cell Lagoon system	300,000

\*Gallons per day

### 3.8.4 Storm water Drainage

Water drainage from storms is usually handled through various ditch systems throughout the county. Council Bluffs' storm sewer system includes 120 miles of sewer line and 10 storm water pump stations located along the Missouri River, Indian Creek and Mosquito Creek. Approximately 20 to 25 percent of Carter Lake has in-ground collection of storm water. Remaining communities in Pottawattamie County utilized open ditches or curb and gutter for storm water drainage.

## 3.9 Public Buildings and Facilities

The jurisdictions of the county are responsible for numerous public buildings. Some of the primary buildings by jurisdiction are shown in the following table.

JURISDICTION	Facility	Location
County of Pottawattamie	County Courthouse & CBPD	227 S 6 <sup>th</sup> St, Council Bluffs
	Sheriff's Office & Jail	1400 Big Lake Rd, Council Bluffs
	County Annex Building	223 S 6 <sup>th</sup> St, Council Bluffs
	County Services Building	515 5 <sup>th</sup> Ave, Council Bluffs
	East Pottawattamie Courthouse	209 N Elm St, Avoca
	Solid Waste & Recycling Center	41911 Industrial Rd, Oakland
	Iowa Human Services Building	417 E Kanessville, Council Bluffs
	Heartland Family Services Building	600 9 <sup>th</sup> Ave, Council Bluffs
	Juvenile Detention Center	629 6 <sup>th</sup> Ave, Council Bluffs
	Roads Maintenance Shops	Avoca 362 S Elm, <i>Caldonia</i> 15021 490 <sup>th</sup> Carson 40790 IA 92, <i>Central</i> 21901 340 <sup>th</sup> Hancock 217 N Main, <i>Walnut</i> 705 Oak St Honey Crk 27773 190 <sup>th</sup> , <i>Keg Crk</i> 24999 IA 92 Lewis 15484 State Orchard Underwood 25103 Railroad Hwy

<i>JURISDICTION</i>	<i>Facility</i>	<i>Location</i>
<i>Avoca</i>	City Hall – Police – Fire	201 N Elm
	Public Library	213 N Elm
<i>Carson</i>	Fire Department	127 Broadway St
	City & Community Hall	316 S Commercial
	Maintenance Facilities	121 Park & 306 S Commercial
<i>Carter Lake</i>	City Hall – Police Department	950 Locust St
	Community Resource Center	1105 Redick Blvd
	Fire Dept. – Maintenance Dept.	2929 N 9 <sup>th</sup> St
	Public Library	1120 Willow St
	Senior Center	626 Locust St
<i>Council Bluffs</i>	City Hall	209 Pearl St
	Fire Headquarters	200 S Fourth St
	Police Department	227 S 6 <sup>th</sup> St
	Water Pollution Control Plant	18452 Applewood Rd
	Water Works	2000 N 25 <sup>th</sup> St
	Public Library	400 Willow Ave
	Public Works	901 10 <sup>th</sup> Ave
<i>Crescent</i>	City Hall – Fire Department	102 West Florence St
	Maintenance Facility	517 E Welch
<i>Hancock</i>	City Hall – Fire Department	207 N Main St
<i>Macedonia</i>	City Hall	322 Main St
	Fire Department	404 Potter St
<i>McClelland</i>	City Hall	117 Main St
	Fire Department	81 Main St
<i>Minden</i>	City Hall	207 Main St
	Fire Department	205 Main St
<i>Neola</i>	City Hall – Fire Department	401 Front St
	Maintenance Facility	501 Pearl St
	Neola Area Community Center	110 4 <sup>th</sup> St
<i>Oakland</i>	City Hall – Fire Department	614 Dr. Van Zee Rd
	Community & Senior Center	
	Public Library	207 S Highway
	Maintenance Facility	218 Oakland Ave
<i>Treynor</i>	Water Treatment Plant	206 N Main St
	City Hall	7 South Eyberg St
	Fire Dept. – Community Center	11 W Main St
<i>Underwood</i>	City Hall – Fire Department	218 2 <sup>nd</sup> Ave
<i>Walnut</i>	City Hall	219 Antique City Dr
	Fire Department	500 Pearl St
	Public Library	224 Antique City Dr

### 3.10 Public Safety - Emergency Services

#### 3.10.11 Fire and Emergency Medical Services



Fire and Emergency Medical Services (EMS) protection is provided by a combination of municipal, township, and independent paid and volunteer fire departments. There are fifteen (15) fire departments authorized in Pottawattamie County.

Department	Personnel	EMS Qualified	Apparatus	Type	Status
Avoca	18	7	5	M	V
Carson	16	7	7	M	V
Carter Lake	23	17	7	M	V
Council Bluffs	100	94	23	M	P
Crescent	16	17	6	M	V
Hancock	14	5	6	M	V
Lewis Twsp	23	14	10	T	V
Macedonia	20	20	5	P	V
McClelland	15	2	6	M	V
Minden	21	8	6	M	V
Neola	25	16	8	M	V
Oakland	15	9	8	M	V
Treynor	23	12	8	B	V
Underwood	22	14	7	M	V
Walnut	21	14	7	M	V
	<b>372</b>	<b>256</b>	<b>119</b>		

M (Municipal) T (Township) P (Private Non-Profit) B (Benefited Fire District) V (Volunteer) P (Paid)

#### 3.10.12 Law Enforcement



Pottawattamie County – the County Sheriff manages a department of approximately 150 employees consisting of forty-five (45) law enforcement officers and ninety-seven (97) corrections officers. The Sheriff's Office patrols unincorporated areas of the county and contracts with eleven (11) of the fourteen (14) municipalities as their primary law enforcement service agency. The Sheriff's Office also provides 911 and public safety communications services for the county, bicycle patrol, a SWAT team, an Explosive Ordinance Disposal Unit, Investigations Unit, Civil Division, Court Security, and a Reserve Deputy program.



*Council Bluffs* – the Council Bluffs Police Department consists of approximately 113 officers and 30 civilian employees that provide patrol, investigation, SWAT, Explosive Ordinance Disposal, and school security services within the city.

*Carter Lake* – the Carter Lake Police Department consists of 8 full-time, 1 part-time, and 1 reserve police officers who provide patrol and general investigations services to the residents of Carter Lake.

*Avoca* – the City of Avoca employs 1 full-time police officer to provide general patrol and investigative services within the city. When not on duty, the city continues law enforcement services through a contractual agreement with the County Sheriff.

### 3.10.13 Medical Services and Facilities

Much of the county relies on Jennie Edmundson Memorial Hospital (Nebraska Methodist Health System) and Mercy Hospital (Catholic Health Initiatives), both located in Council Bluffs, for emergency and major medical services. There are over sixty (60) additional medical facilities (clinics, urgent care, family practices, mental health, rehabilitation, or other specialty services) in the Omaha—Council Bluffs area for residents. Hospital services are also available in Atlantic (Cass County), Harlan (Shelby County), Red Oak (Montgomery County), and Missouri Valley (Harrison County) for residents who live farther away from the Omaha—Council Bluffs Metro area. The communities of Avoca, Minden, Neola, Oakland, and Treynor also have an outpatient clinic or family practice within their communities.

### 3.10.14 Public Health Services

Various public health services are provided by Council Bluffs and Pottawattamie County. The City of Council Bluffs has a public health department with nursing, vaccination, and general assistance services for residents. Pottawattamie County holds a contract with the Visiting Nurses Association to provide public health services throughout the county. Both agencies often operate cooperatively to address countywide public health needs and issues.



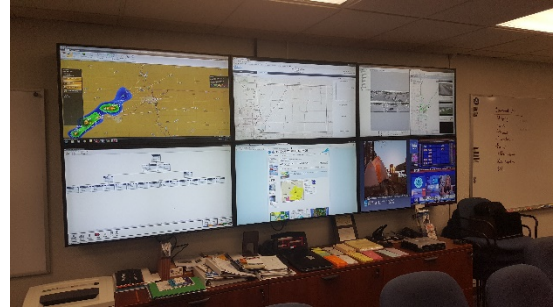
**Public Health**  
Prevent. Promote. Protect.

Currently, the City of Council Bluffs, Council Bluffs Board of Health, Pottawattamie County Board of Health, and Pottawattamie County Board of Supervisors are working on a public health initiative to consolidate public health services within the county and organize a single public health division under the Pottawattamie County Planning and Development Department.

### 3.10.15 Emergency Management



The Emergency Management Agency is an independent joint county-municipal public safety agency as defined in Chapter 29C, Code of Iowa with minimum duties and responsibilities detailed in Iowa Administrative Code Chapter 605. Under the direction of the County Emergency Management Commission; consisting of each mayor, a representative of the board of supervisors, and the county sheriff, the agency is responsible for coordinating agencies and jurisdictions during multi-agency and multi-jurisdictional responses. Under law, the commission must establish and maintain a capability to effectively direct, control, and coordinate emergency and disaster response and recovery operations. This is achieved through a comprehensive planning process and developing a countywide program centered on the tenets of preparedness, response, recovery, and mitigation.



*Operations Display area in the Emergency Operations Center*

The Pottawattamie County Emergency Management Agency has four (4) full-time employees that are supplemented with partner agency staff during major events. It maintains a countywide Emergency Operations Center and a countywide Mobile Command Post/Mobile EOC that support agencies and jurisdictions during events. EMA serves as technical advisors to incident commanders related to event and incident management and provides direct field support as required. The agency also facilitates several organizations between the public and private sectors to enhance preparedness in a whole-community posture.



*County Inter-agency Mobile Command Post*

### 3.10.16 Warning Systems

The National Oceanic and Atmospheric (NOAA) Weather Radio Warning System serves the county. Pottawattamie County 9-1-1 Center activates outdoor warning sirens throughout the county. Each city has at least one warning siren that provides citywide coverage. The county also participates in the Alert Iowa Emergency Alert and Weather Notification System. Residents in the county may register to receive emergency notifications via telephone messages. Pottawattamie County residents can receive weather notifications via television and AM/FM radio outlets. Emergency Management can also provide local emergency alerts and is authorized to use and activate the federal Emergency Alert System (EAS) and Wireless Emergency Alert System (WEA).



### 3.11 Utilities

Utility Provider by Incorporated City							
	Electric	Natural Gas	Telephone	Cable	Internet	Water	Solid Waste
Avoca	Mid-American Energy	Mid-American Energy	Walnut Communications, Windstream	MediaCom, Walnut Communications	Walnut Communications, Windstream	Regional Rural Water, Inc.	R&S Waste Disposal
Carson	Mid-American Energy	Mid-American Energy	Frontier Communications	Interstate Cablevision	Frontier Communications	City of Carson	City of Carson
Carter Lake	Omaha Public Power District	Black Hills Energy	CenturyLink, Cox	Cox	CenturyLink, Cox	Metropolitan Utilities District	Papillion Sanitation
Council Bluffs	Mid-American Energy	Black Hills Energy	Century Link, Cox	Cox	Century Link, Cox	Council Bluffs Water Works	Red River Waste, Inc.
Crescent	Mid-American Energy	Peoples Natural Gas	CenturyLink	Cox, Telepartners	CenturyLink	City of Council Bluffs	Individual contracts
Hancock	Mid-American Energy	Mid-American Energy	Farmers Mutual Cooperative Telephone	Farmers Mutual Cooperative Telephone	Farmers Mutual Cooperative Telephone	City of Hancock via City of Oakland	City of Hancock
Macedonia	Mid-American Energy	Mid-American Energy	Western Iowa Networks	Interstate Cablevision	Western Iowa Networks	City of Macedonia	Iowa Waste Systems
McClelland	Mid-American Energy	Mid-American Energy	CenturyLink	CenturyLink	CenturyLink	Regional Rural Water, Inc.	Rural Sanitation Services
Minden	Mid-American Energy	Mid-American Energy	Walnut Communications, Windstream	Walnut Communications	Walnut Communications, Windstream	City of Minden	R&S Waste Disposal
Neola	Neola Light and Water	Mid-American Energy	CenturyLink	Walnut Communications	CenturyLink	City of Neola	R&S Waste Disposal
Oakland	Mid-American Energy	Mid-American Energy	Frontier Communications	Teleservices	CenturyLink	City of Oakland	MTS, Inc.
Treynor	Mid-American Energy	Mid-American Energy	Frontier Communications	Cox	Frontier Communications	City of Treynor	MTS, Inc.
Underwood	Mid-American Energy	Mid-American Energy	CenturyLink, Walnut Communications	Walnut Communications	CenturyLink, Walnut Communications	Regional Rural Water, Inc.	MK Mills
Walnut	Mid-American Energy	Mid-American Energy	Walnut Communications	Walnut Communications	Walnut Communications	City of Walnut	Walnut Sanitation

### 3.12 Watersheds, Major Rivers and Streams

The Missouri River is the nearest major river in Pottawattamie County, making the western border with Nebraska. Council Bluffs is situated along the Missouri River. There are five watersheds in Pottawattamie County:

**West Nishnabotna** (10240002) – The total number of watershed acres is 725.7 acres. The primary river within the watershed is the West Nishnabotna River, which is directly west of Avoca. The watershed also includes: 64 lakes, 16 rivers and streams, 2,223.6 total river miles and 819.5 perennial river miles.

**Big Papillion-Mosquito** (10230006) – The total number of watershed acres is 5,412.2 acres. The primary river within the watershed is the Mosquito Creek. The watershed also includes: 112 lakes and 14 rivers and streams.

**Keg-Weeping Water** (10240001) – The total number of watershed acres is 1,565.4 acres. The primary river within the watershed is Nishnabotna River. The watershed also includes: 67 lakes and 7 rivers and streams.

**East Nishnabotna** (10240003) – The total number of watershed acres is 1,726.6 acres. The primary river within the watershed is the East Nishnabotna River. The watershed also includes: 117 lakes and 11 rivers and streams.

**Boyer** (10230007) – The total number of watershed acres is 908.6 acres. The primary river within the watershed is the Boyer River. The watershed also includes: 108 lakes and 8 rivers and streams.

### 3.13 Floodplain and Flood Control Information

The following list is jurisdictions participating in the National Flood Insurance Program (NFIP). Macedonia, McClelland, and Treynor do not participate in the NFIP.

Jurisdiction	Community Identification	Year Joined NFIP	Current Effective Floodplain Map
Pottawattamie County	190232#	08/03/1993	04/16/2013
Avoca	190233#	12/16/1980	04/16/2013
Carson	190234#	09/04/1985	04/16/2013 (M)
Carter Lake	190492#	08/08/1978	02/04/2005
Council Bluffs	190235#	06/28/1974	04/16/2013
Crescent	190723#	11/01/1999	02/04/2005
Hancock	190236#	04/21/2006	04/16/2013
Macedonia	<i>Sanctioned Community – Effective FIRM 04/16/2013</i>		
McClelland	<i>Does not participate in NFIP.</i>		
Minden	190781#	12/07/1988	04/16/2013
Neola	190493#	12/17/1990	04/16/2013
Oakland	190237#	08/03/1981	04/16/2013
Treynor	<i>Sanctioned Community – Effective FIRM 04/16/2013</i>		
Underwood	190494#	06/01/1982	04/16/2013
Walnut	190676#	12/31/2009	04/16/2013 (M)

(M) No Elevation Determined – All Zone A, C and X

Jurisdictions of the planning area will use a strategy of public awareness campaigns, implementation and enforcement of zoning ordinances, and pro-active mitigation, such as acquisition projects to continue its participation in the NFIP that will meet and promote the intent of the program's goals and objectives. Below is a list of recent property protection projects within Pottawattamie County.

Acquisition projects:	Goosehaven and Dog Bite Lane areas; and various individual sites throughout the county since the Missouri River flooding of 2011.
Elevation projects:	None
Structural Relocation projects:	None
Flood proofing projects:	None
Other property protection projects:	None

The primary flood control structure in Pottawattamie County is the Missouri River levee system. This vital structure protects Council Bluffs and parts of Pottawattamie County from Missouri River flooding for over 30 miles.

### 3.14 Relevant Community Plans, Ordinances and Studies

#### 3.14.1 Pottawattamie County

- Pottawattamie County Comprehensive Strategic Plan (2004)
- Pottawattamie County Zoning Ordinances (2004)
- Pottawattamie County Subdivision Ordinance (1996)
- Pottawattamie County Community Builder Plan (1995)
- Pottawattamie County Wastewater Treatment and Disposal System Ordinance (1998)
- Pottawattamie County Private Well Ordinance (1998)
- Pottawattamie County Floodplain Management Ordinance (1993)
- Pottawattamie County Hazardous Substances Ordinance (1988 as amended)

#### 3.14.2 Municipal Governments

- Floodplain Management Ordinance (except McClelland and Walnut)
- Zoning Ordinances (except McClelland)
- Comprehensive Strategic Plan (Avoca, Carson, Carter Lake, Council Bluffs, Neola, Oakland, Treynor, and Underwood)

#### 3.14.3 Emergency Management Commission (applies to all jurisdictions)

- Comprehensive Emergency Management Plan (A-Response, B-Mitigation, C-Recovery)
- Hazardous Materials Commodity Flow Study
- Hazardous Materials Response Contract and Plan (ESF 10 of Part A)
- Continuity of Government (draft)

#### 3.14.4 School Districts and Systems

- Emergency Operations Plans

*NOTE: Schools fall under the auspices of their hosting jurisdiction's ordinances and regulations.*

### 3.15 Recreation

The Pottawattamie County Conservation Board is responsible for the care and maintenance of eight parks and nature areas. The conservation staff consists of 12 fulltime employees and hires seasonal employees during the summer months.

PARK	LOCATION	AREA	AMMENITIES
Arrowhead	29357 310 <sup>th</sup> St	147 acres	Camping, Showers, Cabins, Playground, Fishing, Boat Rentals, Covered Shelters.
Botna Bend	42926 Mahogany Rd	119 acres	Camping, Showers, Bison & Elk Herds, Canoe/Kayak Rentals.
Hitchcock Nature Center	27792 Ski Hill Lp	1,100 acres	Native Prairie, 10 miles of Hiking Trails, Lodge, Campground, Cabins.
Narrows River Park	2500 N 25 <sup>th</sup> St	36 acres	Boat Ramp & Dock, Archery Range, Picnic Shelter, Hiking Trails.
Olde Town Park	12515 385 <sup>th</sup> St	9 acres	Primitive Camping, Picnicking, River Access.
Farm Creek	45638 Chestnut Rd	320 acres	Wildlife Area, Public Hunting, Fishing.
Pheasants Forever Habitat Area	I-29/I-680 Interchange	14 acres	Grassland Habitat.
Blackbird Marsh	I-29/N 16 <sup>th</sup> St	14 acres	Wetland Habitat.

Each municipality in Pottawattamie County maintains at least one public park and/or recreational facility.

CITY	PARK	INFORMATION
Avoca	Edgington Park	Walking Trails, Shelters, Soccer Field, Ball Diamonds, Playground, Pool.
Carson	Carson City Park	River Access, Soccer Field, Ball Diamond, Playground, Rodeo Arena, Shelters.
Carter Lake	Levi Carter Park Wavecrest Park Carter Lake Park	Rustic Pavilion, Lake Access, Playground, Swimming Access.
Council Bluffs	See <a href="http://councilbluffs-ia.gov/257/Parks-Facilities-Trails">councilbluffs-ia.gov/257/Parks-Facilities-Trails</a>	The city maintains over 27 traditional parks, 41 miles of trails, many historic sites, 2 aquatic centers, 2 golf courses, ATV park, skate park, sports complex.
Crescent	Crescent City Park	Ball Diamond, Volleyball Court, Tennis Court, Picnic Shelter, Playground, Walking Track.
Hancock	Old Settlers Park	Playground, softball field

CITY	PARK	INFORMATION
Macedonia	Macedonia City Park	Covered Stadium, Ball Diamond, Playground, Walking Trail.
McClelland	McClelland City Park	Playground
Minden	Minden City Park	Playground, Ball Diamond.
Neola	Neola City Park	Playground, Ball Diamond, Indoor Pool, Basketball/Volleyball, Fitness Center.
Oakland	Chautauqua Park Lions Park Schueman Park Aquatic Center and Golf Course	Playground, Soccer Fields, Sand Volleyball, Shelter, Softball Field, Baseball Field, River Access, Walking Trails, Swimming, Golf. Fitness Center in City Hall Complex.
Treynor	East Park West Park	Playground, Shelter, Baseball Field, Picnic.
Underwood	Underwood City/Trailhead Park	Tennis Courts, Baseball/Softball Complex, Soccer Fields, Picnic Pavilion.
Walnut	Firemen's Park Veterans' Memorial Park	Picnic Shelter, Playground, Splash Pad, Walk of Honor Eagle Plaza, Baseball and Softball Fields.

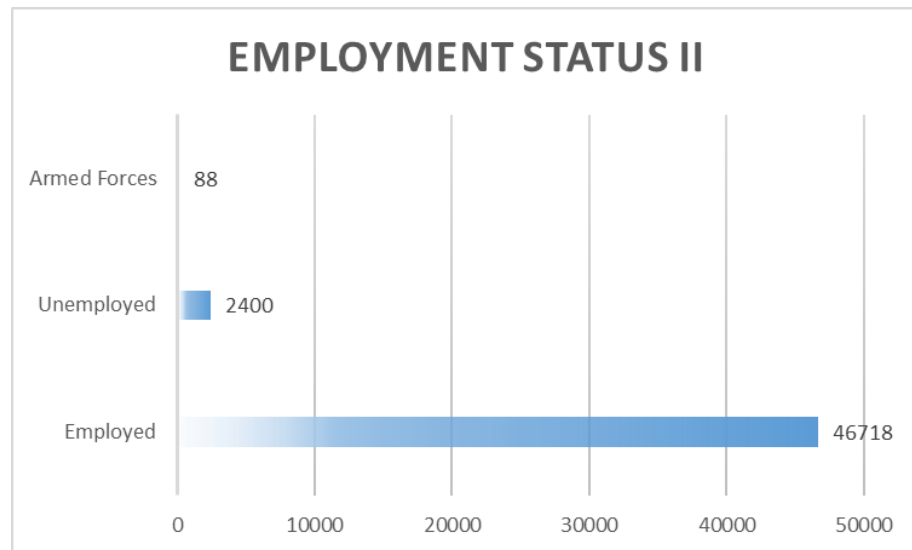
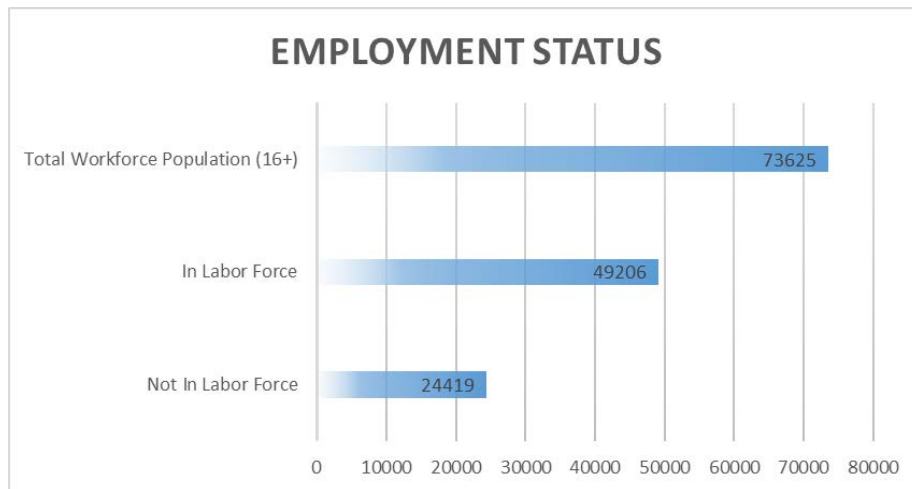
### 3.16 Education

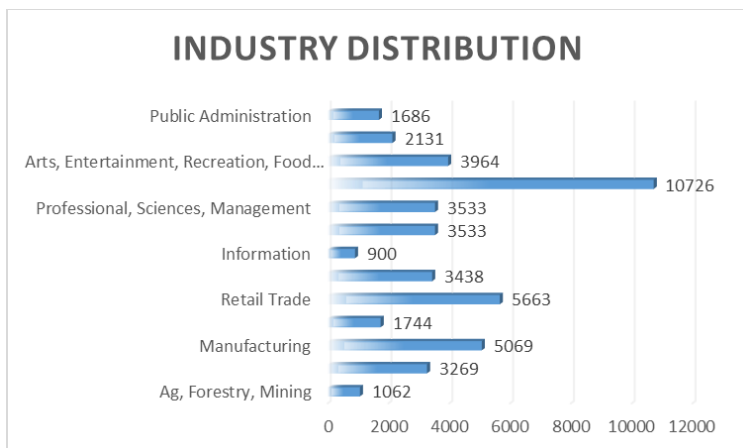
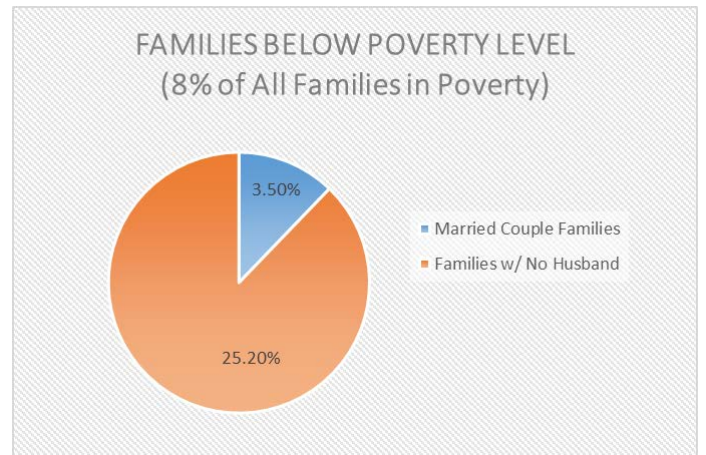
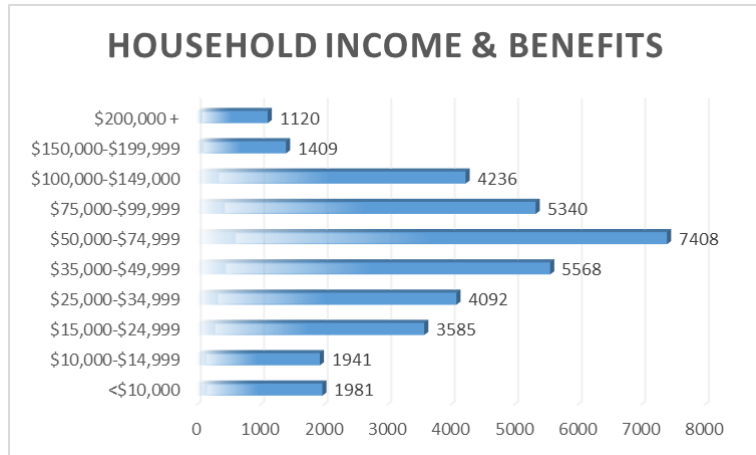
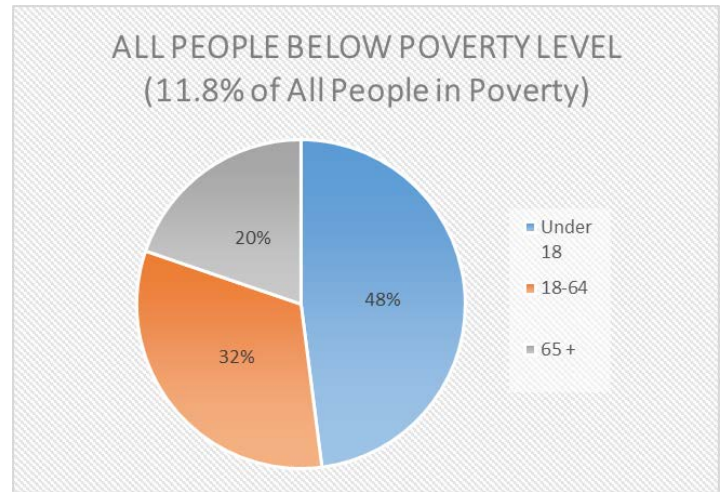
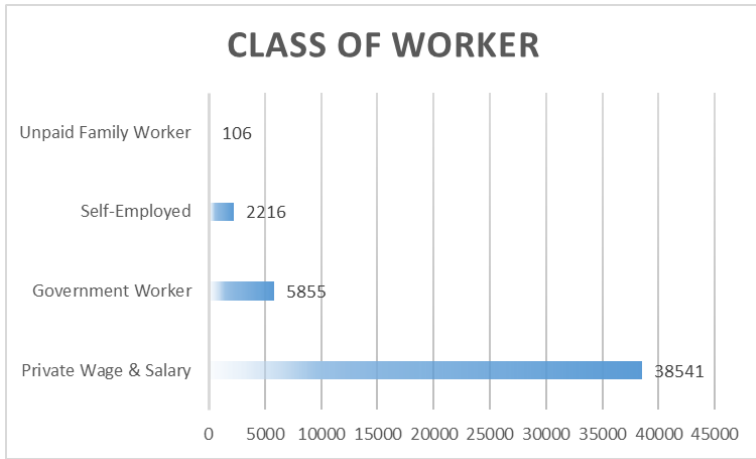
There are nine (9) recognized school districts in Pottawattamie County, one (1) recognized Community College, and one (1) recognized state managed school for the deaf. The Council Bluffs Community School District is the largest with eighteen schools and an enrollment just under 9,000 students. Schools rely on the ordinances and regulations of their host jurisdictions as it relates to mitigation authorities.

District/School	2017-2018 Enrollment
A-H-S-T-W Community School District	703
Council Bluffs Community School District	8,657
Heartland Christian Schools	110
Lewis Central Community School District	2,874
Riverside Community School District	605
St. Albert Catholic Schools	605
Treynor Community School District	814
Tri-Center Community School District	656
Underwood Community School District	784
Iowa School for the Deaf	110
Iowa Western Community College <i>(Fall Semester-CB Campus)</i>	4,152
<b>K-12</b>	<b>15,808</b>
<b>ISD</b>	<b>110</b>
<b>IWCC</b>	<b>4,152</b>
<b>Total</b>	<b>20,070</b>

### 3.17 Employment

As Pottawattamie County’s largest city, Council Bluffs has a significant concentration of major employers. The service and entertainment industry in Council Bluffs has become prevalent with the presence of three casinos and hotels. Health care and food processing are also notable job creating industries in Council Bluffs. Transportation, service, food processing, and agri-business are typically the largest job industries in the remainder of the county. Oakland Foods, a meat processor with approximately 500 employees, is the largest employer in the county outside of Council Bluffs.





### 3.18 Economic Conditions

The western side of Pottawattamie County is significantly more urbanized than the eastern half. Retail, service and entertainment industries are concentrated in the Council Bluffs area. In taxable retail sales for FY 2017, Council Bluffs accounted for 91 percent of the county's total taxable sales. Council Bluffs and its adjacent areas benefit from proximity to rail lines and two interstate corridors, thereby generating transportation, manufacturing and industrial development and employment.

Though Pottawattamie County is more urbanized than its neighboring counties in Iowa, it is still heavily rural and agriculture is central to the economy. According to the 2007 USDA Census of Agriculture there are 1,188 farms in Pottawattamie County with an average size of 449 acres. The average net cash income per farm operation is \$118,791. The average market value of land and buildings per farm in Pottawattamie County is \$1,523,228.

Retail Sales Tax by Jurisdiction (Fiscal Year 2017)		
Jurisdiction	Taxable Sales	Computed Tax
Avoca	\$27,605,716	\$1,642,383
Carson	\$2,615,419	\$156,925
Carter Lake	\$21,411,426	\$1,203,857
Council Bluffs	\$1,076,861,861	\$64,235,751
Crescent	\$7,234,613	\$433,895
Hancock	\$1,430,182	\$85,811
Macedonia	\$3,911,674	\$234,700
Minden	\$2,662,199	\$159,309
Neola	\$6,337,884	\$380,273
Oakland	\$9,397,095	\$563,740
Treynor	\$3,295,375	\$197,723
Underwood	\$5,450,666	\$326,820
Walnut	\$7,643,429	\$451,011
Other	\$9,574,155	\$573,805
<b>County Total</b>	<b>\$1,185,431,694</b>	<b>\$70,646,002</b>

### 3.19 Development Patterns

Much of the unincorporated county is agriculture or forest/grass land. Industrial and commercial land uses are mainly concentrated in the county's larger cities and along portions of Interstates 29 and 80.

#### 3.19.1 Agriculture and Open Land

After residential land, agriculture is the dominant land use in Pottawattamie County. Most land is cultivated for corn and soybeans but some areas are used for pasture. The areas comprising of the Loess Hills are largely undeveloped due to steep bluffs, slopes and upland ridges. Wetlands and forested areas are located along rivers and streams. Scenic views and unique geological characteristics can provide increased opportunities for tourism potential.

#### 3.19.2 Commercial

Commercial use accounts for over 6 percent of the county's property parcels. Over half of commercial properties are located within Council Bluffs city limits. The greatest concentrations of commercial property are located in Council Bluffs along the I-29/I-80 corridors and Broadway/U.S. Highway 6. Avoca, Carter Lake, Oakland, and Walnut also have sizable pockets of commercial land; Oakland Foods is the single largest commercial site in the eastern half of the county. Commercial land in the incorporated cities is generally adjacent to major streets in downtown areas.

#### 3.19.3 Industrial

Industrial land is the least dominant land use in Pottawattamie County and does not account for one percent of property parcels in any incorporated city or the county as a whole. Council Bluffs again has the largest concentration of industrial space, mainly near the I-29/I-80 corridors. There are various farming facilities and grain storage operations located throughout the county. Some of these facilities possess hazardous materials, such as fertilizer, fuel, etc. Industrial development is expected to expand in the next five to ten years, especially on land near the Missouri River and Interstate 29.

#### 3.19.4 Residential

Approximately 60 percent of the county's land use is residential. Of all the residential parcels in Pottawattamie County, approximately 65 percent are in Council Bluffs. Residential land accounts for no less than 71 percent of land use in all 14 incorporated cities. Residential building permits have decreased nearly every year since 2008 and it is uncertain when the trend will reverse.

Many natural hazards will be countywide in scope. New development, regardless of the use, will be similarly impacted and as vulnerable as existing buildings and infrastructure. Other natural hazards and most manmade incidents will be more localized. Future development is difficult to anticipate, however, it is expected that the current distribution of property classes will remain steady throughout the next five years.

Number and Assessed Value of Parcels				
Property Classification	Number	%	Total Value	%
Agricultural	15,071	27.9	\$1,070,238,703	12.8
Commercial	3,349	6.2	\$2,205,326,415	26.4
Industrial	118	0.2	\$347,687,454	4.2
Residential	35,424	65.7	\$4,717,747,207	56.6
<b>TOTAL</b>	<b>53,962</b>	<b>100.0</b>	<b>\$8,340,999,779</b>	<b>100.0</b>

### 3.19.5 Development Changes

In the 2013 Mitigation Planning cycle, development in Pottawattamie County was cited as being slow for the previous three to five years, especially outside of the Council Bluffs area. That trend was mainly attributed to the national economic downturn, particularly in the housing market, that began in 2007/2008.

Current analysis of parcels throughout the county show an overall 1.3 percent increase in the number of parcels. The assessed valuation of total parcels has shown a significant increase in the past five years. This upward valuation trend is attributed to an increase in industrial parcels as well as the complete reassessment of commercial and industrial properties in Council Bluffs in 2017. No recent development has occurred in any known hazard areas.

Comparison to 2013 Numbers and Assessed Parcel Values				
Property Classification	Number	%	Total Value	%
Agricultural	- 2,041	- 11.9	-\$100,767,394	-8.6
Commercial	-101	-2.9	+\$922,495,496	+71.9
Industrial	+28	+31.1	+\$226,403,062	+186
Residential	+2,801	+8.5	+\$951,251,154	+25.2
<b>TOTAL</b>	<b>+687</b>		<b>+\$1,999,382,318</b>	

The Interstate 29 corridor and I-29/I-80 junctions remain key industrial and commercial areas in the county. Land adjacent to south Highway 275 has been identified by local economic developers as having significant industrial development potential due to the availability of vacant land close to rail and interstate access.

## CHAPTER IV

### HAZARD ANALYSIS AND RISK ASSESSMENT

#### 4.1 Overview

The risk assessment process identifies and profiles relevant hazards and assesses the exposure of lives, property, and infrastructure within Pottawattamie County to those hazards. The goal of the risk assessment is to estimate the potential loss in the planning area, including loss of life, personal injury, property damage, and economic loss, from a hazard event. The risk assessment process allows communities in the planning area to better understand their potential risk to the identified hazards and provides a framework for developing and prioritizing mitigation actions to reduce risk from future hazard events.

This chapter of the plan purposed to follow the methodology recommended in the FEMA publication 386-2, *Understanding Your Risks: Identifying Hazards and Estimating Losses* (2002).

#### 4.2 Disaster Declaration History

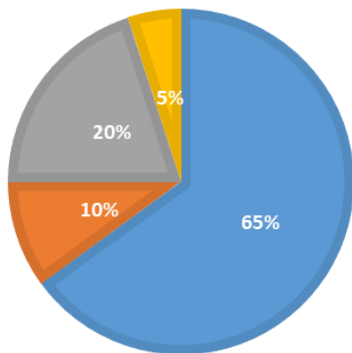
Examination of events that triggered federal disaster declaration was used to help identify and confirm those hazards relevant to Pottawattamie County. Federal and/or state declarations may be granted when the severity and magnitude of an event surpasses the ability of the local government to respond and recover. When the local government's capacity has been surpassed, a state disaster declaration may be issued, allowing for the provision of state assistance. If the disaster is so severe that both the local and state governments' capacities are exceeded; a federal emergency or disaster declaration may be issued allowing for the provision of federal assistance. FEMA emergency declarations are more limited in scope and do not include long-term federal recovery programs available for major disaster declarations. Determinations for declaration type are based on scale, type of damages and institutions or industrial sectors affected.

The following table reviews a variety of potential hazards specifically impacting the Pottawattamie County area. Hazardous events have been a common occurrence throughout Pottawattamie County, affecting most of the unincorporated area as well as the majority of the county's incorporated cities. In fact, Pottawattamie County has been included in twenty (20) Presidential Disaster or Emergency Declarations since 1965. Thirteen of the disaster declarations have resulted from thunderstorms and/or flooding. Flooding, by natural or manmade means, continues to remain a high priority hazard throughout Pottawattamie County.

Federal Declarations 1965 – 2017 Pottawattamie County, Iowa		
Declaration Date	Declaration Type	Disaster Number
7-7-2014	Severe Storms	FEMA DR-4181
6-27-2011	Flood	FEMA DR-1998
3-2-2010	Severe Winter Storms	FEMA DR-1880
2-25-2010	Severe Winter Storm	FEMA DR-1877
5-27-2008	Severe Storms	FEMA DR-1763
5-25-2007	Severe Storms	FEMA DR-1705
3-30-2007	Snow	FEMA EM-3275
9-10-2005	Hurricane (Evacuation Assistance)	FEMA EM-3239
5-25-2004	Severe Storms	FEMA DR-1518
5-2-2001	Severe Storms	FEMA DR-1367
7-2-1999	Severe Storms	FEMA DR-1282
7-2-1998	Flood	FEMA DR-1230
11-20-1997	Snow	FEMA DR-1191
8-21-1996	Severe Storms	FEMA DR-1133
7-9-1993	Flood	FEMA DR-996
9-6-1990	Flood	FEMA DR-879
7-28-1988	Tornado	FEMA DR-814
6-27-1984	Severe Storms	FEMA DR-715
9-26-1972	Flood	FEMA DR-354
4-22-1965	Flood	FEMA DR-193

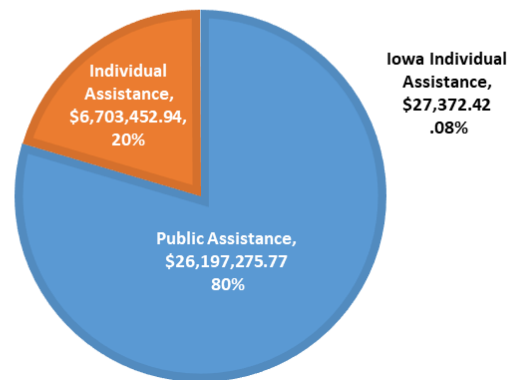
**DECLARATIONS BY TYPE**

■ Severe Thunderstorm/Tornado ■ Flooding ■ Severe Winter Storm ■ Other



**2007-2017 DISASTER GRANTS PAID  
(FUNDING BACK FROM DAMAGES/RESPONSE)**

■ Public Assistance ■ Individual Assistance ■ Iowa Individual Assistance



### 4.3 Hazard Review and Updates

To identify hazards to include in the Risk Assessment, a comparison was performed of the hazard identification for the *2013 Iowa State Hazard Mitigation Plan*, and the *2013 Pottawattamie County Multi-Jurisdiction Hazard Mitigation Plan, as amended (2014)*.

During this process there were several hazards identified that were very similar in their potential, impact, strategies of mitigation, and resources required for response and recovery that they were combined into one category. Other hazards previously identified were determined either not relevant to the county or to this plan. The table below provides a cross-walk of previously identified hazards to those identified in this iteration of the mitigation plan.

HAZARD IDENTIFICATION CROSS-WALK	
2013 Hazards	2018 Hazards
Fixed Hazardous Materials Incident Pipeline Incident Transportation Hazardous Materials Incident	Hazardous Materials
Tornado	Tornado
Flash Flood	Flash Flood
Levee Failure Dam Failure	Levee/Dam Failure
Thunderstorm and Lightning Hailstorm Windstorm	Severe Thunderstorm
Severe Winter Storm	Severe Winter Storm
Communications Failure Energy Disruption	Infrastructure Failure
River Flood	River Flood
Enemy Attack <sup>1</sup> Terrorism/Agriculture-Biological Terrorism/Chemical Terrorism/Conventional Terrorism/Cyber Terrorism/Radiological Public Disorder	Removed
Air Transportation Incident Highway Transportation Incident Rail Transportation Incident Waterway/Waterbody Incident	Mass Casualty Event
Fixed Radiological Incident Transportation Radiological Incident	Radiological Incident
Animal Disease Epidemic Plant/Crop Disease Epidemic	Animal/Plant Disease
Human Disease Epidemic	Human Disease
Grass or Wildland Fire	Grass/Wildland Fire
Drought Extreme Heat	Drought/Extreme Heat
Earthquake	Earthquake
Landslide/Erosion/Slope Failure	Landslide

<sup>1</sup> Terrorism and Security: Pottawattamie County utilizes other planning mechanisms to perform risk assessment for terrorism and security related hazards in the planning area. Additionally, since the Hazard Mitigation Plan emphasizes public participation, it has been determined that discussion of vulnerabilities to terrorism type hazards should not be included in this public document.

<i>Hazard Identification Cross-walk, Continued</i>	
2013 Hazards	2018 Hazards
Expansive Soils <sup>2</sup>	Removed
Structural Fire <sup>3</sup>	Removed
Structural Failure <sup>4</sup>	Removed
Sink Holes <sup>5</sup>	Removed

#### 4.4 Hazard Identification

The sixteen (16) hazards identified for this plan are listed below.

- Animal/Plant Disease
- Drought/Extreme Heat
- Earthquake
- Flash Flood
- Grass/Wildland Fire
- Hazardous Materials
- Human Disease
- Infrastructure Failure
- Landslide
- Levee/Dam Failure
- Mass Casualty Event
- Radiological Incident
- River Flood
- Severe Thunderstorm
- Severe Winter Storm
- Tornado

<sup>2</sup> There are no incorporated or unincorporated jurisdictions containing soil that consists of clay classified as having high swelling potential. No documented historical occurrences have been noted.

<sup>3</sup> Jurisdictions within the county maintain (15) fire rescue departments. (1) 24/7 paid service and (14) volunteer services. All departments participate in a countywide automatic mutual aid agreement with pre-defined mutual aid responses that are automatically dispatched upon receipt of structural fire incidents. Coupled with fire prevention measures and building code enforcement, there are no major areas of conflagration that require specific mitigation strategies.

<sup>4</sup> Although there are older structures throughout the county, large areas or population centers in significantly old, decaying buildings are not present in numbers that warrant special mitigation strategies beyond existing building and inspection codes. Any structural failure experienced would likely be a byproduct of another hazard identified in this plan (i.e., terrorism, tornado, flood, etc.). Adequate resources exist with code enforcement and inspections through Pottawattamie County Planning and the City of Council Bluffs Buildings Division to quickly assess and mitigate severity of impacts when a structure is failing as a result of age, poor maintenance, or as a result of a causative hazard.

<sup>5</sup> Several of the incorporated cities have previously experienced small sinkholes due to common undermining but no indications or evidence have been reported or discovered that indicating a potential threat from presence significant sinkholes that would pose a risk to any populated area.

