

CITY COUNCIL STUDY SESSION

**CITY HALL
CITY COUNCIL CHAMBERS
SECOND FLOOR
209 PEARL STREET
COUNCIL BLUFFS IOWA 51503**

**MONDAY, NOVEMBER 28, 2016
3:45 P.M.**

AGENDA

- A. U.S.P.S. – Joe Ceci
- B. Advance Southwest Iowa – Paula Hazelwood
- C. Review Agenda

EXECUTIVE SESSION

- A. R.O.W. Acquisition



COUNCIL AGENDA, CITY OF COUNCIL BLUFFS, IOWA
REGULAR MEETING, NOVEMBER 28, 2016, 7:00 PM
COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL
209 PEARL STREET

AGENDA

1. **Pledge of Allegiance**
2. **Call to Order**
3. **Consent Agenda**
 - A. Reading, correction and approval of the November 14, 2016 City Council meeting minutes
 - B. Approval of agenda and tape recording of this proceeding be incorporated into the official minutes
 - C. Resolution 16-294
Resolution accepting the work of Valley Corporation, Inc. in connection with the River's Edge Subdivision Improvements - Phase I and authorizing the Finance Department to release the retainage fee if no claims are filed
 - D. Resolution 16-295
Resolution accepting the work of Lawn Smith and Company in connection with the Return to Fairmount Park Project and authorizing the Finance Department to release the retainage fee if no claims are filed
 - E. Resolution 16-296
Resolution setting a Public Hearing for December 19, 2016, 7:00 p.m., for the West Broadway Reconstruction Project, Segment 1 (PW17-20)
 - F. Mayor's Appointments
4. **Mayor's Proclamation (None)**
5. **Public Hearings**
 - A. Resolution 16-297
Resolution to release a permanent and perpetual easement reserved for the installation and maintenance of utilities and for drainage, located at specific locations within Jaksha Subdivision
 - B. Resolution 16-298
Resolution approving the Plans, Specifications, Form of Contract and Cost Estimate for the Levee Certification Project, Geotechnical MR_2 (PW16-06A)

DISCLAIMER:

If you plan on attending this meeting and require assistance please notify the City Clerk's office at (712) 328-4616, by 5:00 p.m., three days prior to the meeting.

C. Resolution 16-299

Resolution authorizing disposal of City property legally described as Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent; Lot 2, Block 1, Squire's Addition; and Lot 18, Block 6, Evan's 2nd Bridge Addition

D. Resolution 16-300

Resolution authorizing disposal of City property legally described as the North 50 feet of the South 143.8 feet of Lots 3 and 4, Day's Southside Addition and 1/2 vacated alley adjacent

6. Ordinances on 1st Consideration (None)

7. Ordinances on 2nd Consideration (None)

8. Ordinances on 3rd Consideration (None)

9. Resolutions

A. Resolution 16-301

Resolution authorizing the Mayor and City Clerk to execute an agreement with Judds Bros. Construction Co. in connection with the Levee Certification Project, Structural MR_1 (PW17-06A)

B. Resolution 16-302

Resolution authorizing the Mayor and City Clerk to execute an agreement with Sadler Electric, Inc. in connection with the Kaneshville Boulevard (US Hwy 6) Traffic Adaptive Signal Control Project (FY15-20A)

C. Resolution 16-303

Resolution rejecting all bids for the 9th and 10th Street Bridges over Indian Creek Project (FY15-19)

D. Resolution 16-304

Resolution abolishing the Public Works positions of Electronics Technician and Electrician; and creating the position of Electrician/Controls Technician

E. Resolution 16-305

Resolution granting an extension of time of a temporary use permit to allow crushing/salvage of asphalt and concrete on property located at 1914 Tostevin Street

F. Resolution 16-306

Resolution appointing Jodi Quakenbush to the position of City Clerk upon the retirement of the current City Clerk, Marcia L. Worden

G. Resolution 16-307

Resolution authorizing the acceptance of a deed from D.E.B. Partnership for a parcel of land located near River Road

H. Resolution 16-308

Resolution appointing Bankers Trust Company of Des Moines, Iowa, to serve as Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent, Bond Registrar and Transfer Agent Agreement and authorizing the execution of the agreement

I. Resolution 16-309

Resolution authorizing and providing for the issuance of \$6,095,000 General Obligation Bonds, Series 2016A, and levying a tax to pay said bonds; approval of the Tax Exemption Certificate and Continuing Disclosure Certificate

J. Resolution 10-310

Resolution appointing Bankers Trust Company of Des Moines, Iowa, to service Paying Agent, Bond Registrar, and Transfer Agent, approving the Paying Agent, Bond Registrar and Transfer Agent Agreement and authorizing the execution of the agreement

K. Resolution 16-311

Resolution authorizing and providing for the issuance of \$2,810,000 Taxable General Obligation Bonds, Series 2016B, and levying a tax to pay said bonds; approval of the Continuing Disclosure Certificate

10. Applications for Permits and Cancellations

A. New Beer/Liquor/Wine and Outdoor Permit Applications:

1. 712 Council Bluffs, 1851 Madison Avenue
2. Color of Money, 519 South Main Street

B. Renewal of Beer/Liquor and Wine Permit Applications:

1. Applebee's, 3000 Dial Drive
2. Hy-Vee #2, 1745 Madison Avenue

C. 2016-2017 Cigarette Permit (1)

11. Citizens Request to be Heard

12. Other Business

13. Adjournment

CALL TO ORDER

A regular meeting of the Council Bluffs City Council was called to order by Mayor, Matthew J. Walsh on Monday, November 14, 2016 at 7:00 p.m.

ATTENDANCE

Council Members present: Melissa Head, Al Ringgenberg, Roger Sandau, Nate Watson and Sharon White. Staff present: Richard Wade and Marcia Worden.

CONSENT AGENDA

Sandau and White moved and seconded approval of the consent agenda, and adding Item 10.2 Cigarette Permit. 3.1. Agenda and tape recording of this proceeding to be incorporated into the official minutes; 3.2. Reading, correction and approval of the October 24, 2016 meeting minutes; 3.3. Resolution 16-279, intent to release a permanent and perpetual easement reserved for the installation and maintenance of utilities and for drainage, located at specific locations within Jaksha Subdivision, setting a Public Hearing for November 28, 2016, 7:00 p.m., 3.4. Resolution 16- 280, setting a Public Hearing for November 28, 2016, 7:00 p.m., for the Levee Certification Project, Geotechnical MR_2 (PW16-06A), 3.5. Resolution 16-281, intent to dispose of City property legally described as Lot 1, Block 6, Bayliss and Palmer Addition and the east 16 feet of vacated North 18th Street; adjacent; Lot 2, Block 1, Squire’s Addition; Lot 18, Block 6, Evan’s 2nd Bridge Addition; and the north 50 feet of the south 143.8 feet of Lots 3 and 4, Day’s Southside Addition and ½ vacated alley adjacent, setting a Public Hearing for November 28, 2016, 7:00 p.m., 3.6. IDOT Information Letter, 3.7. Mayor’s Appointments, 3.8. Notices of Claim (2), 3.9. Notices of Right of Redemption (2). Unanimous, 5-0 vote.