Hazards Identified by Jurisdiction																
	Animal/Plant Disease	Drought/Extreme Heat	Earthquake	Flash Flood	Grass/Wildland Fire	Hazardous Materials	Human Disease	Infrastructure Failure	Landslide	Levee/Dam Failure	Mass Casualty Event	Radiological Incident	River Flood	Severe Thunderstorm	Severe Winter Storm	Tornado
Pottawattamie County	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
MUNICIPALITIES																
City of Avoca	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of Carson	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of Carter Lake	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
City of Council Bluffs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
City of Crescent	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of Hancock	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of McClelland	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
City of Macedonia	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of Minden	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
City of Neola	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
City of Oakland	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
City of Treynor	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
City of Underwood	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
City of Walnut	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
SCHOOL DISTRICTS / COLLEGES																
A-H-S-T-W Community School District	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
Council Bluffs Community School District	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Heartland Christian Schools	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Lewis Central Community School District	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Riverside Community School District	X	X	X	X	X	X	X	X	X	---	X	X	X	X	X	X
St. Albert Catholic Schools	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Treynor Community School District	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
Tri-Center Community School District	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
Underwood School District	X	X	X	X	X	X	X	X	X	---	X	X	---	X	X	X
Iowa Western Community College	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

#### 4.4 Multi-Jurisdictional Risk Assessment

For this multi-jurisdictional plan, the risks are assessed for each jurisdiction where they deviate from the risks facing the entire planning area. The planning area is fairly uniform in terms of climate and topography as well as building construction characteristics. Accordingly, the geographic areas of occurrence for weather-related hazards do not vary greatly across the planning area for most hazards. The more urbanized areas within the planning area have more assets that are vulnerable to the weather-related hazards and varied development trends impact the future vulnerability. Similarly, more rural areas have more assets (crops/livestock) that are vulnerable to animal/plant/crop disease. These differences are discussed in greater detail in the profile sections of each hazard.

#### 4.5 Bi-county Cities

The City of Shelby, previously mentioned in Chapter III, is the only city within Pottawattamie County that crosses county lines. The majority of the city is in Shelby County, Iowa. As that area is uniform with the hazards and risks of the overall county, they detailed analysis and mitigation strategies for the City of Shelby is captured in the Shelby County Mitigation Plan, which the Pottawattamie County Emergency Management Agency is afforded the opportunity to review and provide input.

#### 4.6 Hazard Scoring Methodology

This plan used a standardized methodology across the county to score and prioritize the hazards. This prioritization was based on a hazard scoring system that considers four elements of risk: probability, impact, warning time, and duration. Associated rating levels for each category are then applied to a *Calculated Priority Rating Index* (CPRI) formula. The CPRI value provides a risk value that is then categorized into a Low, Medium, or High planning rating.

The tables on the following page were used to guide planning assessors through the classification and rating of the identified hazards in Pottawattamie County.

#### 4.6.1 Hazard Scoring Keys and Descriptions

ELEMENT	DESCRIPTIONS	RATING
<b>HIGHLY LIKELY</b> 10+ events per decade	<b>Catastrophic</b> <ul style="list-style-type: none"> <li>• Multiple fatalities, several serious injury/illness</li> <li>• Damage to critical infrastructure/property over large area</li> <li>• Wide area of community damage</li> <li>• Up to 50% of community facilities damaged, destroyed, or inaccessible</li> <li>• Complete shutdown of community facilities/services for &gt;2 weeks</li> </ul>	<b>4</b>
<b>LIKELY</b> 6-9 events per decade	<b>Critical</b> <ul style="list-style-type: none"> <li>• Results in a number of minor injuries/illness, limited serious injury/illness</li> <li>• Damage to critical infrastructure/property over moderate area</li> <li>• Up to 25% of community facilities damaged, destroyed, or inaccessible</li> <li>• Shutdown of community facilities/services for up to 2 weeks</li> </ul>	<b>3</b>
<b>POSSIBLE</b> 2-5 events per decade	<b>Limited</b> <ul style="list-style-type: none"> <li>• Results in a number of minor injuries, limited serious illness</li> <li>• Damage to critical infrastructure/property over a small area</li> <li>• Up to 25% of community facilities damaged, destroyed, or inaccessible</li> <li>• Shutdown of community facilities/services up to 1-2 weeks</li> </ul>	<b>2</b>
<b>UNLIKELY</b> 0-1 events per decade	<b>Negligible</b> <ul style="list-style-type: none"> <li>• Results in only minor injuries, no fatalities</li> <li>• Damage contained to a single incident scene and immediate area</li> <li>• Less than 10% of community facilities damaged, destroyed, or inaccessible</li> <li>• Shutdown of community facilities/services for 24 hours or less</li> </ul>	<b>1</b>

Element	Probability	Impact	Warning Time	Duration
CPRI Factor	x 0.45	x 0.30	x 0.15	x 0.10

Element ratings are applied to the CPRI factors to come to a CPRI Total Score for each hazard. That score is applied to the planning priority scale in the table below which provides the hazard priority.

Planning and Hazard Priority Scale		
Low	Medium	High
1.00 – 2.09	2.10 – 3.09	3.10 – 4.0

4.7 Pottawattamie County Planning Area Hazard Ranking Results

Pottawattamie County Threats/Hazards	Probability			Impact			Warning Time			Duration			CPRI TOTALS	PLANNING PRIORITY
	Wt.	Category	CPRI	Wt.	Category	CPRI	Wt.	Category	CPRI	Wt.	Category	CPRI		
Hazardous Materials	4	Highly Likely	1.8	3	Critical	0.9	4	< 6 Hours	0.6	1	< 6 Hours	0.1	3.40	HIGH
Tornado	3	Likely	1.4	4	Catastrophic	1.2	4	< 6 Hours	0.6	1	< 6 Hours	0.1	3.25	
Flash Flood	4	Likely	1.8	2	Negligible	0.6	4	< 6 Hours	0.6	2	< 1 Day	0.2	3.20	
Levee/Dam Failure	2	Possible	0.9	4	Catastrophic	1.2	4	< 6 Hours	0.6	4	> 1 Week	0.4	3.10	
Severe Thunderstorm	4	Highly Likely	1.8	2	Limited	0.6	4	< 6 Hours	0.6	1	< 6 Hours	0.1	3.10	
Severe Winter Storm	4	Highly Likely	1.8	2	Limited	0.6	2	12-24 Hours	0.3	3	< 1 Week	0.3	3.00	MEDIUM
Infrastructure Failure	3	Likely	1.4	2	Limited	0.6	4	< 6 Hours	0.6	2	< 1 Day	0.2	2.75	
River Flood	3	Likely	1.4	3	Limited	0.9	1	24+ Hours	0.2	3	< 1 Week	0.3	2.70	
Mass Casualty Event	2	Possible	0.9	3	Critical	0.9	4	< 6 Hours	0.6	2	< 1 Day	0.2	2.60	
Drought/Extreme Heat	2	Possible	0.9	3	Critical	0.9	1	24+ Hours	0.2	4	> 1 Week	0.4	2.40	
Radiological Incident	1	Unlikely	0.5	3	Critical	0.9	4	< 6 Hours	0.6	4	> 1 Week	0.4	2.35	LOW
Animal/Plant Disease	2	Possible	0.9	2	Critical	0.6	1	24+ Hours	0.2	4	> 1 Week	0.4	2.05	
Human Disease	2	Possible	0.9	2	Limited	0.6	1	24+ Hours	0.2	4	> 1 Week	0.4	2.05	
Grass/Wildland Fire	2	Likely	0.9	1	Negligible	0.3	4	< 6 Hours	0.6	2	< 1 Day	0.2	2.00	
Earthquake	1	Unlikely	0.5	2	Limited	0.6	4	< 6 Hours	0.6	1	< 6 Hours	0.1	1.75	
Landslide	1	Unlikely	0.5	1	Negligible	0.3	4	< 6 Hours	0.6	1	< 6 Hours	0.1	1.45	

#### 4.8 Exposure of Population and Structures

This section assesses the population, structures, critical facilities and infrastructure, and other important assets in the planning area that may be at risk to hazards.

Jurisdiction	Population	Ag Bldgs	Ag Value	Com/Ind Bldgs	Com/Ind Value	Residential Bldgs	Residential Value	Content Value	Total Bldgs Count	Total Exposure Value
Avoca	1,513	79	337,600	163	22,695,600	655	63687,200	60,550,700	897	147,271,100
Carson	815	28	300,400	48	4,404,800	319	33,007,800	22,310,300	395	60,023,300
Carter Lake	3,784	7	34,200	130	65,585,400	1,189	139,059,500	151,545,700	1,326	356,224,800
Council Bluffs	62,524	245	1,029,400	2,135	1,563,795,400	19,731	2,102,916,000	3,007,231,650	22,111	6,674,972,450
Crescent	617	47	319,800	20	1,855,900	255	35,283,100	20,281,225	322	57,740,025
Hancock	195	43	325,600	36	3,570,200	94	5,720,700	7,648,700	173	17,265,200
Macedonia	245	32	423,200	19	900,500	116	9,118,300	6,107,975	167	16,549,975
McClelland	150	40	351,800	14	727,200	55	5,741,800	4,131,700	109	10,952,500
Minden	594	7	44,400	43	2,709,900	223	24,739,700	15,801,625	273	43,295,625
Neola	859	33	143,800	74	7,409,400	348	40,815,000	29,813,050	455	78,181,250
Oakland	1,509	48	291,600	112	21,583,600	590	51,566,300	53,054,250	750	126,495,750
Shelby	23	11	73,400	29	29,052,200	2	158,800	36,468,050	42	65,752,450
Treynor	950	14	106,800	45	7,235,100	369	52,074,500	35,187,925	428	94,604,325
Underwood	939	20	112,100	57	10,870,800	297	42,126,400	34,763,800	374	87,873,100
Walnut	779	59	219,700	95	7,520,600	325	24,484,900	21,862,900	479	54,088,100
County ( <i>unincorp.</i> )	18,086	18,427	52,563,200	332	87,146,200	7,071	1,214,671,400	768,831,650	25,830	2,123,212,450
<b>TOTALS</b>	<b>93,582</b>	<b>19,140</b>	<b>56,677,000</b>	<b>3,352</b>	<b>1,837,062,800</b>	<b>31,639</b>	<b>3,845,171,400</b>	<b>4,275,591,200</b>	<b>54,131</b>	<b>10,014,502,400</b>

Content Value derived by applying multiplier to building values based on HAZUS MH 2.1 (FEMA Hazards U.S., Multi-hazard loss estimator) standard contents multipliers per usage type as follows: Residential (50%), Commercial (100%), Industrial (150%), Agricultural (100%). For the purposes of these calculations, commercial and residential was calculated at a factor of 125%.

### 4.9 Critical and Essential Facilities and Infrastructure

Jurisdictions have assessed the vulnerability of critical and essential facilities to the identified hazards. These type of facilities are defines as:

- Critical Facility – facilities essential in providing utility or direction during either response or recovery to an emergency.
- Essential Facility – facilities that if damaged, would have devastating impacts on disaster response and/or recovery.
- High Potential Loss Facility – facilities that would have a high loss or impact on the community.
- Transportation/Lifeline Facility – facilities and infrastructure critical to transportation, communications, and necessary utilities.

JURISDICTION <i>(Attributed to physical location, not ownership)</i>	Airport Facility	Bus/Public Transit Facility	Childcare Facility	Communications Tower	Electric Power Facility	Emergency Operations Center	Fire/EMS Service Facility	Government Facility	Public Housing Facility	Shelter Facility	Bridges	Hospital/Healthcare Facility	Military Facility	Natural Gas Facility	Nursing Home Facility	Law Enforcement Facility	Potable Water Facility	Railroad Facility	Sanitary Pump Station	School Facility	Storm water Pump Station	Tier II/EHS Chemical Facility	Wastewater Facility	TOTALS
Avoca	0	0	2	0	0	1	2	0	0	0	0	1	0	0	1	2	0	0	0	1	0	2	1	13
Carson	0	0	1	0	0	1	4	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	1	9
Carter Lake	0	0	9	1	0	1	4	0	0	0	0	0	0	0	1	0	0	0	1	0	0	6	0	23
Council Bluffs	1	1	127	37	1	5	12	1	17	47	20	2	0	4	2	1	10	0	24	0	58	1	0	371
Crescent	0	0	1	0	0	1	2	0	0	3	0	0	0	0	0	0	0	0	1	0	1	1	1	10
Hancock	0	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1	1	6
Macedonia	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1	1	5
McClelland	0	0	0	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	4
Minden	0	0	0	0	0	1	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	5
Neola	0	0	4	0	0	1	3	0	1	3	1	0	0	0	0	1	0	0	0	0	2	1	1	17
Oakland	0	0	4	0	0	1	4	0	0	1	1	0	0	1	0	1	0	0	1	0	3	1	1	18
Treynor	0	0	2	0	0	1	2	0	2	0	1	0	0	0	0	1	0	0	2	0	0	0	1	12
Underwood	0	0	3	0	0	1	1	0	0	5	1	0	0	0	0	0	0	0	2	0	3	1	1	17
Walnut	0	0	2	0	0	1	4	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	1	10
Pott. County <i>(Unincorporated)</i>	0	0	1	38	0	1	6	0	2	308	0	0	0	0	0	1	0	0	2	0	22	0	0	381
<b>TOTALS</b>	<b>1</b>	<b>1</b>	<b>156</b>	<b>76</b>	<b>1</b>	<b>19</b>	<b>51</b>	<b>1</b>	<b>22</b>	<b>369</b>	<b>25</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>5</b>	<b>8</b>	<b>11</b>	<b>0</b>	<b>35</b>	<b>0</b>	<b>99</b>	<b>13</b>	<b>0</b>	<b>901</b>

\* Categories not populated: no response from owner or in process.

### 4.10 Other Assets

Assessing the vulnerability of the county planning area also involves considering natural, historic, and cultural assets of the area for the following reasons:

- The plan participants may decide that these type of resources require a greater degree of protection due to their unique or irreplaceable nature.
- When the potential impact is higher for these resources, identifying them prior to the impact will allow for more prudent care post-incident.
- Rules for reconstruction, restoration, rehabilitation, or replacement are often different for those type of resources.
- Maintained or protected natural resources can reduce natural hazard impacts such as wetlands and riparian habitat.

#### 4.10.1 Threatened and Endangered Species

Common Name	Scientific Name	Habitat	Status
Northern long-eared bat	<i>Myotis septentrionalis</i>	Caves, mines, wooded areas, upland forests	THREATENED
Prairie brush clover	<i>Lespedeza leptostachya</i>	Dry to mesic prairies with gravelly soil	THREATENED
Western prairie fringed orchid	<i>Platanthera praeclara</i>	Wet prairies, sedge meadows	THREATENED
Least tern	<i>Sterna antillarum</i>	Bare alluvial and dredged spoil islands	ENDANGERED
Piping plover	<i>Charadrius melodus</i>		THREATENED
Pallid sturgeon	<i>Scaphirhynchus albus</i>	Large rivers	ENDANGERED



## 4.10.2 National Register of Historic Places

Ref#	Historic Name	Listing Date	City	Address
04001401	Norton, Charles Henry and Charlotte, House	12/30/2004	Avoca	401 N. Chestnut St.
81000265	Pottawattamie County Sub Courthouse	7/2/1981	Avoca	Elm St.
86000873	Graceland Cemetery Chapel	4/28/1986	Avoca	Graceland Cemetery, US 59
96001583	Turner, Francis A. and Rose M., House	1/31/1997	Avoca	1004 Cherry St.
01000861	Bennett Building	8/8/2001	Council Bluffs	405 West Broadway
02000455	100 Block of West Broadway Historic District	5/9/2002	Council Bluffs	W. Broadway, First St., and Fourth St.
05001019	Willow--Bluff--3rd Street Historic District	9/15/2005	Council Bluffs	Roughly bounded by Worth, High School Ave., Clark Ave. and W side Bluff St.
07000113	Chevra B'nai Yisroel Synagogue	3/7/2007	Council Bluffs	618 Mynster St.
07000281	Lincoln--Fairview Historic District	4/10/2007	Council Bluffs	Roughly bounded by W. Kanesville Blvd., Oakland Ave., Fairview Cemetery, and N. 1st St.
08000357	Pioneer Implement Company	4/30/2008	Council Bluffs	1000 S. Main St.
10000160	Park/Glen Avenues Historic District	4/7/2010	Council Bluffs	101-508 Glen Ave., 102-471 Park Ave., 209 & 301 W. Pierce, & 524 & 600 Huntington
11000392	Hughes--Irons Motor Company	6/23/2011	Council Bluffs	149-161 W. Broadway
12000780	McCormick Harvesting Machine Company Building	9/10/2012	Council Bluffs	1001 S. 6th St.
13000832	Bregant, Jean and Inez, House	10/16/2013	Council Bluffs	514 S. 4th St.
14000253	Sandwich--Marseilles Manufacturing Building	5/27/2014	Council Bluffs	1216-1230 S. Main St.
14000286	Hotel Chieftain	6/6/2014	Council Bluffs	38 Pearl St.
66000338	Dodge, Grenville M., House	10/15/1966	Council Bluffs	605 S. 3rd St.
72000481	Pottawattamie County Jail	3/16/1972	Council Bluffs	226 Pearl St.
76000802	Beresheim, August, House	8/13/1976	Council Bluffs	621 3rd St.
79000928	Jefferis, Thomas, House	12/25/1979	Council Bluffs	523 6th Ave.
79000929	Tulleys, Lysander, House	10/18/1979	Council Bluffs	151 Park Ave.
79000930	Wickham, O. P., House	6/18/1979	Council Bluffs	616 S. 7th St.
79000931	Y.M.C.A. Building	6/27/1979	Council Bluffs	628 1st Ave.
80001457	Dodge, Ruth Anne, Memorial	2/8/1980	Council Bluffs	Fairview Cemetery
82002637	Reverend Little's Young Ladies Seminary	2/4/1982	Council Bluffs	541 6th Ave.
84001306	Cavin, Thomas E., House	9/27/1984	Council Bluffs	150 Park Ave.

Ref#	Historic Name	Listing Date	City	Address
84001310	Hughes, Martin, House	9/27/1984	Council Bluffs	903 3rd St.
84001312	State Savings Bank	6/4/1984	Council Bluffs	509 W. Broadway
85000774	Haymarket Commercial Historic District	4/11/1985	Council Bluffs	S. Main St.
92000923	St. Peter's Church and Rectory	7/24/1992	Council Bluffs	1 Bluff St.
95000557	Wickham--De Vol House	5/4/1995	Council Bluffs	332 Willow Ave.
95000856	Chicago, Rock Island & Pacific Railroad Passenger Depot	7/21/1995	Council Bluffs	1512 S. Main St.
95001315	Shea, John J. and Agnes, House	11/22/1995	Council Bluffs	309 S. 8th St.
99000048	Council Bluffs Free Public Library	1/27/1999	Council Bluffs	200 Pearl St.
79000932	Carstens Farmstead	7/10/1979	Shelby	S of Shelby on IA 168
86001470	Eckle Round Barn	6/30/1986	Shelby	Off IA 168
91000536	German Bank Building of Walnut, Iowa	5/1/1991	Walnut	Jct. of Highland and Central Sts.

### 4.10.3 National Historic Landmarks

Ref#	Historic Name	Other Name	Listing Date	NHL Date	City	Address
66000338	Dodge, Grenville M., House	General Dodge House	10/15/1966	11/5/1961	Council Bluffs	605 S. 3rd St.



## CHAPTER V HAZARD PROFILES

Each hazard identified in Chapter IV is profiled individually in this chapter in alphabetical order. The level of information presented in the profiles varies by hazard based on the information available. With each update, new information, as applicable, will be included to allow for better evaluation and prioritization of the hazards that affect the county.

Each profile will describe the hazard, geographic location/extent, historical incidents, probability of future occurrence, vulnerability overview, and any jurisdiction specific information for those locations that may be disproportionately impacted by a particular hazard compared to the overall planning area.

The hazards identified in Chapter IV for this plan include:

- Animal/Plant Disease
- Drought/Extreme Heat
- Earthquake
- Flash Flood
- Grass/Wildland Fire
- Hazardous Materials
- Human Disease
- Infrastructure Failure
- Landslide
- Levee/Dam Failure
- Mass Casualty Event
- Radiological Incident
- River Flood
- Severe Thunderstorm
- Severe Winter Storm
- Tornado

5.1 Animal / Plant Disease

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	2	1	4	2.05

5.1.1 Description

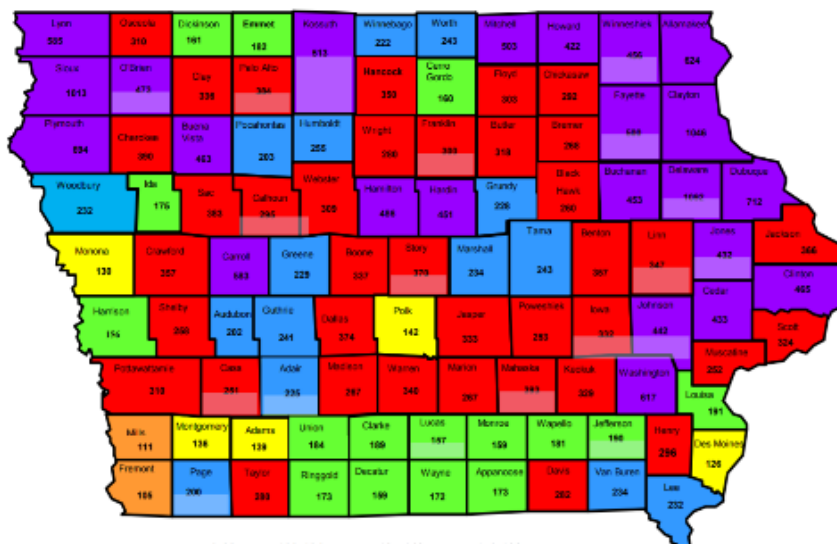
Agricultural infestation is the naturally occurring infection of vegetation, crops or livestock with insects, vermin, or diseases that render the crops or livestock unfit for consumption or use. Land use in Pottawattamie County is significantly agricultural which poses an economic threat to the county and state related to animal/plant disease.

The State of Iowa Department of Agriculture and Land Stewardship track and monitor the following reportable animal diseases: Avian Influenza, Chronic Wasting Disease, Foot and Mouth Disease, Johne’s disease, and Scrapie.

5.1.2 Extent and Vulnerability

Pottawattamie County Ag Statistics (USDA AgCensus 2012)	
Number of Farms	1,188
Land in Farms	532,833 Acres
Average Farm Size	449 Acres
Market Value – Crop Sales	\$325,485,000
Market Value – Livestock Sales	\$139,064,000
Corn for grain	255,321 Acres (ranked 2 <sup>nd</sup> in Iowa/15 <sup>th</sup> in U.S.)
Corn for silage	3,529 Acres (ranked 32 <sup>nd</sup> in Iowa/509 <sup>th</sup> in U.S.)
Soybeans for beans	198,464 Acres (ranked 3 <sup>rd</sup> in Iowa/24 <sup>th</sup> in U.S.)
Oats for grain	1,030 Acres (ranked 12 <sup>th</sup> in Iowa/286 <sup>th</sup> in U.S.)
Hay, Grass, Greenchop – all uses	7,211 Acres (ranked 48 <sup>th</sup> in Iowa/1,929 <sup>th</sup> in U.S.)
Hogs and pigs	82,575 Head (ranked 67 <sup>th</sup> in Iowa/196 <sup>th</sup> in U.S.)
Cattle and calves	57,300 Head (ranked 17 <sup>th</sup> in Iowa/399 <sup>th</sup> in U.S.)
Poultry layers	1,879 Birds (ranked 50 <sup>th</sup> in Iowa/1,346 <sup>th</sup> in U.S.)

Registered Animal Feeding Operations by County



As of January 2017

Total = 32,505

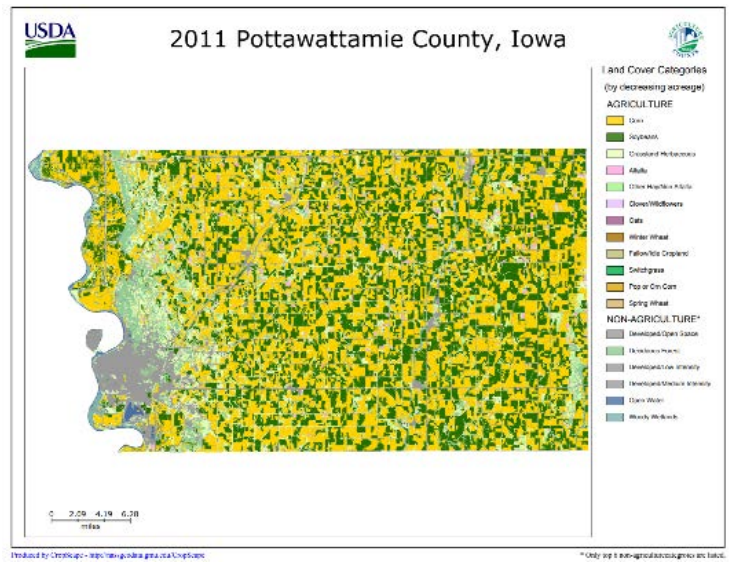
Premises Registered in Iowa



### 5.1.3 Historical Occurrence and Probability

Although there would be little impact to the health and welfare of the human population, an animal or plant disease epidemic in Pottawattamie County could significantly affect those working in the agricultural industry. This would include those businesses that serve and support the agriculture industry where the sales of ag products would be reduced, impacting jobs at those type of businesses as well, which are predominately centered in small rural communities.

The vast majority of the county’s land mass is occupied by crops and associated livestock lots at farms and agricultural businesses. There have been no plant disease epidemics in the county of any significance in the past thirty years. High-Path Avian Influenza (HPAI) impacted Iowa in 2015 which affected seventy- seven (77) poultry sites across Iowa and causing the reduction of 31,502,052 birds (layers, pullet, turkey, hatchery, yard flock) across the state. Pottawattamie County is home to no large poultry farms and involvement in the response included being a route county (transportation of dead poultry to disposal sites) and providing hazardous materials technicians for decontamination surveillance at the disposal site in Mills County near Glenwood. It is assessed based on the agricultural industry that there is a median chance of incident based on the ag security and surveillance laws and rules governing the industry as well as a low historical occurrence for the county.



### 5.1.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	Each incorporated city has a facility or employer related to the agricultural animal/plant/crop sector. An epidemic of this hazard would significantly impact the population residing on and operating farms in the unincorporated areas. The cascading economic impact to other jurisdictions is not quantifiable at this time.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County (Unincorporated)	
Schools	

## 5.2 Drought / Extreme Heat

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	3	1	4	2.40

### 5.2.1 Description

Drought: A period of prolonged lack of precipitation for weeks at a time producing severe dry conditions and typically, for the area, associated with occurrences of extreme heat events.

Extreme Heat: Temperatures in excess of 100° F or three (3) successive days of 90° F or higher. A typical heat advisory is issued at 105° F and a warning at 115° F.

### 5.2.2 Extent and Vulnerability

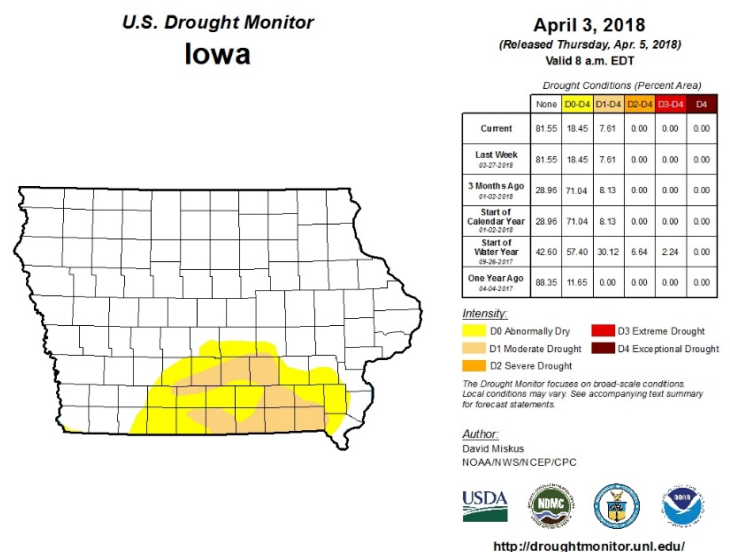
These type of events can be spotty or widespread. Droughts may last from weeks to a period of years. Prolonged droughts can have a significant economic impact on the planning area. Increased demand for water and electricity during these events can cause resource shortages which can have an adverse effect on public health as well as increased industrial and consumer costs. There can also be a significant impact on the agricultural sector which has a ripple effect to supporting industry and the national and even world food production and distribution markets. There are three types of drought that can impact the planning area:

Meteorological Drought (precipitation deficiency), Hydrological Drought (declining surface and groundwater supplies), and Agricultural Drought (soil moisture deficiencies).

Extreme heat events can impose stress on both humans and animals. Heat injuries can be common during prolonged extreme heat events. Urban areas can be at particular risk due to air stagnation and a significantly higher amount of heat absorbing materials such as asphalt, concrete, and metals.

The entire planning area is susceptible to drought and extreme heat conditions as these events typically happen over a large regional area encompassing hundreds of miles.

During these conditions the electrical and water production entities of the energy sector are impacted by increased use demands. Shallow personal or municipal well systems



could suffer as a result of prolonged drought conditions. The health and safety of residents are also a concern. Small children and the elderly are more susceptible to heat-related injury and illness during extreme heat conditions, especially those without adequate cooling environments. People who work outdoors and the homeless population are also at increased risk. Animals in the agricultural sector without auxiliary sources of impacted water supplies will also be at risk during prolonged events.

### 5.2.3 Historical Occurrence and Probability

Droughts have occurred in the planning area anywhere from zero (0) to six (6) years within each of the past five (5) decades with the exception of the 90's. There were no identified droughts within the 90's and six years of drought in the 2000's. The last significant drought period was in 2012. Additionally, the planning area experiences at least one extreme heat event annually with the intensity and duration varying from year to year.

The planning area will certainly continue to experience extreme heat events on an annual basis and periodic drought conditions, though the extent and duration are difficult to forecast for planning purposes.

### 5.2.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	Vulnerability among jurisdictions within the planning area are generally uniform. It is unknown how many residents are without air conditioning or an effective means to stay cool. Jurisdictional vulnerability to local water supplies is variable, at best, based on the conditions being experienced and would need continually assessed. Schools have enacted policies regarding student health and safety during extreme heat conditions if they are unable to keep facilities cool.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County <i>(Unincorporated)</i>	
Schools	

### 5.3 Earthquake

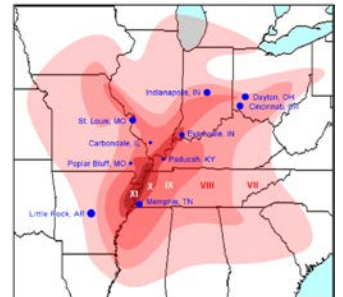
Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
1	2	4	1	1.75

#### 5.3.1 Description

A sudden, rapid shaking of the earth caused by the breaking and shifting of rock beneath the earth’s surface classified as either tectonic (natural shifting), volcanic (byproduct of volcanic activity), or artificially produced (mining, drilling, or other manipulation).

#### 5.3.2 Extent and Vulnerability

The extent of effect on the planning area will be completely dependent on the earthquake’s magnitude in relation to its epicenter or point of origin. An earthquake’s effects in the planning area would likely produce very little to no injury, loss of life, or extensive property damage. The nearest major seismic zone is approximately 580 miles away; the New Madrid Seismic Zone in Missouri.



The most likely earthquake related scenario would be jurisdictions within the county serving as reception centers and emergency/temporary shelters for those evacuated from a major seismic area such as the New Madrid Seismic Zone which has the capability of producing a major earthquake.

#### 5.3.3 Historical Occurrence and Probability

The planning area has a very low earthquake risk. Although residents have felt very weak tremors as the result of an earthquake hundreds of miles away, there have been no recorded earthquakes in the planning area since the collection of geological data in 1931. The USGS database shows that there is a 0.29% chance of major earthquake within 31 miles (50km) of Pottawattamie County within the next fifty (50) years.

#### 5.3.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	Vulnerability among jurisdictions within the planning area are generally uniform. Should the county experience a direct seismic event, the energy and chemical sectors would potentially be impacted as well as homes and buildings built prior to the 1940’s.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County (Unincorporated)	
Schools	

## 5.4 Flash Flood

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
4	2	4	2	3.20

### 5.4.1 Description

Flash flooding results from intense rainfall over a brief period, sometimes combined with rapid snowmelt, ice jam release, frozen ground, saturated soil, or impermeable surfaces. Most flash flooding is caused by slow moving thunderstorms or thunderstorms repeatedly moving over the same area (training). Flash flooding is an extremely dangerous form of flooding which can reach full peak in only a few minutes and allows little or no time for protective measures to be taken by those in its path. Flash flood waters move at very fast speeds and can roll large objects, boulders, tear out trees, scour channels, destroy buildings, and obliterate bridges. Flash flooding often results in higher loss of life, both human and animal, than slower developing river and stream flooding.

### 5.4.2 Extent and Vulnerability

Many areas, both urban and rural, within the planning area are at risk for flash flooding. Particularly at risk are those in low lying areas; close to dry creek beds or drainage ditches; near water; or on land with large amounts of impermeable surfaces. Streets in locations with no or poor storm drainage systems can experience streets that become moving rivers impacting travel, damaging infrastructure, and flooding basements.

Creeks, drainage areas, and agricultural fields that traverse roadways in the county can put additional risk to motorists. Nearly half of all flash flood fatalities are auto related.

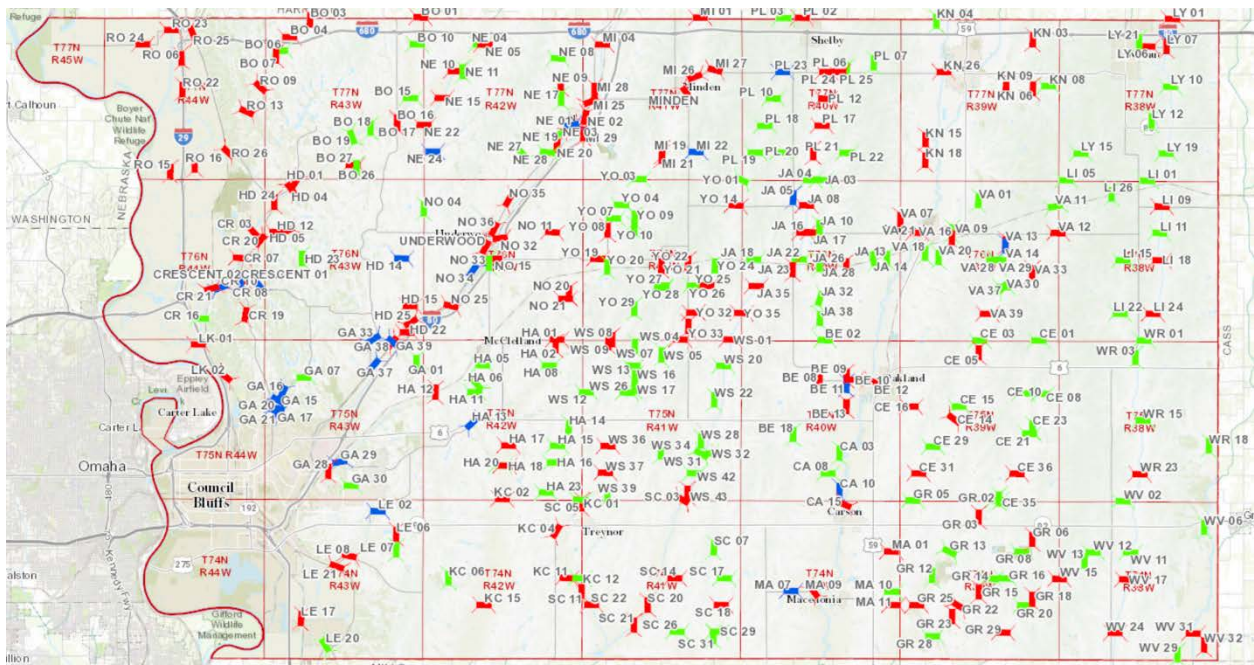
### 5.4.3 Historical Occurrence and Probability

The planning area is no stranger to flash flooding. Many events occur during the typical severe weather season, albeit at minor levels with little to no injury, death, or property damage. However, 10% of the federal disaster declaration are directly related to flooding and nearly 65% of all disaster declarations in the planning area involved some level of flash flooding as part of the overall event.

Residential developments continue to push from the main metropolitan area of Council Bluffs into the traditionally rural areas of the county. This development increases runoff and makes drainage planning important in all areas of development. Flash flooding is equally probable across the watersheds of the county and the planning area is highly likely to be affected by flash flooding in the near future.

### 5.4.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	The W Nishnabotna River forks north of Avoca bordering the city on the east and west. The branches re-converge south of town, which is the lowest elevation and at most risk of flooding. The Avoca Community School District, Pottawattamie County Fairgrounds, and a MidAmerican Energy substation are in close proximity to the west fork of the river with the substation less than 1,200 ft from the riverbank. The east bank runs along the city park and an agricultural business with chemical storage within 720 ft. of the riverbank.
Carson	The city park, water and wastewater treatment facilities are prone to flash flooding along the W Nishnabotna River which borders the west side of town.
Carter Lake	Some low laying areas around the northern portion of the city along the lake are prone to some flash flooding during extreme high rain events.
Council Bluffs	Low-laying areas, especially those close to dry creek beds or drainage ditches are at risk of flash flooding. There are identified areas in the west and south portions of the city that have insufficient storm sewers that experience flash flooding during heavy rain events.
Crescent	Structures adjacent to Crescent and Pigeon Creek are subject to flash flooding. Areas south of East Welch are prone to ditch build-up and flash flooding. This includes Crescent Elementary, ball fields, and the City Maintenance Facility.
Hancock	The W Nishnabotna River runs along the west end of Hancock placing the county park (Botna Bend), the sewer lagoons, sewer lift station, and an ag industry facility all within 100 to 1600 feet of the riverbank.
Macedonia	No flash flood impacts.
McClelland	No flash flood impacts.
Minden	Keg Creek runs along the southern end of the town, which is in the 100 yr floodplain. The creek is surrounded by agricultural fields that runoff into the creek at and north of the city creating a potential flash flood hazard. The bridge on 340 <sup>th</sup> St, one of the main entrances to town is subject to damage and/or closure during these events.
Neola	A quarter of the properties in town are within the 100 year floodplain. Primarily, the properties in the southwest portion of town nearest Mosquito Creek are most at risk for flash flooding.
Oakland	An extremely hilly community, urban flash flooding is a regular occurrence during heavy rain events. Excess water drains east to west down steep street slopes to US Hwy 59/6. Particularly areas near Brown Street, the Chautauqua Park area, and the southwest business district are more prone to this flash flooding as excess water rapidly flows to the W Nishnabotna River which makes up the towns western border.
Treynor	No flash flood impacts.
Underwood	The east side of Underwood is in proximity of the Mosquito Creek with less than 20% of the town in the 100 yr floodplain. Portions of the western and central city is in the 500 yr floodplain.
Walnut	Very small portion of Walnut Creek lie within undeveloped parts of the town with minimal flash flood risk.
County (Unincorporated)	There are 322 bridges, several culverts, and ditches maintained by the county are subject to damage and/or closure during flash flooding events in the unincorporated county. Most of the potentials are along dry creek beds, drainage ditches, and creeks in the rural areas that extremely sensitive to heavy rain events that drain into these waterways.
Schools	As described in the community specific notes.



Bridges - Unincorporated Pottawattamie County

### 5.5 Grass / Wildland Fire

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	1	4	2	2.00

#### 5.5.1 Description

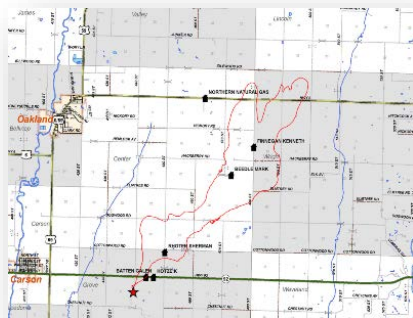
An uncontrolled natural vegetation fire that threatens life and property in either a rural or wooded area and is beyond normal day-to-day response capabilities.

#### 5.5.2 Extent and Vulnerability

Most fires of this type are contained to road right-of-way or rail right-of-way areas and are less than a few acres in size. High winds coupled with the right meteorological conditions can quickly turn a small fire into a multi-acre incident that would threaten property and lives.

#### 5.5.3 Historical Occurrence and Probability

There have been numerous wildfires in the planning area over the past decade that have prompted a response beyond that capability and capacity of any single department. Even more predominately urban areas, like Council Bluffs, that still have open grassland or hilled timber areas see upwards to twenty (20) plus grass/wildland fires per year despite a standing open burning ban in many communities in the planning area.



Geographic Area Burned (2005)

On March 6, 2005, a smoldering tree stump from a controlled burn was rekindled in extremely dry conditions with high winds. This ignited grassy areas and crop residue near Carson which in total burned approximately 4,000 acres resulting in the total loss of four (4) homes, several vehicles, outbuildings, and farm implements with an estimated loss of over \$5,000,000. The fire stretched for nearly eight (8) miles and expanded to nearly three

(3) miles wide at one point. Multiple fire departments responded with over 60 pieces of fire equipment, over 200 firefighters, and 21 farmers with tractors and tillage equipment. In addition, several law enforcement personnel from 5 law enforcement agencies assisted with traffic, scouting, and evacuations. Air resources were deployed from 2 law enforcement agencies to help scout the fire progression and threatened residents, structures, and firefighting personnel. Two firefighters received minor injuries during the event. The incident was brought under control after six (6) hours of operation and firefighters provided constant patrols, responding to flare ups and reported hotspots over the next 48 hours.



Aerial Photo of burned area (2005)

Even with this historical incident, the probability of a similar occurrence is limited. Since the 2005 fire, departments have taken several steps to mitigate such an incident. Some of the activities include: enhanced Incident Command System training and implementation, purchase of wildland specific equipment, wildland firefighting training, and participation and promotion of prescribe fire and controlled burn operations to help reduce ground litter that promotes fire spread. Additionally, automatic mutual aid responses have been pre-identified for this type of incident for the rapid deployment of mutual aid and incident management resources.



Aerial photo of burned area (2005)

### 5.5.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	<p>The planning area land mass is predominately rural county/cropland subject to widespread fire during extreme dry conditions. However, the vast majority of fires experienced are able to be controlled by the jurisdictional department with or without implementing existing inter-local response agreements. Many natural fire breaks exist based on the construction and number of rural roads in the county. Predominately all municipalities are surrounded by crop and grassland but the immediate switchover to domesticated and treated grass along with paved roads acting as fire breaks significantly reduce the risk of a rural grass/wildland fire spreading into an incorporated municipality.</p> <p>Automatic inter-local response agreements for major fire events are pre-programmed into the dispatching system to rapidly deployed needed assets during a major wildfire event. In addition, a coordinated burn ban implementation program is used during times of high-risk and prolonged wildfire threat conditions which are monitored daily in the Emergency Operations Center.</p>
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County <i>(Unincorporated)</i>	
Schools	



Controlled Burn Operation - Loess Hills south of Council Bluffs

CRP Land controlled burn

Urban controlled burn project – Oakland’s Chautauqua Park

## 5.6 Hazardous Materials

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
4	3	4	1	3.40

### 5.6.1 Description

Accidental release of chemical substances or mixtures that may cause harm or damage to persons, property, or the environment when release to the soil, water, or air. This can occur during the production, handling, or transportation of hazardous substances via road, rail, water, or pipeline. It may even occur by the illegal dumping of hazardous materials often referred to as “orphan dumps.”

### 5.6.2 Extent and Vulnerability

The transportation of hazardous substances within Pottawattamie County poses a threat to communities that are located within five miles of major highways and/or railroad tracks. Such materials cannot be identified precisely in advance. In most cases, the effects of an accident are contained to the accident site and the persons directly involved. However, there may be some extreme instances where a leak, spill or explosion will carry hazardous materials away from the accident site to a larger area of the county. Such an event could cause serious injuries and/or fatalities.

Depending upon weather conditions and the amount and type of material, a worst-case incident of any fixed facility site in Pottawattamie County in which 100 percent of an extremely hazardous substance (EHS) is released during a 10 minute period could result in an immediate impact of up to five (5) or more miles. Up to 30,000 residents could be affected by a worst-case release. Response time by technician level hazardous materials response team would normally be under 10 minutes, however, the incident commander’s decision to evacuate or shelter citizens in place may have to be made within minutes of the release.

### 5.6.3 Historical Occurrence and Probability

The fire-rescue departments in the county respond to several hazardous materials related incidents annually. The county hosts approximately 100 sites that store various quantities of reportable hazardous materials storage. This does not account for facilities with quantities under reportable quantity guidelines nor does it account for the plethora of hazardous substances that can be found in every residence throughout the county. The county’s many miles of interstate, highway, and agricultural roads which make our county a hotbed of interstate and agricultural commerce provide a daily potential of a hazardous materials release due to improper transportation loading, storage, or a common traffic accident.

Notable Historical Occurrences		
Date	Location	Summary
6-29-1997	UP Railyard – Council Bluffs	30,000 gal ethyl alcohol & benzene leak from a railcar prompting a cleanup and recovery operation that took several weeks.
5-16-2000	I-80 E of Avoca	Semi accident resulting in the fatalities of the driver and passenger and fire releasing household chemicals into the atmosphere and the Nishnabotna River. WB I-80, east of Avoca, was closed for (9) hours and normal traffic patterns were disrupted for (30) hours.
12-9-2000	I-80 EB Interchange – Council Bluffs	Semi loaded with propane went over an embankment at the I-80 EB interchange closing I-80 and I-29 for over (13) hours.
10-26-2006	Rural Council Bluffs	Semi parked outside the Stern Oil Co.'s warehouse/distribution center caught fire and spread to the warehouse which stored large amounts of petroleum products. Over (14) fire departments, along with (3) law enforcement agencies, IDNR, EPA, Offutt AFD FD, Eppley Airfield FD and several assisting agencies conducted emergency operations for over (8) hours to extinguish the blaze.
3-23-2007	I-80 WB near Shelby	UPS truck near the 38 mile marker of I-80 caught fire while hauling 200# of organic peroxide.
7-27-2007	Rural Crescent	Orphan dump of (9) drums of unknown chemicals abandoned in a field near Crescent.
11-20-2008	Avoca	(2) Anhydrous ammonia pup tanks rolled over in Avoca near the Nishnabotna River venting over 850# of product into the atmosphere that prompted area shelter in place operations.
2-22-2011	Rural Honey Creek	Orphan dump of (105) containers of various household hazardous waste near 152 <sup>nd</sup> St and Sumac Rd.
10-24-2012	Treynor	Fuel tanker filling underground fuel tanks at Casey's began to roll from the pumps spilling gasoline at a rate of 200-300 gpm.
8-18-2015	Carter Lake	Used motor oil spill at a residence contaminating public right of way and threatening storm sewer drainage.
10-7-2016	Rural Council Bluffs	An ethanol tanker loading at the SIRE Ethanol Plant exploded and started an ethanol based fire during the loading process. The emergency operation ran for over (6) hours with (100) personnel from (23) different agencies between (3) counties, (3) state agencies, (1) federal agency, and (5) private organizations.



### 5.6.3.1 Fixed Facilities

There were 100 facilities required to report their chemical inventories in 2017 based on EPA and Iowa DNR reporting guidelines (Tier II Facilities). Of those, 76 were declared Extremely Hazardous Substance facilities (EHS) based on the type and/or quantity of substances stored. The most prevalent EHS in the county is anhydrous ammonia stored in bulk quantities.

Incidents experienced in the planning area have required businesses being evacuated for simple caustic substance spills, evacuations of homes and workplaces, or the discovery of illegally dumped unknown chemicals. In a heavy agricultural based county the prevalence of gasoline, fuel oil, pesticides, herbicides and similar substances guarantee the likelihood of future incidents.

#### **2017 Fixed Facility Statistics**

Reportable Spills	24
Spills Considered Toxic	13
# Chemical Storage Facilities	100
# Facilities with EHS*	76

*EHS – Extremely Hazardous Substance as defined by the Environmental Protection Agency.*

### 5.6.3.2 Highway Transportation

With the amount of highway traffic and several other modes of transportation in the planning area, an eventual accident based release is inevitable. However, the vast majority of these incidents are confined to the incident site and rarely pose a significant threat to people or property. However, there have been some notable transportation related hazardous materials incidents.

The crossroads of I-80 and I-29 are a significant thoroughfare of interstate transportation. Over 90,000 vehicles a day pass through this area, moving freight and commodities in all directions across the country. Common among all of our highways are substances such as, but not limited to: corrosives, solvents, fuel, alcohol, asphalt, poison, flammables, hazardous waste, sulfuric acid, ammonias, nitrogen, and non-flammable gases.

### 5.6.3.3 Rail Transportation

Approximately (55) major trains move through Council Bluffs daily and (4) rail companies – Burlington Northern, Iowa Interstate, Union Pacific, and Canadian National – service or traverse the planning area from north to south and east to west. These railcars carry a substantial amount of hazardous chemicals – liquids (up to 40,000 gallons per car), solids (up to 200,000 gallons per car), and gases. The hundreds of shipments per year include corrosives, gases, explosives, liquid and solid poisons, radioactive materials, combustible liquids, and environmentally hazardous substances.

### 5.6.3.4 Pipeline Transportation

Seven (7) pipeline companies – NuStar, Northern Natural Gas, Buckeye Partners, Magellan, CHS McPherson Refinery, Oneok NGL Pipeline, and Southwest Iowa Renewable Energy – operate pipeline in the planning area. Pipelines operated range from 2 to 30 inches and transport petroleum and fuel gases.

### 5.6.3.5 Water Transportation

The Missouri River makes up the county's western border spanning (39) miles north to south. Along that stretch of riverfront there are facilities on both the Iowa and Nebraska banks that have storage tanks, liquid handling/loading facilities, barge loading terminals, pipeline, drum storage, or liquid waste treatment structures which all present a potential risk for a spill or leakage into the river. Additionally, the Missouri is a navigable waterway with barge traffic hauling hazardous substances in both liquid and solid form during navigable seasons on the river. There are four (4) major bridges and one (1) rail line crossing the river.

## 5.6.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	<ul style="list-style-type: none"> <li>Lies within the vulnerability zone radius of (1) fixed facility and several modes of transportation. Anhydrous ammonia is the most significant threat.</li> <li>A major I-80 truck stop on the north end of town creates an area where semis carrying hazardous materials can congregate. State and federal highway routes with heavy truck traffic in and around the city increase the community's risk of a transportation hazmat incident.</li> <li>A stem of the Northern Natural Gas pipeline terminates within the eastern portion of the city.</li> </ul>
Carson	<ul style="list-style-type: none"> <li>There are no fixed facilities. State Highway 92 runs the south edge of the city.</li> <li>U.S. Hwy 59 just east of Carson and State Hwy 92 running through the south edge of Carson places the city at risk during a transportation hazmat incident.</li> <li>Northern Natural Gas operates a 2 inch line entering from the north near Mildred and North Streets.</li> </ul>
Carter Lake	<ul style="list-style-type: none"> <li>There are (6) fixed facilities in the city with (3) designated as having EHS chemical(s). The city also borders the Missouri River.</li> <li>Abbott Dr and Locust St are major thoroughfares of the city. Hazmat substances are common transport items in these areas which are on their way to the regional airport (Eppley Airfield) or one of the fixed facilities within the city or the City of Omaha.</li> <li>Williams Pipeline Group operates petroleum lines that serve the city and Eppley Airfield. It is a 6 inch line that carries gasoline, fuel oils, aviation fuels, liquefied gasses, and crude oil. A rupture could present a potentially dangerous hazard to the entire city.</li> </ul>
Council Bluffs	<ul style="list-style-type: none"> <li>The city hosts (68) fixed facilities of which (34) store one or more EHS chemicals. Although many sites are identified they have a very minor amount of reportable chemicals stored and would likely not impact an area outside the primary property. Other facilities, however, have the potential to impact a significant area under the right release and weather conditions that could prompt the implementation of public protective measures that could affect up to 30,000 residents.</li> <li>There are many residential areas immediately adjacent to several major transportation routes in and around the city, especially at the Midwest crossroads of I-80 and I-29 that host significant quantities of hazmat transports on a daily basis. Any accident along these routes could impact approximately 25% of the population immediately.</li> <li>Several pipelines operate in and around the city ranging from 2 to 30 inches in diameter conveying petroleum products. The most common risk is from the large amount of excavating operations done within the city for various reasons and natural gas line penetrations are a fairly common occurrence within the city that typically impact just the immediate area. A rupture or compromise of a large main could impact a significant portion of the city either directly (as a hazard) or indirectly (isolated areas and traffic disruptions).</li> </ul>
Crescent	<ul style="list-style-type: none"> <li>There are no fixed hazmat sites in Crescent.</li> <li>(2) major rail lines and I-29 are within a couple miles of the city proper and under the correct atmospheric and weather conditions, any hazmat transportation incident could affect the majority, if not all, of the city.</li> <li>A large oil pipeline runs from northwest to southeast through the northeast quadrant of the city. This area does have numerous residential structures that could be impacted in an event.</li> </ul>

Hancock	<ul style="list-style-type: none"> <li>The presence of anhydrous ammonia on the west end of Hancock poses a significant threat to the city based on the small size of the town. A large area of the town could easily be in the plume cloud under the right weather conditions.</li> <li>The presence of the fixed sites in Hancock increases the hazmat transportation volume and accident potential for the small community.</li> <li>There are no major pipelines running through the city.</li> </ul>
Macedonia	<ul style="list-style-type: none"> <li>There are no fixed hazmat sites that pose a significant threat to the city.</li> <li>U.S. Hwy 59 is found east of the city approximately 2 miles and under the correct wind conditions and hazardous substance could impact a portion of the city.</li> <li>There are no major pipelines running through the city.</li> </ul>
McClelland	<ul style="list-style-type: none"> <li>There are no fixed hazmat sites in McClelland.</li> <li>The lack of major transportation routes in the area significantly decrease a threat due to transportation, but the volume of agricultural operations in the area do provide a potential for an incident.</li> <li>There are no major pipelines running through the city.</li> </ul>
Minden	<ul style="list-style-type: none"> <li>There are no fixed hazmat sites in Minden.</li> <li>The proximity of I-80 north of Minden provides a small potential for a portion of the city to be impacted by a major leak or explosion of an extremely hazardous substance.</li> <li>A Northern Natural Gas pipeline traverses the eastern portion of the city and transects another pipeline less than a mile north of the city limits.</li> </ul>
Neola	<ul style="list-style-type: none"> <li>The agricultural Co-Op facility within the city poses an anhydrous ammonia threat that could impact a majority of the city under a significant release scenario.</li> <li>Proximity to I-80 east of the city and a major thoroughfare (Railroad Hwy) running through the community provides a slightly increased risk of a transportation incident for the community.</li> <li>A stem of the Northern Natural Gas pipeline traverses east to west through the city.</li> </ul>
Oakland	<ul style="list-style-type: none"> <li>Oakland hosts (4) EHS sites with the entire community at risk or within a significant portion of the vulnerability zone. Additionally, the community assisted living and nursing home is in a property adjacent to an area that often stores several agricultural pup tanks for anhydrous where even a small to moderate leak could prompt a complete evacuation of the facility. A major explosion or leak at any of the facilities could prompt a complete evacuation of the city.</li> <li>US Hwy 59 and US Hwy 6 intersect both north and south of the community as well as running through the center of the city. These routes see a significant amount of semi traffic hauling hazardous substances as well as a significant amount of area agricultural traffic to fixed facilities within the city hauling ag chemicals and products.</li> <li>A stem of the Northern Natural Gas pipeline connects to Oakland at the southeast corner of the city limits.</li> </ul>
Treynor	<ul style="list-style-type: none"> <li>Treynor has no fixed sites within the city and would be minimally impacted by an incident of a fixed site east of the community.</li> <li>State Hwy 92 runs through the heart of Treynor and is Treynor's "Main Street". Along this route are (2) school facilities, several businesses and residential properties. Hwy 92 is a significant route of travel throughout the planning area that is frequented by hazardous substance carriers.</li> <li>A stem of the Northern Natural Gas pipeline connects to the southwest outside the city limits.</li> </ul>
Underwood	<ul style="list-style-type: none"> <li>Underwood has (2) fixed sites. One site is within the city proper and under optimal wind conditions could impact a large portion of the community during a leak.</li> <li>Proximity to I-80 east of the city and a major thoroughfare (Railroad Hwy) running through the community provides a slightly increased risk of a transportation incident for the community.</li> <li>A stem of the Northern Natural Gas pipeline connects to the northeast portion of the city.</li> </ul>
Walnut	<ul style="list-style-type: none"> <li>There are no fixed hazmat sites in Walnut.</li> <li>I-80 runs the northern edge of the city with significant transport traffic. Additionally, county road M47 and Tamarack Rd (old State Hwy 83) intersect in Walnut and are primary agricultural routes for the eastern portion of the planning area seeing high quantities of field chemical or anhydrous ammonia transports to end users.</li> <li>A stem of the Northern Natural Gas pipeline terminates in the city limits on the southern border.</li> </ul>
County <i>(Unincorporated)</i>	<ul style="list-style-type: none"> <li>There are several fixed sites with various substances such as anhydrous ammonia, ethanol, and other fuels that could impact populated areas under the correct weather conditions either as an immediate impact to health and safety or a respiratory hazard as a bi-product of combustion.</li> <li>The overall county contains some the highest amounts of highway, interstate, secondary roads, rail, and pipeline miles in the state. This places an overall high risk countywide, especially when analyzed with the data obtained in the countywide hazardous materials commodity flow study. The highest impact areas would be in and near the population centers where spills, leaks, or bi-products of hazardous material combustion would pose life safety and health hazards along with longer duration transportation disruptions or environmental impacts.</li> </ul>
Schools	<ul style="list-style-type: none"> <li>School facilities share the identified risks with their host communities as detailed in this table. An incident, regardless of cause, could force facilities to shelter in place or evacuate due to fixed facilities, transportation, or pipeline emergencies originating in or within proximity of their host communities.</li> </ul>

## 5.7 Human Disease

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	2	1	4	2.05

### 5.7.1 Description

A medical, health, or sanitation threat to the general public such as contamination, epidemic, pandemic, plagues, infestations, etc.

### 5.7.2 Extent and Vulnerability

Public Health agencies work to reduce the impact of communicable diseases and to eliminate the morbidity associated with diseases. Prevention and care services target STDs, tuberculosis, and other infectious diseases. While vaccines are available for many diseases, citizens remain vulnerable to other diseases known and unknown. Depending on the type of disease and the ease of which it spreads, an epidemic could impact a significant portion of the county.

Due to the highly mobile nature of today's society, diseases can travel and infect people in a short period of time. People living in cities or close proximity to each other are more likely to become infected at a rapid rate, but resident in more rural areas are not any less immune. As many rural communities and those living in unincorporated areas travel daily to places of employment, entertainment venues, or shop for living essentials predominately in the larger population centers, a major disease epidemic will likely reach every corner of the county.

### 5.7.3 Historical Occurrence and Probability

Although there have not been any major disease epidemics in recent history the county public health system was taxed in the fall of 2009 with national outbreak of the H1N1 virus. This epidemic lasted (8) months from September 2009 through May 2010. It required over 100 assigned personnel for operations, implementation of several "point of distribution" vaccine clinics, partnership with local doctor offices, public school, major employers, and other community partners. Vaccine and supplies were drawn from emergency contracts and the Strategic National Stockpile through the Iowa Department of Public Health.

In December 2014, the planning area was preparing for the potential impacts of an emerging Ebola outbreak that had started in Texas. There was no impact in the planning area other than preventative education and information operations to the public.

### 5.7.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	<p>Vulnerability among jurisdictions within the planning area are generally uniform. Although vaccines are available for many diseases, residents remain at risk. The concentration of the county population is part of the Omaha/Council Bluffs Metro area which is a very fluid and mobile area that is home to a major national transportation intersection and a Midwest regional airport.</p>
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County <i>(Unincorporated)</i>	
Schools	

## 5.8 Infrastructure Failure

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
3	2	4	2	2.75

### 5.8.1 Description

The widespread breakdown or disruption of normal communication capabilities or an extended interruption of potable water, electric, petroleum or natural gas service. This could include major telephone outages, loss of local government emergency communications systems, long-term interruption of electronic broadcast services, or the long-term disruption and distribution of potable water, electric, petroleum, or natural gas, including local supply shortages.

### 5.8.2 Extent and Vulnerability

A communications failure can vary from a single property to an entire system, which would affect much of the county. However, since most households and government emergency services offices have more than one means of communication, the long-term effects of a failure would be minimal. In the event of an emergency services communications failure, officials would have greater difficulty with incident management at response sites, which could significantly impair emergency services and response times. Depending on the nature of the disruption, energy failure can impact the entire county at most, to just specific neighborhoods or sections at least. Potable water supply disruption impacting the entire county is unlikely as most communities have their own source or system. Water system loss is more likely to be disrupted as a cascading event to another event, such as a disruption to electrical service.

The impacts of a communications failure on citizens would be indirect and would create more of an inconvenience than a threat to health and safety. Essential communications equipment throughout the county is supported by backup systems, and incorporated cities, along with the Emergency Management Agency, can provide limited alternate communications capabilities in the event of a prolonged failure. A short-term energy disruption would cause more of an inconvenience than a threat to health and safety. An extended power failure or fuel source and natural gas disruption would pose a threat, particularly in the winter, especially to vulnerable populations such as the elderly or sick. Most critical facilities in the county have access to a fixed or portable generator, though backup power is a luxury to many residents.

### 5.8.3 Historical Occurrence and Probability

In 1988 a tornado struck near the Pottawattamie County Courthouse and temporarily disabled countywide radio communications located there. Otherwise, there have not been any documented instances of long-term emergency communications failures. Isolated incidents of telephone communications or 911 communications failures affecting portions of the county occur nearly every year. Most of these instances last anywhere between 1 to 6 hours in duration. However, in relation to some of the winter storms that

prompted a Presidential Disaster Declarations, some sections of the county were without residential and business telephone service for up to nine days.

Minor power outages occur somewhere in the county at least 3 to 5 times a year; many of which were direct results of other hazard events (i.e. storms). The most recent serious power outages to affect the county occurred in 2007 and 2010 in conjunction with severe winter storms that prompted Presidential Disaster Declarations. Many residents, especially those in unincorporated areas were without power for up to or slightly greater than 72 hours.

The risk of a long-term (more than a few hours) communications failure in the planning area is relatively low. Restoration of communications capabilities during a prolonged blackout would be a priority, and during most hazard events the county will activate the emergency operations center (EOC) with emergency communications restoration a high priority. The probability of another extended power outage, or other vital infrastructure resource is dependent on the size, scope and circumstances under which systems might fail or be adversely affected. The most vulnerable, the county's electricity, is provided by Mid-American Energy and a few rural electric cooperatives, which have several power grids located throughout the county. The probability of a short-term outages somewhere in the county is nearly a given each year, but prolonged outages are unlikely to occur frequently.

#### 5.8.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	<b>COMMUNICATIONS</b>
Carson	Disruption of continuity of operations would be the primary vulnerability among incorporated cities. There could be delays in emergency response and coordination until a secondary means to communicate is operational. The 911 center for the county is located at the county courthouse. The system has significant redundancies and a backup facility. The EOC has amateur radio capabilities that can tie impacted jurisdictions to operating coordination centers. Residential communication outages will hinder distributing information to citizens effectively.
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	<b>POTABLE WATER</b>
McClelland	Most jurisdictions provide their own water supply. A few cities are served by another city system or a rural water association. The loss of distribution would significantly impact the health and welfare of the populous throughout the planning area. Mass transportation of potable water to areas with a prolonged outage would be sparse and cost intensive. Many rural residents have private wells and would be minimally impacted outside of a drought situation affecting those residents. The loss of water at a population center would have a direct impact on fire service operations as well as health and medical operations and considerations.
Minden	
Neola	
Oakland	
Treynor	
Underwood	<b>ELECTRICITY/NATURAL GAS</b>
Walnut	All jurisdictions, except Neola, receive their electricity from a private provider – natural gas is all provided by private providers. Restoration priorities and operations would need coordinated on behalf of jurisdictions based on impacts. Medical device dependent individuals, hospitals and clinics are the most vulnerable to a prolonged outage. Extreme heat events in tandem with outages or rolling blackouts for conservation, cooling vulnerable populations is a concern. Heating during extreme winter weather events is also of equal concern. Electricity and natural gas is a critical resource for the industrial and agricultural sectors in the planning area.
County (Unincorporated)	
Schools	<b>TRANSPORTATION FUELS</b>
	Gasoline, fuel oils, and other related products are critical during extended emergencies as well as recovery. The shortage of fuel would significantly impact all jurisdictions. The ag and industrial sectors are heavily dependent on fuel for operations. Most of the jurisdictions are "bedroom communities" where the majority of the population rely on commuting to job centers near the metro area. A moderate or longer shortage would have a drastic impact on families, economic stability, and would compromise recovery operations.

### 5.9 Landslide

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
1	1	4	1	1.45

#### 5.9.1 Description

Masses of rock, earth, or debris move down a slope. Landslides may be very small or very large, and can move at slow to very high speeds. Vulnerable slopes fail as a result of fire, rainstorms, earthquakes, and various human activities.

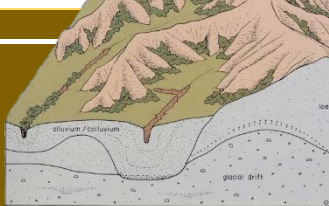
#### 5.9.2 Extent and Vulnerability

An event in the planning area would most likely occur in the western loess hills of the county and be limited to an area less than a square mile at the most. Such an event would be limited to residences located at the top or bottom of the county’s steeper bluffs/hills with the most significant potential between the cities of Crescent and Council Bluffs. Landslides could impact roadways, hindering emergency response capabilities.

#### 5.9.3 Historical Occurrence and Probability

There have been no documented occurrences of significant landslides in the planning area for the past 30 years.

#### 5.9.4 Jurisdiction Specific Information

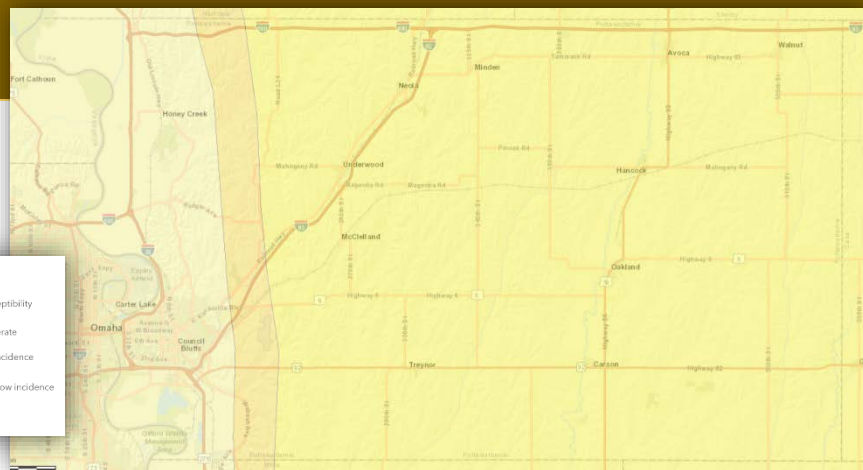
JURISDICTION	SUMMARY and NOTES
Avoca	 <p>Due to the presence of some very steep Loess Hills bluffs in the western part of the county it is likely that landslides will occur. These slides would likely encompass an area of 1 mi<sup>2</sup> or less. Loess Hills soil is highly cohesive and tends to stand in cliffs or blocks when dry, however, saturation can cause the slopes to fail, resulting in landslides. Fortunately the location of the most susceptible areas for these events to occur is such that damage to property would not be widespread. Landslides are usually highly localized and relegated to gullies where little human activity occurs. The mining of Loess Hills soil as fill dirt contributes to the probability of landslides, thus the likelihood of slope failure near quarries is high. Construction practices in the Loess Hills also contribute to the probability of slope failure; sediment and erosion control practices will help to curb this risk.</p>
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County (Unincorporated)	
Schools	

Legend

**Landslide Susceptibility**

Landslide Incidence and Susceptibility

- High incidence
- High susceptibility, moderate incidence
- High susceptibility, low incidence
- Moderate incidence
- Moderate susceptibility, low incidence
- Low incidence
- No data



## 5.10 Levee/Dam Failure

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	4	4	4	3.10

### 5.10.1 Description

Loss of structural integrity of a wall, dike, berm, or elevated soil by erosion, piping, saturation, overtopping or under seepage causing water to inundate normally dry areas. A break in, or imposed threat from, any water retention fixture which may endanger a population adjacent to or downstream of the containment area.

### 5.10.2 Extent and Vulnerability

The levee system in place will prevent most floods from leaving the floodway, but if a flood is large enough to overtop a levee or collapse a wall, very few buildings in flood-prone areas would withstand the force and volume of the water. In the event of a dam failure, flooding would affect areas in close proximity and downstream at a minimum.

### 5.10.3 Historical Occurrence and Probability

In 1952, the levees along the Missouri River were built to protect surrounding agricultural lands from a 100-year flood event. The massive floods of that year easily overtopped that levee and caused millions in damages to thousands of properties in southwest Iowa. Levees were later rebuilt to withstand a 500-year flood event.

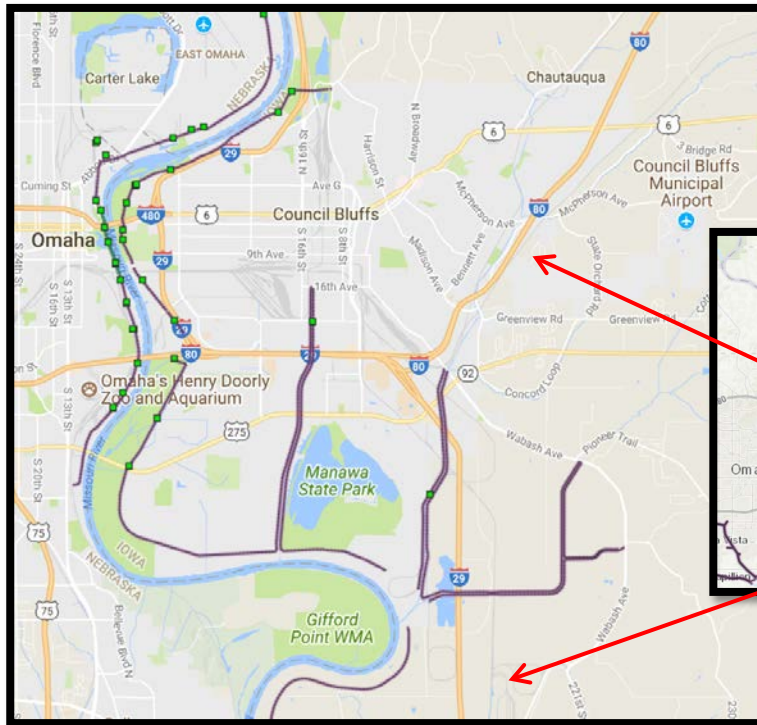
In May of 2011, controlled flooding of the Missouri River by the U.S. Army Corps of Engineers created active record flooding conditions over a period of over four months. From May through October, levees along the Missouri River were inundated with water inundating western areas of the planning area. Millions were lost to property damage, agricultural production, and road systems, and though there were no levee failures, structural integrity of the levees was significantly compromised. Restoration, repair and reinforcement of levees and drainage systems along the Missouri River began in late 2011 and will continue into the foreseeable future.

There are no documented dam failures that have affected the residents of Pottawattamie County in the last 30 years.

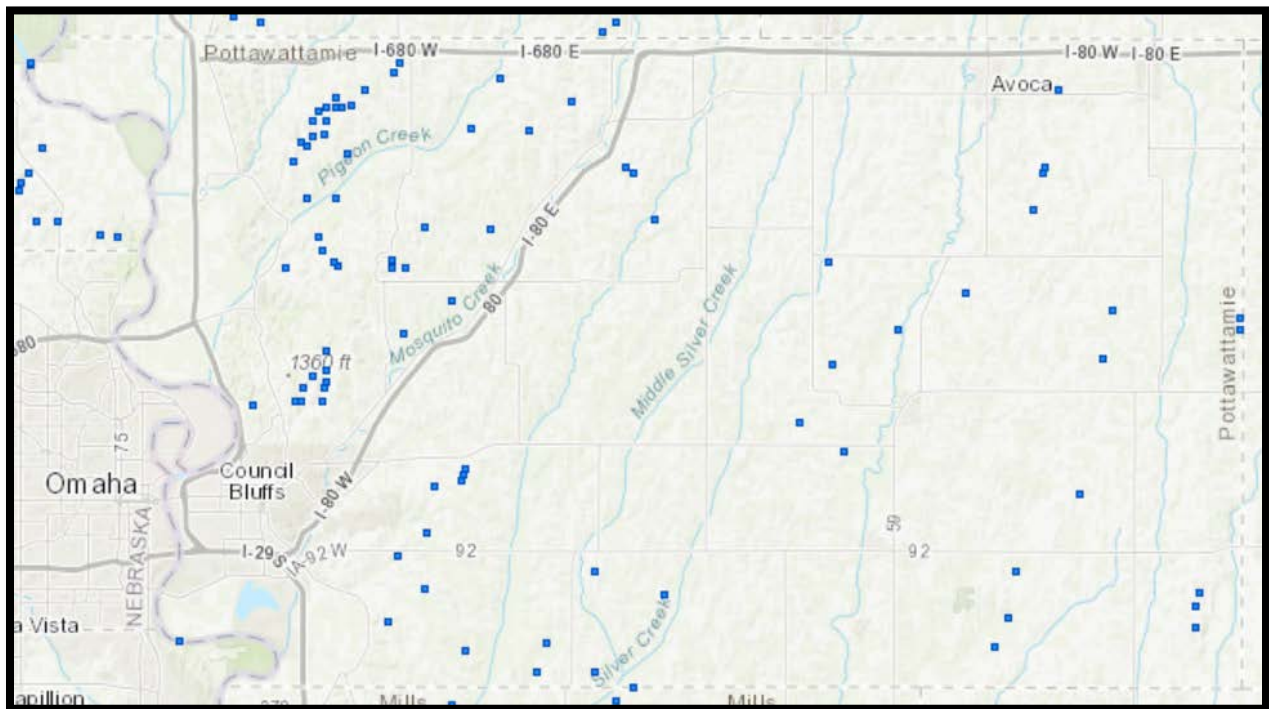
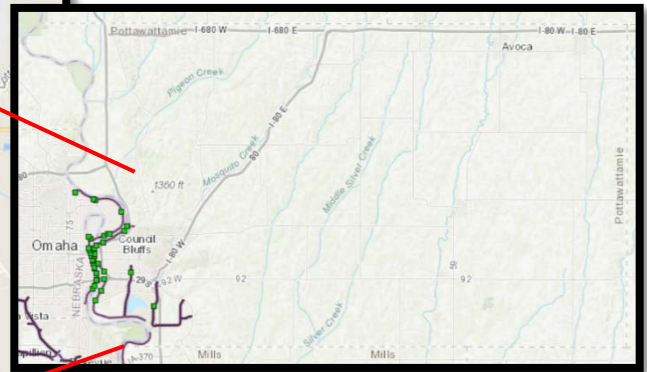
The likelihood of a levee failure in Pottawattamie County is low. However, almost all of the necessary factors for a levee failure are beyond the control of local officials. Those factors include substantial snowpack and/or rainfall over a prolonged period of time and the potential for an upstream dam failure along the Missouri River in South Dakota.

In the extremely remote event of failure of one or more of the Corps of Engineer Dams on the Missouri River in South Dakota, all 500-year floodplains and adjoining low laying areas near the river could be flooded within 24 hours. Many dams in Pottawattamie County are beginning to show signs of age and wear, increasing the risk of a failure with

time. These dams are inspected on an annual basis to mitigate failure. Presently the probability of any dam failing in the next few years is relatively low. Overall, there are 84 total dams of varying size in the county, 2 of which have been classified as “high hazard” potential dams. A countywide dam inventory is included in the appendices section of this plan.



Pottawattamie County Levees



Pottawattamie County Dam Sites

### 5.10.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	No direct threat.
Carson	No direct threat.
Carter Lake	The city would be threatened and impacted by a breach of the levee on the Nebraska side of the river. A dam failure of one or more of the northern Missouri River dams would, at a minimum impact the entire city potentially inundating many areas of the city and cutting off the primary traffic routes along the eastern border.
Council Bluffs	The city is significantly vulnerable to a potential levee failure. Most of the western border of the city, home to residential, industrial/chemical, and entertainment facilities, is protected by the levee system. A 500-year flood levee; it was stressed and damaged during the 2011 floods. It will take considerable time to completely rehabilitate and strengthen the levee system.  A dam failure of one or more of the northern Missouri River dams would impact the city with rural area flooding to the north and likely leading to the overtopping or failure of a portion of the protective levee system within the city. Access and use of I-29 will be cut off. Additionally, failure of the Indian Creek Dam Site No. 2 would release a volume of water nearing 8' that would rush southward through the Indian Creek system toward the city. Significant property damage and loss of life of unwarned motorists, pedestrians, and residents would be highly likely.
Crescent	No direct threat. A dam failure of one or more of the northern Missouri River dams would, at a minimum impact rural area residents and cut the city off from road systems to the west of the city.
Hancock	No direct threat.
Macedonia	No direct threat.
McClelland	No direct threat.
Minden	No direct threat.
Neola	No direct threat.
Oakland	No direct threat.
Treynor	No direct threat.
Underwood	No direct threat.
Walnut	No direct threat.
County <i>(Unincorporated)</i>	No direct threat.
Schools	The Council Bluffs CSD, St. Albert Catholic Schools, Heartland Christian Schools, and Lewis Central CSD would all see significant disruptions to operations. Many students and staff would be directly impacted personally by a levee breach and transportation routes will be compromised. Some facilities, based on the actual breach location and active flood duration, could be compromised by water encroachment or associated power disruption.

## 5.11 Mass Casualty Event

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
2	3	4	2	2.60

### 5.11.1 Description

Pottawattamie County hosts one of largest inventory of total road/highway transportation miles, rail miles, and is home to local and regional air traffic as well as commercial and pleasure river traffic. This hazard does not address the numerous single or multiple road transportation incidents that occur but focuses on those \transportation incidents resulting in mass casualties with the highest potential to exceed local response capacity.

Road/Highway Transportation: A single or multi-vehicle incident that requires responses exceeding local response capacity.

Rail Transportation: A derailment or train accident which directly threatens life or property, or which adversely impacts a jurisdiction from delivering emergency services.

Waterway Transportation: An incident involving commercial or pleasure craft threatening life and property in the form of drowning, fuel spillage, and property or infrastructure damage.

Air Transportation: An incident involving military, commercial, or private aircraft resulting in the need for multiple jurisdiction resources and extended operations. Some small private and commercial aircraft incidents (single engine planes, crop dusting equipment, helicopters, etc.) will often be handled by normal response operations.

### 5.11.2 Extent and Vulnerability

The entire planning area is vulnerable to mass casualty incidents form transportation modes, however the highest probability exists in and around the Council Bluffs Metro area where which has the highest density of population and modes/amount of transportation.

Road/Highway Transportation: There are over 3,330 miles of roadway within the planning area with significant traffic on the major road systems throughout the county. The most vulnerable are those commuting on these road systems throughout the county, especially the interstate and highway systems.

Roadway System	Mileage
Interstate (IDOT)	682
US Highway (IDOT)	231
State Highway (IDOT)	188
Farm to Market (Pott.Co.)	1,007
Local Roads (Pott.Co. & Locals)	1,232
<b>Total</b>	<b>3,339</b>

Rail Transportation: The extent and vulnerability to a rail incident is within those jurisdictions in proximity to existing rail lines, crossing, and yards. There is no standard passenger train service in the planning area although there may be times during rail line

rerouting that there could be limited passenger service within the planning area. Population impact would typically be limited to a population affected by a rail incident involving hazardous materials shipment.

Waterway Transportation: The extent of an incident would be the immediate impact area with the exception search and rescue operations and/or a hazardous materials release related to commercial river transports. Areas of vulnerability, by rank, include the Missouri River, Lake Manawa, and Carter Lake (lake). A vessel incident even with limited patient numbers could cause a larger response due to the technical nature of water operations, especially considering the impressive channel speeds of the Missouri River. The U.S. Coast Guard Auxiliary, 8<sup>th</sup> Western Rivers Dist., Division 33 maintains and executes a disaster emergency plan for the Missouri. However, local first responders will bear the responsibility of executing immediate response actions.

Air Transportation: This type of incident would normally be restricted to a crash site which would be estimated to be not more than a few standard city blocks. However, the impacts and effects could vary widely considering that the vast majority of the county and its most densely populated area resides within the approach and departure paths of Eppley Airfield. There is also a significant amount of military aircraft operations over the county in relation to Offutt Air Force Base just off the southwest portion of the planning area. An impact in a populated area or major highway/interstate artery could significantly expand the impact and vulnerable population beyond that of the aircraft passengers and crew.

### 5.11.3 Historical Occurrence and Probability

Road/Highway Transportation: There are thousands of accidents reported annually, many without or with a few injuries. There are typically less than a dozen incident per year that rise to a Level I Mass Casualty Incident which is described as a motor vehicle accident



*I-80 Bus Rollover, June 2011*



resulting in 5 to 10 injured persons. The last recorded significant mass casualty road/highway incident

was June 2011 on I-80 near the Shelby Exit where a charter bus for a high school trip rolled down an embankment resulting in a (50) patient mass casualty response. The majority of patients were uninjured or had minor injuries. Due to the amount of road/highway miles

within the county and amount of motor traffic, probability will always remain high.

Rail Transportation: Since the late 1970's, approximately (40) rail incidents have been recorded reporting (47) injuries and (6) fatalities related to those incidents. Nearly all were recorded at highway/rail crossing intersections. There is a relatively low probability for a mass casualty incident related to a rail accident that does not involve a hazardous substance release.



C&NW Derailment, Dec. 1961, Council Bluffs

Waterway Transportation: There have not been any recorded large-scale water related transportation incidents in the planning area over the past 30 years. The Missouri River is monitored by the U.S. Army Corps of Engineers and U.S. Coast Guard Auxiliary for safe navigable conditions for large commercial watercraft which reduces the probability of a large-scale incident.

Air Transportation: There have been (27) aircraft crashes in the planning area since 1982 resulting in (9) fatalities, (4) serious injuries, and (8) minor injuries. All these incident have involved small (1 or 2 engine) fixed wing aircraft or rotor wing aircraft. With the significant amount of daily commuter air travel over the county and aircraft used for agricultural production, the probability of an incident is high, however the type of aircraft and location of the incident will dictate the vulnerability and overall extent.

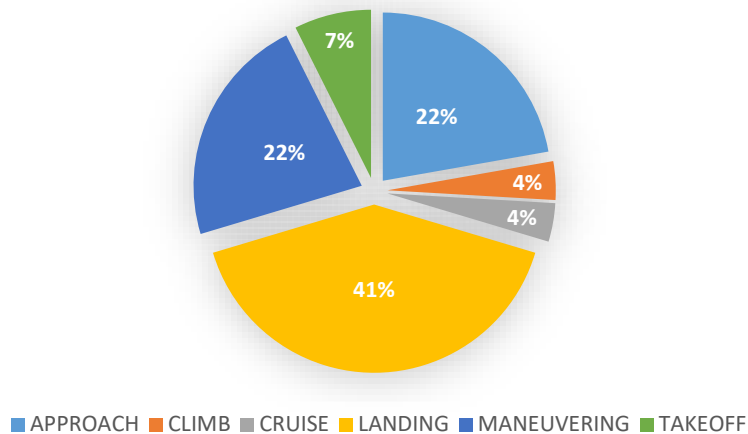


I-29 Crash, Council Bluffs (Dec. 2010)



Helicopter Crash, Macedonia (Sept. 2014)

### Aircraft Activity During Incident



### 5.11.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	I-80 borders the northern edge of Avoca. A large scale transportation incident would impact local services
Carson	Highway 92 and 59 intersect at the eastern edge of Carson with 92 running through the southern portion of the city. These highways are major routes with heavy commuter and commercial traffic.
Carter Lake	Resides within close proximity to Eppley Airfield putting the population at risk of being impacted directly by an incident or indirectly should an incident occur at the airport. Abbott Drive sees approximately 20,000 vehicles per day with many commuter and commercial vehicles traveling to Eppley Airfield. A major rail line runs in the city south of Ave H with a hotel approximately 50 yards away from the line. The area is also industrial with large petroleum storage that could exacerbate a derailment incident. The Missouri River is the only waterway with commercial maritime traffic that includes hazardous substance shipments. This activity poses a potential risk to the city.
Council Bluffs	A significant portion of residential and business areas are in line with approach and departure paths of Eppley Airfield. Should an airline have an incident during takeoff or landing, the impacts of a populated area crash would be significant resulting in multiple fatalities and injuries that would overwhelm the local public safety system. Interstates 80, 29, and 480 along with Highways 6 and 92 are very high volume traffic routes in and around the city. There is a very high amount of commuter and commercial traffic (including hazardous substance shipments) that make the city susceptible to a major traffic incident, especially during peak travel hours or planned events. The city has a rich railroad history and rail traffic (non-commuter) is prevalent in the city, especially at the numerous crossings, sidings, switch stations, and loading/unloading points. It is estimated that a major rail incident could impact approximately 5% of the population at any given point depending on the scope of the accident and materials transported. The Missouri River is the only waterway with commercial maritime traffic that includes hazardous substance shipments. This activity poses a potential risk to the city.
Crescent	Also within Eppley's approach and departure paths, the city could be impacted by a crash scenario. Impacts would likely be peripheral and transportation related based on the geographical area. I-29 is less than a mile west of the city and large traffic incident would have local resource and travel restriction/rerouting implications. Additionally, Old Lincoln Highway is a major arterial road that runs north/south through the community. Crescent could be impacted by a derailment incident involving hazardous substances. 2 lines run north/south within 2 miles of the city.
Hancock	No direct threat.
Macedonia	No direct threat.
McClelland	No direct threat.
Minden	I-80 is two miles north of the city. Local traffic would be impacted by a major interstate event in the area with traffic rerouting and local emergency services would be taxed.
Neola	Neola sits south of the I-80 and I-680 split. This intersection is prone to accidents and a potential site for a mass casualty event considering the high volume of commuter and commercial traffic. BNSF has a line that runs along Front Street (the main route through town) which, depending on the scope of a derailment and materials being shipped, could impact critical facilities in the area (fire station, water treatment plant) as well as the central business district.
Oakland	Highways 6 and 59 split at both the southern and eastern edges of the city as well as running directly through the center of the community. These are major transportation routes for commercial traffic, especially hazardous substance shipments. The community will see between 1,500 and 2,000 vehicles per day.
Treynor	The city is bisected by Highway 92. It is largely used as a primary commuter route for the traveling workforce and an agricultural route for grain markets.
Underwood	I-80 runs adjacent to the city on the east. Railroad Highway runs through the community and is a major transportation route in the western part of the planning area. A major event on 80 would cause the rerouting of traffic through the city. BNSF's line (also runs through Neola) could put the city's wastewater treatment operations and the Agriland FS at risk in a major derailment with hazardous substances. These facilities are within 1 mile of the line.
Walnut	I-80 runs along the northern border of Walnut. This site is particularly dangerous during winter storm events often causing traffic to stop in and around the community or attempts to reroute through the community. Walnut is often a shelter site for stranded motorists during major winter events.
County (Unincorporated)	There are no unincorporated significant impacts related to transportation mass casualty incidents. The sparse rural population limits the impacts of an event occurring in an unincorporated area not in proximity to a population center.
Schools	Tri-Center CSD (Neola) could see operational disruption with a major event occurring at the 80/680 split. Riverside CSD is set at the southern split of Hwy 59/6 (Oakland) which poses an increase for accident potential with a large amount of inexperienced teenage drivers navigating a 4-way sign controlled intersection with heavy traffic volumes. All schools share the commensurate amount of risk exposure as identified above in their host communities.

## 5.12 Radiological Incident

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
1	3	4	4	2.35

### 5.12.1 Description

An accident involving radioactive waste and materials that are shipped through the planning area. During commodity flow research, the identified routes of I-80, I-29, I-680, and Highways 6 and 59 have been identified as knowingly having radiological materials shipped through the planning area.

### 5.12.2 Extent and Vulnerability

The security of certain shipments and containers that materials are shipped in are extremely robust and reduce the risk of a large-scale radiological incident not related to an act of terrorism/intentional release. Those most vulnerable to an incident would be those in the immediate accident area of transported materials and any first responders caught unaware of materials present. Communities along the primary routes of the planning area also bear some minimal vulnerability depending on the actual incident location.

### 5.12.3 Historical Occurrence and Probability

The only known occurrence that had potential for causing an incident of this nature occurred in 2002. A tractor trailer hauling a radiological waste container was involved in a property damage accident on I-80. There was no breach or damage to the container and required no emergency response. Probability for an incident remains low for the county.