MAYOR’S PROCLAMATION

Mayor Walsh read a proclamation designating November 26, 2016 as “*Small Business Saturday*”.

PUBLIC HEARINGS
Resolution 16-283

Held Public Hearing, approving the disposal of an interest in City property by entering into a lease agreement with Bartlett Grain Company. Heard from Bill Webster, 4900 Main, Kansas City, MO, this is an active location and the largest grain exporter to Mexico. We’d like to continue our investment in Council Bluffs Webster added. Ringgenberg thanked Mr. Webster for attending this evening’s meeting. White and Ringgenberg moved and seconded approval. Voice Vote: 4 Ayes; 1 Nay (Watson).

Resolution 16-284

Held Public Hearing, authorizing disposal of City property legally described as the south 62.8 feet of Lot 19, Auditor’s Subdivision of Outlots 2 and 3, Jackson’s Addition. Sandau and Head moved and seconded approval. Heard from Heather Russell-Schroeder, who plans to add additional parking for her employees making it more accessible. Head thanked Ms. Russell-Schroeder for expanding her business here. Sandau and Head moved and seconded approval. Watson in support of the project has a concern for the area, adding this is the oldest known area in town. White mentioned anything north wouldn’t have been allowed, that’s the value of zoning and planning. Unanimous, 5-0 vote.

RESOLUTIONS
Resolution 16-282

White and Watson moved and seconded by approval, fixing the date of a Public Hearing for December 19, 2016, 7:00 p.m., on the proposal to enter into a Development Agreement with River’s Edge Apartments, LLC and providing for the publication thereof. Unanimous, 5-0 vote.

Resolution 16-289

White and Head moved and seconded approval (1) the minimum development requirements, competitive criteria, and procedures for disposition of certain property located within the urban renewal area; (2) determining that the proposal submitted by River’s Edge Apartments, LLC satisfies the offering requirements and declaring the intent of the City to enter into a Development Agreement by and between the City of Council Bluffs, Iowa and River’s Edge Apartments, LLC, in the event that no competing proposals are submitted; and (3) soliciting competing proposals. White noted the detail consists of the minimum development requirements of the proposal. Unanimous, 5-0 vote.

Resolution 16-285

Sandau and Head moved and seconded approval, amending the Emergency Medical Service ambulance treatment/service rates. Watson noted after a comparison was completed the costs are still lower than average; and the fees haven’t been increased in four years. Unanimous, 5-0 vote.

Resolution 16-286

White and Head moved and seconded approval, authorizing two joint applications to the Iowa Economic Development Authority (IEDA) by the City of Council Bluffs and Bluffs Homes LLC. for Workforce Housing Tax Incentive Program (WHTIP) benefits (WHTIP 16-004 and WHTIP 16-005). Unanimous, 5-0 vote.

**Council Communication
November 28, 2016**

Department: Community Development	Ordinance No.: N/A Resolution No.: <u>16-294</u>	Council Action: <u>11/28/2016</u>										
Case/Project No.: N/A												
Subject/Title												
City Council consideration of a resolution accepting the work of Valley Corporation, Inc. as complete and authorizing the release of the retainage after 30 days if no claims are filed and all other contract requirements have been met in connection with the River's Edge Subdivision Improvements – Phase I.												
Location												
River's Edge Subdivision – I-480 and N 40 th Street												
Background/Discussion												
<u>Background</u> A public hearing was held on April 20, 2015 on the plans and specifications for the River's Edge Subdivision Improvements – Phase I. Five (5) bids were received from interested contractors in the City Clerk's office on May 28, 2015. On July 27, 2016, City Council approved Valley Corporation, Inc. as the project contractor and entered into an agreement with them to complete the work for \$2,983,674.77.												
<u>Discussion</u> There were six change orders that increased contracted amounts. These adjustments were due to additional excavation of clay materials and increased backfill quantities, demolition of remaining park improvements, electrical relocation, cleaning the outfall storm sewer adjacent I-480, construction and maintenance of an access road for City levee repairs, and storm and sanitary sewer modifications to avoid utility conflicts. The final project financials can be summarized as follows:												
<table><tr><td>Original contract amount</td><td>\$2,983,674.77</td></tr><tr><td>Change orders</td><td><u>\$237,376.40</u></td></tr><tr><td>Final contract amount</td><td>\$3,221,051.17</td></tr><tr><td>Less previous payments</td><td>\$3,156,630.15</td></tr><tr><td>Retainage due contractor</td><td>\$64,421.02</td></tr></table>			Original contract amount	\$2,983,674.77	Change orders	<u>\$237,376.40</u>	Final contract amount	\$3,221,051.17	Less previous payments	\$3,156,630.15	Retainage due contractor	\$64,421.02
Original contract amount	\$2,983,674.77											
Change orders	<u>\$237,376.40</u>											
Final contract amount	\$3,221,051.17											
Less previous payments	\$3,156,630.15											
Retainage due contractor	\$64,421.02											
The project engineer has inspected the work covered under the contract and finds the work complete and recommends the City accept the improvements.												
Staff Recommendation												
The Community Development Department recommends acceptance of the work by Valley Corporation, Inc. in connection with the River's Edge Subdivision Improvements – Phase I and also authorization for the Finance Director to issue a check in the amount of \$64,421.02 for the final retainage after 30 days if no claims are filed and all other contract requirements have been met.												
Attachment												
Engineer statement regarding work completion												

Donald D. Gross, Director, Community Development Department

Matthew J. Walsh,

Mayor

RESOLUTION NO. 16-294

A RESOLUTION ACCEPTING THE WORK OF VALLEY CORPORATION, INC. IN CONNECTION WITH THE RIVER'S EDGE SUBDIVISION IMPROVEMENTS – PHASE I AND AUTHORIZING THE FINANCE DIRECTOR TO ISSUE A CITY CHECK IN THE AMOUNT OF \$64,421.02.

WHEREAS, the City of Council Bluffs, Iowa, entered into an agreement with Valley Corporation, Inc. for grading and utility installation associated with the River's Edge Subdivision within the City; and

WHEREAS, this project involved sanitary sewer extensions, storm sewer installation, and grading for the entire subdivision; and

WHEREAS, such improvements were required to accommodate the development of the subdivision; and

WHEREAS, the contractor has fully completed the construction of said improvements in accordance with the terms and conditions of their contract, plans and specifications filed with the City Clerk, along with all approved change orders; and

WHEREAS, a request for final payment in the amount of \$64,421.02 to Valley Corporation., Inc. has been submitted to the City Council for approval and payment; and

WHEREAS, final payment is due 30 days after acceptance of the work, assuming all other contract obligations have been met; and

WHEREAS, the City Council of the City of Council Bluffs has been advised and does believe that said \$64,421.02 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**

That said report of the engineer is hereby approved and adopted and the improvements are hereby accepted as having been fully completed in accordance with said plans and specifications.