### 5.12.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	Radioactive waste that is transported is typically low level waste and would not pose any serious health threats unless exposure was long-term. However, any incident in the planning area would likely require assistance from outside resources. Being in close proximity to major transportation routes increases a jurisdiction's risk but the probability of an occurrence is significantly low.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County (Unincorporated)	
Schools	

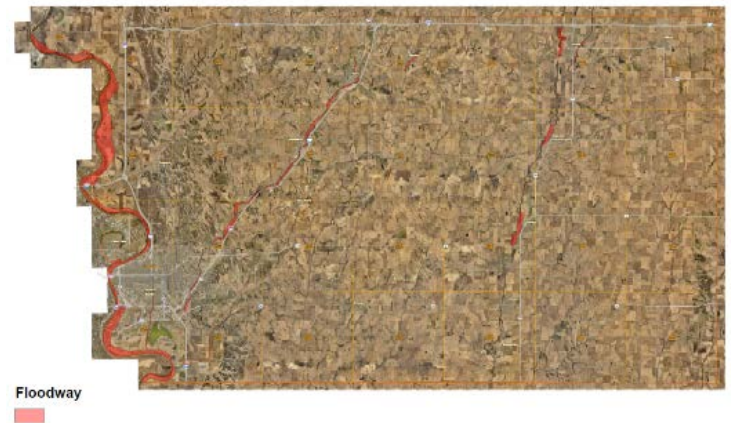
### 5.13 River Flooding

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
3	3	1	3	2.70

#### 5.13.1 Description

A rising or overflowing of a tributary or body of water that covers adjacent land not usually covered by water when the volume of water in a stream exceeds the channel’s capacity. They can be slow or fast rising but generally develop over a period of days and in relation to another natural hazard (i.e., severe storms, prolonged rainy periods, etc.). Flooding is a natural and expected phenomenon that occurs annually, usually restricted to specific streams, rivers or watershed areas.

Pottawattamie County FEMA Floodway



#### 5.13.2 Extent and Vulnerability

Over 15% of the planning area is affected by the 100 or 500-year floodplain areas defined by FEMA. Many jurisdictions are located in and along these areas. The most vulnerable to this hazard are those jurisdictions along the Missouri River which defines the entire western border of the planning area and the communities along the West Nishnabotna River in the eastern portion of the planning area.

There are (41) parcels documented within the planning area that have structures in the identified floodway. This is a significant reduction due to mitigation projects, zoning enforcement, and redefinition of FIRM maps by FEMA. As of December 31, 2017, there are (20) properties identified as “Repetitive Loss Properties” for flooding hazards.

DISCLOSURE WARNING – FOR OFFICIAL USE ONLY (FOUO)							
The following data is <b>NOT</b> authorized for public release in accordance with the Privacy Act of 1974, 5 USC § 552a							
Repetitive Loss Properties (12-31-2017)							
Address	City	Insured	Mitigated	Address	City	Insured	Mitigated
1727 AV F	COUNCIL BLUFFS	NO	NO	807 N 36 <sup>TH</sup> ST	COUNCIL BLUFFS	NO	NO
1401 FRANKLIN	COUNCIL BLUFFS	YES	NO	1522 4 <sup>TH</sup> AVE	COUNCIL BLUFFS	YES	NO
1401 FRANKLIN BLDG 2	COUNCIL BLUFFS	YES	NO	1101 6 <sup>TH</sup> AVE	COUNCIL BLUFFS	NO	NO
1401 FRANKLIN BLDG 3	COUNCIL BLUFFS	YES	NO	1716 7 <sup>TH</sup> AVE	COUNCIL BLUFFS	YES	NO
GOOSEHAVEN LOOP	CRESCENT	NO	NO	331 N 7 <sup>TH</sup> ST	COUNCIL BLUFFS	NO	NO
72 LAKEWOOD VILLA LN	COUNCIL BLUFFS	NO	NO	517 9 <sup>TH</sup> AVE	COUNCIL BLUFFS	NO	NO
324 N 17 <sup>TH</sup> ST	COUNCIL BLUFFS	YES	NO	15469 TEAL LN W	HONEY CREEK	NO	YES
305 S 18 <sup>TH</sup> ST	COUNCIL BLUFFS	NO	NO	15594 JET LN	CRESCENT	YES	NO
2015 2 <sup>ND</sup> AVE	COUNCIL BLUFFS	YES	NO	20970 RIVERROAD N	CRESCENT	YES	YES
800 N 35 <sup>TH</sup> ST	COUNCIL BLUFFS	NO	NO				
805 N 36 <sup>TH</sup> ST	COUNCIL BLUFFS	NO	NO				

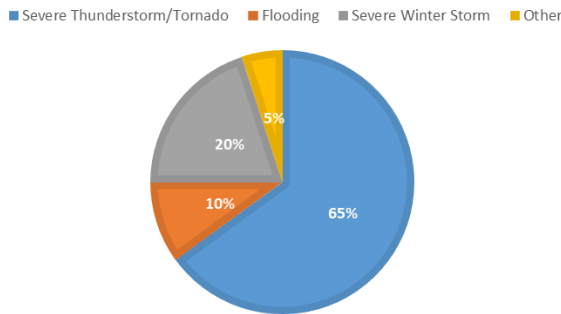
• There are no properties identified as Severe Repetitive Loss

Residential	Commercial
-------------	------------

### 5.13.3 Historical Occurrence and Probability

The planning area has had (6) Presidential Disaster Declarations specific to flooding as the primary hazard and need for assistance. There have been (9) additional declarations made in the planning area under the category of Severe Storms where at a minimum,

**DECLARATIONS BY TYPE**



flash flooding was part of the combination hazard requiring a declaration, although not necessarily the primary hazard event. This signifies that flooding, as a component or primary hazard, to nearly 75% of all federally declared disasters is one of the most common occurring hazards in the planning area.

Historically, the largest floods in the planning area occurred in 1952, 1993, and 2011. These events caused millions in damage destroying homes, infrastructure, and businesses. The 2011 flood placed the planning area in the most significant risk and potential for devastating losses and loss of life. The May of that year, the U.S. Army Corps of Engineers began releasing record amounts of water from Gavins Point Dam in South Dakota to mitigate infrastructure damage/failure to the system due to record precipitation and delayed snow melt in the upper Missouri River basin. This caused record flooding in the western portion of the planning area for (5) months. In the inundated area I-29, I-680, and several local roads were cut off and/or completely destroyed. The event forced emergency evacuations, prolonged relocation of residents, and stressed, damaged, and degraded the integrity of the planning area levee system which protects Council Bluffs. The fear and potential of a sudden and catastrophic levee failure would have had direct loss of life implications for nearly 20,000 residents.

2011 Missouri River Flooding Losses	
Individual Assistance (total paid)	\$5,722,370.20
Public Assistance (total paid)	\$18,821,021.78
<b>Total</b>	<b>\$24,543,391.98</b>

Considering the historical occurrences, it is likely there will be a minor flood event within the next (3) years and a moderate or major flood event within the next decade.



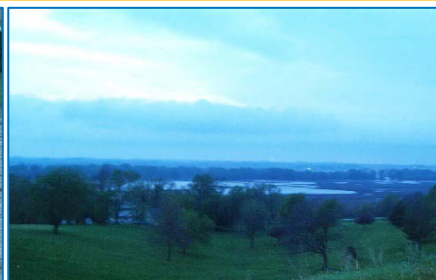
2011 Missouri River Flooding

### 5.13.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	East and West branches of the W Nishnabotna River surround the city. The southern portion of the city is most at risk being home to the county fairgrounds, school, and school sports complex. There lower elevations on the east of the city along the river which is home to the city park, ballfields, walking trails, and swimming pool are also at risk.
Carson	The W Nishnabotna traverses the west and south side of Carson. The rodeo grounds, city park, ball field, and water/sewer treatment infrastructure are all at risk from flooding along the river.
Carter Lake	Although the Missouri River is located on the east side of the city, distance from the river makes direct inundation unlikely. The high water table will increase flooding risk in the form of basement inundation and inability to drain water during river flood events.
Council Bluffs	Approximately half the city is constructed in the Missouri River floodplain which poses a significant risk to the city from the river and tributary streams should there be a compromise to the levee system. The Corps of Engineer Levee system built after the 1952 flood protects much of the at risk areas along the Missouri. The far southern portion of the city is not protected by the levee and there is a secondary flood threat from tributary creeks backing up during river flooding events.
Crescent	The city hosts Pigeon Creek on the west side of the city and Crescent Creek on its south. The Missouri is approximately 10 miles to the west. Some areas of the city without storm sewer infrastructure are at higher risk than others.
Hancock	The W Nishnabotna River flows on the west side of the city in close proximity to Botna Bend Park, the City Park, Hancock Elevator and Fertilizer, and the city's sewer lift station. All these facilities were breached and damaged in 1993.
Macedonia	There are no special flood hazards.
McClelland	There are no special flood hazards.
Minden	The city hosts Keg Creek near the southern and eastern portions of the city. Most of the potential flood area is agricultural land and adjoining commercial buildings, threat to residential areas is minimal.
Neola	Mosquito Creek and Neola Creek run to the east and west of Neola.
Oakland	The W Nishnabotna River runs along the western border of Oakland. Oakland has conducted aggressive mitigation projects removing residential structures from the threat area over the past 20 years preserving the area as green space and recreational areas. The most vulnerable areas would be very few residential properties and businesses in the southwest portion of the city.
Treynor	There are no special flood hazards.
Underwood	Mosquito Creek runs east of the city posing a risk to those properties within close proximity. Mitigation work to the channel has reduced the risk of flooding for the city.
Walnut	Walnut Creek runs on the east side of the city. The city has mitigated flood risk by developing away from the hazard.
County <i>(Unincorporated)</i>	Botna Bend Park (Hancock) is vulnerable to Nishnabotna River flooding. This threatens not only campers using the facility but also the elk and buffalo herds on display at the campground.
Schools	<ul style="list-style-type: none"> <li>• <b>AHSTW</b> is in the 1% annual chance flood hazard (Zone AE).</li> <li>• <b>Council Bluffs Schools</b> has (8) facilities in Minimum Hazard Zone X, (2) facilities in the 1% annual chance flood hazard Zone AE, (11) facilities in the Regulated Floodway Zone X (Reduced risk from levee), and (3) facilities in the 1% annual chance flood hazard Zone AH.</li> <li>• <b>Heartland Christian</b> is in the Regulated Floodway Zone X (Reduced risk from levee).</li> <li>• <b>Lewis Central</b> is in the 1% annual chance flood hazard (Zone AE).</li> <li>• <b>Riverside</b> facilities are all within the Minimum Flood Hazard Zone X category.</li> <li>• <b>St. Albert</b> facilities are within the Minimum Flood Hazard Zone X category.</li> <li>• <b>Treynor</b> facilities are within the Minimum Flood Hazard Zone X category.</li> <li>• <b>Tri-Center</b> facilities are within the Minimum Flood Hazard Zone X category, however, their athletic fields reside the 1% annual chance flood hazard Zone A.</li> <li>• <b>Underwood</b> facilities are within the Minimum Flood Hazard Zone X category.</li> <li>• <b>IWCC Comm. College</b> facilities are within the Minimum Flood Hazard Zone X category, however, some of its property is within both the Regulate Floodway and the 1% annual chance flood hazard Zone AE.</li> </ul>



June 2008 Flooding - Oakland



2007 Flooding between Hancock & Oakland



2012 Missouri Flood encroaching at Narrows River Park

#### 5.14 Severe Thunderstorms *(Thunderstorms, Lightning, Hail, Wind)*

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
4	2	4	1	3.10

##### 5.14.1 Description

Atmospheric imbalances and turbulence that can result in heavy rains, winds in excess of 58 mph, surface hail greater than .75" in diameter, dangerous cloud-to-ground lightning, and even tornadoes. *[Note: tornadoes are discussed as a separate hazard]*

##### 5.14.2 Extent and Vulnerability

Severe thunderstorms can cover a number of miles with the most severe portion of individual systems generally isolated. However, thunderstorms that impact the planning area will affect most residents in one way or another. It is highly probable that multiple jurisdictions in the planning area will be affected by the same storm system moving in its typical west to east. Severe thunderstorms can produce rapid and significant accumulations of rainfall. They can produce dangerous lightning, extreme winds, and large hail. Each of these hazard alone but especially when combined can produce property damage, electrical system interruptions, communications interruptions, fires, transportation interruptions, infrastructure damage, delays in emergency services, injuries, and even death.

##### 5.14.3 Historical Occurrence and Probability

Thunderstorms occur and will occur in the planning area on a yearly basis, typically in the spring and summer months, but they can occur any time during the year under the right conditions. These severe storm events have prompted (9) Presidential Disaster Declarations since 1965, (4) of which have occurred in the last decade.

##### 5.14.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	The vulnerability from severe thunderstorms among jurisdictions in the planning area is generally uniform. Storms can damage homes, vehicles, wipe out entire fields of crops, injure livestock and pets, cause injury and death, and damage other property by the size and sheer force of hail, significant and rapid rainfall, devastating winds, and dangerous lightning. Persons caught outside during a storm are most at risk. Power and communications failures often result from thunderstorms. However, loss of systems is usually temporary and many critical functions have backup capabilities.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County <i>(Unincorporated)</i>	
Schools	

### 5.15 Severe Winter Storms

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
4	2	2	3	3.00

#### 5.15.1 Description

Winter storm systems that adversely and significantly impact day-to-day activities and public services. These events can include blizzard conditions, heavy and blowing snowfall, freezing rain/heavy sleet, extreme cold, or any combination thereof.

#### 5.15.2 Extent and Vulnerability

Winter storms generally affect multiple counties and cover hundreds of miles. In addition to affecting the entire planning area, many severe winter storms often restrict access to communities for extended periods due to poor road conditions in adjoining rural areas. Almost 100 percent of the geographic area will be affected. Dangerous driving conditions and exposure to extreme conditions are the primary threats associated with severe winter storms. Power outages can be dangerous to vulnerable populations during extremely cold periods. It also hampers the public’s ability to access needed services and commodities due to power, communications, or transportation disruptions due to the conditions and also pose a risk to the care and feeding of livestock.



#### 5.15.3 Historical Occurrence and Probability

The planning area will usually experience at least one heavy snowfall and/or freezing precipitation event annually. Severe winter storms have prompted (4) Presidential Disaster or Emergency Declarations since 1997.

#### 5.15.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
Avoca	The vulnerability from severe winter storms among jurisdictions in the planning area is generally uniform. A severe winter storm could hinder or entirely shut down access to many of the jurisdictions, especially if major transportation routes and secondary road systems are impassable. In a long duration power outage associated with the event, heating of homes could become an issue. Emergency Services in all jurisdictions would face delayed responses and operational challenges in extreme conditions. Major highways and interstates could be impassable causing the need for temporary emergency shelters of stranded motorists and managing increased commercial traffic into communities when forced to exit closed road systems.
Carson	
Carter Lake	
Council Bluffs	
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	
County (Unincorporated)	
Schools	

### 5.16 Tornadoes

Hazard Score Calculation				
Probability	Impact	Warning Time	Duration	CPRI
3	4	4	1	3.25

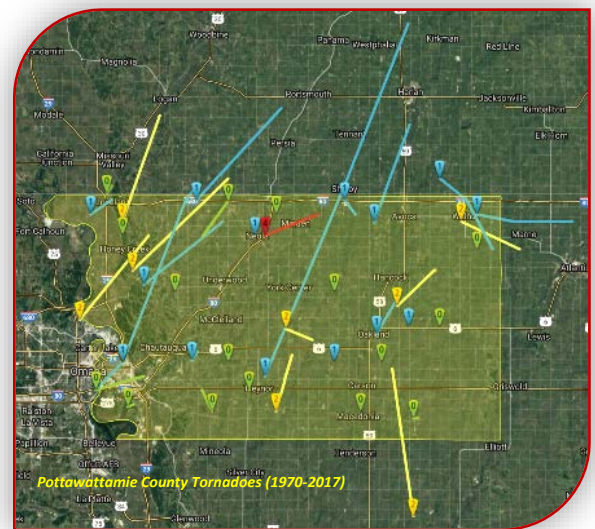
#### 5.16.1 Description

A violent, destructive, rotating column of air taking the shape of a funnel shaped cloud that progresses in a narrow, erratic path. Rotating wind speeds can exceed 200 mph and travel across the ground at average speeds of 25 to 30 mph.

#### 5.16.2 Extent and Vulnerability

The area that can be directly affected by a tornado will vary from a couple hundred feet to over a mile in some cases. Tornadoic thunderstorms can also accompanied by large hail, lightning, heavy rain, and destructive straight-line/downburst winds. Extent of damage is largely dependent on the wind speed and duration of the tornado as defined in the Enhanced Fujita Scale, which describes severity of impact. The extent of impact can be as little as a single rural property to a few city blocks, or an entire community.

Those most at risk from tornadoes include people living in mobile homes, campgrounds, and other dwellings without secure foundations, basements, or storm shelters. People in automobiles are also very vulnerable to tornados. The elderly, very young, and the physically and mentally handicapped are especially vulnerable because the lack of situational awareness and/or possessing the mobility to escape to adequate shelter.



#### 5.16.3 Historical Occurrence and Probability

There have been (42) documented tornadoes in the planning area since 1970. Tornadoes have been the primary or a contributing hazard causing (6) Presidential Disaster Declarations in the planning area since 1984. There have been (0) related fatalities and (96) attributed injuries to tornado events with (42) people being injured during the tornado of July 15, 1988, and F2 tornado that ripped through Council Bluffs at 3:14 p.m. The tornado was 100 yards wide and was on the ground for approximately 2.3 miles.



As part of “Tornado Alley,” Iowa typically ranks third in the U.S. for strong to violent tornadoes (per 10,000 mi.<sup>2</sup>). The planning area experiences multiple tornado watches and warnings issued by the National Weather Service annually creating a high probability of an actual touchdown could occur annually, somewhere within the 1,000 mi.<sup>2</sup> planning area.

### 5.16.4 Jurisdiction Specific Information

JURISDICTION	SUMMARY and NOTES
	The vulnerability from tornadoes among jurisdictions in the planning area is generally uniform with special notes provided in the below section, as appropriate. A large and violent tornado impact on a rural community in the planning area, considering infrastructure and budgets, could hold the potential for such a community to be unable to survive the time and cost of rebuilding a small community.
Avoca	
Carson	
Carter Lake	Just over 15% of the communities housing is mobile homes.
Council Bluffs	As the largest population center in the planning area, another tornado in the city would significantly tax emergency response capabilities and infrastructure for the first 12-24 hours of response operations, creating a potential for a high number of concentrated casualties.
Crescent	
Hancock	
Macedonia	
McClelland	
Minden	
Neola	
Oakland	
Treynor	
Underwood	
Walnut	Almost 7% of the housing in the community is mobile home structures.
County (Unincorporated)	The county operates (4) public parks that allow camping and does not have public storm shelters available for use during a tornado event. In addition, the county maintains a large amount of primary and secondary road systems that will need cleared and/or secured to aid emergency services during a tornado emergency.
Schools	Most of the schools within the planning area were constructed previous to the trend of building a portion or section of the school as a designated storm/tornado shelter area that meets FEMA recommended specifications. Additionally, with typical storm timing in the planning area, it is not unreasonable to have multiple schools buses transporting students home during tornado potential times of the early afternoon at the beginning of severe weather season. Schools also host and travel for spring and summer sporting events during the peak of severe weather season for the planning area.



1988 Council Bluffs Tornado [photo credit: The Daily Nonpareil]



## CHAPTER VI

### MITIGATION STRATEGY

The following Chapter is a synopsis of the holistic mitigation strategy within the planning area. It will outline current and ongoing mitigation activities, mitigation goals and recommended strategies, selected mitigation priorities for possible implementation, and strategies or activities removed from the plan since the previous plan update.

As part of the development of this chapter, it was necessary to review the goals and strategies of the previous plan update. The Hazard Mitigation Planning Committee assessed the validity and/or feasibility of mitigation goals and then assessed the need for development of additional goals based on the updated hazard vulnerability assessment in relation to their home jurisdictions. With this completed, new and/or amended goals, with associated recommended implementation strategies for consideration by each jurisdiction within the planning area. Jurisdictions then selected only priority mitigation activities to be applied to their jurisdictions.

Jurisdictions selected their priority activities by considering a myriad of factors that included, but was not limited to:

- Social acceptance and/or population impact/effect;
- Technical feasibility and sustainment, as applicable;
- Administrative feasibility and sustainment;
- Political considerations;
- Legal implications or challenges;
- Economic impact and feasibility; and
- Environmental implications.

The Hazard Mitigation Planning Committee has selected the goals and strategies, further prioritized by selected jurisdictional activities that they believe will ultimately make all of Pottawattamie County a safer place.

## 6.1 Mitigation Goals and Strategies

The following goals, identified by the planning committee, and associated implementation strategies are a listing of priorities to be considered by each jurisdiction. Jurisdictions will continually review applicable goals and strategies and consider implementation of activities to achieve goals that enhance the health, safety, and security of their jurisdiction, regardless of funding method. This will be done by predetermining jurisdiction specific projects that are local priorities or identification as a goal implementation project after a significant event and availability of mitigation assistance funds. Identified jurisdictional activities will then be reported in Section 6.2 of this chapter.

<b>Goal 1</b>	<b>Continue development of plans, policies, and programs to minimize the effect of any hazard that could impact the planning area.</b>
<b>Associated Hazard:</b>	<b>ALL HAZARDS</b>
<b>Strategy 1.1</b>	Maintain a collaborative comprehensive emergency management plan, inclusive of a Hazard Mitigation Plan (Part B) guided by a multi-jurisdictional planning committee.
<b>Strategy 1.2</b>	Develop programs and/or ordinances that further mitigation enhancement.
<b>Strategy 1.3</b>	Provide public education regarding hazard awareness and preparedness measures, inclusive of a centralized public repository of mitigation and preparedness tools.

<b>Goal 2</b>	<b>Minimize the potential impact and damages from flooding events.</b>
<b>Associated Hazard:</b>	<b>DAM/LEVEE FAILURE, FLASH FLOOD, RIVER FLOOD</b>
<b>Strategy 2.1</b>	Enhance efficient flow of rivers and streams throughout the planning area as appropriate.
<b>Strategy 2.2</b>	Enhance efficient flow of storm water throughout the planning area as appropriate.
<b>Strategy 2.3</b>	Maintain and improve dam and levee structures as necessary.
<b>Strategy 2.4</b>	Maintain, update, and exercise emergency plans for flood protection systems.
<b>Strategy 2.5</b>	Maintain, enforce, and update zoning and floodplain management ordinances as needed.
<b>Strategy 2.6</b>	Continue and encourage participation in the NFIP.
<b>Strategy 2.7</b>	Educate the public regarding flood risk and NFIP.
<b>Strategy 2.8</b>	Consider ongoing floodplain property buyouts and infrastructure relocation/flood proofing projects to limit exposure to known flood hazard areas.
<b>Strategy 2.9</b>	Ensure emergency plans exist or are updated for known and significant flood risks, including provisions for training and exercise.

<b>Goal 3</b>	<b>Minimize the potential impact of erosion along the banks of creeks, streams, lakes, ponds, and areas with steep grades.</b>
<b>Associated Hazard:</b>	<b>LANDSLIDE, FLASH FLOOD, RIVER FLOOD</b>
<b>Strategy 3.1</b>	Implement stabilization projects on stream and river banks where necessary.

<b>Goal 4</b>	<b>Minimize the potential damage and impact from severe weather events.</b>
<b>Associated Hazard:</b>	<b>SEVERE THUNDERSTORMS, SEVERE WINTER STORMS, TORNADOES</b>
<b>Strategy 4.1</b>	Educate residents on severe weather safety and market registration to the countywide emergency notification system.
<b>Strategy 4.2</b>	Construct/enhance safe rooms/storm shelters in schools, public facilities, and open public areas (parks, campgrounds, etc.) that lack shelter space or inadequate shelters.
<b>Strategy 4.3</b>	Enforce local building codes that address structural integrity and safety.

<b>Goal 5</b>	<b>Minimize the potential impact of infrastructure system disruptions.</b>
<b>Associated Hazard:</b>	<b>INFRASTRUCTURE FAILURE</b>
<b>Strategy 5.1</b>	Ensure critical facilities have adequate backup power capabilities.
<b>Strategy 5.2</b>	Maintain and upgrade public infrastructure systems to maximize resilience and redundancy.
<b>Strategy 5.3</b>	Use ordinances to implement underground utility requirements to mitigate exposure to severe weather events.

<b>Goal 6</b>	<b>Minimize risk of mass casualty transportation events.</b>
<b>Associated Hazard:</b>	<b>MASS CASUALTY EVENTS</b>
<b>Strategy 6.1</b>	Design and improve transportation routes commensurate with best practices and appropriate for existing and future traffic density.
<b>Strategy 6.2</b>	Partner in traffic incident management (TIM) and transportation improvement projects.

<b>Goal 7</b>	<b>Minimize the potential damages and impacts of a hazardous substance release.</b>
<b>Associated Hazard:</b>	<b>HAZARDOUS MATERIALS, RADIOLOGICAL INCIDENT</b>
<b>Strategy 7.1</b>	Ensure there is a qualified hazardous materials response and cleanup capability.
<b>Strategy 7.2</b>	Maintain and enforce hazardous substance ordinances, rules, and regulations as appropriate.
<b>Strategy 7.3</b>	Educate the public regarding their exposure and risk to local hazardous substances.
<b>Strategy 7.4</b>	Partner with the private sector and contiguous counties regarding hazardous substance preparedness and safety initiatives.

<b>Goal 8</b>	<b>Minimize the potential impact of health related incidents.</b>
<b>Associated Hazard:</b>	<b>HUMAN and ANIMAL/PLANT DISEASE</b>
<b>Strategy 8.1</b>	Collaborate on health monitoring and surveillance of human, animal and plant diseases that could affect the planning area.

<b>Goal 9</b>	<b>Minimize the potential impact and damages of fires.</b>
<b>Associated Hazard:</b>	<b>GRASS/WILDLAND FIRE</b>
<b>Strategy 9.1</b>	Develop ordinances to limit, prohibit, or require certain safety and notifications for open or controlled burning in the planning area.
<b>Strategy 9.2</b>	Encourage proactive land management practices to reduce fuels and improve habitat.

<b>Goal 10</b>	<b>Minimize potential impact of prolonged drought and extreme heat conditions.</b>
<b>Associated Hazard:</b>	<b>DROUGHT/EXTREME HEAT</b>
<b>Strategy 10.1</b>	Monitor municipal water systems to guide implementation of water conservation practices.
<b>Strategy 10.2</b>	Develop municipal water system emergency conservation plans and ordinances for use in water emergencies resulting from drought.

## 6.2 Current Mitigation Activities

This section identifies mitigation activities selected across the planning area that are continual in nature, have planning area-wide applicability or have been initiated for implementation from the previous plan update(s) or are newly identified mitigation priorities. Activities are identified according to the jurisdiction responsible for implementation, which may be one or more jurisdictions within the planning area.

Jurisdictions, as part of their normal budget processes, shall consider investment into all applicable strategies in Section 6.1 for activities pertinent to their jurisdictional needs. For activities that require local funding, governing bodies should begin to allocate funds as their budget processes allow. All jurisdictions should also consider mitigation goals, strategies, and activities when developing updates to any existing plans and ordinances. Some strategies and implementation activities can be relatively low cost with tremendous benefit when implemented.

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
ALL JURISDICTIONS	1	Update mitigation plan data and information annually to culminate in a 5 year update project completed in 2023.	EMA	Local	\$5,000/yr	Good
	1.1, 1.2					Initiated
	7	Develop regional LEPC with Mills & Montgomery Co to enhance hazmat safety & risk awareness initiatives. Target administrative completion & 1 <sup>st</sup> meetings in 2019.	EMA	Local	\$5,000/yr.	Good
	7.1, 7.2, 7.3, 7.4					Initiated
	1, 2, 4, 7	Emergency Services agencies conduct hazard awareness presentations to community organizations and schools annually.	DEPTS	Local	Not Reported	Good
	1.2, 1.3, 2.7, 4.1					Ongoing

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
AVOCA	2	Conduct drainage improvement projects in the May Street & N Buttermilk Flat areas. (needs cost benefit info completed)	City Administrator	HMGP	\$740,551	Poor
	2.2					NOI Submitted 10-2-2015

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
CARSON	4, 5	Install generators to provide backup power to the water treatment plant, (2) well pumps, and the city hall which serves as the city's emergency shelter and coordination center.	City Clerk	HMGP	\$163,465	Poor
	4.2, 5.1, 5.2					NOI Submitted 6-13-2017

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
CARTER LAKE	2, 5	Study storm water infiltration to prioritize repairs and upgrades as identified. Timeline of study & repairs dependent on available funding.	Public Works	Local	Not reported	Fair
	2.2, 5.2					Initiated

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
COUNCIL BLUFFS & POTTAWATTAMIE CO	1, 2, 3, 8, 9	Partnership project to conduct a joint land use study for the city's (2) mile extraterritorial jurisdiction and to create a regional urban conservation office for erosion and sediment control. Concept currently in development.	Elected Officials	Being assessed	Being assessed	Fair
	1.2, 2.1, 2.2, 3.1, 8.1, 9.2					Concept planning

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
COUNCIL BLUFFS	5, 6	Participate with Iowa DOT on interstate development and renovation projects within city limits to ease congestion issues that contribute to potential life safety issues. Project to be completed in 2021.	Public Works Fire Dept Police Dept	Federal State	\$2 bil	Excellent
	5.2, 6.1, 6.2					In progress Ongoing
	2, 5	Improve the drainage of the Mosquito Creek 22 channel. (5 year project)	Public Works	Local	\$3.5 mil	Fair
	2.2, 5.2					Engineered
	2, 5	Install new pump station at 13 <sup>th</sup> & Broadway.	Public Works	Local	\$1.2 mil	Fair
	2.2, 5.2					Engineered
	2, 5	Separate storm and sanitary sewer systems into individual systems in a 21 block area (9 <sup>th</sup> /16 <sup>th</sup> Aves, Main/8 <sup>th</sup> Sts) over a 4 year project period.	Public Works	Local	\$4 mil	Fair
	2.2, 5.2					Engineered
	2, 5	Construct storm sewers & pump/lift stations in Twin City area over 6yr project period.	Public Works	Local	\$12 mil	Fair
2.2, 5.2	Engineered					

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
CONSERVATION POTTAWATTAMIE CO	4	Construct tornado/severe storm safe rooms in the (3) primary campgrounds within the county.	Conservation	HMGP	\$200,000	Poor
	4.2					NOI Submitted 4-6-2015

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
ROADS / ENGINEERING POTTAWATTAMIE CO	2	Conduct a stream stabilization project to prevent erosion and protect an existing bridge.	Engineer	Local	\$250,000	Fair
	2.1, 2.2, 3.1					Planning
	2, 3	Construct a dam to stop erosion encroaching into (2) areas along county road L52.	Engineer	Local	Being assessed	Fair
	2.2, 2.3, 3.1					Planning
	2	Partner with Golden Hills RC&D and Northern Natural Gas to repair or replace (2) stream stabilization structures along Walnut Creek.	Engineer	Local	Being assessed	Fair
	2.1, 2.2, 2.3					Planning

	Goal Strategy	Activity/Description	Authority	Funding Source	Cost Est.	Feasibility Status
ALL SCHOOLS	1	Schools have partnered to create a planning area-wide school safety and security task force to address the enhancement of emergency plans and activities to minimize the impacts of emergencies and disasters on schools. Enhanced plans to be completed by 7-1-2019.	School Officials	Local	\$10,000/yr	Good
	1.1					Initiated
	4	Schools will implement alert/warning systems provided by EMA to enhance awareness of hazards to minimize impacts of severe weather events on schools.	School Officials	Local	N/A	Good
	4.1					Initiated
	4	Schools will construct of safe rooms as opportunities arise for their facilities, especially during new construction or renovation projects.	School Officials	HMGP Local	N/A	Poor
	4.2					None pending

### 6.3 Completed Mitigation Activities

Goal Strategy	Activity Completed	Jurisdiction	Funding Source	Cost	Date Completed
4	Tornado Safe Room construction project.	Riverside Schools	HMGP	\$841,879	8-15-2018
4.2					
2	Flood buyout (2011 Missouri River).	Pottawattamie County	HMGP	\$5.72 mil	5-13-2015
2.8					
2	Voluntary property acquisition project.	Council Bluffs	HMGP	\$885,480	12-10-2015
2.8					
2	Acquisition of flood damaged properties.	Council Bluffs	HMGP	\$2.95 mil	7-15-2015
2.8					
2	Property acquisition along W. Nishnabotna River.	Oakland	HMGP	\$160,646	4-22-2013
2.8					
1	Mitigation planning update.	Avoca, Carson, Carter Lake, Crescent, Hancock	HMGP	\$40,000	1-8-2014
1.1					
2	Acquisition/demolition of property (3100 Harry Langdon Blvd).	Council Bluffs	HMGP	\$1.15 mil	12-13-2010
2.8					
5	City Hall/Fire Department generator project.	Avoca	HMGP	\$45,000	1-21-2010
5.1, 5.2					
1	Mitigation planning update.	Pottawattamie Co, Council Bluffs, Oakland	HMGP	\$17,650	12-13-2010
1.1					

### 6.4 Evaluation and Public Participation

Emergency Management is responsible for monitoring and supporting activities identified in the mitigation plan. Local officials will assume responsibility for local implementation of mitigation goals and strategies. The plan will be reviewed annually by Emergency Management staff and local representatives. The review will determine progress made in addressing the mitigation goals, strategies, and activities outlined in the plan. As part of that evaluation, certain goals may need adjusted, removed, or new goals, strategies, and activities added to ensure that they continue to meet the needs of the jurisdictions. The functionality of the plan should also be assessed following a significant hazard event

within the county. Near the end of five years, the plan will go through the process of full re-evaluation in order to remain compliant under the requirements of the Disaster Mitigation Act of 2000 to remain eligible for state and federal funding assistance.

Future reviews and updates will follow the procedure of:

<b>Task A:</b>	<b>Evaluate the effectiveness of the planning process</b>
	<ul style="list-style-type: none"> <li>Reconvene the planning committee</li> <li>Review planning process</li> <li>Build the planning team &amp; local contributors cadre</li> <li>Engage the public &amp; stakeholders</li> <li>Data gathering &amp; analysis</li> <li>Coordinate with other agencies</li> </ul>
<b>Task B:</b>	<b>Evaluate the effectiveness of actions</b>
	<ul style="list-style-type: none"> <li>Identify actions/projects implemented &amp; the results</li> <li>Evaluate the actions/projects cost effectiveness</li> <li>Document actions delayed or not implemented</li> </ul>
<b>Task C:</b>	<b>Determine why actions/projects did or did not work</b>
	<ul style="list-style-type: none"> <li>Lack of available resources/funds</li> <li>Political and/or popular support</li> <li>Distribution of tasks among responsible parties</li> <li>Time</li> </ul>

While the Emergency Management Commission provides the best source of continuity in local leadership, as well as the necessary authority to ensure active implementation of planning initiatives and activities, significant input shall be obtained from Hazard Mitigation Planning Committee representatives and neighboring jurisdictions. Public input will be continually accepted by developing an interactive webpage where the plan can be reviewed and comments provided on a continual basis. In conducting periodic evaluations of the plan, the Committee will consider any material changes to data in the adopted document; evaluate mitigation goals, strategies, and activities; and make revisions to account for changes, completed activities and outcomes achieved. For objectives and/or strategies that either have not been addressed or bypassed on the list, the Committee will explore the reasons for inactivity and re-evaluate their priority within the context of the multi-jurisdictional plan and the overall scheme of the planning area short-term strategic planning priorities.

2018  
MULTI-JURISDICTION HAZARD MITIGATION PLAN  
Part B: Pottawattamie County Comprehensive Emergency Management Plan

# APPENDICES

# APPENDIX A Pottawattamie County Road Map

## HIGHWAY AND TRANSPORTATION MAP POTTAWATTAMIE COUNTY IOWA



Prepared By  
OFFICE OF SYSTEMS PLANNING  
Phone: (515) 239-1864  
WWW.IOWADOT.GOV/MAPS

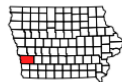
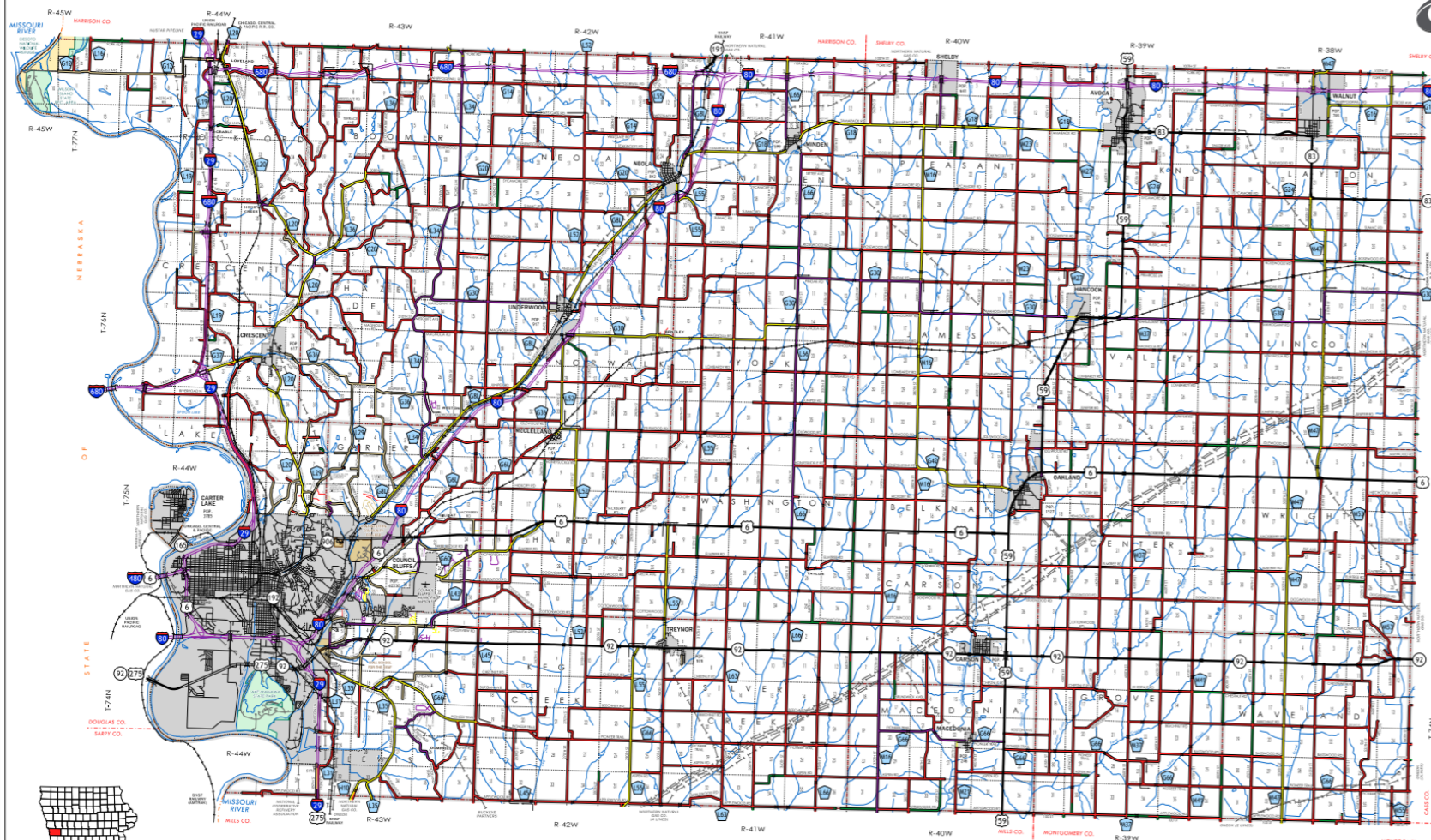


In Cooperation With  
United States  
Department of Transportation  
JANUARY 1, 2017

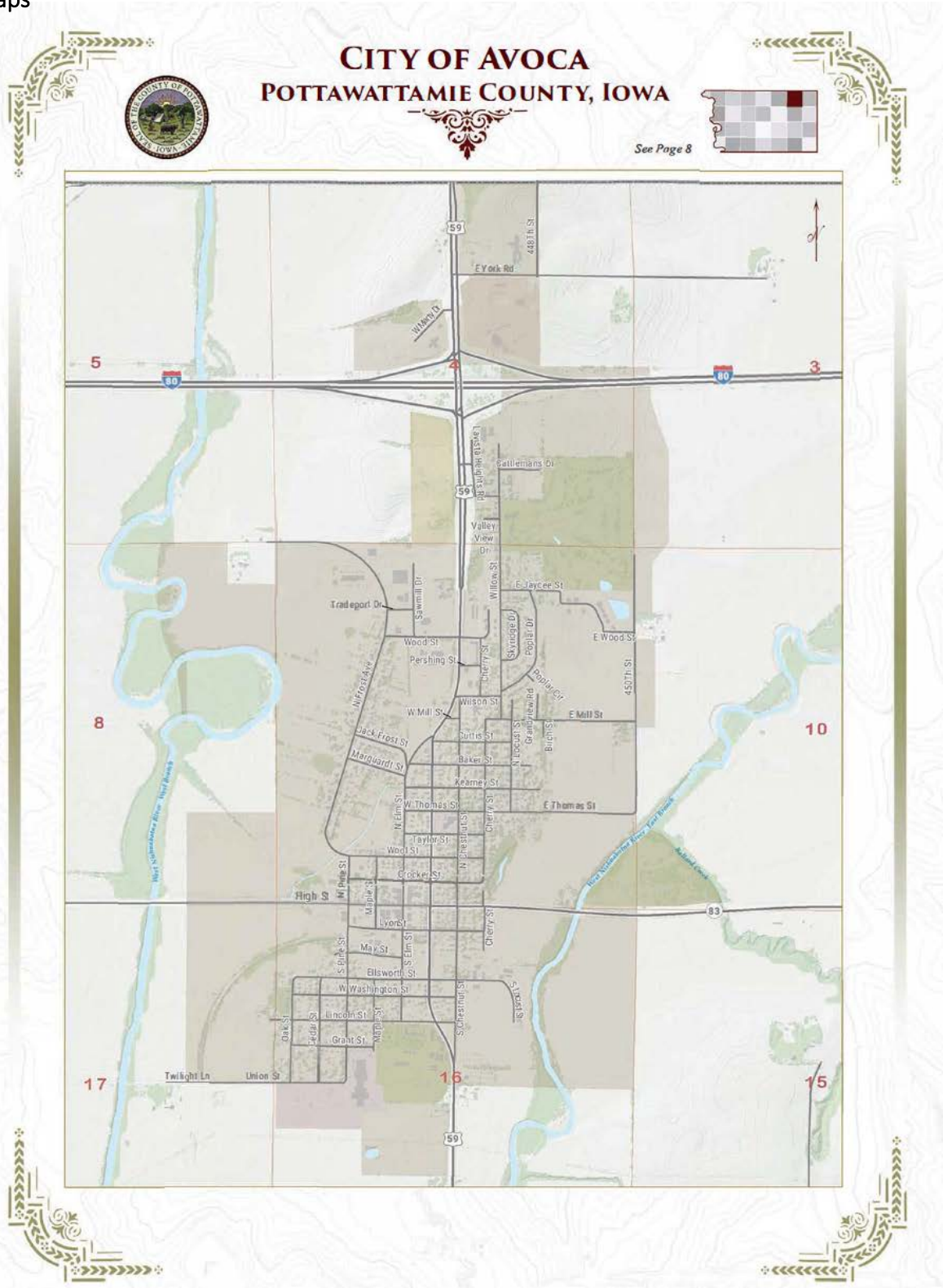


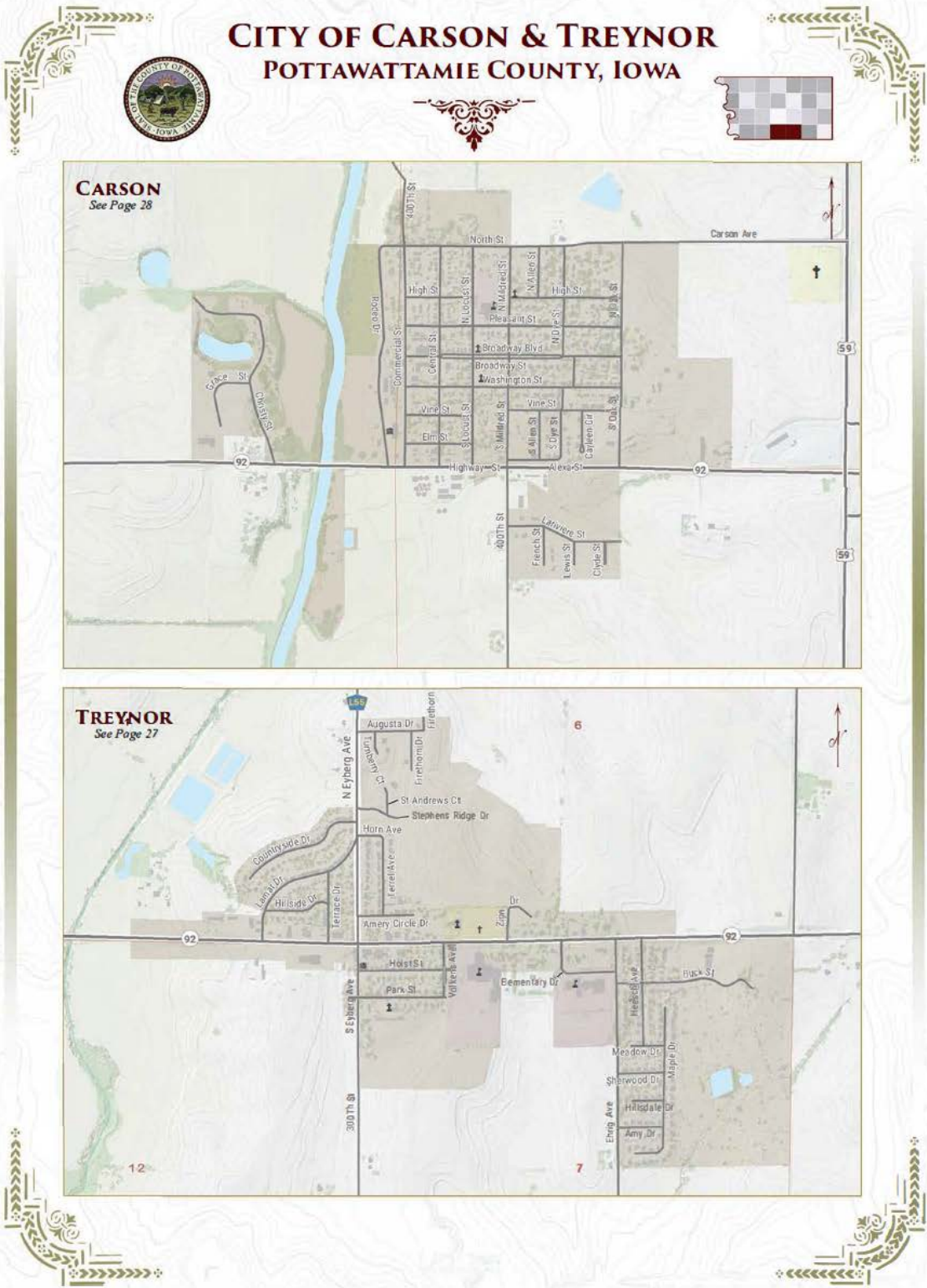
### LEGEND

- BROADWAY HIGHWAY
- HEAVY TRUCKWAY-ARCS
- HEAVY HIGHWAY
- PORTLAND CEMENT ROAD
- ASPHALT ROAD
- GRAVEL ROAD
- GRAVEL ROAD
- GRAVEL ROAD
- STATE HIGHWAY
- UNIMPROVED PLACE
- STATE PARKS
- STATE BUILDINGS
- FEDERAL LAND

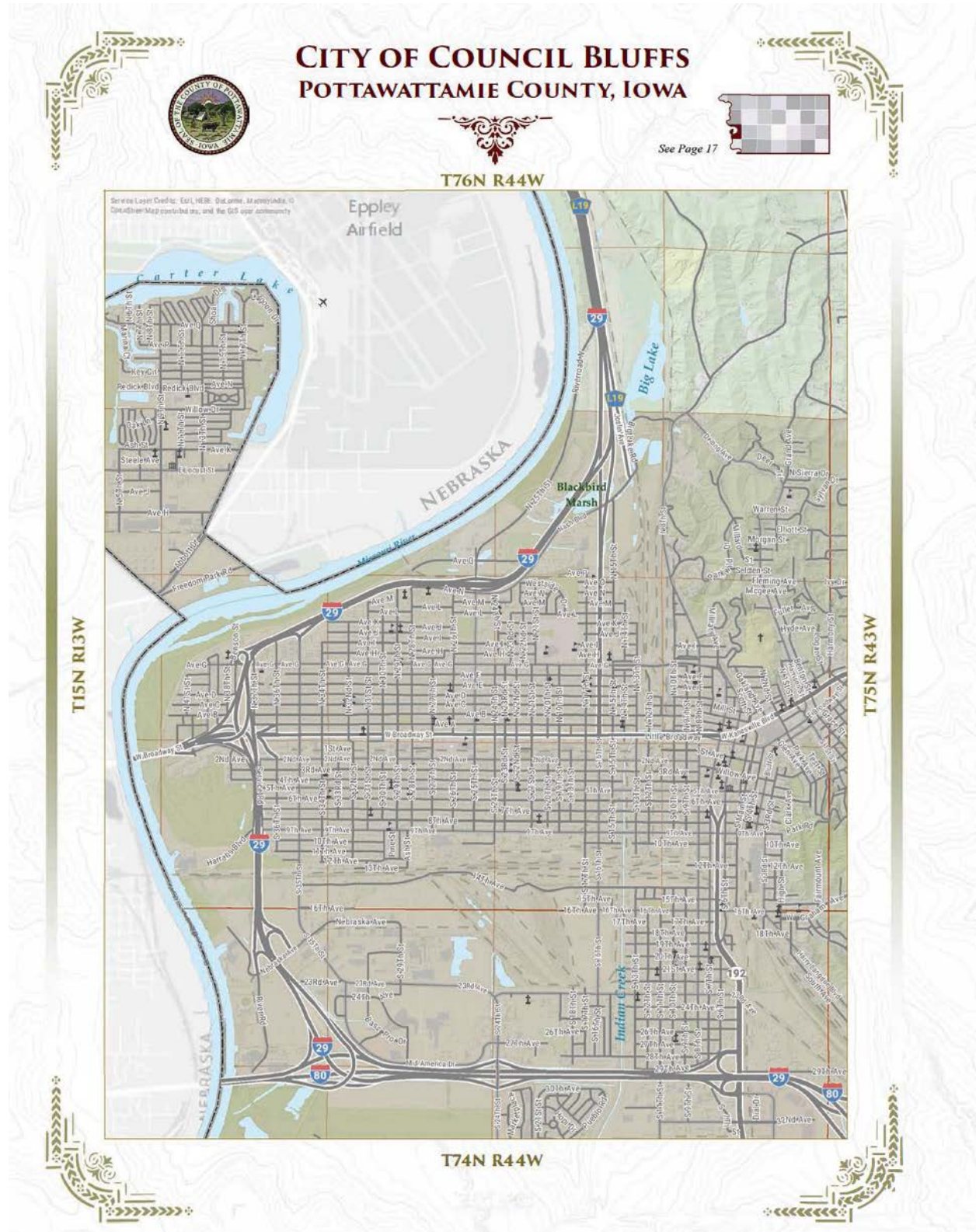


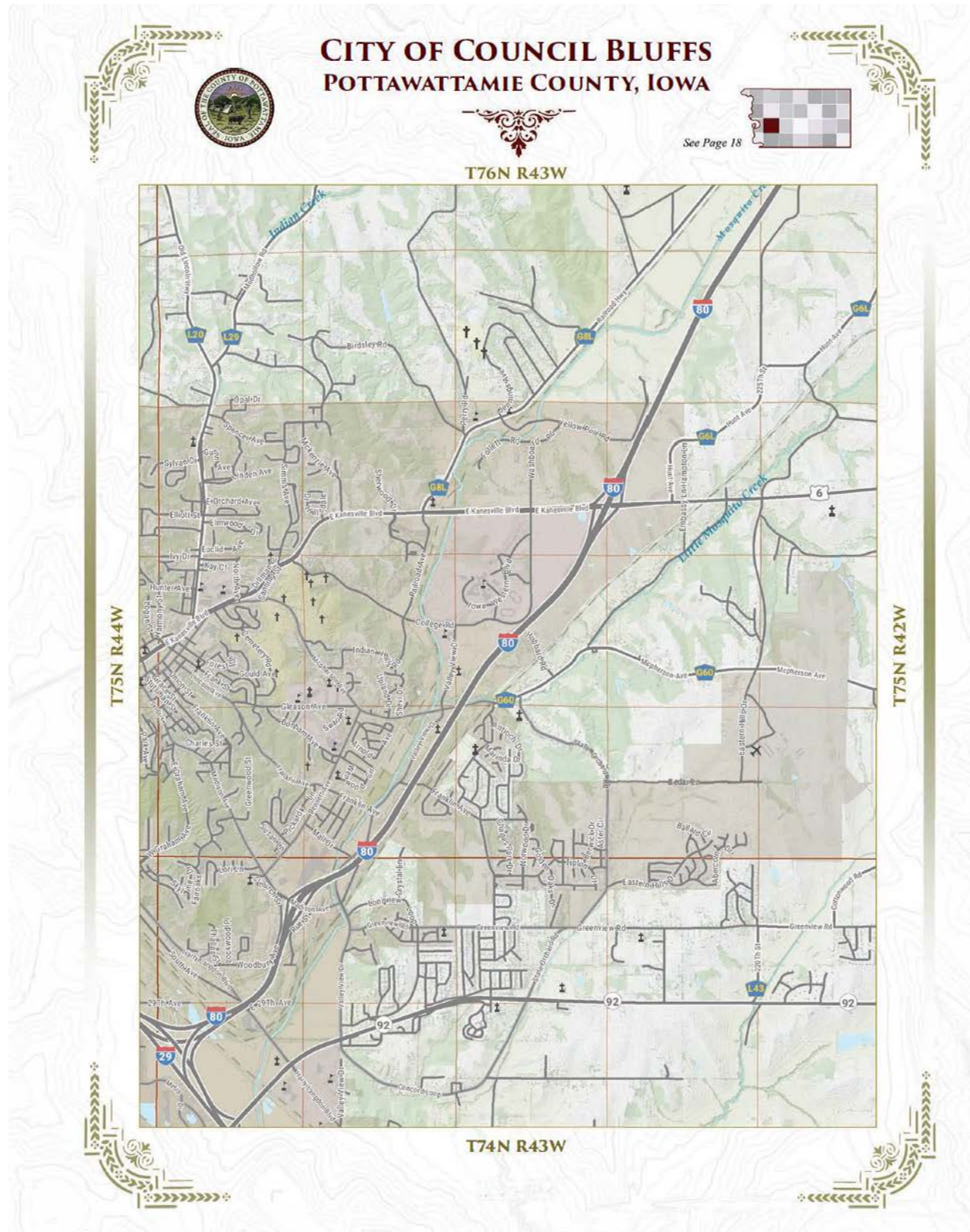
APPENDIX B  
City Maps

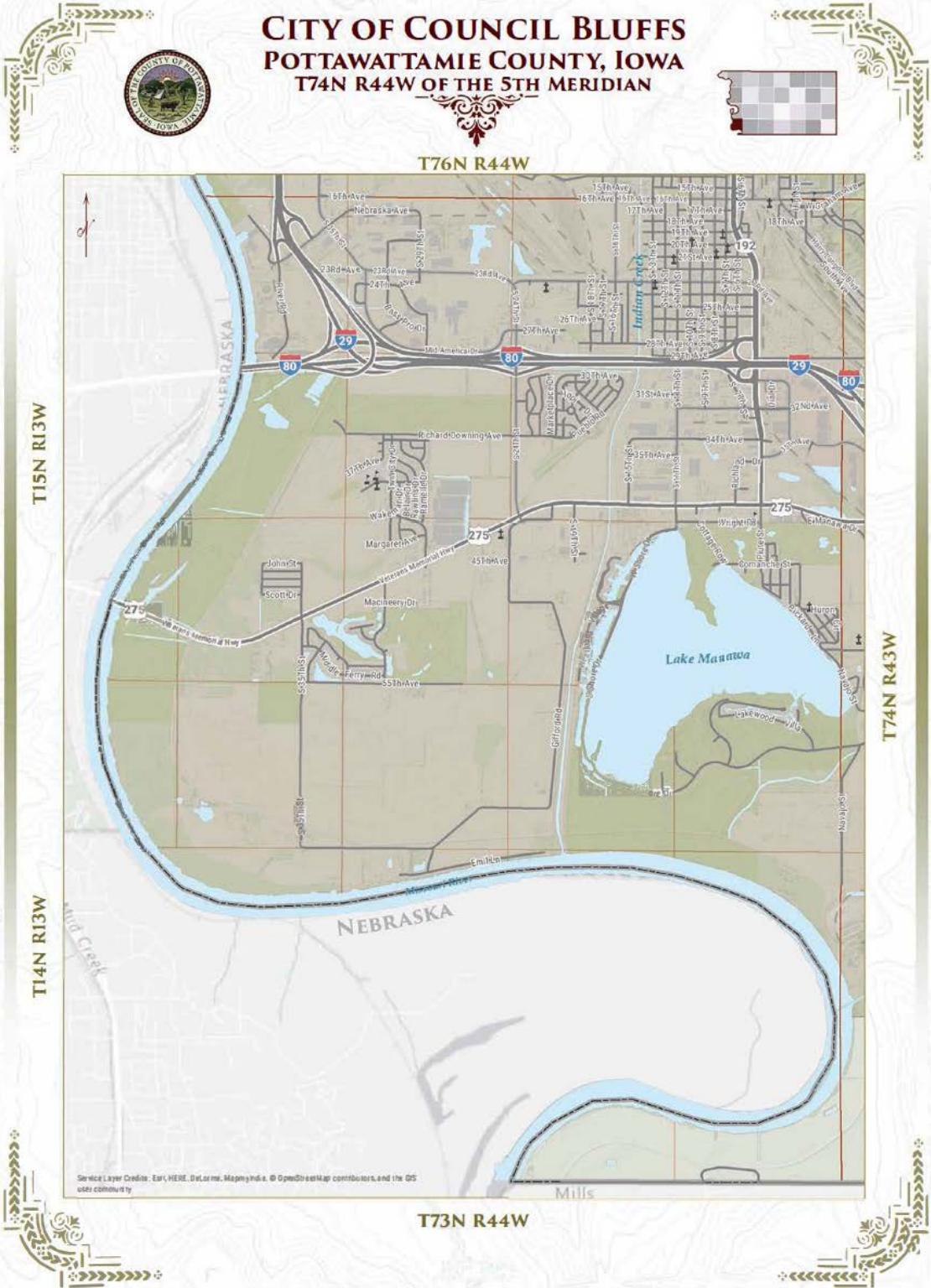


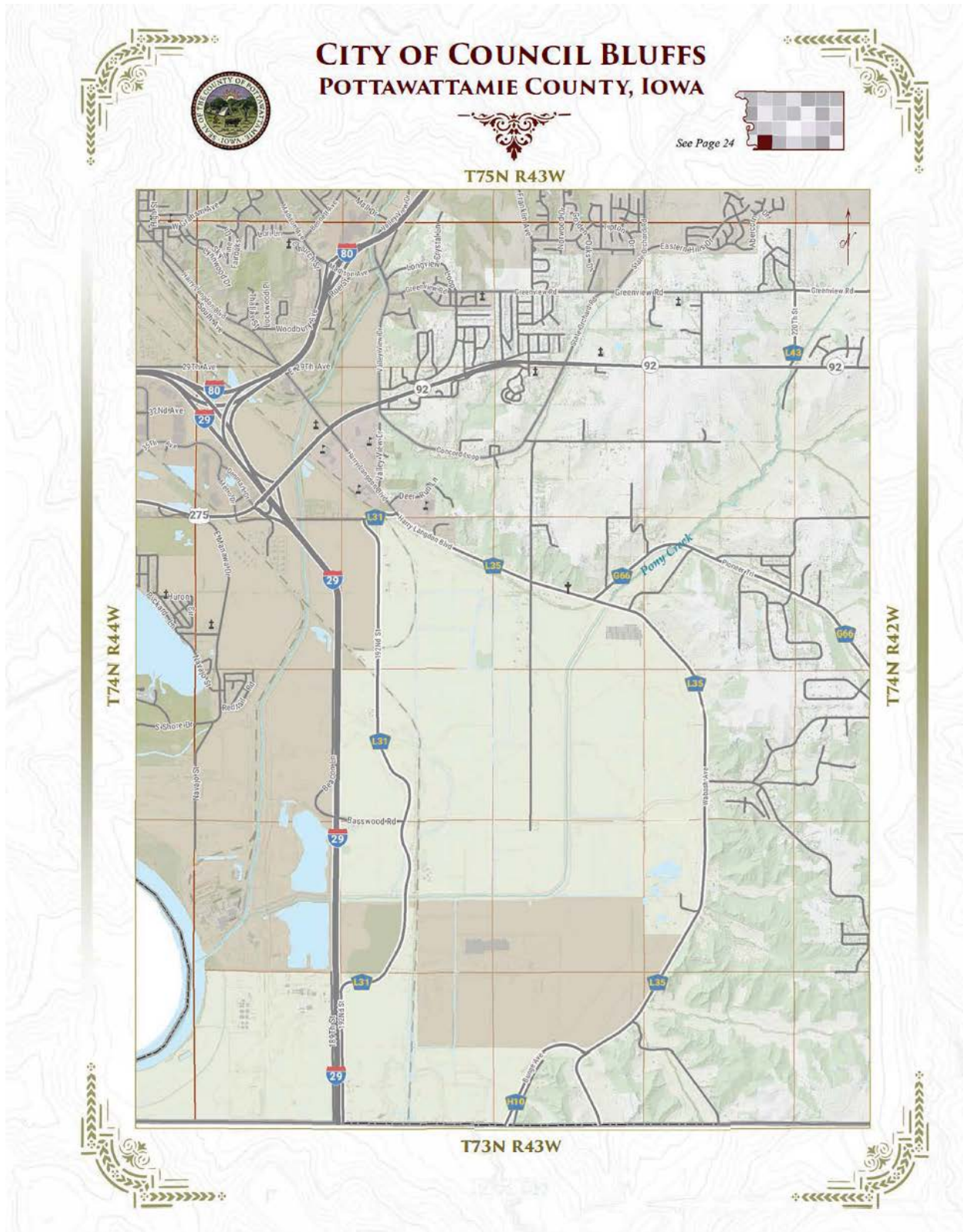


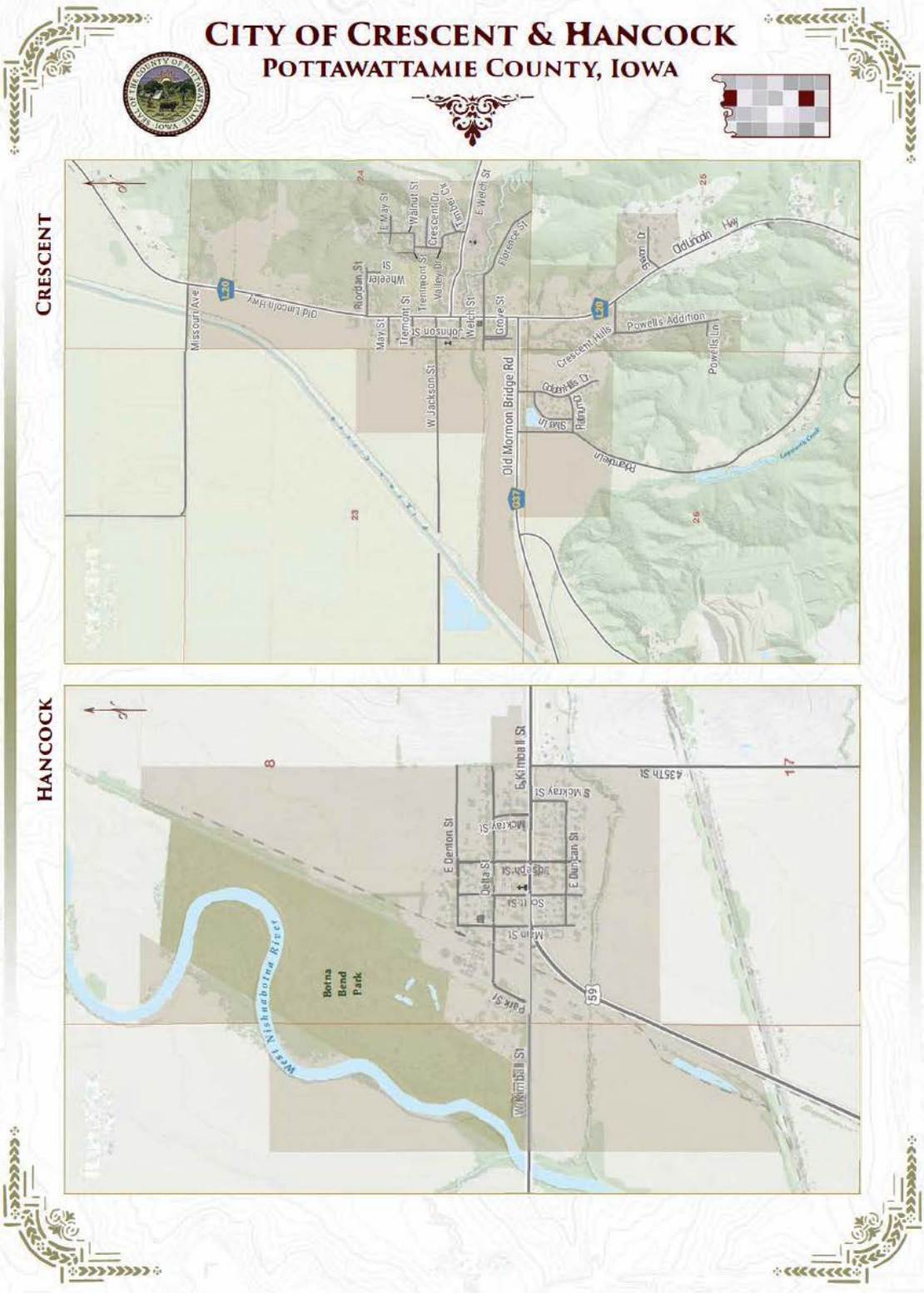


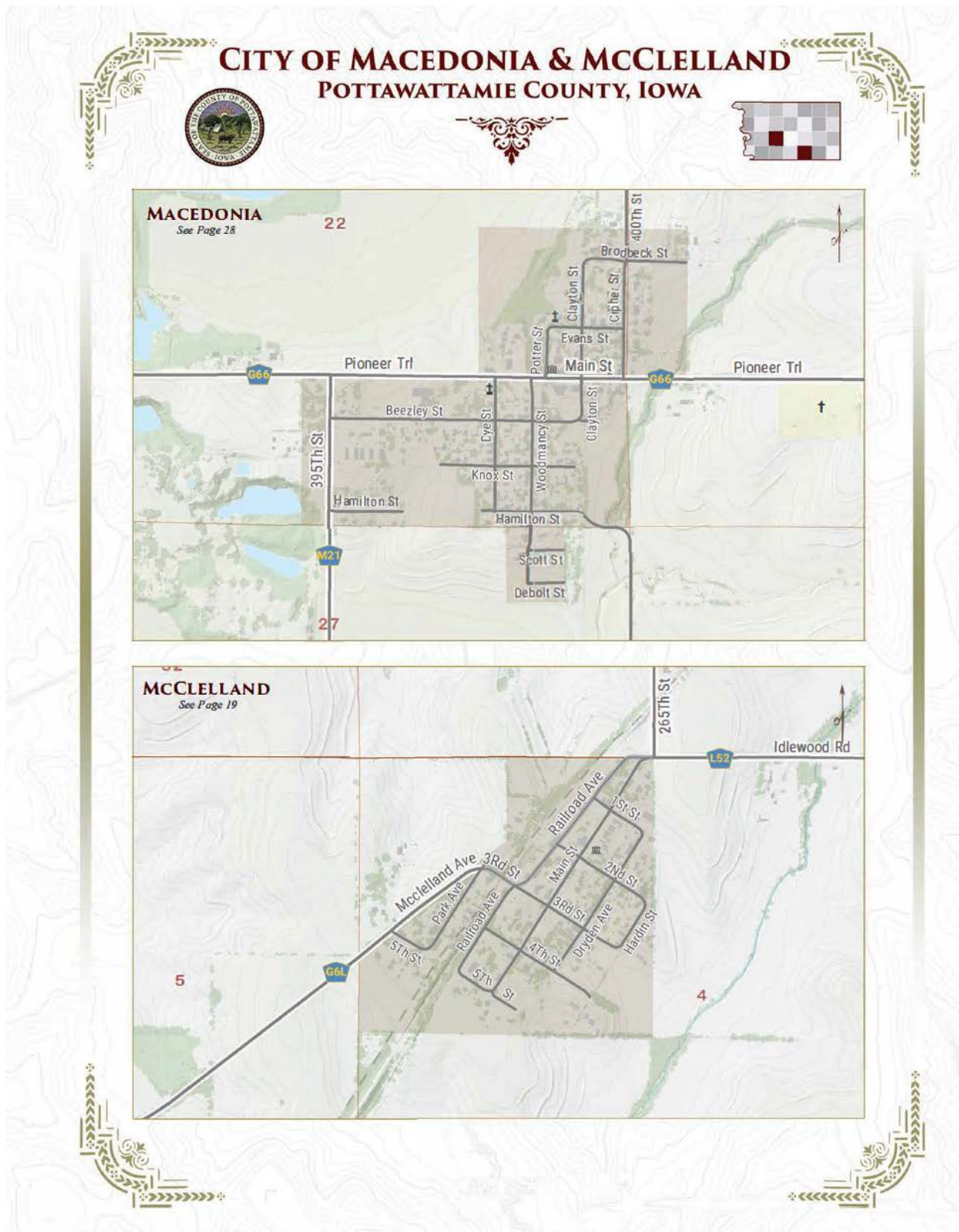


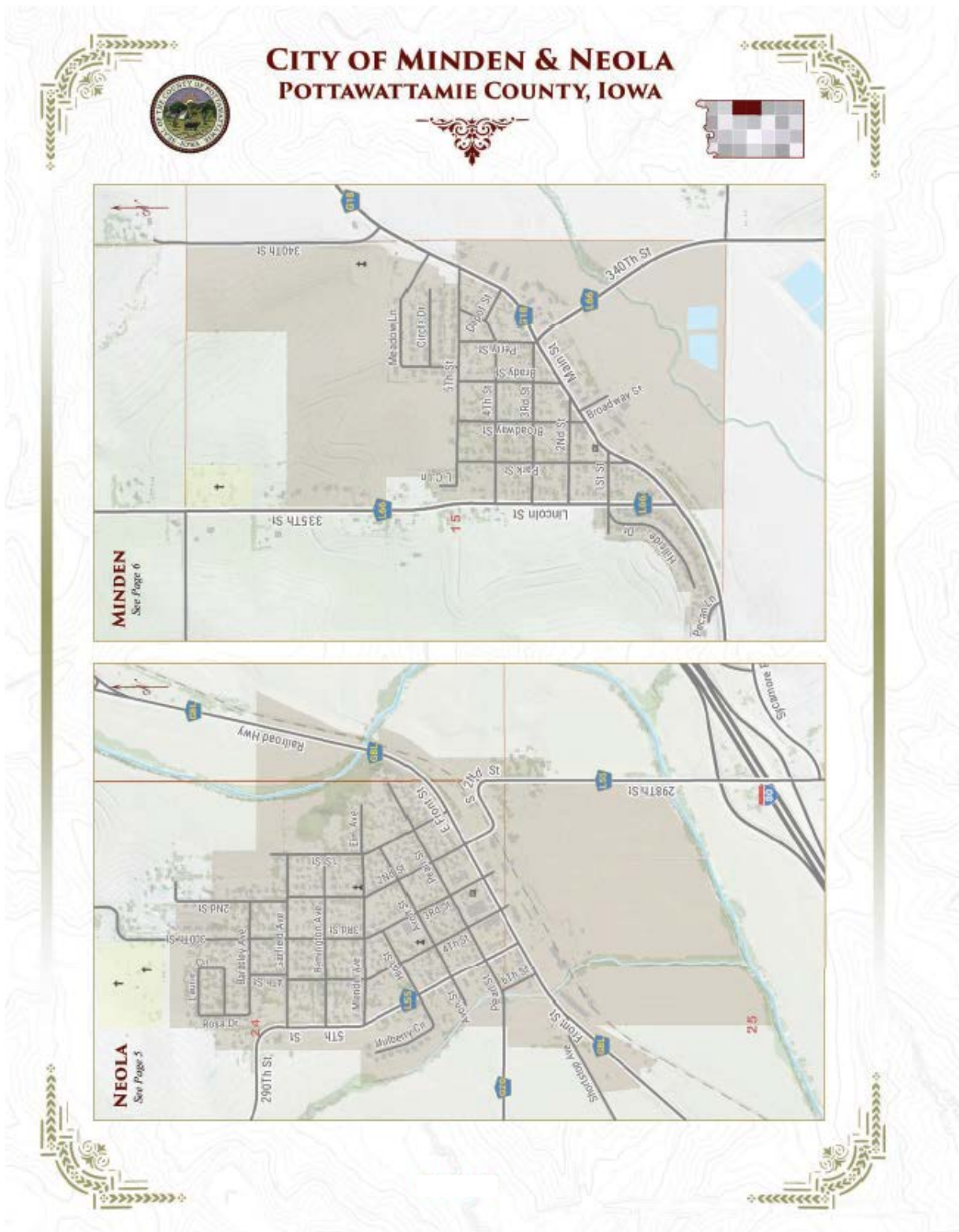




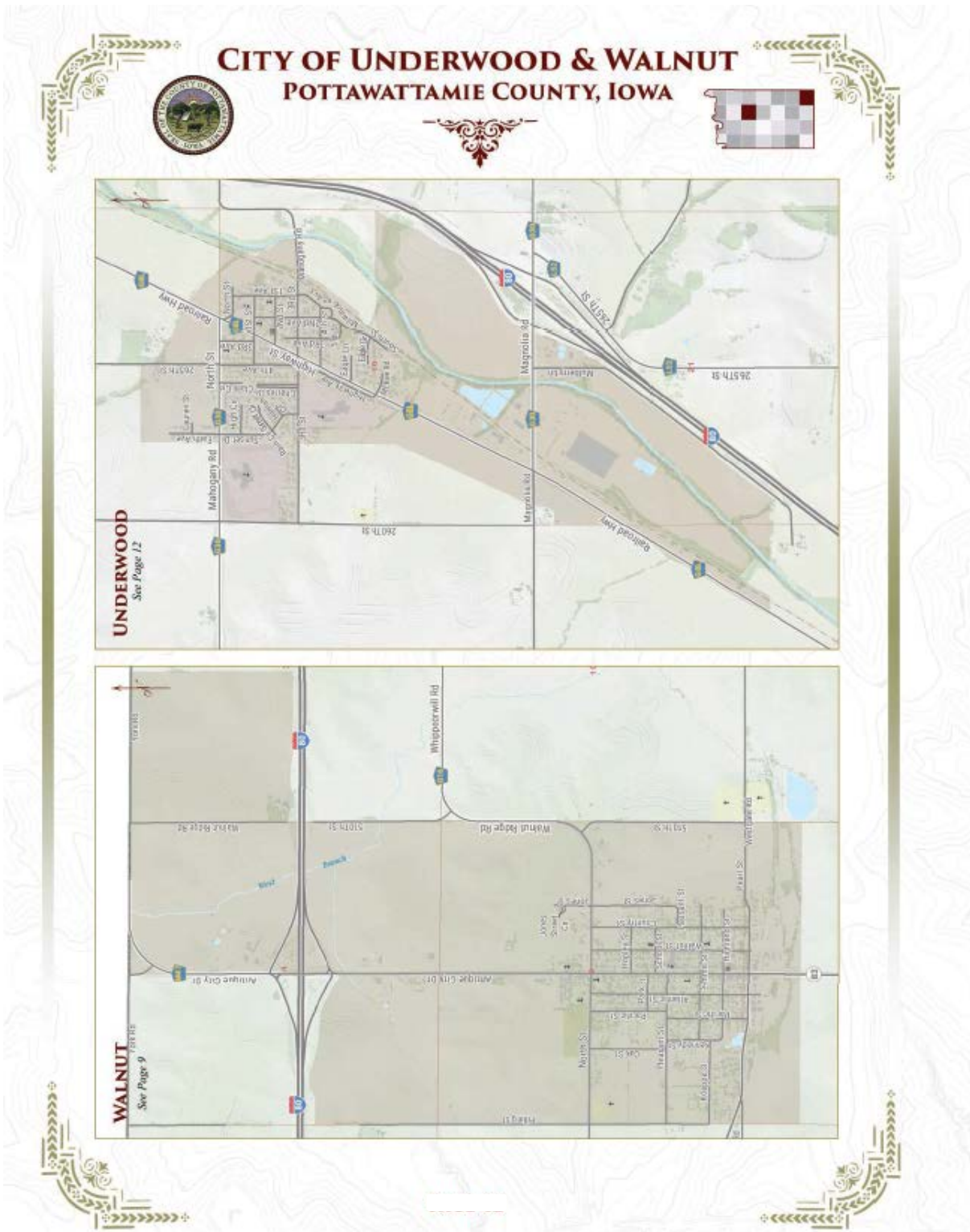






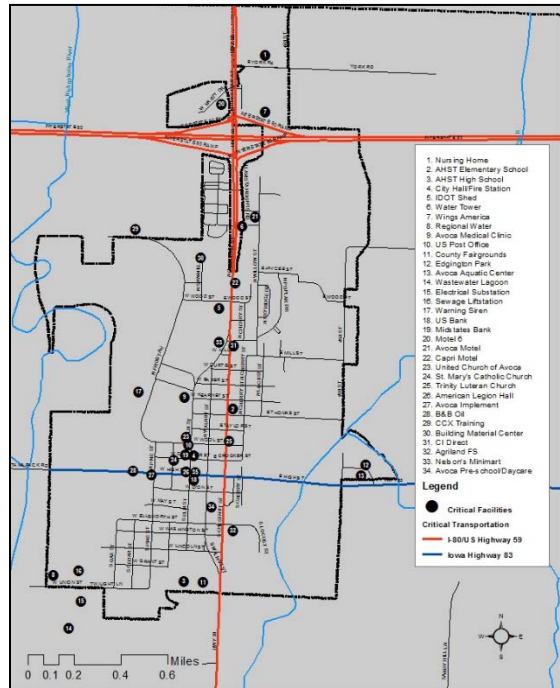




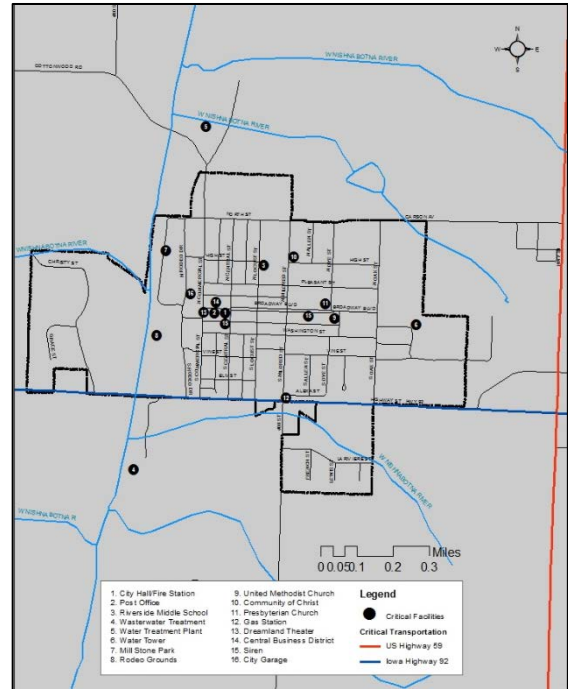


APPENDIX C  
Critical Facility Locations

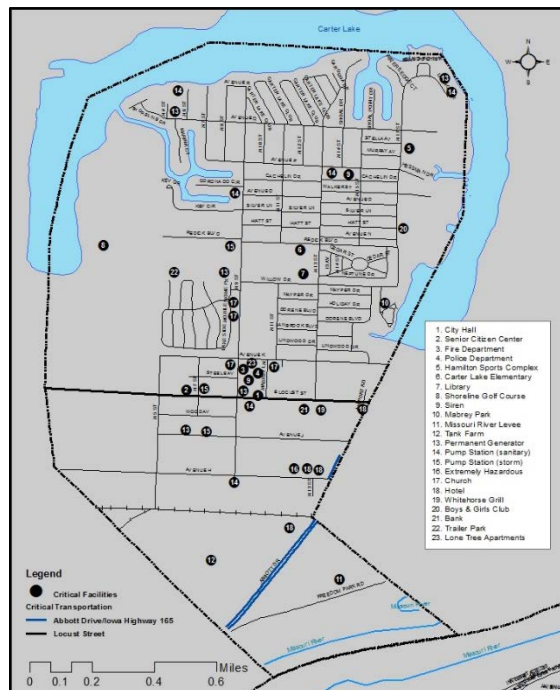
AVOCA



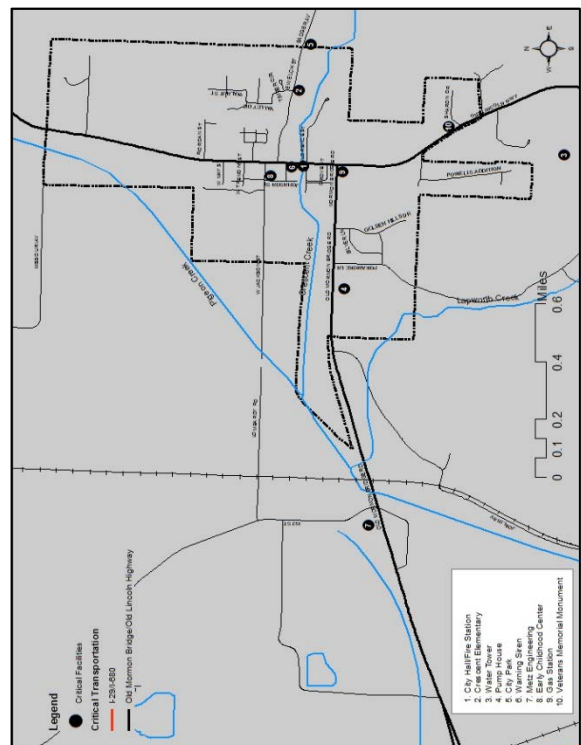
CARSON



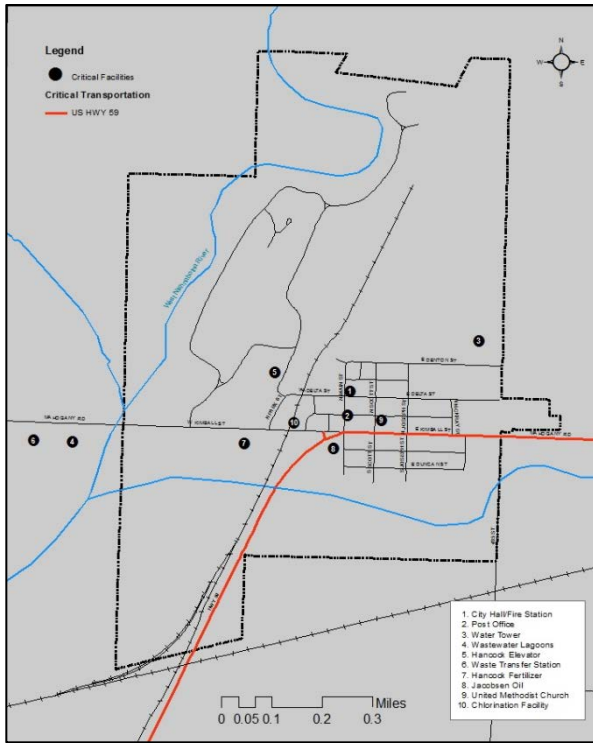
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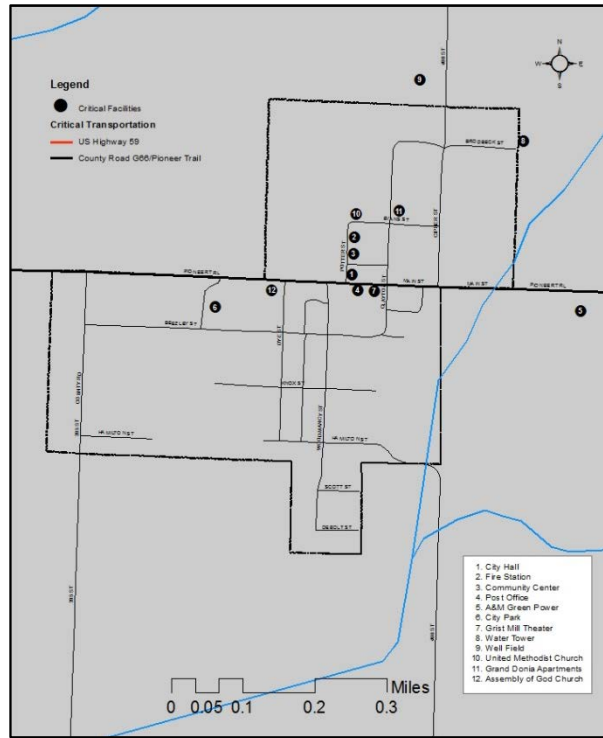
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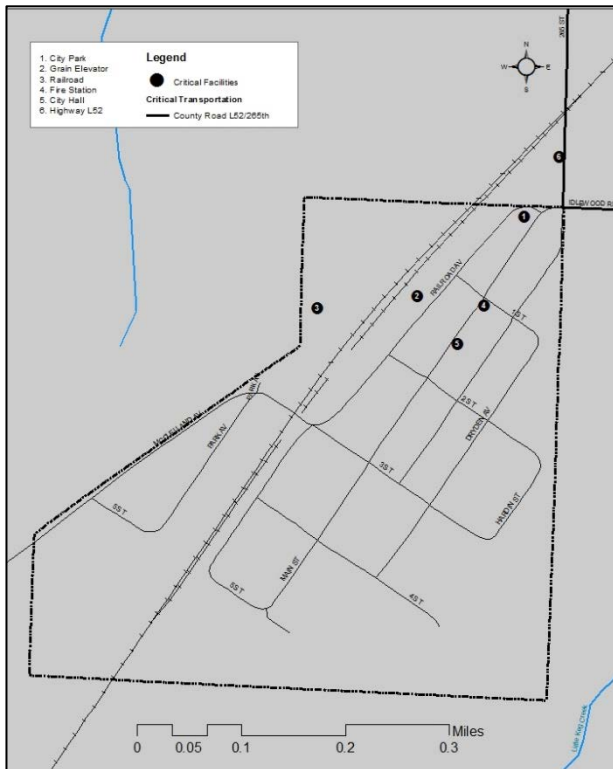
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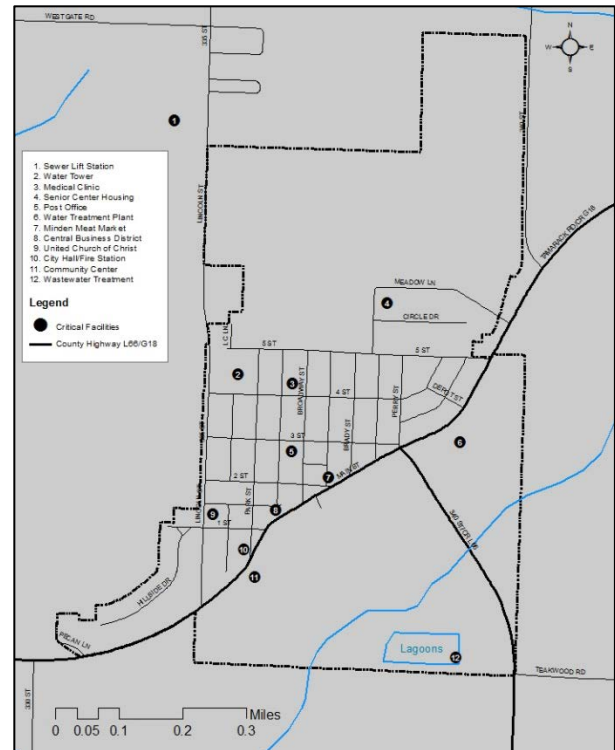
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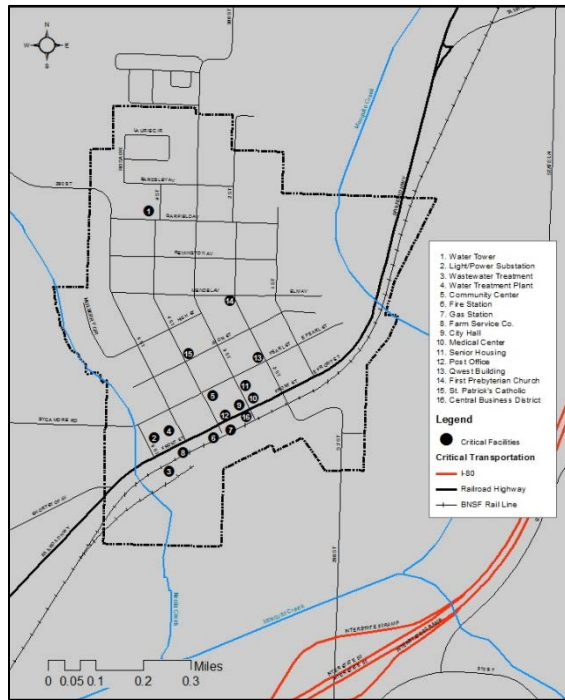
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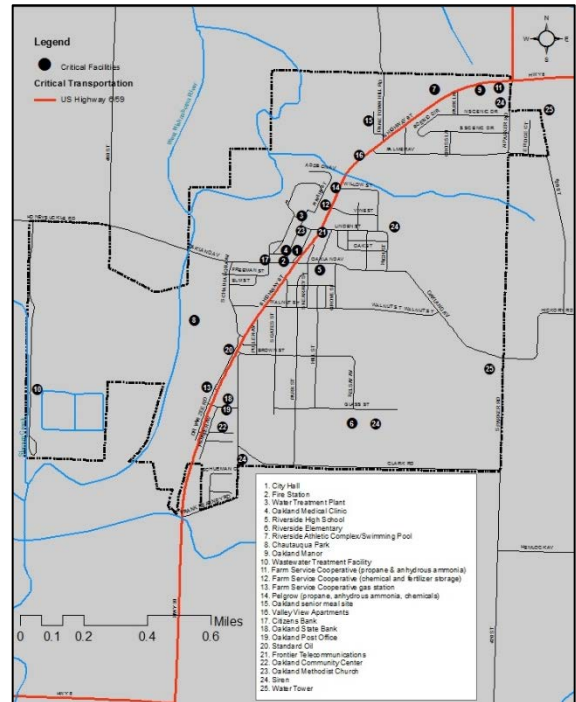
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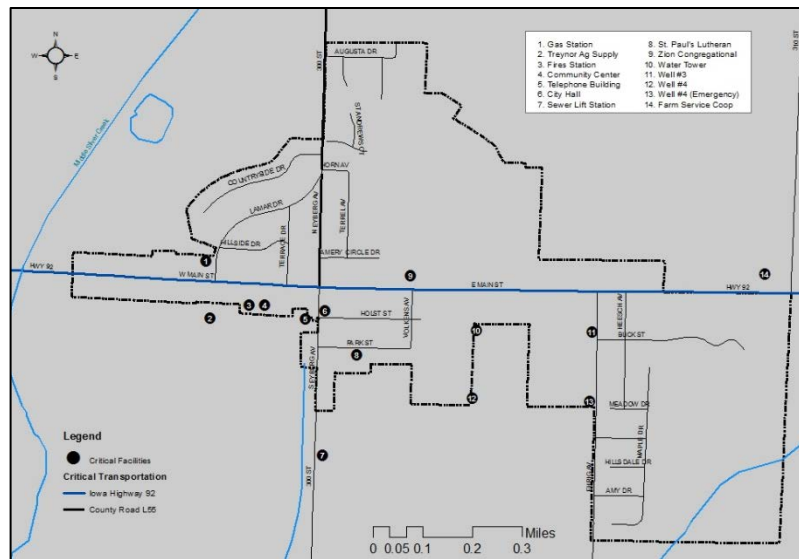
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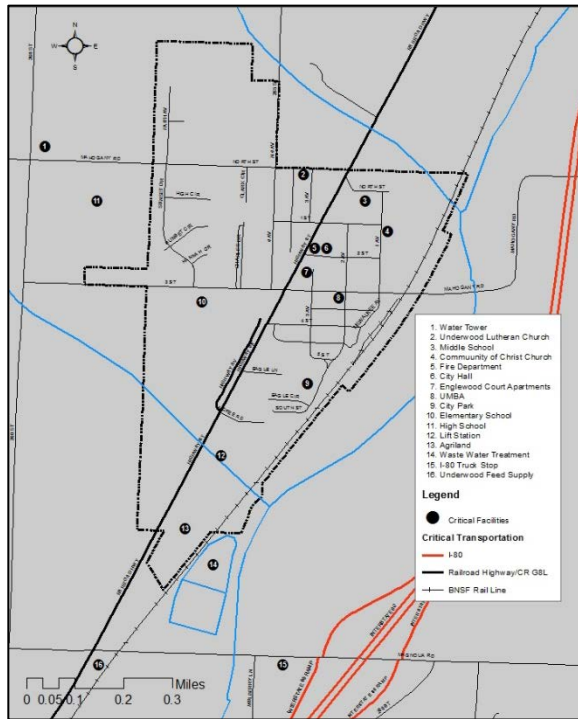
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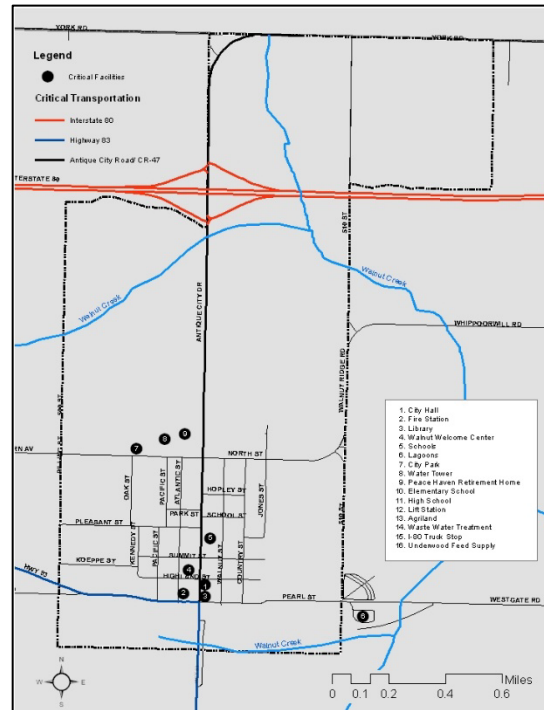
TREYNOR