BE IT FURTHER RESOLVED

That the Finance Director is hereby authorized and directed to issue a City check in the amount of \$64,421.02 payable to Valley Corporation., Inc. from budget code cost center Z21500-679912-00356.

ADOPTED
AND
APPROVED:

November 28, 2016

Matthew J. Walsh

Mayor

ATTEST:

Marcia L. Worden

City Clerk

Council Communication

Department: Parks, Recreation And Public Property Case/Project No.	Ordinance No. Resolution No. <u>16-295</u>	Council Action: <u>011/28/2016</u>
Applicant: Larry N. Foster		

Subject/Title

Council consideration of a resolution accepting the work of Lawn Smith and Company for the Return to Fairmount Park Project as complete and authorizing the Finance Director to issue the final payment and retainage in the amount of \$4,723.15 in 30 days.

Background/Discussion

The City and the Noon Rotary Club of Council Bluffs announced Return to Fairmount Park, a major partnership to begin improvements to Fairmount Park. Following the initial Lead Donation from the Rotary Club, this project was furthered by a REAP grant and a recent grant from the Iowa West Foundation. Return to Fairmount Park is considered to be Phase I of an effort to improve the facilities and amenities offered in Fairmount Park and once again return visitors and families to the park. The project will restore woodlands; establish new trails to improve pedestrian access to the neighborhoods, as well as adding signage. The highlight of the project will be a plaza with a new water playground, the first of its kind in Council Bluffs.

The Plaza and the public areas around the Water Playground are designed not only for the public to observe the Water Playground in use, but also for them to picnic and enjoy the park. Park furnishings and two shelters will be provided. Another element of the Water Playground and the Plaza will be a series of monuments acknowledging donors and the history of the park.

The recommended bidder, Lawn Smith, has submitted the lowest bid and has extensive experience in park projects, including the construction of several Water Playgrounds. Snyders and Associates the project Engineers, has reviewed all bids, and the qualifications of Lawn Smith. Snyders recommend the Council award Lawn Smith the contract.

The bids received, and the associated Engineers estimate, follow:

<u>Company</u>	<u>Base Bid</u>	<u>Alt. 1-4</u>	<u>Total</u>
Lawn Smith	\$309,145.00	\$115,704.00	\$424,849.00
Dostal Const.	\$361,000.00	\$156,000.00	\$517,000.00
Andersen Const.	\$411,232.00	\$200,539.00	\$611,771.00
Engineers Estimate	\$421,250.00	\$108,700.00	\$529,950.00

Funding for the Return to Fairmont Park Project will be provided by:

- REAP Grant, IDNR, \$200,000
- CIP, PR-15-05, Fairmount Park (Phase 1), \$275,000
- CIP, PR-16-04, Community or Regional Park, \$350,000
- Downtown Rotary Grant, \$100,000
- Iowa West Foundation Grant, \$100,000

Recommendation

I recommend that the City Council adopt the resolution declaring the Return to Fairmount Park Project as complete and authorize the Finance Director to issue the final payment and retainage in the amount of \$4,723.15 in 30 days.

Larry N. Foster, Parks & Recreation Dir.

Matthew J. Walsh,

Mayor

GREGORY A. PETERSON
CONSULTING, INC.

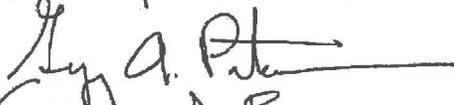
STATEMENT OF FINAL ACCEPTANCE

TO: CITY OF COUNCIL BLUFFS, IOWA
209 PEARL STREET
COUNCIL BLUFFS, IA 51503

DATE: NOVEMBER 20, 2016

RE. SNYDER & ASSOCIATES INC., FRANKLIN PARK WATER PLAYGROUND,
PROJECT No.: 114.0799 CITY OF COUNCIL BLUFFS, IOWA

I HEREBY STATE THAT THE CONSTRUCTION OF THE SPLASH
PAD, RETAINING WALLS, PLANK SHEETERS, FREESTY AND CONNECTING
WALKWAYS AT FRANKLIN PARK IN COUNCIL BLUFFS, IOWA
ACCORDING TO THE PLANS AND SPECIFICATIONS ENTITLED
"SNYDER & ASSOCIATES INC., FRANKLIN PARK WATER PLAYGROUND
COUNCIL BLUFFS, IOWA, PROJECT No.: 1140799" UNDER CONTRACT
BY AND BETWEEN THE CITY OF COUNCIL BLUFFS, IOWA AND
LAWN SMITH & CO., INC HAS BEEN COMPLETED, INCLUDING ALL
PUNCA-LIST ITEMS AS OF OCTOBER 13, 2016, AND THAT THIS WORK
AS COMPLETED IS IN COMPLIANCE WITH THE PLANS AND
SPECIFICATIONS FOR SAID WORK. FINAL ACCEPTANCE OF THE
PROJECT IS RECOMMENDED TO AND BY THE CITY OF COUNCIL BLUFFS, IOWA.


GREGORY A. PETERSON
OWNER'S REPRESENTATIVE

3.D.

RESOLUTION NO. 16-295

RESOLUTION ACCEPTING THE COMPLETION OF THE RETURN TO FAIRMOUNT PARK PROJECT AS COMPLETE AND AUTHORIZING THE FINANCE DIRECTOR TO RELEASE THE FINAL PAYMENT OF \$4,723.15 IN 30 DAYS.

WHEREAS, the City of Council Bluffs, Iowa entered into a contract with Lawn Smith and Company for the Return to Fairmount Park 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 \$4,723.15 to Lawn Smith and Company 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 \$4,723.15 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 \$4,723.15 to Lawn Smith and Company in 30 days.

ADOPTED
AND
APPROVED November 28, 2016

Matthew J. Walsh Mayor

Attest:

Marcia L. Worden City Clerk

COUNCIL COMMUNICATION

Department: Public Works

First Reading November 28, 2016

Case/Project No.: PW 17-20

Ordinance

Applicant: Matthew Cox, City Engineer

Resolution 16-296

SUBJECT/TITLE

Council consideration of a resolution setting a public hearing for 7:00 p.m. on December 19, 2016 for the West Broadway Reconstruction, Segment 1. Project # PW17-20.

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 Playland Park development and downtown Council Bluffs.
- Segment 1 of the reconstruction project will completely rebuild West Broadway from 36th Street to 33rd 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, decorative paving in the center turn lane and at key intersections, neighborhood masonry columns, and trees.
- Council Bluffs Water Works has significant facilities within West Broadway and replacement of the water main and service lines have been included in the project. The estimated reimbursable costs of the water main improvements are \$600,000.
- As a condition of the Transfer of Jurisdiction, Iowa DOT will provide \$20 million in funding for assuming ownership of the roadway previously identified as US-6. An initial payment of \$10 million has been received. This project is included in the FY17 CIP with a budget of \$4,500,000 in IDOT funding and \$1,500,000 in sales tax funds. The Iowa West Foundation has agreed to provide funding for the streetscape amenities which are estimated to be approximately \$1,200,000. Construction costs for all project improvements are estimated to be 6,175,000.
- The project schedule is as follows:

Set Public Hearing	November 28, 2016
Hold Public Hearing	December 19, 2016
Letting	January 24, 2017
Award	February 13, 2017
Construction Start	March 2017

RECOMMENDATION

Approval of this resolution.

Greg Reeder,

Public Works Director

Matthew J. Walsh,

Mayor

RESOLUTION NO. 16-296

**RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE
AND SETTING A PUBLIC HEARING ON THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
WEST BROADWAY RECONSTRUCTION, SEGMENT 1
PROJECT #PW17-20**

WHEREAS, the City wishes to make improvements known as the West Broadway Reconstruction, Segment 1 project within the City, as therein described; and

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

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the West Broadway Reconstruction, Segment 1 setting December 19, 2016, at 7:00 p.m. as the date and time of said hearing.

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

November 28, 2016

Matthew J. Walsh, Mayor

ATTEST:

Marcia L. Worden, City Clerk

Memo

To: Members of City Council

From: Mayor Matt Walsh

Date: November 15, 2016

Re: Reappointment for November 28, 2016 City Council Meeting

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

LOCAL BOARD OF HEALTH

Appoint the following with term expiring 12/31/2019:

- Dr A R Fisher
21405 Honey Locust Ln

3.F.

City Council Communication

<p>Department: Community Development Department</p> <p>Case #MIS-16-003</p> <p>Applicant: Thompson, Dreessen, Dorner, Inc. 10836 Old Mill Road Omaha, NE 68154</p> <p>Owner: Agman Holdings, LLC 16910 Frances St., Suite 200 Omaha, NE 68130</p> <p>Representative: Adam Kirshenbaum 1700 Farnam St. Omaha, NE 68102-2068</p>	<p>Resolution of Intent No. <u>16-279</u> Resolution to Dispose No. <u>16-297</u></p>	<p>City Council: 11/14/2016 Public Hearing: 11/28/2016</p>
--	---	--

Subject/Title

Release of a perpetual and permanent easement reserved for the installation and maintenance of utilities and for drainage described as: a five foot easement located at the south property line of Lot 2 and a five foot perpetual side yard along the north property line of Lot 3, Jaksha Subdivision; and also certain parts of a ten foot perpetual rear yard easement along the west property line of Lots 2 and 3, Jaksha Subdivision.

Background/Discussion

The Community Development Department has received a request from the above listed applicants to release easements as described below and as originally recorded in Book 93, Page 6151 at the office of the Pottawattamie County Recorder:

- 1) A five foot perpetual side yard easement along the south property line of Lot 2, Jaksha Subdivision; and
- 2) A five foot perpetual side yard along the north property line of Lot 3, Jaksha Subdivision; and
- 3) A ten foot perpetual rear yard easement along the west property line of Lots 2 and 3, Jaksha Subdivision as more particularly described on Attachments A and B.

The property is under common ownership and as a result, a building was constructed over the easements as recorded on the Jaksha Subdivision plat. At this time the applicant would like the easement to be released as it is not needed.

Comments

All City departments and local utility companies were notified of the proposed request and specifically asked if they oppose the release of the easement. The following comments were received:

1. The Community Development Department has received authorizations to release interest in the easement(s) from: Qwest Corporation d/b/a Century Link, Black Hills Energy, Cox Communications, MidAmerican Energy and Council Bluffs Water Works.

~~2. MidAmerican Energy has not authorized the release of the easement(s) at the time of this staff report.~~

3. The Community Development Department has not received any adverse comment from any City Department.

Recommendation

The Community Development Department recommends approval of the release of a perpetual and permanent easement as requested at specific locations within Jaksha Subdivision, in the City of Council Bluffs, Pottawattamie County, Iowa.

Attachments

Attachment A –Easement diagram: Lot 2, Jaksha Subdivision, rear yard

Attachment B – Easement diagram: Lot 3, Jaksha Subdivision, rear yard

Prepared by: Rose E. Brown, AICP, Planning Coordinator

Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 - Phone: 328-4616
Prepared by: Community Development Dept., Co. Bluffs, IA 51503 - Phone: 328-4629

RESOLUTION NO. 16-297

A RESOLUTION TO RELEASE A PERMANENT AND PERPETUAL EASEMENT RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND FOR DRAINAGE, LOCATED AT SPECIFIC LOCATIONS WITHIN JAKSHA SUBDIVISION, IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS FURTHER DESCRIBED BELOW.

WHEREAS, following public hearing and having given careful study to the proposal, the City Council determines that easement interest described as follows: a perpetual and permanent easement described as a five foot perpetual side yard easement along the south property line of Lot 2 and a five foot perpetual side yard along the north property line of Lot 3, Jaksha Subdivision; along with a ten foot perpetual rear yard easement along the west property line of Lots 2 and 3, Jaksha Subdivision as more particularly described on Attachments A and B, City of Council Bluffs, Pottawattamie County, Iowa, is of no benefit to the public and should be released; and

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

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

That the above-described easements are hereby released.

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:

November 28, 2016

Matthew J. Walsh, Mayor

ATTEST:

Marcia L. Worden, 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 Marcia L. Worden, 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 Marcia L. Worden, 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

Planning Case #MIS-16-003

COUNCIL COMMUNICATION

Department: Public Works Resolution 16-298 Council Action: November 28, 2016
Case/Project No.: PW16-06A
Applicant: Matthew Cox, City Engineer

SUBJECT/TITLE

After the Public Hearing council consideration of a resolution approving the plans and specifications and authorizing the City Clerk to advertise for bids setting January 10, 2017 at 10:00 a.m. as the date and time for the bid opening for the Levee Certification Project, Geotechnical MR_2. Project # PW16-06A.

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.
- The purpose of the Geotechnical MR_2 project is to resolve seepage deficiencies along the Missouri River levee. The project will modify an existing relief well system with piping to lower the head of each well, improves a drainage channel, and provides a sump structure for ground water pumping.
- This FY16 CIP included \$1,695,000 funded by the Iowa Flood Mitigation Program and \$3,305,000 in Sales Tax Funds programmed for levee improvements. The budget for this project is \$960,000.
- The project schedule is as follows:

Hold Public Hearing	November 28, 2016
Bid Letting	January 10, 2017
Award	January 23, 2017
Construction Start	February 2017

RECOMMENDATION

Approval of this resolution.

Greg Reeder,

Public Works Director

Matthew J. Walsh,

Mayor

RESOLUTION 16-298

**RESOLUTION APPROVING THE
PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND COST ESTIMATE FOR THE
LEVEE CERTIFICATION PROJECT, GEOTECHNICAL MR_2
PROJECT #PW16-06A**

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 Levee Certification Project, Geotechnical MR_2; and

WHEREAS, A Notice of Public Hearing was published as required by law, and a public hearing was held on November 28, 2016.

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 Levee Certification Project, Geotechnical MR_2 Project and the City Clerk is hereby authorized to advertise for bids for said 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

November 28, 2016

Matthew J. Walsh, Mayor

ATTEST:

Marcia L. Worden, City Clerk

5.B.