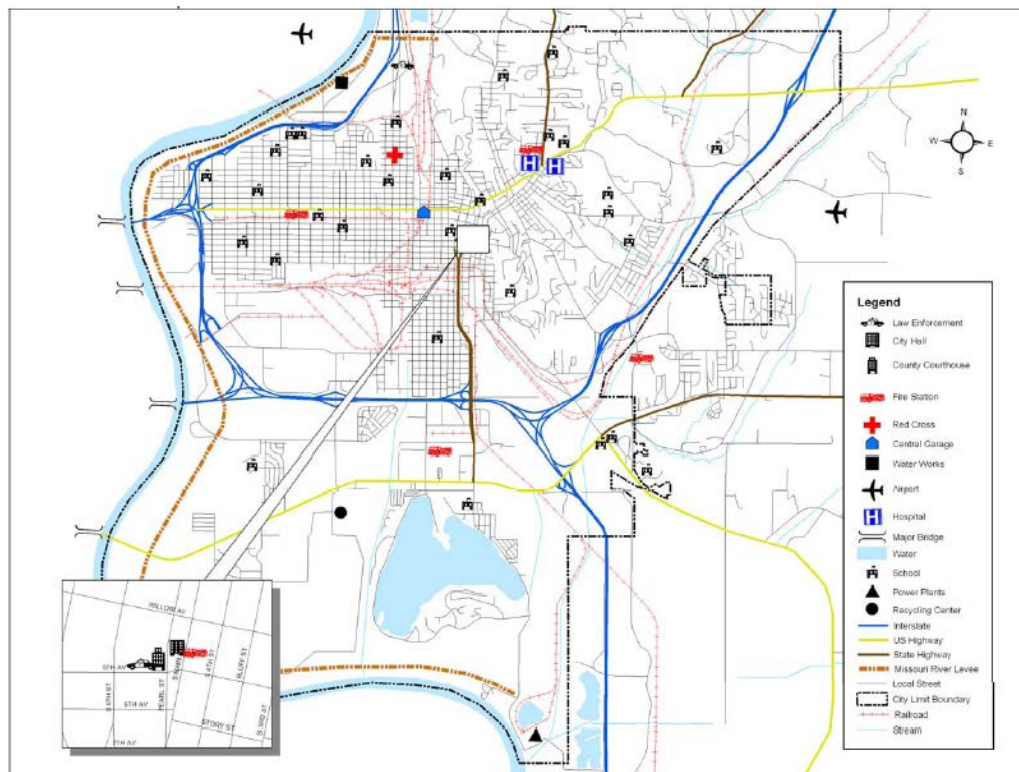
UNDERWOOD



WALNUT



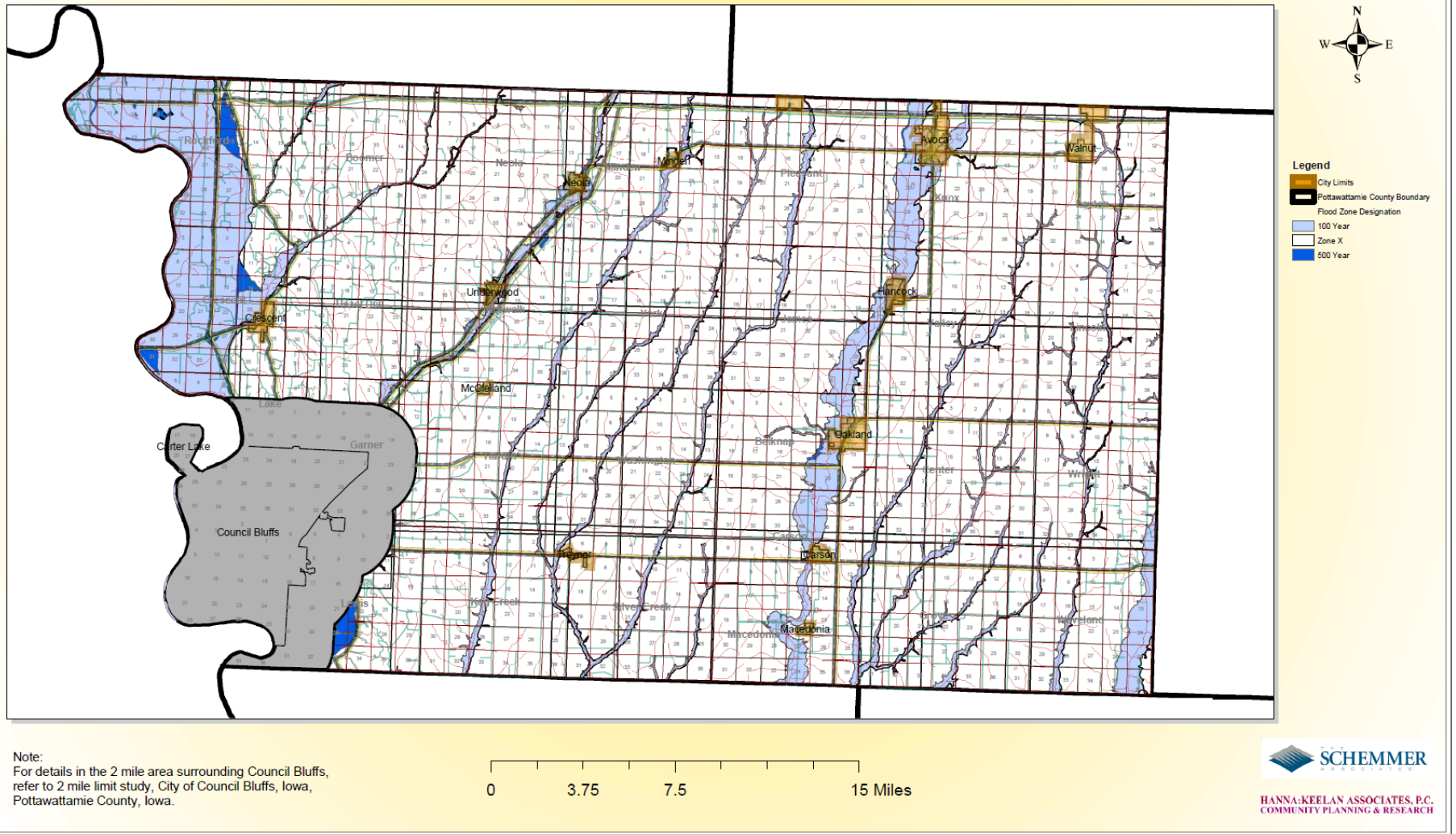
COUNCIL BLUFFS



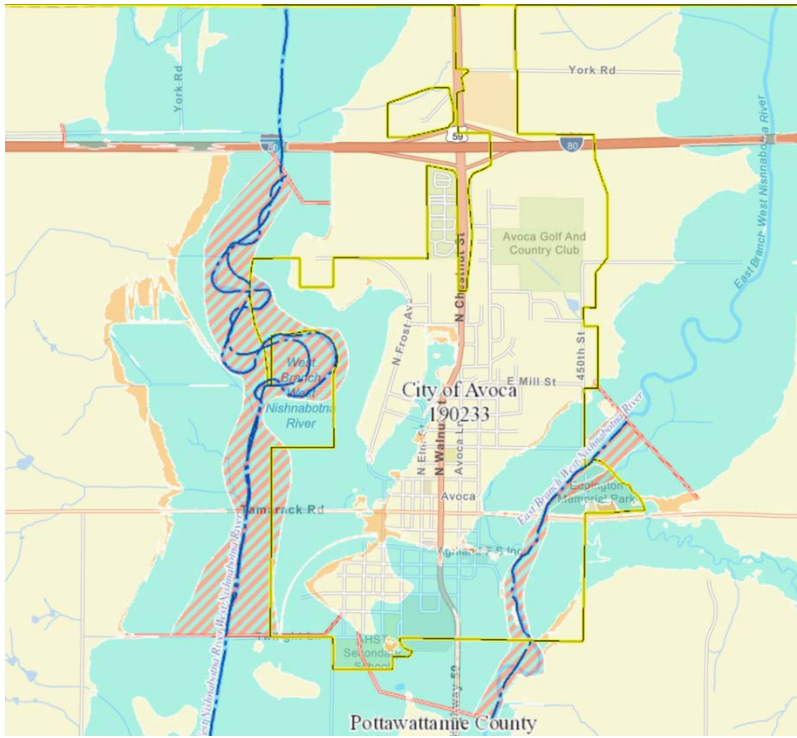
APPENDIX D  
FLOODPLAIN MAPPING

Illustration 3.8

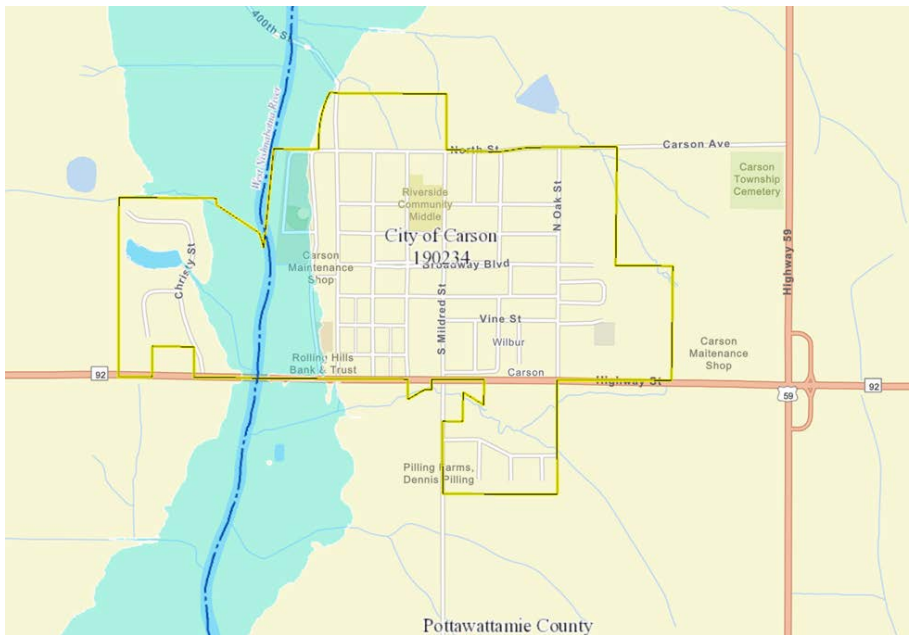
Pottawattamie County  
Floodplain Map



AVOCA



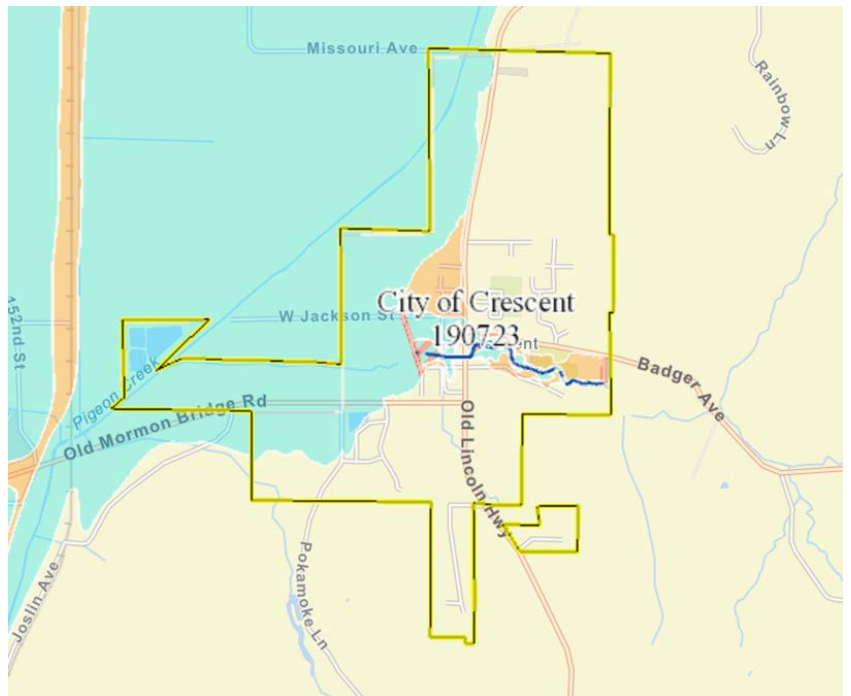
CARSON



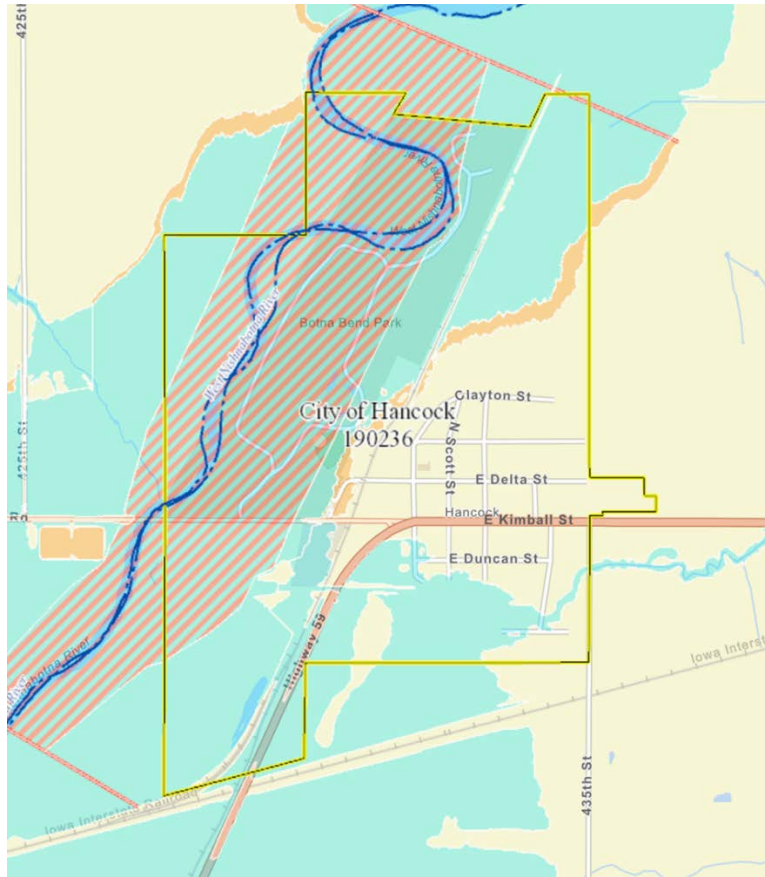
CARTER LAKE



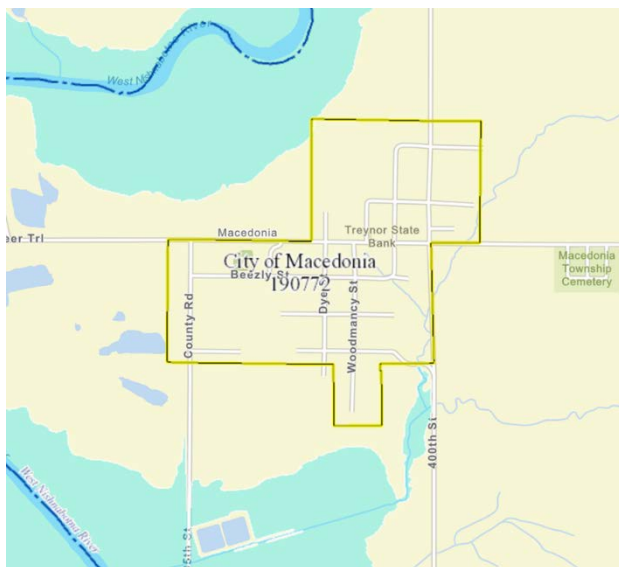
CRESCENT



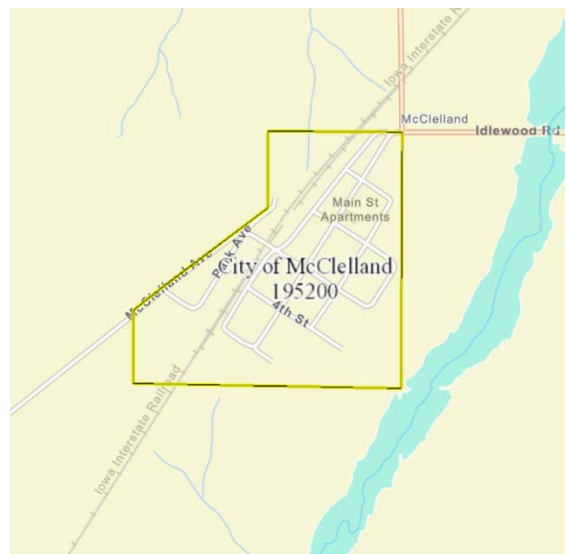
HANCOCK



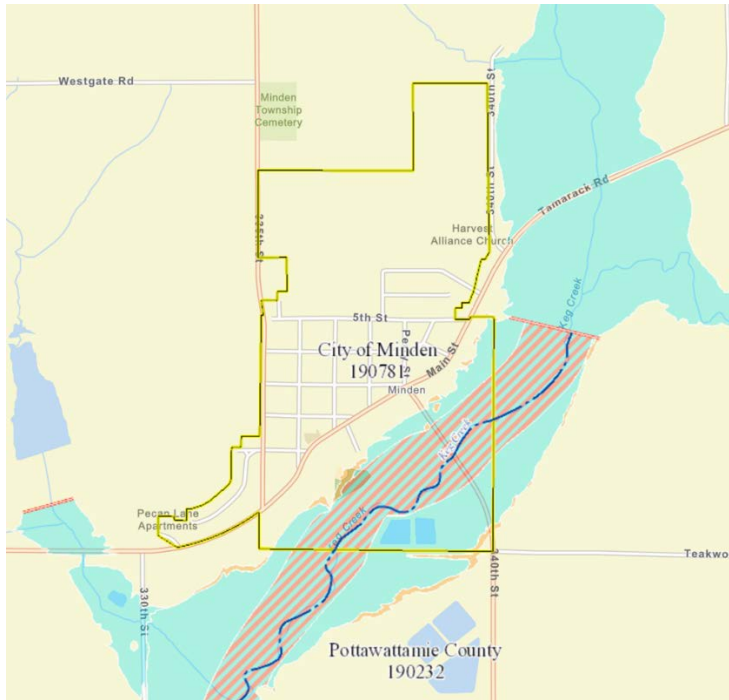
MACEDONIA



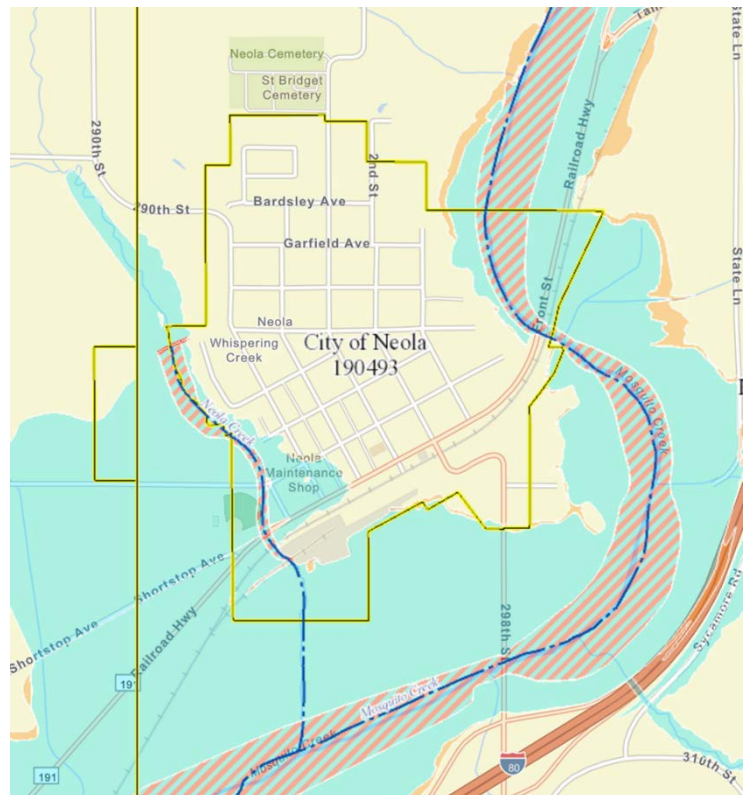
McCLELLAND



### MINDEN

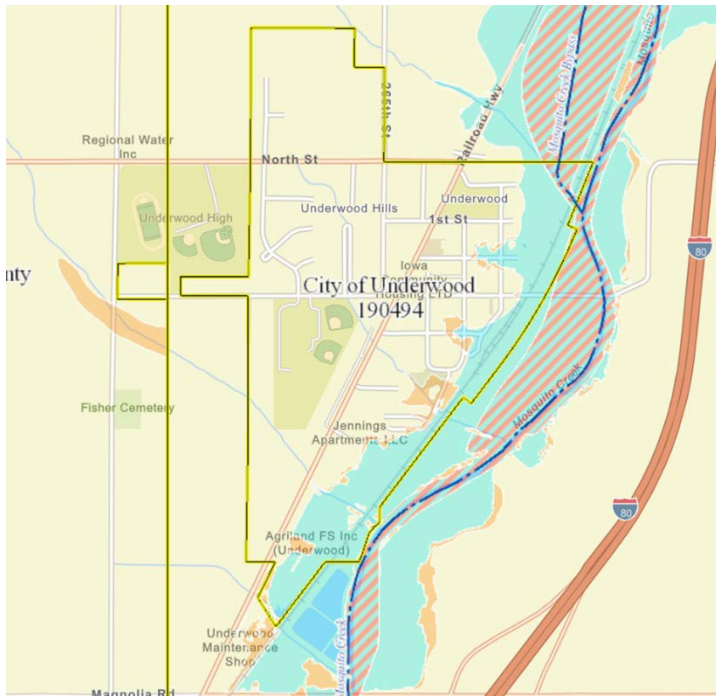


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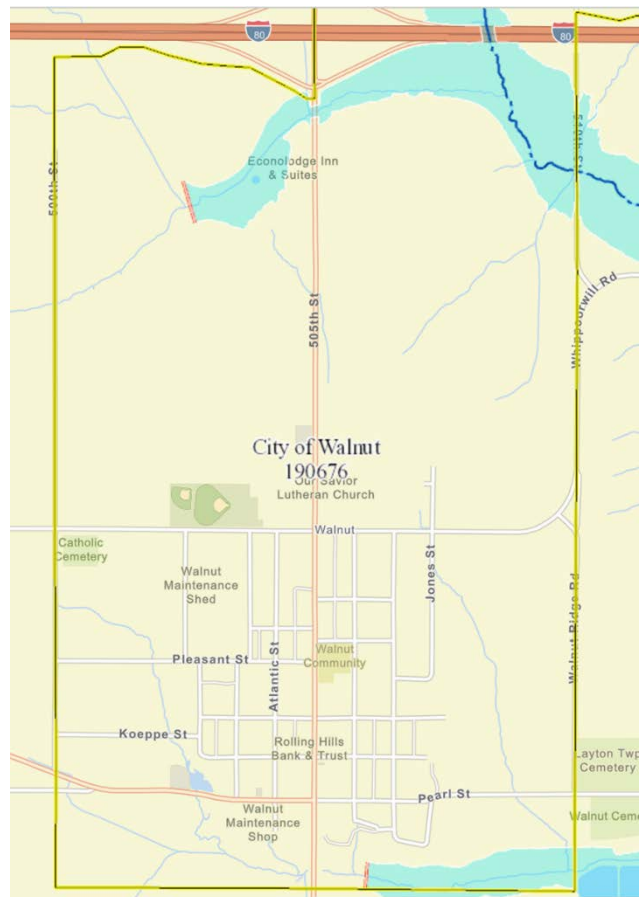




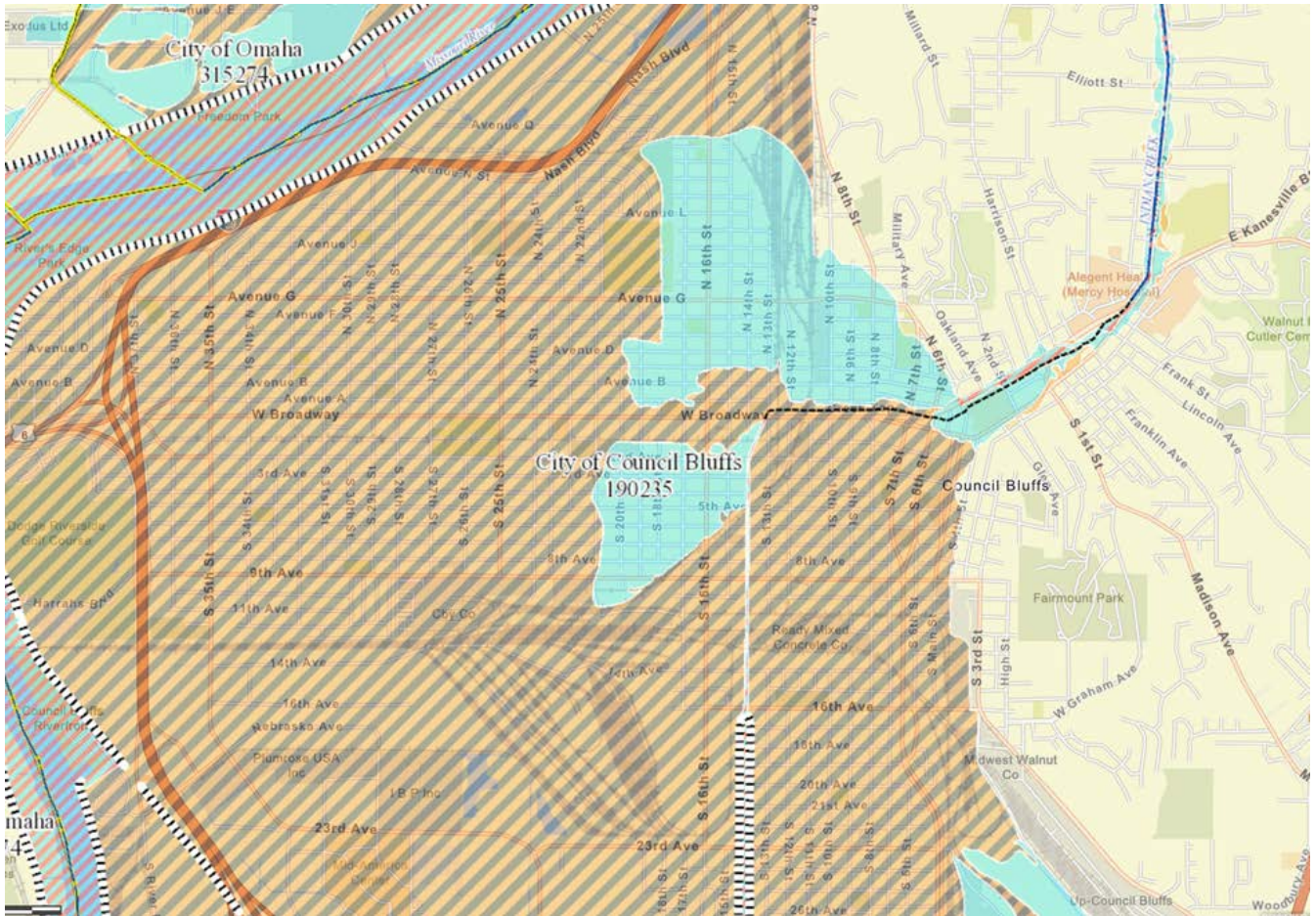
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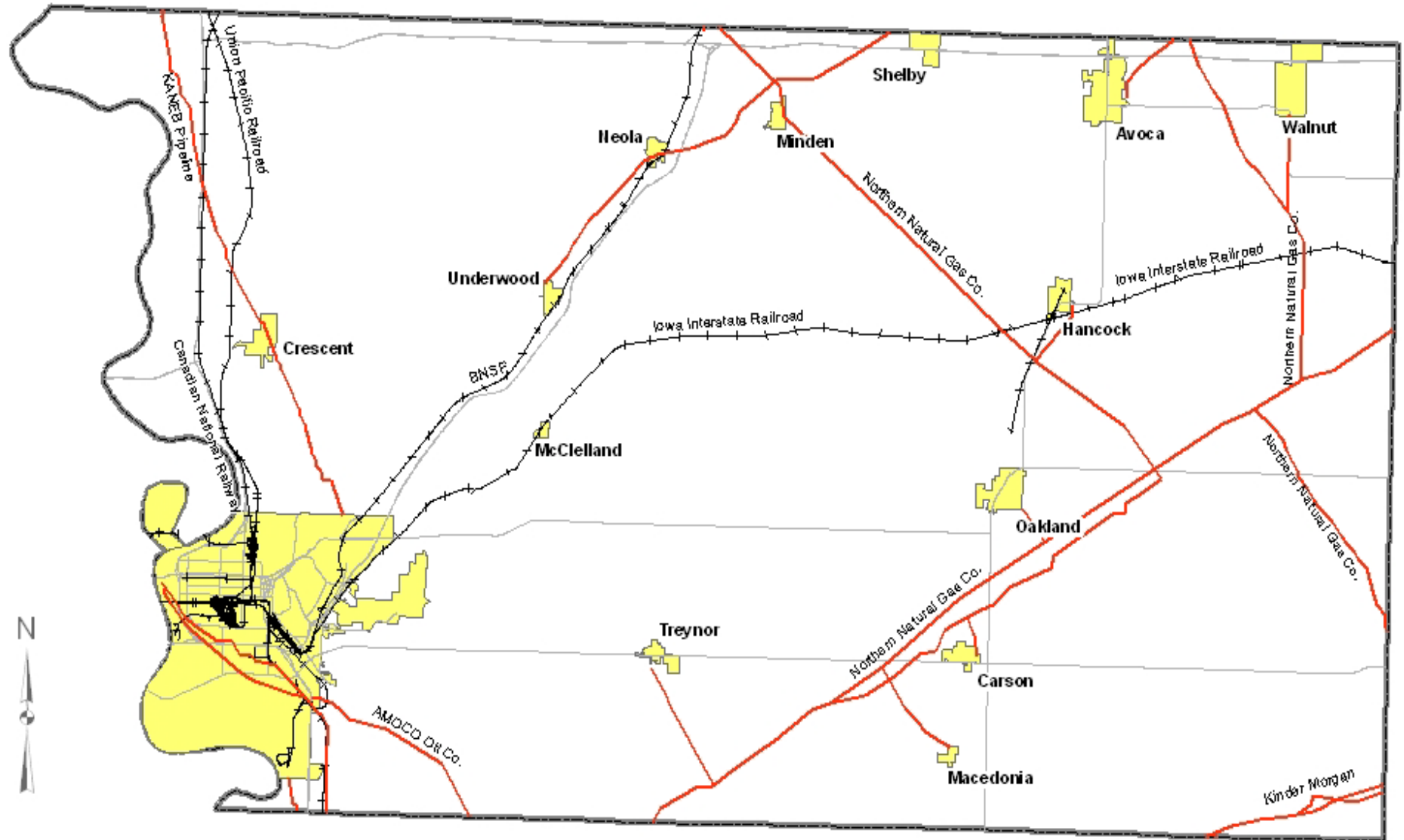
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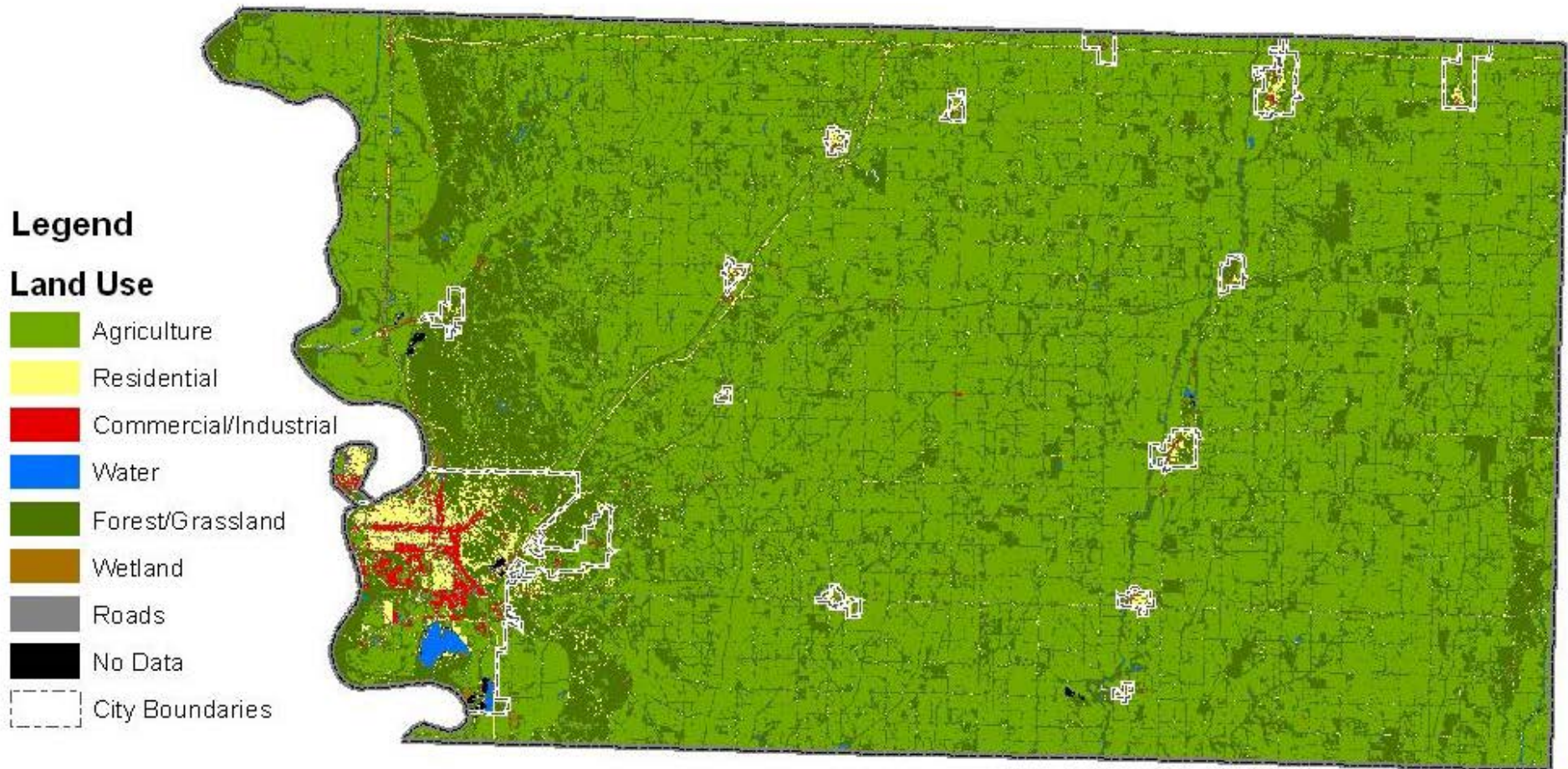
COUNCIL BLUFFS