Council Communication

Department: Community Development Case #OTB-16-018 Applicant: BP Quality Homes Attn: Bill Perdue 535 West Broadway, Suite 100 Council Bluffs, IA 51505	Resolution of Intent: <u>16-281</u> Resolution to Dispose: <u>16-299</u>	Set Public Hearing: 11/14/16 Public Hearing: 11/28/16
---	---	--

Subject/Title

Request of BP Quality Homes, represented by Bill Perdue, to purchase the following City owned properties:

- (a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E
- (b) Lot 2, Block 1, Squire's Addition formerly known as 2108 - 5th Avenue
- (c) Lot 18, Block 6, Evan's 2nd Bridge Addition, formerly known as 3000 Avenue A; and
- (d) The North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated alley adjacent, formerly known as 2720 South 6th Street.

Background/Discussion

Bill Perdue, on behalf of BP Quality Homes has submitted offers to purchase the four City owned properties as described above, and intendeds to build a single family structure on each lot. The details of each vacant property are as follows:

1739 Avenue E: 66' x 130' for a total of 8,580 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in September, 2012.

2108 – 5th Avenue: 40 x 120' for a total of 4,800 s.f., zoned R-2/Two Family Residential, acquired by 657A process in December, 2013.

3000 Avenue A: 48' x 120' for a total of 5,760 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in March, 2013.

2720 South 6th Street: 50' x 157' for a total of 7,850 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in October, 2015.

As per the Inventory and Disposal Policy for Surplus City Property, buildable properties on the disposal list longer than 24 months may be sold as a non-buildable remnant. The first three properties have been on the list for more than 24 months. Even though the lots are considered buildable, they will be treated as a remnant parcel and considered unbuildable because of the time they have been owned by the City. The applicant will pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining balances which will be forgiven upon the completion of a single family structure on each lot.

The last property, 2720 South 6th Street, has been on the list less than 24 months and is considered buildable. It can be sold to the applicant for the assessed value of \$12,653.00. The applicant has made the required \$50.00 deposit and will pay the remaining \$12,603.00 at closing.

Recommendation

5.C.

The Community Development Department recommends disposal of the properties listed above, as follows:

(a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E – Purchase price to be \$2,570 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$2,520 which would be forgiven upon completion of a single family structure.

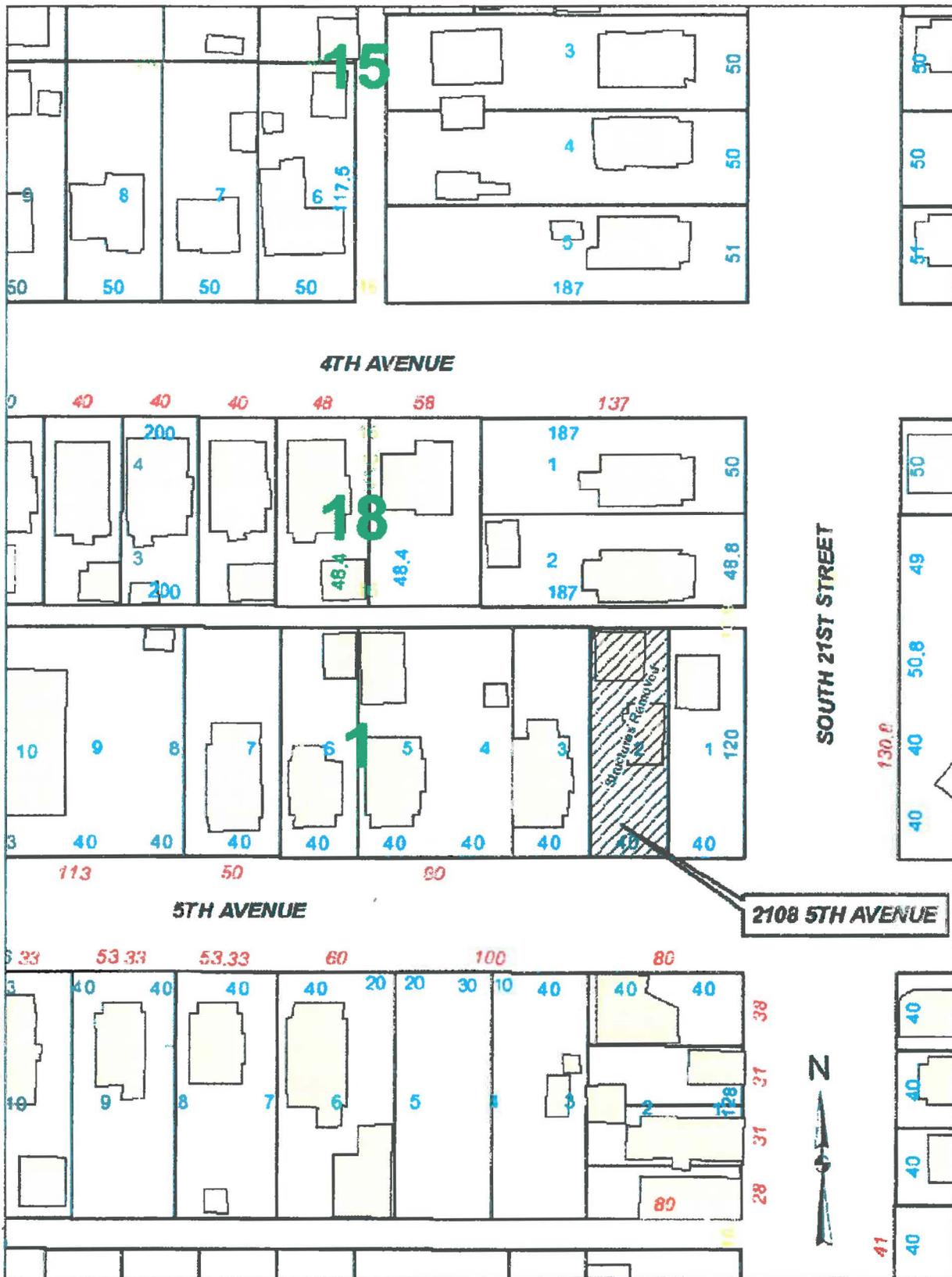
(b) Lot 2, Block 1, Squire's Addition formerly known as 2108 - 5th Avenue - Purchase price to be \$750 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$700 which would be forgiven upon completion of a single family structure.

(c) Lot 18, Block 6, Evan's 2nd Bridge Addition, formerly known as 3000 Avenue A - Purchase price to be \$1,160 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$1,110 which would be forgiven upon completion of a single family structure.

d) The North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated alley adjacent, formerly known as 2720 South 6th Street – Purchase price to be \$12,653. The applicant to pay

Attachments: Location maps

Prepared By: Rebecca Sall, Assistant Planner, Community Development Department





1739 AVENUE E

(Vacated North 17th Street)
Structures Removed



CASE #OTB-16-018

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 16-299

A RESOLUTION AUTHORIZING DISPOSAL OF CITY PROPERTY LEGALLY DESCRIBED AS LOT 1, BLOCK 6, BAYLISS AND PLAMER ADDITION AND THE EAST 16 FEET OF VACATED NORTH 18TH STREET ADJACENT; LOT 2, BLOCK 1, SQUIRE'S ADDITION; AND LOT 18, BLOCK 6, EVAN'S 2ND BRIDGE ADDITION.

WHEREAS, this City Council previously expressed its intent to dispose of the property legally described as (a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E; (b) Lot 2, Block 1, Squire's Addition formerly known as 2108 - 5th Avenue; and (c) Lot 18, Block 6, Evan's 2nd Bridge Addition, formerly known as 3000 Avenue A; and

WHEREAS, a public hearing has been held in this matter.

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

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

BP Quality Homes and all successors in interest: Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent; Lot 2, Block 1, Squire's Addition; and Lot 18, Block 6, Evan's 2nd Bridge Addition.

BE IT FURTHER RESOLVED

That the purchase price to be as follows: (a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E – Purchase price to be \$13,600 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$13,550 which would be forgiven upon completion of a single family structure within 12 months of closing.

Council Communication

Department: Community Development Case #OTB-16-018 Applicant: BP Quality Homes Attn: Bill Perdue 535 West Broadway, Suite 100 Council Bluffs, IA 51505	Resolution of Intent: <u>16-281</u> Resolution to Dispose: <u>16-300</u>	Set Public Hearing: 11/14/16 Public Hearing: 11/28/16
---	---	--

Subject/Title

Request of BP Quality Homes, represented by Bill Perdue, to purchase the following City owned properties:

- (a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E
- (b) Lot 2, Block 1, Squire's Addition formerly known as 2108 - 5th Avenue
- (c) Lot 18, Block 6, Evan's 2nd Bridge Addition, formerly known as 3000 Avenue A; and
- (d) The North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated alley adjacent, formerly known as 2720 South 6th Street.

Background/Discussion

Bill Perdue, on behalf of BP Quality Homes has submitted offers to purchase the four City owned properties as described above, and intendeds to build a single family structure on each lot. The details of each vacant property are as follows:

- 1739 Avenue E: 66' x 130' for a total of 8,580 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in September, 2012.
- ~~2108~~ 5th Avenue: 40 x 120' for a total of 4,800 s.f., zoned R-2/Two Family Residential, acquired by 657A process in December, 2013.
- 3000 Avenue A: 48' x 120' for a total of 5,760 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in March, 2013.
- ~~2720 South 6th Street~~: 50' x 157' for a total of 7,850 s.f., zoned R-3/Low Density Multi-Family Residential, acquired by 657A process in October, 2015.

As per the Inventory and Disposal Policy for Surplus City Property, buildable properties on the disposal list longer than 24 months may be sold as a non-buildable remnant. The first three properties have been on the list for more than 24 months. Even though the lots are considered buildable, they will be treated as a remnant parcel and considered unbuildable because of the time they have been owned by the City. The applicant will pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining balances which will be forgiven upon the completion of a single family structure on each lot.

The last property, 2720 South 6th Street, has been on the list less than 24 months and is considered buildable. It can be sold to the applicant for the assessed value of \$12,653.00. The applicant has made the required \$50.00 deposit and will pay the remaining \$12,603.00 at closing.

Recommendation
<p>The Community Development Department recommends disposal of the properties listed above, as follows:</p> <p>(a) Lot 1, Block 6, Bayliss and Palmer Addition and the East 16 feet of vacated North 18th Street adjacent formerly known as 1739 Avenue E – Purchase price to be \$2,570 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$2,520 which would be forgiven upon completion of a single family structure.</p> <p>(b) Lot 2, Block 1, Squire's Addition formerly known as 2108 - 5th Avenue - Purchase price to be \$750 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$700 which would be forgiven upon completion of a single family structure.</p> <p>(c) Lot 18, Block 6, Evan's 2nd Bridge Addition, formerly known as 3000 Avenue A - Purchase price to be \$1,160 with the applicant to pay \$50.00 (already paid as the down payment) with a mortgage and promissory note to be signed on the remaining \$1,110 which would be forgiven upon completion of a single family structure.</p> <p>d) The North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated</p>
<p>Attachments: Location maps</p> <p>Prepared By: Rebecca Sall, Assistant Planner, Community Development Department</p>

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 16-300

A RESOLUTION AUTHORIZING DISPOSAL OF CITY PROPERTY LEGALLY DESCRIBED AS THE NORTH 50 FEET OF THE SOUTH 143.8 FEET OF LOTS 3 AND 4, DAY'S SOUTHSIDE ADDITION AND 1/2 VACATED ALLEY ADJACENT.

WHEREAS, this City Council previously expressed its intent to dispose of the property legally described as the North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated alley adjacent, formerly known as 2720 South 6th Street; and

WHEREAS, a public hearing has been held in this matter.

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

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

BP Quality Homes and all successors in interest: The North 50 feet of the South 143.8 feet of Lots 3 and 4, Block 1, Day's Southside Addition and 1/2 vacated alley adjacent for the sum of \$12,653.00 (Twelve thousand Six Hundred Fifty Three and no/100 dollars).

ADOPTED
AND
APPROVED: November 28, 2016

Matthew J. Walsh Mayor

ATTEST:

Marcia L. Worden City Clerk

COUNCIL COMMUNICATION

Department: Public Works Ordinance No. First Reading November 28, 2016
Case/Project No.: PW17-06A Resolution 16-301
Applicant: Matthew Cox, City Engineer

SUBJECT/TITLE

Council consideration of a resolution accepting the bid of Judds Bros. Construction Co. in the amount of \$54,500 for the Levee Certification Project, Structural MR_1. Project # PW17-06A.

BACKGROUND/DISCUSSION

- On November 15, 2016 bids were received in the office of the city clerk as follows:

Judds Bros. Construction Co., Lincoln, NE	\$54,500.00
Engineer's Estimate	\$53,000.00

- 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.
- The purpose of the Structural MR_1 project is to repair an existing swing gate closure structure where a spur line of the Union Pacific Railroad passes through the levee embankment. During a high water event, the gate is closed to provide a continuous line of protection. In 2011, over 6,000 sandbags had to be added to the gate structure because of its condition. The repairs will allow the closure to be implemented more quickly and to seal more effectively.
- This 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 is \$100,000.
- The work for this project is scheduled to occur during the week of December 12th thru the 19th.