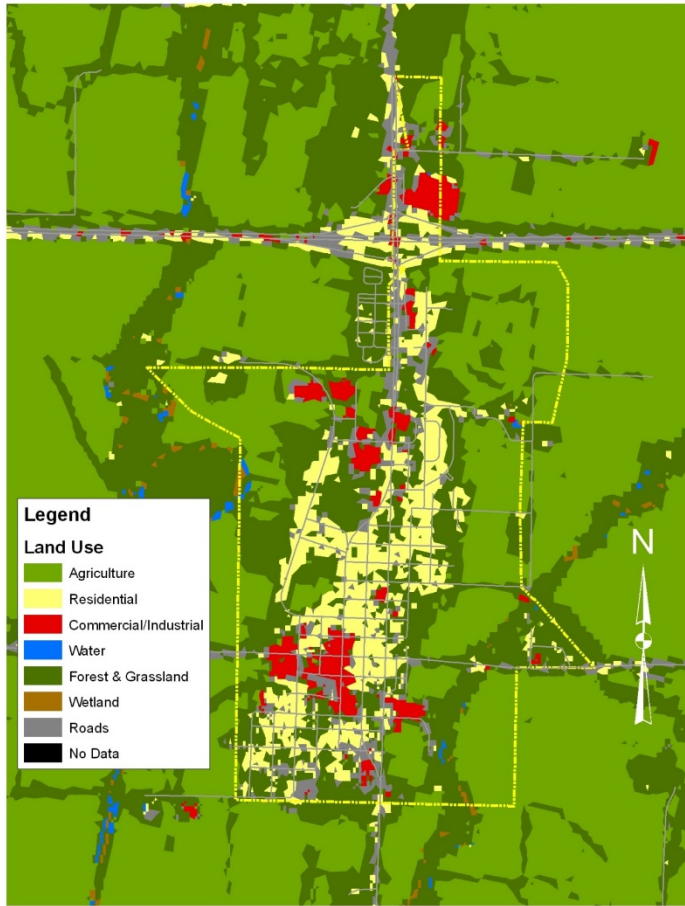
APPENDIX E  
PIPELINE AND RAIL MAP



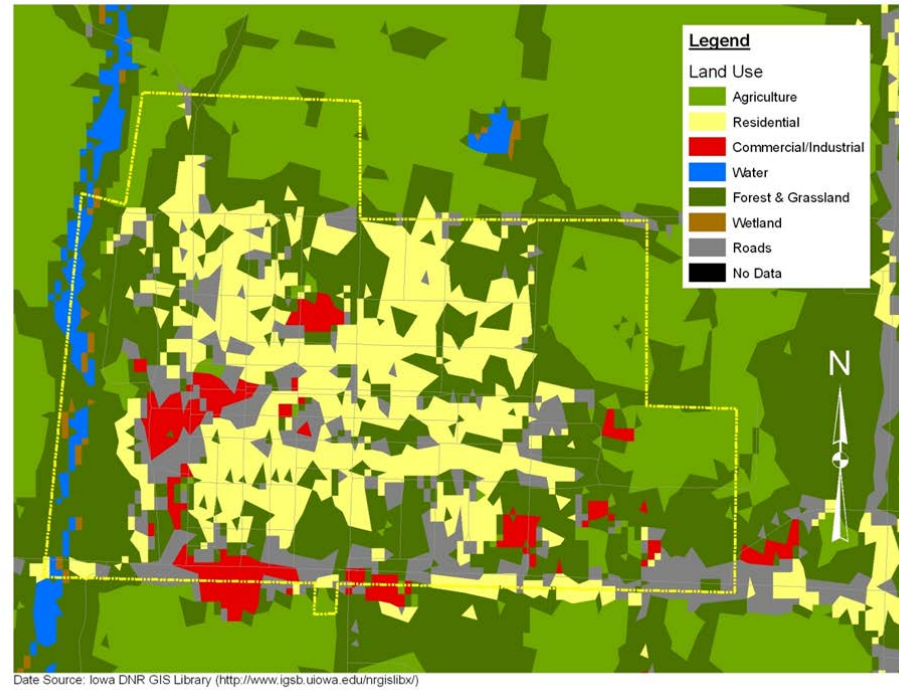
APPENDIX F  
LAND USE MAPS



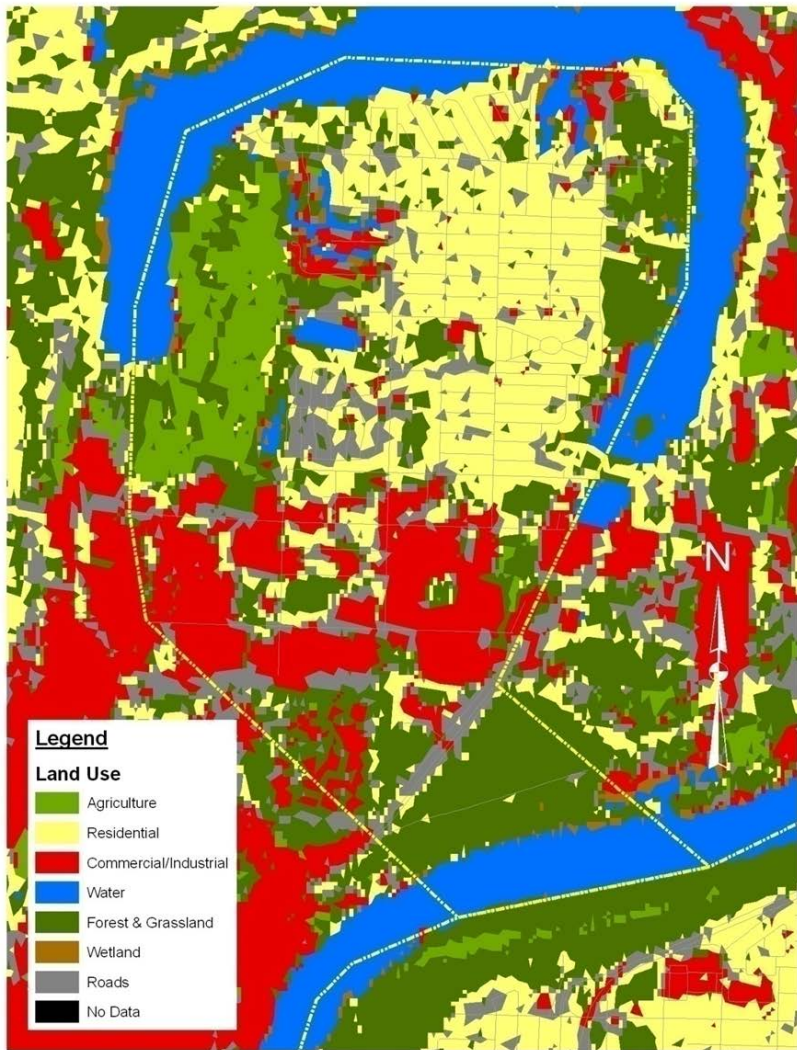
AVOCA



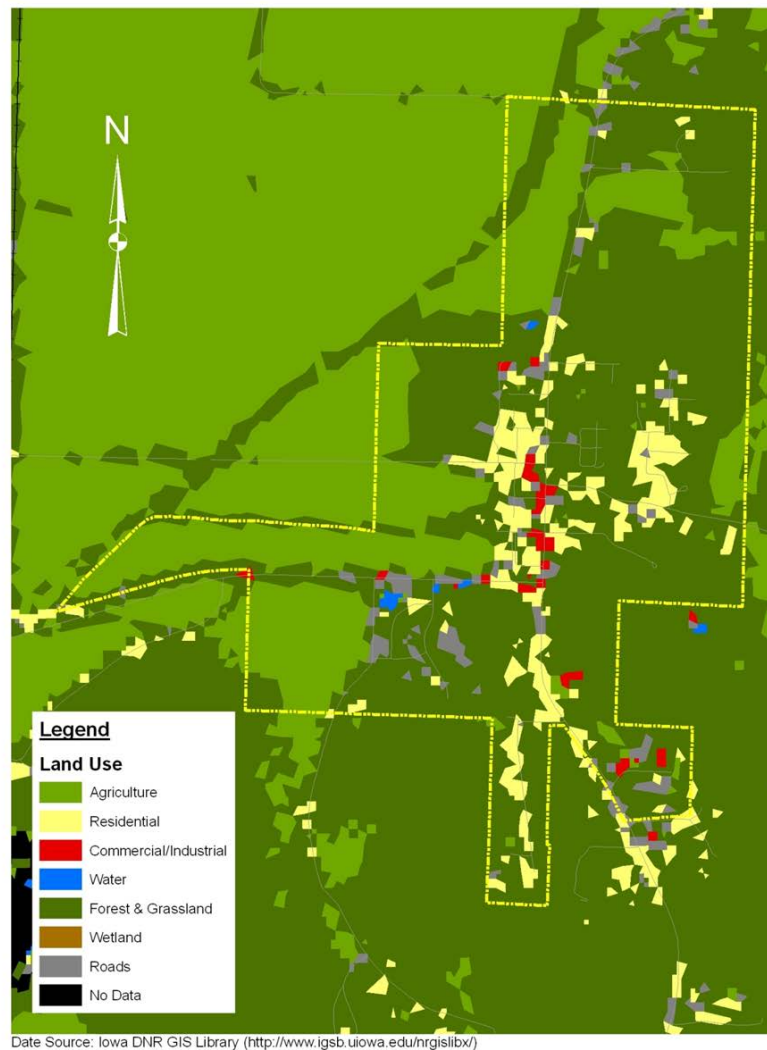
CARSON



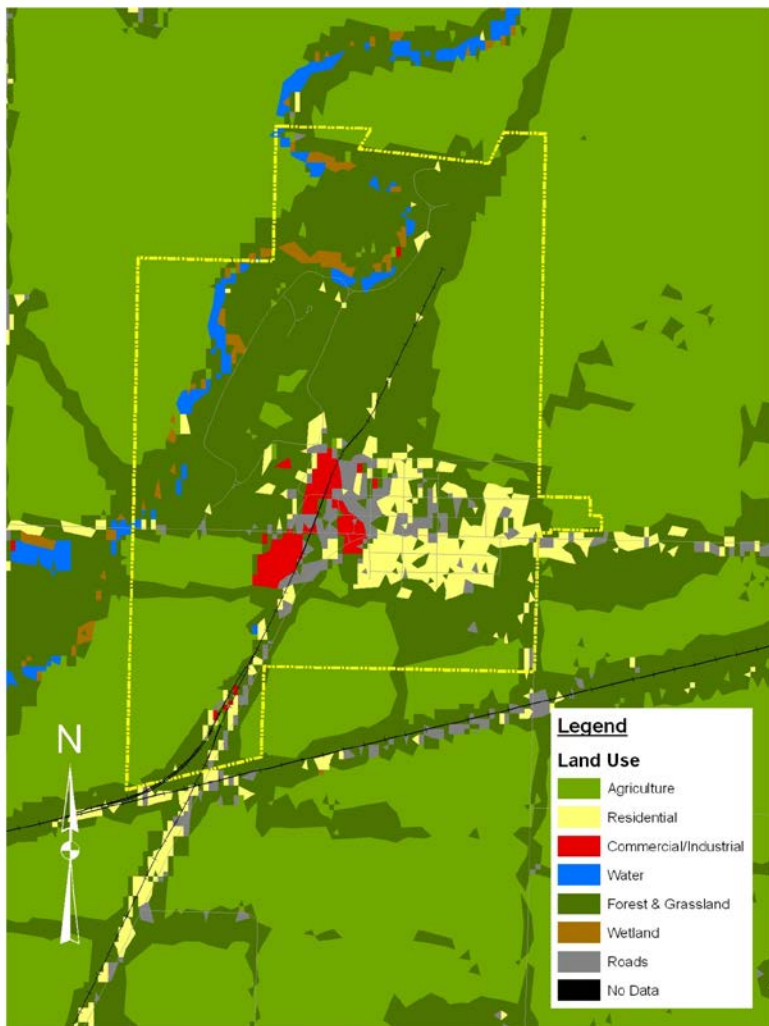
CARTER LAKE



CRESCENT

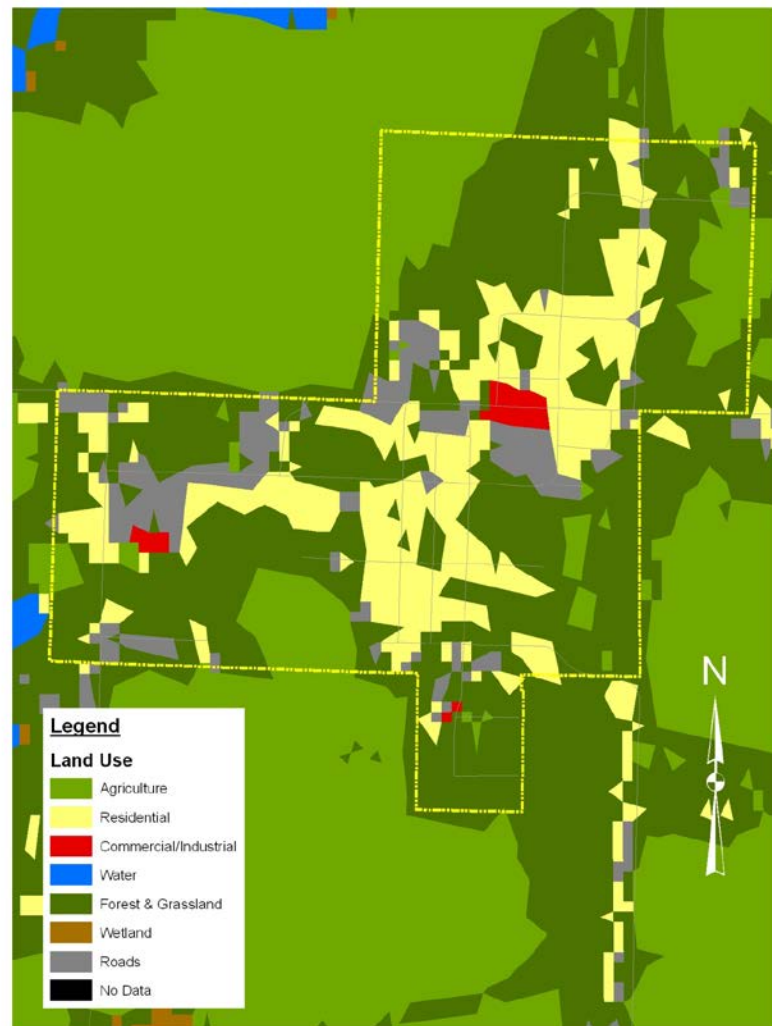


HANCOCK



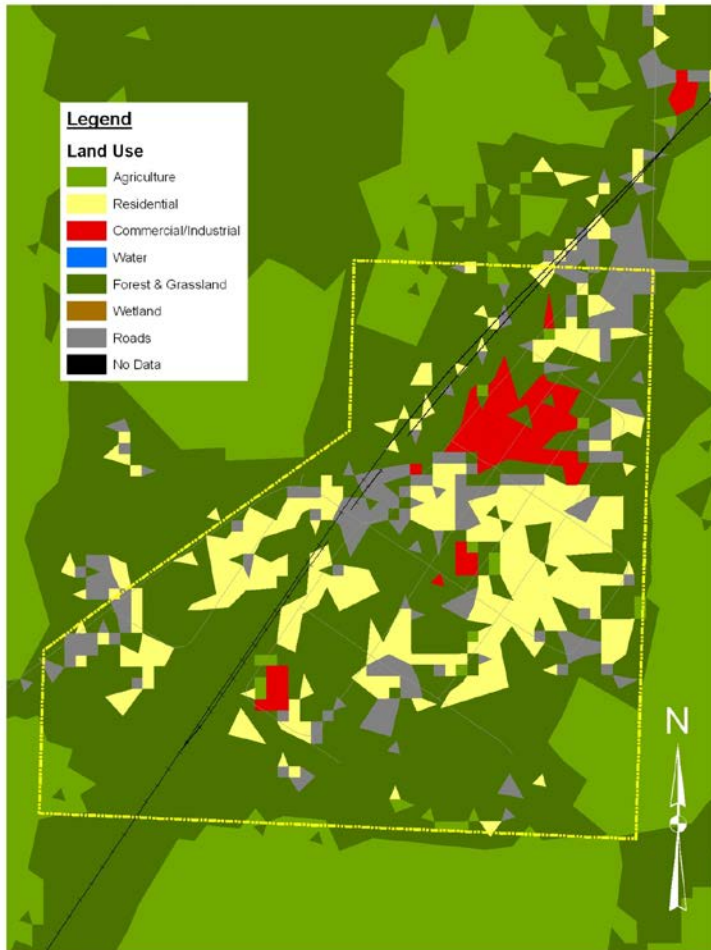
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MACEDONIA



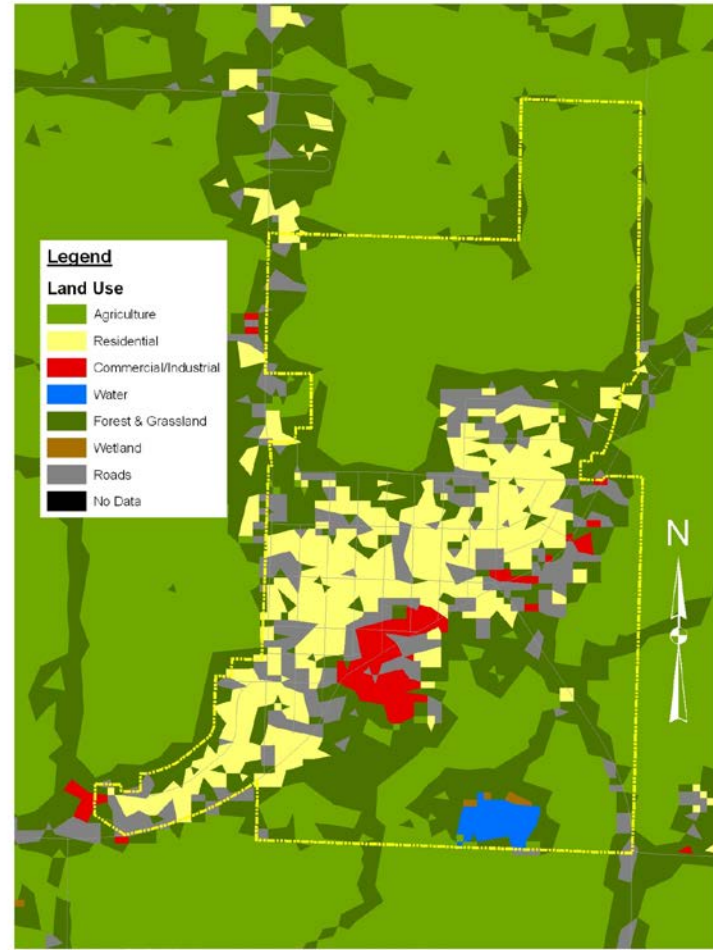
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McCLELLAND



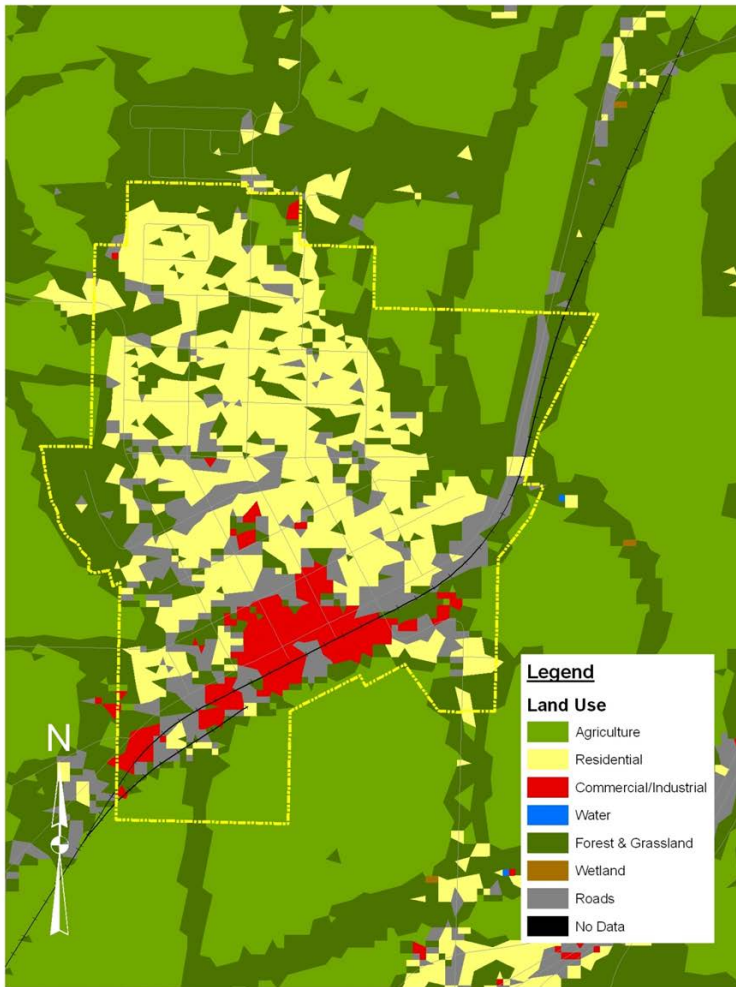
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MINDEN



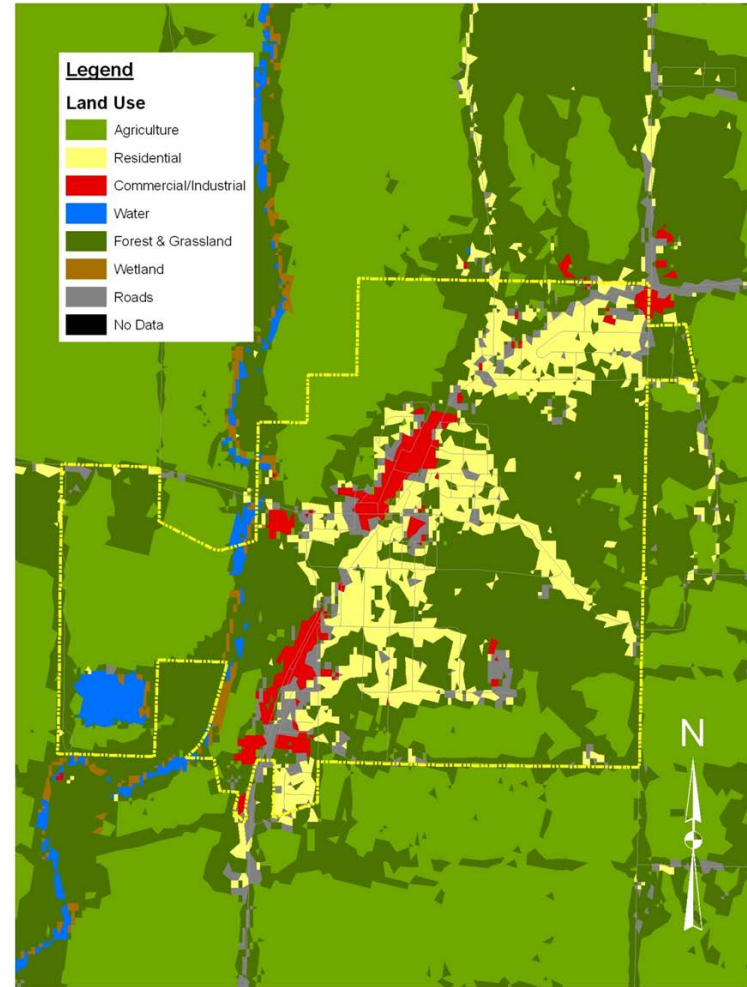
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NEOLA



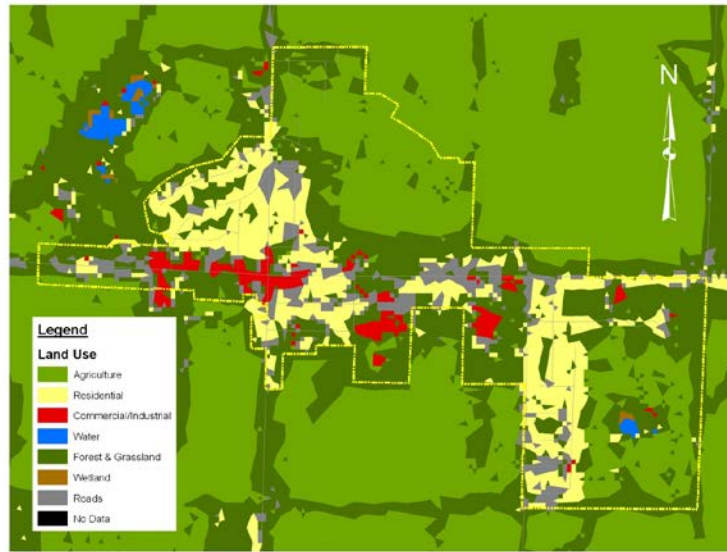
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OAKLAND

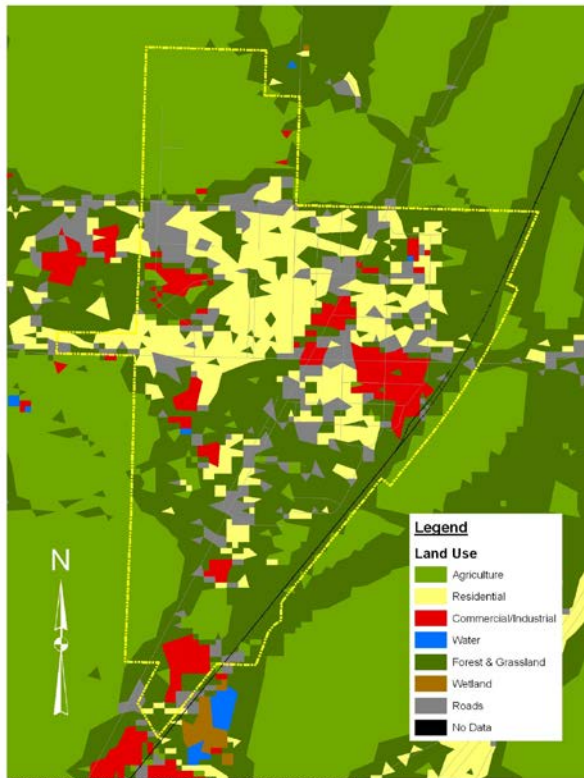


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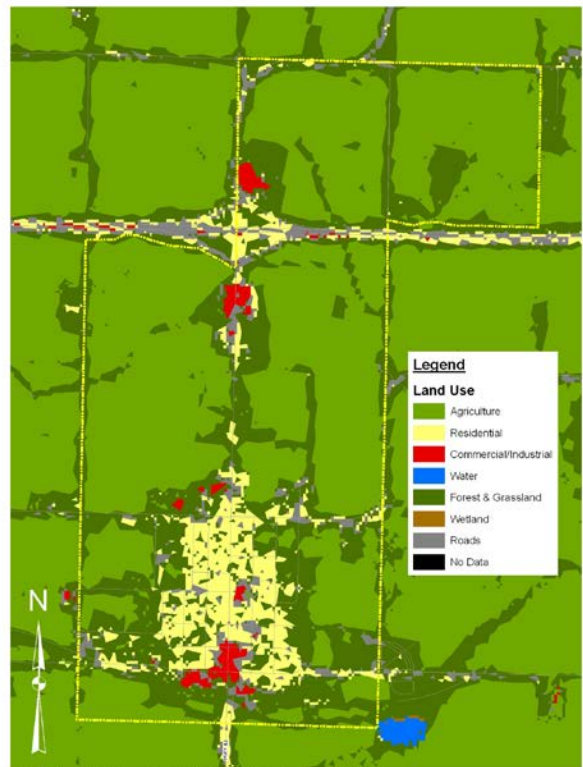
### TREYNOR



### UNDERWOOD



### WALNUT



## BLUFFS TOMORROW 2030 LAND USE PLAN

The Land Use Plan is one of the most important elements of the Bluffs Tomorrow 2030 Comprehensive Plan. It outlines how properties in different parts of the planning area should be used, and identifies the type, character, and intensity of use for all areas of the community. The intent of the Land Use Plan is to ensure that future development takes into account land use compatibility, access, market viability, environmental features, and community services. In that light, the recommendations of this chapter should be implemented in coordination with the recommendations of subsequent chapters.

The Land Use Plan sets forth policies for land use and development at the City-wide level. The Plan also includes specific policies and strategies for the City's residential, commercial, and industrial areas. Subsequent chapters provide additional detail regarding open space, environmental areas, and community facilities.

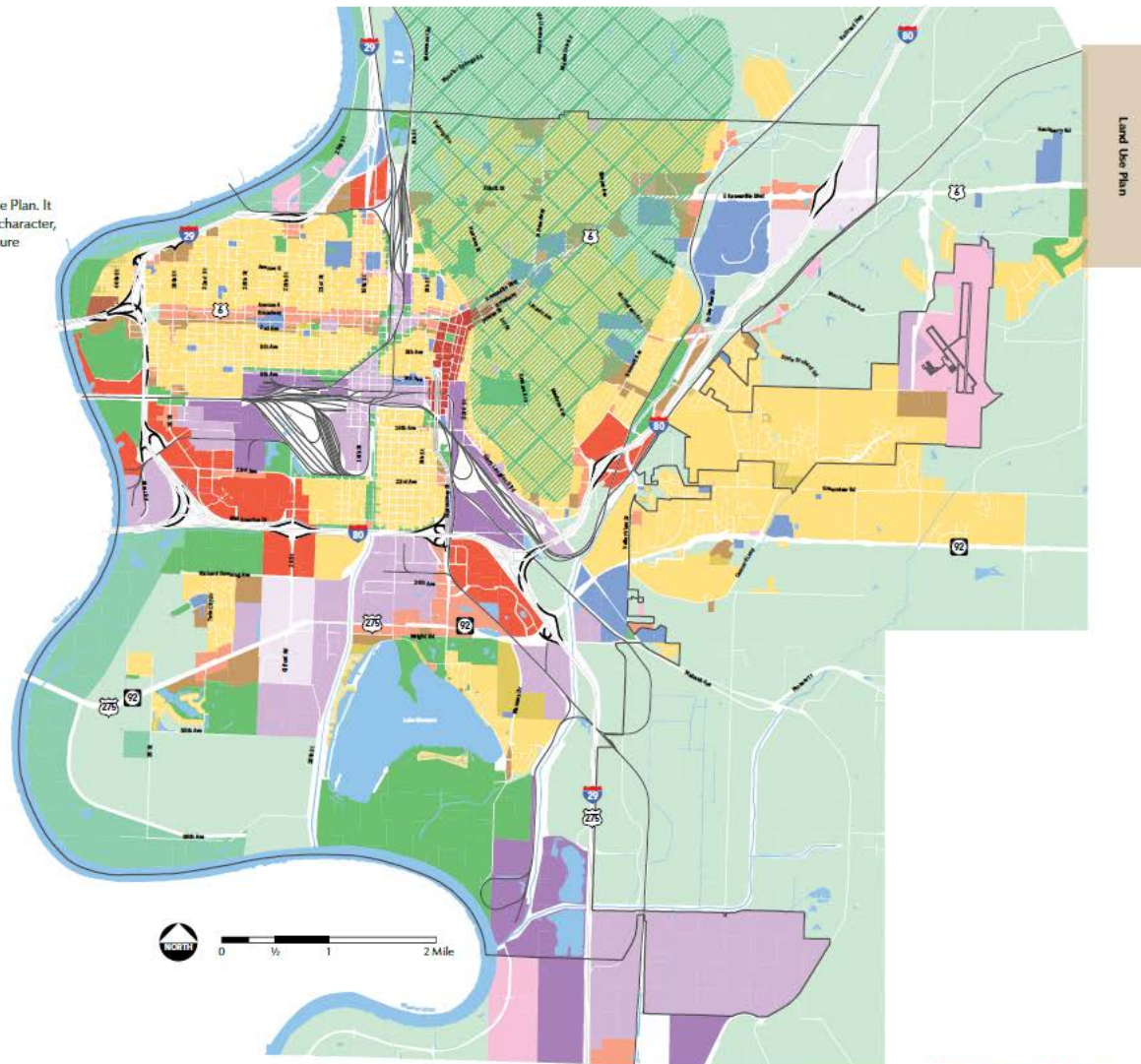
### Land Use Legend

- Residential**
- Rural Residential/Agriculture
  - Low-Density Residential
  - Medium-Density Residential
  - High-Density Residential
  - Multi-family/Mixed-use

- Commercial**
- Local Commercial
  - Regional Commercial
  - Downtown/Mixed-use

- Industrial**
- Office/Industrial
  - Light Industrial
  - Heavy Industrial

- Public Land Uses**
- Natural Areas
  - Public Park
  - Public/Semi-public
  - Transportation/Utility
  - Loss Hills Preservation Area



## APPENDIX G JURISDICTIONAL ASSESSED VALUES

<b>AVOCA</b>				
Class	Number	%	Total Value	%
	964	100%	\$91,214,063	100%
Ag Dwelling	1	0.1%	\$114,509	0.1%
Agriculture	42	4.4%	\$1,346,700	1.5%
Commercial	147	15.3%	\$20,819,300	22.8%
Industrial	2	0.2%	\$547,400	0.6%
Multi-Res	10	1.0%	\$4,076,900	4.5%
Residential	762	79.0%	\$64,309,254	70.5%

<b>CARSON</b>				
Class	Number	%	Total Value	%
	467	100%	39,842,698	100%
Ag Dwelling	3	0.6%	\$467,900	1.2%
Agriculture	15	3.2%	\$195,700	0.5%
Commercial	46	9.9%	\$2,627,200	6.6%
Industrial	1	0.2%	\$156,000	0.4%
Multi-Res	4	0.9%	\$674,700	1.7%
Residential	398	85.2%	\$35,721,198	89.7%

<b>CARTER LAKE</b>				
Class	Number	%	Total Value	%
	1,523	100%	\$238,182,290	100%
Commercial	106	7.0%	\$64,726,900	27.2%
Industrial	4	0.3%	\$16,993,200	7.1%
Multi-Res	3	0.2%	\$5,730,400	2.4%
Residential	1,410	92.6%	\$150,731,790	63.3%

<b>COUNCIL BLUFFS</b>				
Class	Number	%	Total Value	%
	24805	100%	\$3,810,945,041	100%
Ag Dwelling	22	0.1%	\$6,033,976	0.2%
Agriculture	358	1.4%	\$18,504,500	0.5%
Commercial	2240	9.0%	\$1,152,517,281	30.2%
Industrial	56	0.2%	\$103,597,300	2.7%
Multi-Res	359	1.4%	\$196,721,500	5.2%
Residential	21770	87.8%	\$2,333,570,484	61.2%

<b>CRESCENT</b>				
Class	Number	%	Total Value	%
	371	100%	\$42,631,515	100%
Ag Dwelling	2	0.5%	\$365,688	0.9%
Agriculture	15	4.0%	\$405,300	1.0%
Commercial	22	5.9%	\$2,707,100	6.3%
Industrial	1	0.3%	\$167,100	0.4%
Residential	331	89.2%	\$38,986,327	91.4%

<b>HANCOCK</b>				
Class	Number	%	Total Value	%
	160	100%	\$11,844,653	100%
Agriculture	14	8.8%	\$502,800	4.2%
Commercial	17	10.6%	\$4,178,000	35.3%
Industrial	1	0.6%	\$749,700	6.3%
Residential	128	80.0%	\$6,414,153	54.2%

<b>MACEDONIA</b>				
Class	Number	%	Total Value	%
	196	100%	9,794,955	100%
Ag Dwelling	2	1.0%	\$236,675	2.4%
Agriculture	3	1.5%	\$261,800	2.7%
Commercial	18	9.2%	\$343,600	3.5%
Multi-Res	2	1.0%	\$312,400	3.2%
Residential	171	87.2%	\$8,640,480	88.2%

<b>MCCLELLAND</b>				
Class	Number	%	Total Value	%
	95	100%	\$7,790,526	100%
Agriculture	2	2.1%	\$18,600	0.2%
Commercial	15	15.8%	\$837,000	10.7%
Residential	78	82.1%	\$6,934,926	89.0%

<b>MINDEN</b>				
Class	Number	%	Total Value	%
	302	100%	\$29,000,101	100%
Agriculture	8	2.6%	\$382,300	1.3%
Commercial	46	15.2%	\$1,768,800	6.1%
Multi-Res	2	0.7%	\$138,500	0.5%
Residential	246	81.5%	\$26,710,501	92.1%

<b>NEOLA</b>				
Class	Number	%	Total Value	%
	464	100%	\$49,907,917	100%
Agriculture	11	2.4%	\$283,300	0.6%
Commercial	62	13.4%	\$3,650,900	7.3%
Industrial	2	0.4%	\$1,808,100	3.6%
Multi-Res	6	1.3%	\$811,400	1.6%
Residential	383	82.5%	\$43,354,217	86.9%

<b>OAKLAND</b>				
Class	Number	%	Total Value	%
	886	100%	\$79,632,538	100%
Ag Dwelling	1	0.1%	\$87,200	0.1%
Agriculture	38	4.3%	\$649,800	0.8%
Commercial	129	14.6%	\$8,972,834	11.3%
Industrial	3	0.3%	\$10,142,000	12.7%
Multi-Res	7	0.8%	\$2,995,100	3.8%
Residential	708	79.9%	\$56,785,604	71.3%

<b>TREYNOR</b>				
Class	Number	%	Total Value	%
	448	100%	\$61,502,681	100%
Agriculture	4	0.9%	\$158,900	0.3%
Commercial	37	8.3%	\$4,595,800	7.5%
Industrial	1	0.2%	\$182,600	0.3%
Multi-Res	9	2.0%	\$1,199,400	2.0%
Residential	397	88.6%	\$55,365,981	90.0%

<b>UNDERWOOD</b>				
Class	Number	%	Total Value	%
	396	100%	\$58,434,296	100%
Agriculture	14	3.5%	\$497,300	0.9%
Commercial	52	13.1%	\$10,502,600	18.0%
Industrial	1	0.3%	\$34,300	0.1%
Multi-Res	5	1.3%	\$1,398,700	2.4%
Residential	324	81.8%	\$46,001,396	78.7%

<b>WALNUT</b>				
Class	Number	%	Total Value	%
	529	100%	\$36,485,294	100%
Ag Dwelling	4	0.8%	\$568,866	1.6%
Agriculture	41	7.8%	\$2,086,300	5.7%
Commercial	85	16.1%	\$5,106,000	14.0%
Industrial	3	0.6%	\$299,565	0.8%
Multi-Res	5	0.9%	\$291,300	0.8%
Residential	391	73.9%	\$28,133,263	77.1%

<b>Unincorporated</b>				
Class	Number	%	Total Value	%
Ag Dwelling	1,745	7.6%	\$366,636,568	13.4%
Agriculture	15,016	65.1%	\$1,033,717,381	37.8%
Commercial	319	1.4%	\$30,266,600	1.1%
Industrial	246	1.1%	\$134,691,789	4.9%
Multi-Res	13	0.1%	\$12,321,800	0.5%
Residential	5,719	24.8%	\$1,158,334,975	42.3%
TOTAL	23,058	100%	\$2,735,969,113	100%

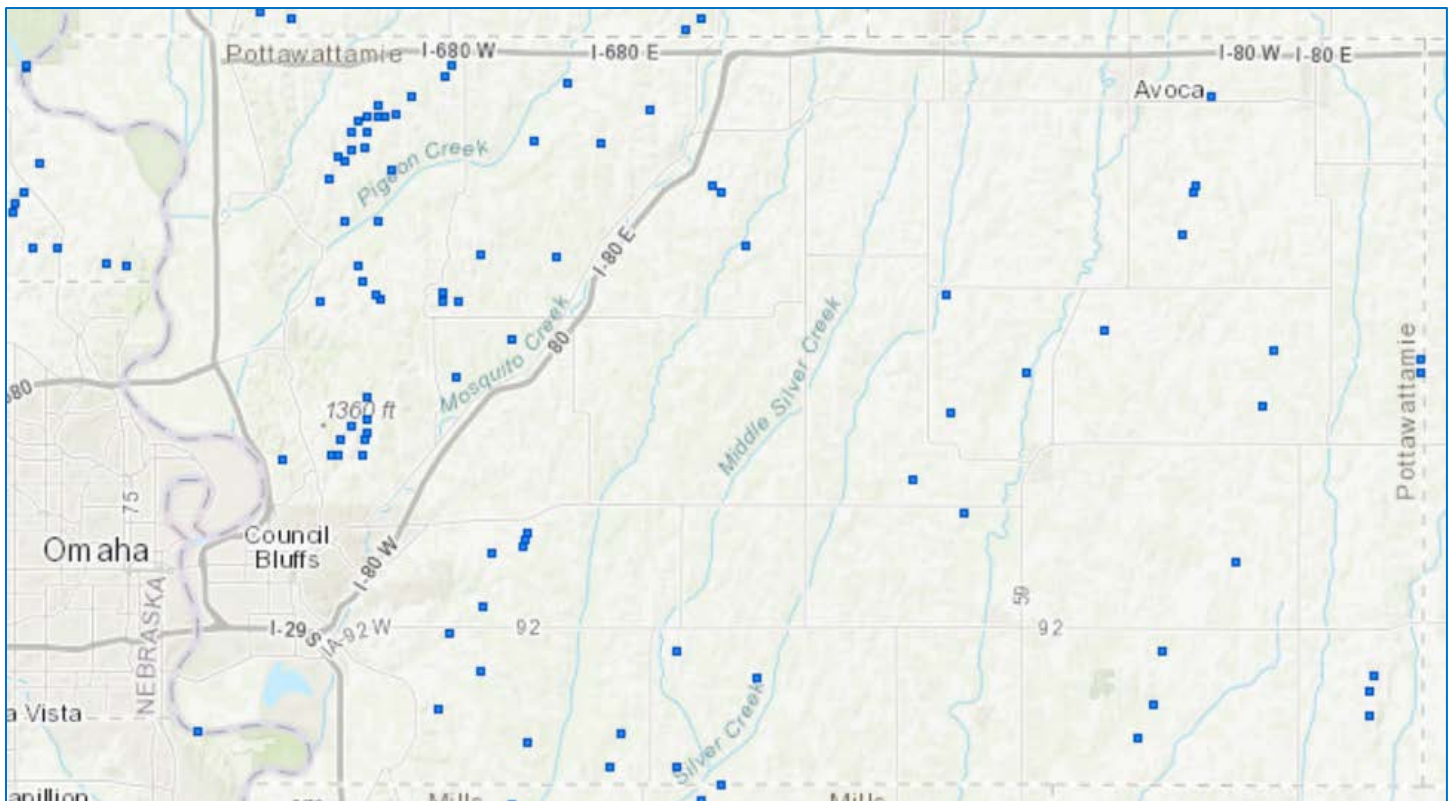
## APPENDIX H COUNTYWIDE DAM INVENTORY

(Red text indicates identified High-Hazard Dam)

NIDID	Dam Name	Owner Name	Owner Type	Year Built	Volume	Length	Height
IA01664	INDIAN CREEK WATERSHED SITE 2	WEST POTTAWATTAMIE COUNTY SWCD	Local Government	1975	243000	2000	65
IA04081	MONUMENT ROAD DAM	ROBERT SCHLOTT	Private	2011	0	0	32
IA02004	NORTH PIGEON CR WATERSHED SITE 16	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	730	50
IA02385	SIMON RUN WATERSHED SITE 9-3W	WEST POTTAWATTAMIE CO SWCD	Local Government	1985	31100	386	39
IA02166	THOMPSON DAM	J. THOMPSON	Private	1955	12814	240	40
IA02383	NORTH PIGEON CR WATERSHED SITE M-3	WEST POTTAWATTAMIE CO SWCD	Local Government	1985	67900	466	58
IA02747	INDIAN CREEK WATERSHED SITE 6	WEST POTTAWATTAMIE COUNTY SWCD	Local Government	1967	19800	450	32
IA02691	BEE JAY WATERSHED SITE 4	EAST POTTAWATTAMIE CO SWCD	Local Government	1977	30500	0	31
IA02662	NORTH PIGEON CR WATERSHED SITE M-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1993	97800	750	62
IA02898	NORTH PIGEON CR WATERSHED SITE 17	WEST POTTAWATTAMIE COUNTY SWCD	Local Government	1973	34700	0	66
IA02007	NORTH PIGEON CR WATERSHED SITE 12-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	525	56
IA02661	NORTH PIGEON CR WATERSHED SITE 10-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1990	71000	402	59
IA02315	WAVELAND BIGHOLE 3	D. RUSH	Private	1985	10000	290	26
IA02663	TWIN PONIES WATERSHED SITE 8	WEST POTTAWATTAMIE CO SWCD	Local Government	1990	20600	870	36
IA02006	NORTH PIGEON CR WATERSHED SITE 11-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	500	81
IA02049	BEEDLE DAM	THEODORE BEEDLE	Private	1960	0	350	25
IA03163	DESOTO DAM	US FISH AND WILDLIFE SERVICE	Federal	1960	176900	2950	24.7
IA02622	HENRY DAM	JAMES W. HENRY	Private	1990	21400	600	27
IA02008	NORTH PIGEON CR WATERSHED SITE 13	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	570	64
IA02005	NORTH PIGEON CR WATERSHED SITE 9	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	620	60
IA02010	NORTH PIGEON CR WATERSHED SITE 16-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	655	33
IA02384	SIMON RUN WATERSHED SITE 9-3E	WEST POTTAWATTAMIE CO SWCD	Local Government	1985	34400	525	35
IA02009	NORTH PIGEON CR WATERSHED SITE 15	WEST POTTAWATTAMIE CO SWCD	Local Government	1978	0	500	65
IA01866	INDIAN CREEK WATERSHED SITE 25	WEST POTTAWATTAMIE CO SWCD	Local Government	1976	14822	350	37
IA01670	INDIAN CREEK WATERSHED SITE 39	WEST POTTAWATTAMIE CO SWCD	Local Government	1975	31318	380	53
IA00953	CARLSON/WALSH DAM	R&R CARLSON & A WALSH	Private	1969	31715	616	45
IA00958	RODENBURG/PORTER DAM	G RODENBURG & P PORTER	Private	1959	24079	605	39
IA00945	NILAN DAM	WILBERT NILAN	Private	1962	9836	498	30
IA00939	RYAN HENSCHAL WATERSHED SITE F-3	WEST POTTAWATTAMIE CO SWCD	Local Government	1964	0	300	32

IA00925	NORTH PIGEON CR WATERSHED SITE 4-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1971	101777	1104	57
IA00934	SPENCER DAM	RUSSELL M SPENCER	Private	1966	11236	458	33
IA00950	BINGHAM DAM	RAYMOND BINGHAM	Private	1961	7374	486	23
IA00926	NORTH PIGEON CR WATERSHED SITE 7-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1971	41489	563	42
IA00940	RYAN HENSCHAL WATERSHED SITE F-2	WEST POTTAWATTAMIE CO SWCD	Local Government	1964	42447	776	41
IA00960	MC KENZIE/CHILD DAM	MRS MC KENZIE & MRS CHILD	Private	1959	17735	652	31
IA00957	LARSEN DAM	HAROLD LARSEN	Private	1959	24837	816	38
IA00933	POTTAWATTAMIE CO ROADGRADE DAM 8-76-42	POTTAWATTAMIE CO BOARD OF SUPERVISORS	Local Government	1968	20158	410	43
IA00955	ARROWHEAD LAKE DAM	POTTAWATTAMIE CO CONSERVATION BOARD	Local Government	1959	43251	615	47
IA01666	INDIAN CREEK WATERSHED SITE 12	WEST POTTAWATTAMIE CO SWCD	Local Government	1975	68524	560	63
IA00956	JOHNSON DAM	RONALD C JOHNSON	Private	1959	11615	472	27
IA00930	IOWA NONAME40	POTTAWATTAMIE CO BOARD OF SUPERVISORS	Local Government	1972	9855	676	42
IA00946	ROHWER DAM	HERBERT ROHWER	Private	1962	14458	670	22
IA00952	GOOS/BRANDT DAM	ALFRED GOOS & C H BRANDT	Private	1960	24240	778	36
IA00944	PETERS/FISCHER DAM	D PETERS & MRS J FISCHER	Private	1963	17590	443	37
IA01867	RYAN HENSCHAL WATERSHED SITE A-2	WEST POTTAWATTAMIE CO SWCD	Local Government	1976	68517	1000	39
IA01868	BEE JAY WATERSHED SITE 16	EAST POTTAWATTAMIE CO SWCD	Local Government	1977	31063	720	32
IA01680	SIMON RUN WATERSHED SITE 5-2	WEST POTTAWATTAMIE CO SWCD	Local Government	1976	38563	510	30
IA00927	NORTH PIGEON CR WATERSHED SITE M-4	WEST POTTAWATTAMIE CO SWCD	Local Government	1971	62226	690	51
IA00948	WOHLERS DAM	O NEILL WOHLERS & POTTAWATTAMIE CO	Private	1961	27469	600	42
IA00942	RYAN HENSCHAL WATERSHED SITE E-2	WEST POTTAWATTAMIE CO SWCD	Local Government	1963	51656	850	49
IA00932	IOWA NONAME41	POTTAWATTAMIE CO CONSERVATION BOARD	Local Government	1970	16547	402	33
IA00947	RYAN HENSCHAL WATERSHED SITE H-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1962	25700	451	39
IA01662	IOWA NONAME79	MIDWESTERN PORK CO	Private	1973	17190	685	19
IA00931	MORAN DAM	JOE MORAN	Private	1970	13262	544	22
IA00961	WOHLERS DAM	W H WOHLERS	Private	1959	30600	810	40
IA00936	INDIAN CREEK WATERSHED SITE 5	WEST POTTAWATTAMIE CO SWCD	Local Government	1965	21084	489	36
IA00954	IOWA NONAME43	GRAALFS HILDEBRAND WILLI	Private	1959	15509	585	40
IA00935	INDIAN CREEK WATERSHED SITE 13	WEST POTTAWATTAMIE CO SWCD	Local Government	1967	26684	796	36
IA00937	INDIAN CREEK WATERSHED SITE 4	WEST POTTAWATTAMIE CO SWCD	Local Government	1965	59597	923	52
IA00938	BEE JAY WATERSHED SITE 12	EAST POTTAWATTAMIE CO SWCD	Local Government	1964	8249	512	26
IA00941	RYAN HENSCHAL WATERSHED SITE F-1	WEST POTTAWATTAMIE CO SWCD	Local Government	1965	30690	740	27
IA00949	ARTERBURN/KENEALY DAM	J ARTERBURN & J KENEALY	Private	1961	24137	617	37
IA00959	SCHOOR DAM	BERNARD SCHOOR	Private	1959	32286	950	35