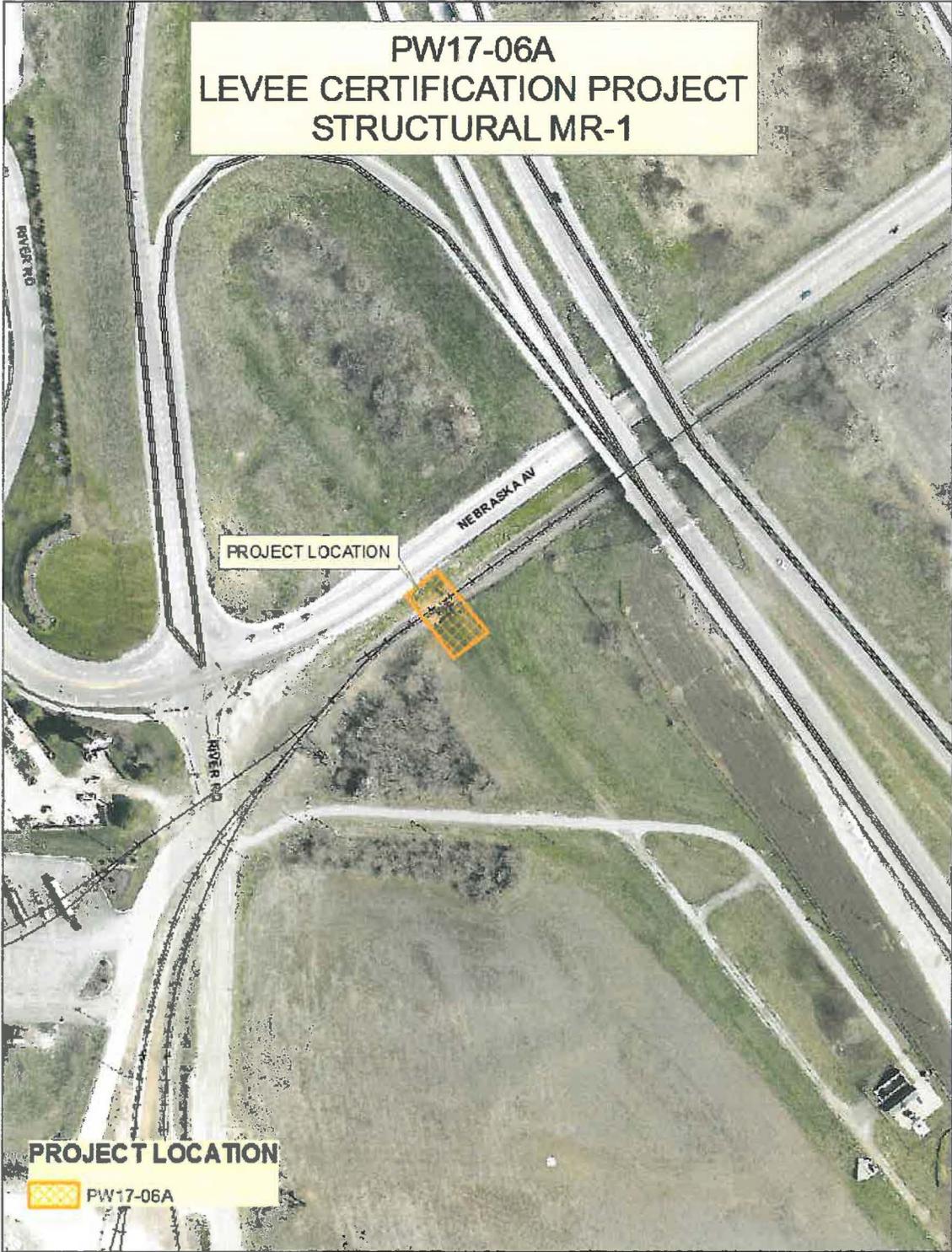
RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

Matthew J. Walsh, Mayor

**PW17-06A
LEVEE CERTIFICATION PROJECT
STRUCTURAL MR-1**



PROJECT LOCATION

NEBRASKA AV

HOFER RD

PROJECT LOCATION



PW17-06A

RESOLUTION 16-301

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH
JUDDS BROS. CONSTRUCTION CO. FOR THE
LEVEE CERTIFICATION PROJECT, STRUCTURAL MR_1
PROJECT #PW17-06A**

WHEREAS, the plans, specifications, and form of contract for the Levee Certification Project, Structural MR_1 are on file in the office of the City Clerk; and

WHEREAS, Judds Bros. Construction Co. has submitted a low bid in the amount of \$54,500 for this contract.

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

That the bid of Judds Bros. Construction Co. in the amount of \$54,500 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the Levee Certification Project, Structural MR_1; and

BE IT FURTHER RESOLVED

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

AND BE IT FURTHER RESOLVED

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

ADOPTED
AND
APPROVED

November 28, 2016

Matthew J. Walsh,

Mayor

ATTEST:

Marcia L. Worden,

City Clerk

9.A.

COUNCIL COMMUNICATION

Department: Public Works
Case/Project No.: FY15-20A
Applicant: Matthew Cox, City Engineer

Ordinance No.
Resolution No. 16-302

First Reading November 28, 2016

SUBJECT/TITLE

Council consideration of a resolution accepting the bid of Sadler Electric, Inc. in the amount of \$272,855.00 for the Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control. Project # FY15-20A.

BACKGROUND/DISCUSSION

- On October 18, 2016, proposals were received by the DOT as follows:

Sadler Electric, Inc., Omaha, NE	\$272,855.00
Bluffs Electric, Inc., Council Bluffs, IA	\$296,075.00
Engineer's Estimate	\$315,000.00

- The Kanesville Traffic Adaptive Signal Control project involves new traffic signal control equipment and software. Currently the signals have set times of day, day of week timing plans. Based on typical traffic flows during specific times of the day and week, signal plans are developed, which handle that assumed traffic flow. These plans do not recognize real time traffic demands. Adaptive signal control systems adjust signal coordination for real time traffic demands. The proposed project would install new signal control systems on Kanesville Boulevard from North Avenue to 16th Street.
- For the purpose of vendor selection and procurement, the City entered into Agreement No. 2016-16-001 with the DOT that combines City Project FY 15-20A, Kanesville Boulevard Traffic Adaptive Signal Control with DOT Project No. IMN-029-3(155)54--0E-78 for Traffic Adaptive Signal Control along South Expressway as part of the interstate improvements. The adaptive signal control technology provided by Trafficware Group, Inc. was previously approved by Resolution 15-270.
- This project will construct the required traffic detection equipment for the Trafficware technology. In order for an adaptive signal control system to respond appropriately, it must have input from the actual traffic conditions. This necessary information is provided by the detection equipment.
- Utilizing the cost for the adaptive signal control technology and the traffic detection equipment, results in a combined total project cost of \$508,730. The ICAAP grant provides federal funding of \$389,000. The City's match for the project will be paid using sales tax funds.
- The project is included in the FY15 CIP as ICAAP Project, FY15-20A, Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control.
- There is a late start date of April 2017 for the detection work and it is anticipated that the adaptive system along Kanesville will be functional by the end of 2017.

RECOMMENDATION

Approval of this resolution.

Greg Reeder,

Public Works Director

Matthew J. Walsh,

Mayor

RESOLUTION NO. 16-302

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO EXECUTE AN AGREEMENT WITH SADLER ELECTRIC, INC. FOR THE
KANESVILLE BOULEVARD (US HWY 6) TRAFFIC ADAPTIVE SIGNAL CONTROL
PROJECT #FY15-20A**

WHEREAS, the plans, specifications, and form of contract for the detection project are on file in the office of the City Clerk; and

WHEREAS, a Notice of Public Hearing was published, as required by law, and a public hearing was held on August 22, 2016, and the request for proposals were approved; and

WHEREAS, Sadler Electric, Inc. has submitted a proposal in the amount of \$272,855.00 for this contract.