IA01678	SIMON RUN WATERSHED SITE 4-2	WEST POTTAWATTAMIE CO SWCD	Local Government	1976	47578	475	41
IA01668	INDIAN CREEK WATERSHED SITE 26	WEST POTTAWATTAMIE CO SWCD	Local Government	1975	46641	360	54
IA00951	SCHULTZ/BLUMER DAM	E SCHULTZ & M BLUMER	Private	1961	16516	590	30
IA00943	TIMBERMAN DAM	EARL TIMBERMAN	Private	1963	17940	530	30
IA00929	IOWA NONAME39	POTTAWATTAMIE CO BOARD OF SUPERVISORS	Local Government	1971	26102	425	30
IA00928	ANDERSON DAM	VIRGIL ANDERSON	Private	1971	9100	338	31
IA03762	SAINT PATRICK CHURCH DAM	SAINT PATRICK CHURCH	Private	2002	23600	537	29
IA03766	WALLACE DAM	ALLICA WALLACE	Private	2004	15300	460	33
IA03765	TREYNOR FARM SUPPLY DAM	TREYNOR FARM SUPPLY	Private	2004	20200	550	31
IA03351	SERAN DAM	GENE SERAN	Private	2000	31200	668	32
IA03041	NORTH PIGEON CR WATERSHED SITE M	WEST POTTAWATTAMIE COUNTY SWCD	Local Government	1996	5500	1160	17
IA02939	WILLIAMS DAM	BRYAN K. WILLIAMS	Private	1994	24100	640	21
IA03759	FARM CREEK PUBLIC WILDLIFE AREA DAM	POTTAWATTAMIE CONSERVATION FOUNDATION	Local Government	2001	57300	923	37
IA03981	SULENTIC DAM	JIM SULENTIC	Private	2002	23908	570	38
IA03274	PERDUE DAM	MIKE PERDUE	Private	1998	9800	320	28
IA03232	TWIN PONIES WATERSHED SITE 17A	WEST POTTAWATTAMIE COUNTY SWCD	Local Government	1998	114000	1030	54
IA04045	BREHMER DAM	LESTER BREHMER	Private	2004	0	750	26
IA03763	SIEVERS DAM	KENT SIEVERS	Private	2003	14200	510	28
IA03761	PILLING DAM	ROCKY D. PILLING	Private	2003	19800	555	33
IA03764	STAMP DAM	DARRELL STAMP	Private	2005	26900	794	35
IA03760	BERNDT DAM	ROBERT BERNDT	Private	2007	17300	524	33



## APPENDIX I

### PLANNING AREA MEDIA OUTLETS

#### AM Radio

- KSXP 590 AM, Omaha
- KCRO 660 AM, Omaha
- KMMQ 1020 AM, Plattsmouth/Omaha
- KFAB 1110 AM, Omaha
- KOIL 1180 AM, Bellevue/Omaha
- KKAR 1290 AM, Omaha
- KOTK 1420 AM, Omaha
- KOMJ 1490 AM, Omaha
- KLNG 1560 AM, Council Bluffs
- KOZN 1620 AM, Bellevue/Omaha

#### FM Radio

- KMLV 88.1 FM, Ralston/Omaha
- KYFG 88.9 FM, Omaha
- KIWR 89.7 FM, Council Bluffs
- KVNO 90.7 FM, Omaha
- KIOS 91.5 FM, Omaha
- KEZO 92.3 FM, Omaha
- KFFF 93.3 FM, Bennington/Omaha
- KBUL 93.7 FM, Omaha
- KQCH 94.1 FM, Omaha
- KQBW 96.1 FM, Omaha
- KQKQ 98.5 FM, Omaha
- KGOR 99.9 FM, Omaha
- KGBI 100.7 FM, Omaha
- KVSS 102.7 FM, Omaha
- KXKT 103.7 FM, Glenwood/Omaha
- KSRZ 104.5 FM, Omaha
- KKCD 105.9 FM, Omaha
- KOPW 106.9 FM, Plattsmouth/Omaha

#### Television

- KMTV 3, CBS affiliate
- WOWT 6, NBC affiliate
- KETV 7, ABC affiliate
- KXVO 15, CW affiliate
- KYNE 26, PBS member station, part of NET Television
- KBIN 32, PBS member station, part of Iowa Public Television (licensed to Council Bluffs)
- KHIN 36, PBS member station, part of Iowa Public Television (licensed to Red Oak)
- KPTM 42, Fox affiliate

#### Print

- Omaha-World Herald, daily
- Council Bluffs Daily Nonpareil, daily
- The Gazette, weekly
- Avoca Journal- Herald, weekly
- Walnut Bureau, weekly
- Botna Valley Reporter, weekly

**APPENDIX J  
SAMPLE ADOPTING RESOLUTION**

*(All jurisdictions party to this plan will formally adopt the plan upon its approval by Iowa Homeland Security and Emergency Management and the Federal Emergency Management Agency)*

**RESOLUTION # \_\_\_\_\_**

**PURPOSE:** *A Resolution to approve and adopt the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan.*

**WHEREAS,** *the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan was presented and recommended for adoption by the Emergency Management Agency; and*

**WHEREAS,** *the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan was prepared in compliance with Iowa Administrative Code 605—7.2, Code of Iowa 29C.9 and the Disaster Mitigation Act of 2000 established by the Iowa Department of Homeland Security and Emergency Management and the Federal Emergency Management Agency, respectively; and*

**WHEREAS,** *the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan identifies the potential hazards throughout Pottawattamie County; and*

**WHEREAS,** *the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan includes a profile of hazard events, a vulnerability assessment, evaluation of mitigation goals and a plan maintenance process.*

**NOW THEREFORE BE IT RESOLVED that the \_\_\_\_\_**  
(County of, City of, School or School District of)

**hereby approves and adopts the Pottawattamie County Multi-Jurisdictional Hazard**

**Mitigation Plan this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.**

\_\_\_\_\_  
Authorized Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Date





**RESOLUTION # 18-342**

**Resolution to approve and adopt the Pottawattamie Countywide  
Multi-Jurisdictional Hazard Mitigation Plan.**

**WHEREAS,** the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan was presented and recommended for adoption by the Emergency Management Agency; and

**WHEREAS,** the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan was prepared in compliance with Iowa Administrative Code 605—7.2, Code of Iowa 29C.9 and the Disaster Mitigation Act of 2000 established by the Iowa Department of Homeland Security and Emergency Management and the Federal Emergency Management Agency, respectively; and

**WHEREAS,** the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan identifies the potential hazards throughout Pottawattamie County; and

**WHEREAS,** the Pottawattamie Countywide Multi-Jurisdictional Hazard Mitigation Plan includes a profile of hazard events, a vulnerability assessment, evaluation of mitigation goals and a plan maintenance process.

**NOW THEREFORE BE IT RESOLVED**

**that the City of Council Bluffs, Iowa, hereby approves and adopts the  
Pottawattamie County Multi-Jurisdictional Hazard Mitigation Plan**

Approved and Adopted

December 17, 2018

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

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

**Council Communication**

Department: Public Works Admin  
Case/Project No.:  
Submitted by: Matthew Cox, City Engineer

Resolution 18-343

Council Action: 12/17/2018

**Description**  
Resolution authorizing and adopting the updated Operation and Maintenance Manual for the Council Bluffs Missouri River Levee System in connection with FEMA Accreditation.

**Background/Discussion**  
The City of Council Bluffs owns or sponsors multiple levee segments which comprise the City Federal Levee System, providing flood risk reduction from the Missouri River, Mosquito Creek, and Indian Creek. These levee systems are currently shown on FEMA floodplain maps as being accredited and are identified as providing flood risk reduction from the 100-year flood or 1% annual chance flood event.  
In order to maintain the level of flood risk reduction identified on the FEMA Flood Insurance Rate Map, it is necessary to provide documentation to FEMA that complies with the criteria of Title 44 CFR Section 65.10. If documentation, certified by a professional engineer, is not provided to FEMA, the levee systems will be de-accredited and FEMA will map flood hazard areas landward of the levee accordingly. Some areas previously shown as provided flood risk reduction by the levee systems may be identified as flood-prone.  
In order to meet the criteria for FEMA levee accreditation, improvements to each of the levee systems will be necessary. Necessary projects are nearing completion for the levee segment along the Missouri River, north of I-80. This segment of levee is identified as Alignment "A".  
Now that the improvements are nearly complete for Alignment "A", the engineer (JEO) is preparing the certification package to submit to FEMA with all supporting documentation to accredit this segment of levee. An adopted Operation and Maintenance Manual is a necessary part of the submittal.  
The City will be responsible to ensure that all operations and maintenance activities are performed according to the requirements of the O&M document.  
The O&M manual is a living document that must be regularly updated to account for modifications that occur on or near the levee system. As improvements are constructed, the modifications will be reflected as part of routine updates to the manual.  
A complete copy of the current version of the manual is on file with the City Clerk.

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Resolution 18-343</a>	Resolution	12/12/2018

**RESOLUTION**  
**NO 18-343**

**RESOLUTION AUTHORIZING AND ADOPTING  
THE OPERATION AND MAINTENANCE MANUAL FOR  
THE COUNCIL BLUFFS MISSOURI RIVER LEVEE SYSTEM  
IN CONNECTION WITH FEMA LEVEE ACCREDITATION**

- WHEREAS, the City wishes to obtain FEMA accreditation for the Council Bluffs Missouri River Levee System; and
- WHEREAS, accreditation requires an adopted Operation and Maintenance Manual; and
- WHEREAS, the city council deems approval of said manual to be in the best interest of the City of Council Bluffs.

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

That the Operation and Maintenance Manual for the Council Bluffs Missouri River Levee System is hereby authorized and adopted for the purpose of obtaining FEMA Accreditation of the Levee System.

AND BE IT FURTHER RESOLVED

That the aforementioned manual shall be routinely updated to account for modifications that occur on and around the levee system.

ADOPTED  
AND  
APPROVED

December 17, 2018

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

ATTEST:

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

**Council Communication**

Department: Public Works Admin  
Case/Project No.: PW19-20  
Submitted by: Matthew Cox, City Engineer

Resolution 18-344

Council Action: 12/17/2018

**Description**  
Resolution authorizing the use of eminent domain in connection with West Broadway Reconstruction, Segment 3. Project #PW19-20.

**Background/Discussion**  
West Broadway is major arterial street and critical to the City’s roadway network. It serves as a significant commercial corridor and commuter route and its reconstruction is an essential part of the economic redevelopment plan for the west end of Council Bluffs. There is also a strong community desire to enhance the aesthetics of the corridor and to create a connection between the River’s Edge development and downtown Council Bluffs.  
Segment 3 of the reconstruction project will completely rebuild West Broadway from just east of 28<sup>th</sup> Street to 24<sup>th</sup> Street including the replacement of pavement, traffic signals, street lights, sidewalks, and storm sewers with drainage improvements as a major objective. The project also includes streetscape amenities such as decorative pedestrian lights, brick paver bands behind the curbs and at intersections, ornamental fencing, ornamental arms for street lights, concrete pavers in crosswalks, and decorative paving in the center turn lane and at key intersections, neighborhood masonry columns, and trees. The project also includes raised medians as identified in the Corridor Master Plan, between 27<sup>th</sup> Street and 25<sup>th</sup> Street and a small section of median east of 25<sup>th</sup> Street.  
In order to construct the improvements, additional right-of-way is required at all of the intersection corners. Parcel #7 is the Walgreens located at 2508 West Broadway and owned by the Walgreen Co., an Illinois Corporation. In order to properly construct the ADA ramps for the sidewalks and the traffic signal pole, an acquisition of 395 square feet (0.0091 acres) is necessary. A permanent easement is also required for a bus shelter on Parcel #7. The easement is 7.76 feet by 40 feet, resulting in an acquisition area of 310 square feet (0.0071 acres). The impact to the existing property is minimal as seen on the attached exhibit.  
The local store manager was first contacted in August of 2018 regarding the acquisition. The store manager forwarded the offer to purchase and attempted to coordinate with the Corporation, but the effort has been unsuccessful. The property owner has been non-responsive after numerous attempts to contact them by phone and e-mail. In order to complete the acquisition and avoid delays to the project, eminent domain proceedings are necessary.

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

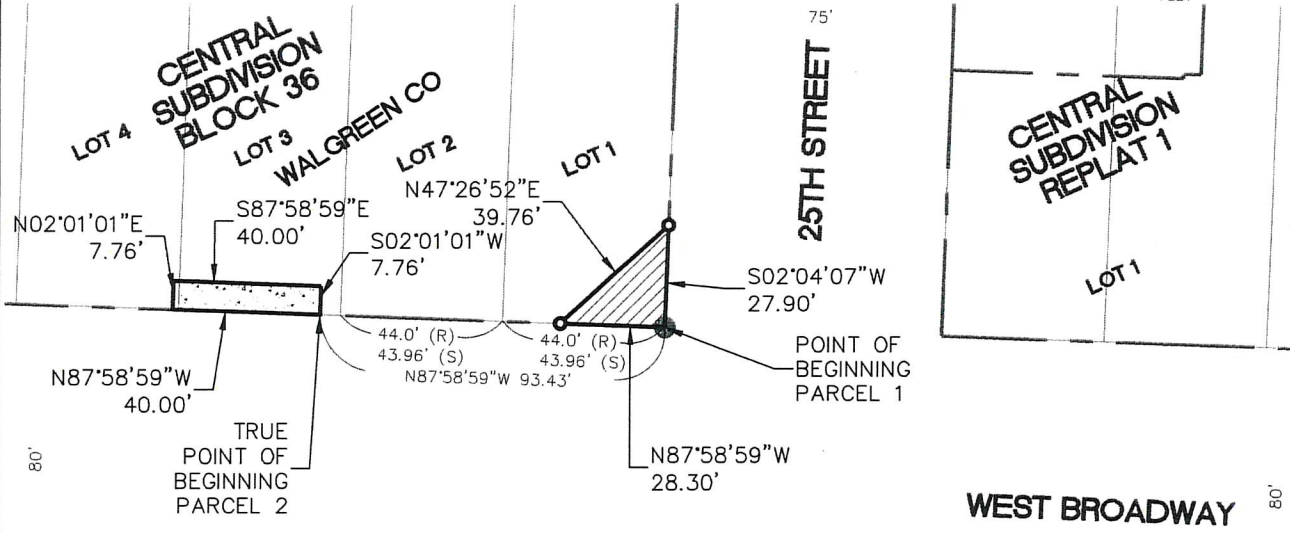
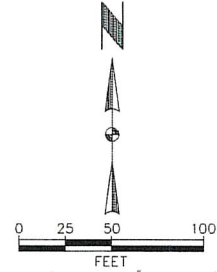
Description	Type	Upload Date
<a href="#">Acquisition Plat</a>	Map	12/7/2018
<a href="#">Street View</a>	Other	12/7/2018
<a href="#">Resolution 18-344</a>	Resolution	12/12/2018

# EXHIBIT "A" ACQUISITION PLAT

ACQUIRED FROM WALGREEN CO

**LEGEND**

- SET 5/8"x18" REBAR  
w/YELLOW PLASTIC CAP  
MARKED "HGM ASSOC.  
PLS 14415"
- (S) SURVEYED
- (R) RECORDED



**LEGAL DESCRIPTION – LAND ACQUISITION (PARCEL 1)**

A PARCEL OF LAND BEING A PORTION OF LOT 1, BLOCK 36, CENTRAL SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1;  
THENCE ALONG THE SOUTH LINE OF SAID LOT 1, NORTH 87 DEGREES 58 MINUTES 59 SECONDS WEST, 28.30 FEET;  
THENCE NORTH 47 DEGREES 26 MINUTES 52 SECONDS EAST, 39.76 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1;  
THENCE ALONG SAID EAST LINE, SOUTH 02 DEGREES 04 MINUTES 07 SECONDS WEST, 27.90 FEET TO THE POINT OF BEGINNING.

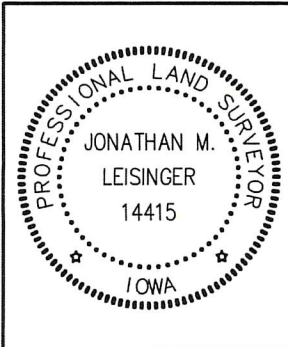
SAID PARCEL CONTAINS AN AREA OF 395 s.f. (0.0091 ACRE), MORE OR LESS.

**LEGAL DESCRIPTION – PERMANENT EASEMENT PARCEL 2**

A PARCEL OF LAND BEING A PORTION OF LOT 3 AND LOT 4, BLOCK 36, CENTRAL SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 36, CENTRAL SUBDIVISION;  
THENCE ALONG THE SOUTH LINE OF SAID BLOCK 36, NORTH 87 DEGREES 58 MINUTES 59 SECONDS WEST, 93.43 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 87 DEGREES 58 MINUTES 59 SECONDS WEST, 40.00 FEET;  
THENCE NORTH 02 DEGREES 01 MINUTE 01 SECOND EAST, 7.76 FEET;  
THENCE SOUTH 87 DEGREES 58 MINUTES 59 SECONDS EAST, 40.00 FEET;  
THENCE SOUTH 02 DEGREES 01 MINUTE 01 SECOND WEST, 7.76 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 310 s.f. (0.0071 ACRE), MORE OR LESS.



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

*Jonathan M. Leisinger*  
JONATHAN M. LEISINGER  
AUGUST 10, 2018  
DATE

LICENSE NUMBER 14415  
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2018

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

CONTRACT DATED \_\_\_\_\_  
CONSIDERATION \$ \_\_\_\_\_  
CENTRAL SUBDIVISION \_\_\_\_\_  
SUBDIVISION \_\_\_\_\_  
BLOCK(S) 36  
LAND ACQUISITION 1  
PERMANENT EASEMENT 310 s.f.  
ACQUIRED BY \_\_\_\_\_  
310 s.f.



**RESOLUTION**  
**NO 18-344**

**RESOLUTION DECLARING THE CITY'S INTENT TO ACQUIRE  
CERTAIN PROPERTIES LOCATED ALONG WEST BROADWAY,  
AND GENERALLY IDENTIFIED HEREIN,  
BY THE USE OF EMINENT DOMAIN IN CONNECTION WITH  
WEST BROADWAY RECONSTRUCTION, SEGMENT 3  
PROJECT #PW19-20**

WHEREAS, it is in the best interest of the public for the City to acquire certain properties for the West Broadway Reconstruction, Segment 3; and

WHEREAS, these properties are listed below:

Parcel #7

Address: 2508 West Broadway

Owner: Walgreen Co., an Illinois Corporation

Land Acquisition: 395 Square Feet (0.0091 Acres)

Permanent Easement: 310 Square Feet (0.0071 Acres)

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

That the use of eminent domain is hereby approved for the acquisition of said properties hereinabove described for the West Broadway Reconstruction, Segment 3 project.

ADOPTED  
AND  
APPROVED

December 17, 2018

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

ATTEST:

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

**Council Communication**

Department: Public Works Admin  
Case/Project No.: PW20-12  
Submitted by: Matthew Cox, City Engineer

Resolution 18-345

Council Action: 12/17/2018

**Description**  
Resolution authorizing the Mayor to execute an agreement with Snyder & Associates, Inc. for engineering services in connection with the South 1st Street Neighborhood Rehab, Phase X. Project # PW20-12.

**Background/Discussion**  
The South 1<sup>st</sup> Street neighborhood bounded by Pierce Street on the north, Palmer Avenue on the south, 1<sup>st</sup> Street on the west and Franklin Avenue on the east consists of some of the original town subdivision within the city.  
Records indicate that the infrastructure in this area dates back prior to the 1950's and is in need of replacement. Storm sewers are lacking or undersized, sanitary sewers are leaking and broken and the pavements are in poor condition. Improvement projects will be phased over several years to replace and upgrade the aged infrastructure.  
Phases I thru VIII are complete and included portions of Knepper Street, Damon Street, Hill Street, Stutsman Street, Langstrom Street, Franklin Avenue, Platner Street, Carson Avenue, Grace Street, Kappell Avenue, Charles Street, Garden Street, Bloomer Street, Clinton Street, Voorhis Street, Stahl Avenue and Grace Street.  
The Phase IX project included Iowa Avenue, Palmer Avenue, and Grove Street. It is currently in winter shutdown and will be completed in the spring.  
The next phase is scheduled for construction in 2019 and will continue the reconstruction along Stutsman and Platner Streets. The exact limits will be determined during the project scoping.  
This project is planned for the FY20 CIP and includes a budget of \$1,000,000 in Sales Tax Funds.  
Snyder was previously selected to develop a program scope for the South 1<sup>st</sup> Street neighborhood and has subsequently provided engineering services on all of the prior construction phases. It is appropriate for Snyder to continue their role as project engineer.

**Recommendation**  
Approval of this resolution.

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Agreement</a>	Agreement	12/7/2018
<a href="#">Resolution 18-345</a>	Resolution	12/12/2018

**PROFESSIONAL SERVICES AGREEMENT**  
**S. 1<sup>st</sup> STREET NEIGHBORHOOD REHABILITATION – PHASE 10**  
**CITY PROJECT NUMBER PW 20-12**  
**CITY OF COUNCIL BLUFFS, IOWA**

**I. NAME OF PARTIES OF THE AGREEMENT**

This Agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018 by and between, The City of Council Bluffs, Iowa, a Municipal Corporation, hereinafter called "OWNER" and Snyder & Associates, Inc., a corporation, hereinafter called "ENGINEER" as follows:

**II. NAME OF PROFESSIONAL SERVICE**

The OWNER shall retain the ENGINEER to complete Professional Services for the preparation of engineering surveys, preliminary design, final design, construction plans and specifications, contract documents, and construction services for Phase 10 – Street & Sewer Reconstruction, hereinafter called the "PROJECT"

**III. SCOPE OF WORK**

**A. GENERAL**

The ENGINEER shall provide Professional Services as required to complete the preparation and assembly of the PROJECT as named in Article II and as described hereinafter as follows:

1. The PROJECT includes, but is not limited to, design services for Phase 10 for the S. 1<sup>st</sup> Street Neighborhood generally described as an area from S. 1<sup>st</sup> Street to Franklin Ave. and from Pierce St. to Palmer Ave.
2. The ENGINEER will complete engineering surveys, design plans and specifications, construction documents, bid letting assistance, construction staking, administration and observation, and final project acceptance for the proposed PROJECT.

**B. ENGINEERING SERVICES**

The ENGINEER will provide the Engineering Services as follows. Payment shall be made as specified in Article VI of this Agreement.

1. Definition & Scope of Project
2. Survey
3. Design
  - a. Preliminary
  - b. Final

4. Bid Phase
5. Construction
  - a. Observation
  - b. Management
  - c. Staking
6. Outside Consultants/Testing
7. R.O.W., Easements, Outside Permits, Assessments

#### **IV. RESPONSIBILITY OF THE OWNER**

At its own expense, the OWNER shall have the following responsibilities regarding the execution of the Contract by the ENGINEER.

##### **A. PROJECT OFFICER**

The OWNER shall name a Project Officer to act as the OWNER's representative with respect to the work performed under this Agreement. All correspondence with OWNER relating to PROJECT shall be directed to the Project Officer and the Project Officer shall be invited to all progress meetings and other meetings called during the PROJECT.

##### **B. PROMPT RESPONSE**

To prevent an unreasonable delay in the ENGINEER's work, the OWNER will examine all reports, drawings, specifications, and other documents and will provide authorizations in writing to the ENGINEER to proceed with work within a reasonable time period.

#### **V. WORK SCHEDULE**

The PROJECT, from design through construction completion, shall be performed by the ENGINEER in accordance with a schedule mutually developed by the OWNER and ENGINEER. Generally, the schedule for the PROJECT is described as follows:

A. (See attached preliminary schedule)

B. The ENGINEER shall not be responsible for delays in the schedule which are beyond the ENGINEER's control.

**VI. COMPENSATION AND TERMS OF PAYMENT**

The OWNER shall pay the ENGINEER in accordance with the terms and conditions of this Agreement.

**A. ENGINEERING SERVICES**

As set forth in Article III (B) the engineering fee shall be on the following basis:

SCOPE OF SERVICES	FEE BASIS
1. Definition of Problem scope of Project	Hourly not to exceed negotiated maximum.
2. Survey	Lump Sum
3. Design a. Preliminary b. Final	Lump Sum
4. Bid Phase	Lump Sum
5. Construction a. Observation b. Management c. Staking	Hourly not to exceed negotiated % of con- struction (average of two low bidders).
6. Outside Consultants/Testing	Billed as per invoice.
7. ROW, Easements, Outside permits, Assessment	Hourly

Actual project fees will be determined at a later date and approved by a supplemental agreement.

**B. ADDITIONAL SERVICES**

Additional Services shall be performed as requested in writing by the OWNER and shall be in accordance with the current fiscal year Snyder & Associates, Inc. Standard Fee Schedule in affect at the time of actual performance. All services quoted on a lump sum basis shall be valid for one year from the contract date.

## **VII. METHOD OF PAYMENT**

- A. The ENGINEER shall submit billings for Basic, Construction and Additional Services to the OWNER on a thirty (30) day basis under separate cover and shall be paid by the OWNER within fourteen (14) days after approval by the City Council. The OWNER shall pay the ENGINEER a percentage of the total fee for each phase or a cost not to exceed the amount shown in accordance with the schedule shown below.
- B. Billings shall include sufficient documentation to explain the charges. All billing shall be accompanied by a Billings Information Report on a form provided to the ENGINEER by the OWNER.

## **VIII. TERMINATION OF AGREEMENT**

The ENGINEER or OWNER may, after giving seven (7) days written notice to the other party, terminate this agreement and the ENGINEER shall be paid for services provided to the termination notice date, including reimbursable expenses due, plus termination expenses. Termination expenses are defined as reimbursable expenses directly attributed to the termination.

## **IX. CONFLICT OF INTEREST**

No elected official or employee of the OWNER who exercises any responsibilities in review, approval, or carrying out of this Agreement shall participate in any decision relating to this Agreement which affects his or her direct or indirect personal or financial interest.

## **X. ASSIGNABILITY**

The ENGINEER shall not assign any interest in this Agreement and shall not transfer any interest in the same without the prior written consent of the OWNER.

## **XI. TITLE TRANSFER**

All drawings, specifications and other work products of the PROJECT are instruments of services for this PROJECT only and shall remain the property of the ENGINEER. The ENGINEER may deliver to the OWNER, at the OWNER's request, paper or electronic media copies of documents prepared in accordance with this Agreement. The OWNER may make hard copies or electronic copies of these documents for purposes supporting the intended use of the project. Any reuse or modification of the documents supplied by ENGINEER for purposes of the PROJECT, including electronic media will be at the recipient's risk and responsibility. Electronic media will be provided as is without warranty, and it shall be the OWNER'S responsibility to reconcile this electronic data with the paper plans, and that the paper plans shall be regarded as legal documents for this PROJECT.

**XII. CONFIDENTIALITY**

No reports, information, and/or data given to or prepared or assembled by the ENGINEER under this Agreement shall be made available to any individual or organization by the ENGINEER without prior written approval of the OWNER.

**XIII. INDEMNIFICATION**

The ENGINEER agrees to indemnify and save harmless the City, its officers, agents, and employees from and against any and all claims including reasonable attorneys' fees and defense costs arising out of the negligent acts, errors, or omissions of the ENGINEER, its officers, agents, and employees in the execution of the services specified in this Agreement.

In recognition of the relative risks and benefits of the project to both the City and ENGINEER, the risks have been allocated such that the City agrees, to the fullest extent permitted by law, to limit the liability of the ENGINEER and their sub-consultants to the OWNER and to all construction contractors and subcontractors on the project for any and all claims, losses, costs, damages of any nature whatsoever or claims expenses from any cause or causes, so that the total aggregate liability of the ENGINEER and their sub-consultants to all those named shall not exceed \$2,000,000.00. Such claims and causes include negligence, professional errors or omissions, strict liability, breach of contract or warranty.

**XIV. INSURANCE**

The ENGINEER shall maintain insurance to protect the ENGINEER from claims under Workmen's Compensation Acts; claims due to personal injury or death of any employee or any other person; claims due to injury or destruction of property; and claims arising out of errors, omissions, or negligent acts for which the ENGINEER is legally liable. The amounts and extent of such insurance is as follows:

- 1. Professional Liability - \$ 2,000,000 each claim; 2,000,000 aggregate
- 2. Vehicle Coverage -
  - Bodily Injury \$ 1,000,000 combined single limit (each accident)
- 3. Worker's Compensation - \$ 100,000 each accident
- 4. General Liability - \$ 1,000,000 each occurrence and 2,000,000 aggregate

**XV. ARBITRATION**

Any controversy or claim arising out of this Agreement may, if both parties agree, be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association.

The cost of the arbitration, if any, will be divided equally between the OWNER and the ENGINEER.

## **XVI. ENGINEER'S RESPONSIBILITY**

The ENGINEER shall be responsible for the professional quality and technical accuracy of all services furnished by the ENGINEER under this Agreement, except for that work provided by OWNER. The ENGINEER shall, without additional compensation, correct or revise any error or deficiencies in his work. Approval of the OWNER of any such work shall not in any way relieve the ENGINEER of responsibility for the technical accuracy and adequacy of said services. The OWNER's review, approval or acceptance of, or payment for any of the services shall not be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

## **XVII. COMPLETENESS OF THE AGREEMENT**

This document contains all terms and conditions of this Agreement and any alteration shall be invalid unless made in writing, signed by both parties and incorporated as an amendment to this Agreement. There are no understandings, representations, or agreements, written or oral, other than those incorporated herein.

## **XVIII. ENGINEER'S CERTIFICATION OF REPORT**

The ENGINEER shall place his certification on the Contract Documents, all in conformity with Chapter 114, Code of Iowa.

## **XIX. COMPLIANCE & REGULATIONS**

During the performance of the contract, the engineer, for itself, its assignees and successors in interest (hereinafter referred to as the "Engineer") agrees as follows:

1. Compliance with Regulations: The Engineer shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the "Regulations"), which are herein incorporated by referenced and made a part of this contract.
2. Nondiscrimination: The Engineer, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Engineer shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix "B" of the Regulations.
3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Engineer for work to be performed under a subcontract, including procurement of materials or leases or equipment, each potential subcontractor or supplier shall be notified by the Engineer of the Engineer's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, or disability.

4. Information and Reports: The Engineer shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of Council Bluffs, The Iowa Department of Transportation or Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, order and instructions. Where any information required of an engineer is in the exclusive possession of another who fails or refuses to furnish this information, the Engineer shall so certify to the City of Council Bluffs, the Iowa Department of Transportation or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the Engineer's noncompliance with the nondiscrimination provisions of this contract, the City of Council Bluffs shall impose such contract sanctions as it, the Iowa Department of Transportation or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. withholding of payments to the Engineer under the contract until the Engineer complies; and/or,
- b. cancellation, termination or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The Engineer shall include the provisions of Paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Engineer shall take such action with respect to any subcontract or procurement as the City of Council Bluffs, the Iowa Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that, in the event an engineer becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Engineer may request the City of Council Bluffs or the Iowa Department of Transportation to enter into such litigation to protect the interest of the City of Council Bluffs or the Iowa Department of Transportation; and , in addition, the Engineer may request the United States to enter into such litigation to protect the interests of the United States.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the day and the year first above written.

ATTEST:

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

OWNER

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

ATTEST:

\_\_\_\_\_  
Andrea Yeoman

ENGINEER  
SNYDER & ASSOCIATES, INC.

By   
Michael G. Geier, Regional Manager

Preliminary Schedule  
City of Council Bluffs  
S. 1<sup>st</sup> Street Neighborhood Rehabilitation – Phase 10  
City Project Number PW 20-12  
Process & Schedule

1. 12/5/18 Prepare “Agreement to Provide Services” (Council Approval 12/17/18)  
5 days after council approval
2. TBD Meet with staff to discuss project scope  
10 days
3. TBD Submit “Project Scoping” proposal (Hourly NTE)  
5 days after approval of scoping proposal
4. TBD Submit “Project Scope & Estimate of Construction Costs”  
5 days after approval of scope & costs
5. TBD Submit “Proposal for Services & Fees”
6. TBD 35% Concept Preliminary Design
7. TBD 60% Progress Submittal
8. TBD 95-98% Plans – Set Public Hearing.
9. TBD 100% Plans – Hold Public Hearing
10. TBD Letting
11. TBD Award

**SNYDER & ASSOCIATES, INC.**  
**2018-19**  
**STANDARD FEE SCHEDULE**

Billing Classification/Level	Billing Rate	
<b>Professional</b>		
<i>Engineer, Landscape Architect, Land Surveyor, Legal, GIS, Environmental Scientist Project Manager, Planner, Right-of-Way Agent, Graphic Designer</i>		
Principal II	\$202.00	/hour
Principal I	\$191.00	/hour
Senior	\$171.00	/hour
VIII	\$158.00	/hour
VII	\$150.00	/hour
VI	\$144.00	/hour
V	\$134.00	/hour
IV	\$124.00	/hour
III	\$113.00	/hour
II	\$103.00	/hour
I	\$90.00	/hour
<b>Technical</b>		
<i>Technicians--CADD, Survey, Construction Observation</i>		
Lead	\$121.00	/hour
Senior	\$116.00	/hour
VIII	\$108.00	/hour
VII	\$100.00	/hour
VI	\$89.00	/hour
V	\$80.00	/hour
IV	\$74.00	/hour
III	\$62.00	/hour
II	\$54.00	/hour
I	\$47.00	/hour
<b>Administrative</b>		
II	\$62.00	/hour
I	\$50.00	/hour
<b>Reimbursables</b>		
Mileage	<i>current IRS standard rate</i>	
Outside Services	<i>As Invoiced</i>	

**RESOLUTION**  
**NO 18-345**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK  
TO EXECUTE AN AGREEMENT WITH  
SNYDER & ASSOCIATES, INC. FOR ENGINEERING SERVICES  
IN CONNECTION WITH THE  
SOUTH 1<sup>ST</sup> STREET NEIGHBORHOOD REHAB, PHASE X  
PROJECT #PW20-12**

WHEREAS, the city wishes to make improvements known as the South 1<sup>st</sup> Street Neighborhood Rehab, Phase X within the City, as therein described; and

WHEREAS, Snyder & Associates, Inc. has submitted an agreement to provide engineering services for the work necessary for said improvements; and

WHEREAS, the city council deems approval of said agreement to be in the best interest of the City of Council Bluffs.

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

That the Mayor and City Clerk are hereby authorized and directed to execute an agreement with Snyder & Associates, Inc. for engineering services relative to the South 1<sup>st</sup> Street Neighborhood Rehab, Phase X project.

AND BE IT FURTHER RESOLVED

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

ADOPTED  
AND  
APPROVED

December 17, 2018

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

ATTEST:

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

**Council Communication**

Department: City Clerk  
Case/Project No.:  
Submitted by: Richard Wade on behalf of  
Matthew Walsh

Resolution 18-346

Council Action: 12/17/2018

**Description**  
Resolution authorizing the Mayor to execute an agreement with other local organizations to retain the services of a lobbyist at the state level to represent the interests of our community.

**Background/Discussion**

**Recommendation**  
Approval

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Lobbying List</a>	Other	12/11/2018
<a href="#">Letter</a>	Letter	12/11/2018
<a href="#">Resolution 18-346</a>	Resolution	12/12/2018

## Iowa Cities with Lobbyists

1. Bettendorf - \$12,500 Eide and Heisinger (multiclient firm)
2. Cedar Falls - \$13,187 Eide and Heisinger (multiclient firm)
3. Cedar Rapids - \$55,000 Heartland Strategies (multiclient firm)
4. Coralville - \$30,000 Cope, Murphy and Company (multiclient firm)
5. Des Moines - \$89,000 Carney and Appleby, PLC (multiclient firm)
6. Iowa City - \$25,200 Carney and Appleby, PLC (multiclient firm)
7. Sioux City - \$14,900 Cornerstone Government Affairs (multiclient firm)
8. Waukee - \$20,000 Carney and Appleby, PLC (multiclient firm)
9. West Des Moines - \$17,000 Smith and Coonan (multiclient firm)

## Chamber Groups

1. Greater Cedar Valley Alliance - \$31,980 Steve Firman
2. Greater Des Moines Convention Bureau - \$21,000 Cornerstone Govt. Affairs
3. Greater Des Moines Partnership - \$62,000 Nyemaster Law Firm
4. Greater Ft. Dodge Growth Alliance - \$10,000 Fitzgerald, Smith & Associates
5. Iowa Chamber Alliance - \$35,000 John Stinemen (Executive Director)
6. Iowa City Chamber - \$18,719 Ryan Sempf
7. Quad Cities Chamber - \$17,500 Henry Marquard and Jason Gordon
8. Ames Chamber - \$34,500 Drew Kamp

## Counties/Board of Supervisors

1. Metropolitan Coalition (10 largest cities)- \$32,400 Cornerstone Govt. Affairs
2. Grow Clinton County - \$15,000 Advocacy Strategies (multiclient firm)
3. Linn County Board - \$60,000 L & L Murphy Consulting (multiclient firm)
4. Polk County Board - \$48,000 Brian Johnson and Amy Campbell (multiclient)

Dan Koenig

Executive Director

Council Bluffs Chamber of Commerce

Dan –

I am pleased to offer this proposal to the Council Bluffs Chamber of Commerce and affiliated groups to represent your positions to Iowa legislators and their staffs, the Governor and staff, and executive branch agencies. This proposal was developed to positively position your organizations with policymakers to advance your public policy agenda.

This proposal outlines the services that would be provided to further your advocacy efforts for the upcoming year. With my many years of experience in the legislature as well as 15 years as the Executive Director of a statewide educational organization, I am well prepared to represent you in a bipartisan manner to all branches of government. I am excited to have the opportunity to work with your group in our mutual goal of making sure that the Council Bluffs community and Pottawattamie County continues to move forward in a positive and exciting manner.

Thank you for your consideration of this proposal. I look forward to finalizing the details of this proposal at your convenience.

Brent

## Lobbying Services

1. Serve as a lobbyist at the Statehouse, educating policymakers, state officials and staff about the policy opportunities and challenges facing the Council Bluffs Chamber of Commerce, City of Council Bluffs, Council Bluffs Community School District and Pottawattamie County (hereafter referred to as “public policy coalition”) and advance or oppose legislation as necessary.
2. Facilitate the public policy coalition in developing an annual agenda of legislative priorities.
3. Monitor and advocate for legislation as directed by the public policy coalition.
4. Introduce the leaders of the public policy coalition to the appropriate committee leaders and policymakers as needed.
5. Facilitate meetings when possible between the leaders of the public policy coalition and any legislative/executive branch policymakers and staff to discuss the merit and challenges of specific bills and to influence action on such legislation favorable to the interests of the public policy coalition.
6. Review and analyze legislation, appropriations and amendments to determine if they are of interest to the public policy coalition.
7. Attend and participate in legislative subcommittee and committee meeting as necessary.
8. Provide verbal or email reports to the leaders of the public policy coalition once per week when the Legislature is in session and as requested throughout the remainder of the year.
9. Provide a written summary of legislative activities upon the conclusion of the legislative session.
10. Attend at least two meetings of the groups comprising the public policy coalition as requested.
11. File lobbyist disclosure reports as required.

## Project Cost

Annual cost - \$32,000 paid in monthly installments at the end of each month’s work.

RESOLUTION NO. 18-346

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH OTHER LOCAL ORGANIZATIONS TO RETAIN THE SERVICES OF A LOBBYIST AT THE STATE LEVEL TO REPRESENT THE INTERESTS OF OUR COMMUNITY.**

**WHEREAS,** the agreement includes the Council Bluffs Chamber of Commerce, the Council Bluffs Community School District and Pottawattamie County;

**WHEREAS,** the agreement will represent the organizations' position to the Iowa legislators and their staff, the Governor and staff and the executive branch agencies; and

**WHEREAS,** the agreement was developed to positively position the organizations with policymakers to advance the parties public policy agenda.

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

That the Mayor is hereby authorized to execute an Agreement on behalf of the City of Council Bluffs with the understanding that the City's financial contribution towards this effort during the current fiscal year shall be limited to \$8,000.00.

ADOPTED  
AND  
APPROVED

December 17, 2018.

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

Mayor

Attest:

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

City Clerk

**Council Communication**

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

Liquor License Renewals

Council Action: 12/17/2018

**Description**

- 1) Ameristar Casino, 2200 River Road
- 2) The Grass Wagon, 110 South 29th Street
- 3) Speedy Gas N Shop, 430 South 35th Street, Suite 1
- 4) Target Store, 3804 Metro Drive
- 5) Woods Sporting Goods, 531 Veteran's Memorial Highway

**Background/Discussion**

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
<a href="#">Liquor License Renewal Applications</a>	Other	12/12/2018



<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>cu</u>	Local Amt _____	
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ZONING <u>CS</u>	Expires _____	
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- ▶ History

### Applicant LE000824, Ameristar Casino Council Bluffs Inc, Council Bluffs

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

**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Ameristar Casino Council Bluffs Inc (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Ameristar Casino Council Bluffs Inc

**Address of Premise:** 2200 River Rd

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501-1768

**Business Phone:** (712) 328-8888

**Cell / Home Phone:**

**Same Address**

**Mailing Address:** 2200 River Rd

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51501-1768

**Contact Name:** Aleksis Bocanegra

**Phone:** (712) 396-3062

**Email Address:** aleksis.bocanegra@amerista

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### Applicant LC0043104, The Grass Wagon, Council Bluffs

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

Name of Business (D/B/A):

Address of Premise:

Address Line 2: \_\_\_\_\_

City:

County:

Zip:

Business Phone:

Cell / Home Phone: \_\_\_\_\_

Same Address

Mailing Address:

Mailing Address Line 2: \_\_\_\_\_

City:

State:

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Contact Name:

Phone:

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**Applicant BC0030118, Speedy Gas N Shop, Council Bluffs**

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**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Jerusalem Petroleum, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Speedy Gas N Shop

**Address of Premise:** 430 South 35th Street, Suite 1

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501

**Business Phone:** (712) 256-3473

**Cell / Home Phone:** (402) 917-6675

**Same Address**

**Mailing Address:** 430 South 35th Street, Suite 1

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51501

**Contact Name:** Abalhadí Alfarrá

**Phone:** (402) 917-6675

**Email Address:** sfaf2009@yahoo.com

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### Applicant LE0002317, Speedy Gas N Shop, Council Bluffs

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

**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Jerusalem Petroleum, LLC (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Speedy Gas N Shop

**Address of Premise:** 430 South 35th Street

**Address Line 2:** Suite 1

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501

**Business Phone:** (712) 256-3473 **Cell / Home Phone:** (402) 917-6675

**Same Address**

**Mailing Address:** 430 South 35th Street

**Mailing Address Line 2:** Suite 1

**City:** Council Bluffs **State:** Iowa

**Zip:** 51501

**Contact Name:** Abalhadi (Albert) Alfarra **Email Address:** sfaf2009@yahoo.com

**Phone:** (402) 917-6675

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### Applicant LE0001285, Target Store T-2454, Council Bluffs

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**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Target Corporation (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Target Store T-2454

**Address of Premise:** 3804 Metro Dr

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51503

**Business Phone:** (712) 309-3380

**Cell / Home Phone:** (612) 761-5541

**Same Address**

**Mailing Address:** 33 South 6th Street, CC-1128

**Mailing Address Line 2:**

**City:** Minneapolis

**State:** Minnesota

**Zip:** 55402

**Contact Name:** Carole Helmin

**Phone:** (612) 761-1015

**Email Address:** liquor.licensing@target.com

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### Applicant BC0028979, Woods Sporting Goods, Council Bluffs

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**Corporation Name/Sole Proprietor Name/Partnership Name(s):** Modlin Sports Inc (Sole Proprietorship, Partnership, Corporation, etc.)

**Name of Business (D/B/A):** Woods Sporting Goods

**Address of Premise:** 531 Veterans Memorial Highway

**Address Line 2:**

**City:** Council Bluffs

**County:** Pottawattamie

**Zip:** 51501

**Business Phone:** (712) 366-0444

**Cell / Home Phone:** (401) 660-1463

**Same Address**

**Mailing Address:** 531 Veterans Memorial Highway

**Mailing Address Line 2:**

**City:** Council Bluffs

**State:** Iowa

**Zip:** 51501

**Contact Name:** Vickie Modlin

**Phone:** (402) 660-1463

**Email Address:** vickiemodlin@gmail.com

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