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

That the proposal of Sadler Electric, Inc. in the amount of \$314,500.00 is hereby accepted as the lowest and best bid received for said work; and

BE IT FURTHER RESOLVED

That the City Council does hereby award the contract in connection with the Kanesville Boulevard (US Hwy 6) Traffic Adaptive Signal Control.

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.

AND BE IT FURTHER RESOLVED

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

**ADOPTED
AND
APPROVED**

November 28, 2016

Matthew J. Walsh, Mayor

ATTEST:

Marcia L. Worden, City Clerk

COUNCIL COMMUNICATION

Department: Public Works
Case/Project No.: FY15-19
Applicant: Matthew Cox, City Engineer

Resolution 16-303

Council Action: 11/28/2016

SUBJECT/TITLE

Council consideration of a resolution rejecting all bids for the 9th and 10th Street Bridges over Indian Creek. Project # FY15-19.

BACKGROUND/DISCUSSION

- On October 18, 2016, proposals were received by the DOT as follows:

United Contractors, Inc., Johnston, IA	\$3,299,568.50
Iowa Bridge & Culvert, LC, Washington, IA	\$3,832,672.96
Engineer's Estimate	\$2,558,295.80

- The Iowa DOT annually makes Federal and State funds available for the purposes of rehabilitating or replacing structurally deficient or functionally obsolete bridges. Bridges are ranked to receive funding based on a priority point system.
- The 9th and 10th Street Bridges over Indian Creek (FHWA Structure #'s 504040 and 504045) ranked high enough among other bridges in the state to qualify for participation in the program.
- The Indian Creek box under Creek Top is currently spanned by bridges at 9th and 10th Street. Both of the bridges and concrete box are in poor condition. This project will replace the bridges by reconstructing a section of the concrete box, allowing the bridges to be eliminated. Permanent and temporary easements have been acquired to construct and maintain the proposed concrete box.
- Highway Bridge Program funds allow for 80% funding for construction of the 9th and 10th Street Bridge replacement with maximum eligible costs of \$2,000,000.00.
- This project is in the FY15 & FY16 CIP and includes a budget of \$1,350,000 in sales tax funds for engineering, right-of-way, and the City's share of construction.
- Based on contractor feedback, the plan is to rebid the project in late spring of next year. The new timing with a more flexible winter construction period is expected to attract more bidders and result in more favorable pricing.

RECOMMENDATION

Approval of this resolution.

Greg Reeder,

Public Works Director

Matthew J. Walsh,

Mayor

RESOLUTION 16-303

**RESOLUTION REJECTING ALL BIDS
FOR THE
9th AND 10TH STREET BRIDGES OVER INDIAN CREEK
PROJECT #FY15-19**

- WHEREAS, the plans, specifications, and form of contract for the for the 9th and 10th Street Bridges over Indian Creek are on file in the office of the City Clerk; and
- WHEREAS, bids were received by the Iowa DOT on October 18, 2016; and
- WHEREAS, it is appropriate to reject all bids.

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

That all bids received for the 9th and 10th Street Bridges over Indian Creek project are rejected.

ADOPTED
AND
APPROVED November 28, 2016

Matthew J. Walsh, Mayor

ATTEST: _____
Marcia L. Worden, City Clerk

9.C.

COUNCIL COMMUNICATION

Department: Public Works

Resolution No. 16-304

Council Action: 11/28/2016

Case/Project No.: _____

Applicant: Greg Reeder, Public Works Director

SUBJECT/TITLE

Council consideration of a resolution abolishing Public Works positions of Electronics Technician and Electrician; and creating the position of Electrician/Controls Technician.

BACKGROUND/DISCUSSION

- Currently, Public Works has two separate job positions performing electrical and electronics maintenance: Electronics Technician (CWA bargaining unit, grade 20, located at the Waste Water Treatment Plant) and Electrician (AFSCME bargaining unit, grade 24, located at Sewer Pump Stations). Both are within the Sewer Maintenance operating budgets. The supervisors have determined that there is insufficient work load to warrant the two separate positions and the job descriptions are too narrow to permit better utilization of the manpower.
- However, the city has a strong need for coordinated electrical and electronics maintenance skills on a citywide basis for all of its 78 separate facilities. This need justifies a position that is qualified to do both electrician work and systems controls technician work.
- For the aforementioned reasons, Public Works is proposing to abolish both the **Electrician** and the **Electronics Technician** positions and creating one (1) new single position of **Electrician/Controls Technician**.
- The new position will combine duties of both the Electrician and the Electronics Technician. The new position will be placed under the CWA bargaining unit grade 20 and will include responsibilities for all city facilities, not just at the Waste Water Treatment Plant and Pump Stations. The new position will be managed within the Facilities Maintenance Division to enable a citywide coordination of electrical and electronic controls maintenance.
- The position will be funded from the Sewer Fund. Public Works will work with the Finance Department to implement reimbursement to the Sewer Fund for General Fund building maintenance costs performed by this position. Abolishing the two old positions and creating the new Electrician/Controls Technician position will create an overall savings to the city of \$110,000. With Mayor approval, the city council will be asked to approve abolishment of the **Electronics Technician** and **Electrician** positions and creation of the **Electrician/Controls Technician**.

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

Matthew J. Walsh, Mayor

ELECTRONICS TECHNICIAN

General Statement of Duties: Performs highly skilled technical work in the installation, operation, maintenance and repair of electronic microprocessor based equipment. Does related work as required.

Distinguishing Features of the Class: Employees in this class must be able to install, operate, maintain, and repair electronic microprocessor based equipment. The particular type of equipment involved will be dependent on the division to which the employee is assigned. Employees will receive only general supervision and must be highly self-motivated and capable of performing competent, accurate work.

Examples of Work: (Illustrative only. Actual duties performed will depend of the division to which the employee is assigned.)

- Maintains the database of the System's Local Area Network (LAN), making additions and deletions as needed or directed by the Superintendent;
- Maintains the data collection system, periodically calibrating and checking all relevant -sensors to insure accuracy;
- Maintains process control loops and instrumentation systems, recommending contract work when necessary;
- Maintains a replacement parts inventory;
- Selects and installs replacements and additions to site process control equipment;
- Repairs and maintains digital and electro-mechanical traffic signal control devices;
- Fabricates and repairs printed circuit boards;
- Makes minor electronic equipment designs;
- Designs and fabricates lab test equipment;
- Does EPROM and EEPROM programming;
- Assists in signal system and electronic designs;
- Works with computer operating systems, languages, and minor programming;
- Informs staff and Superintendent of operational or maintenance problems and recommends solution;
- Assists in training of staff;
- Maintains required records;
- Performs related duties as required.

Required Knowledge, Skills, and Abilities: Comprehensive knowledge of the standard practices, tools, test equipment and terminology of electronics; a working knowledge of microprocessors, process control equipment, sensors, transmission systems, communication systems, instrument control systems, transmitters, recorders, timer, ladder logic control systems as related to programmable logic controllers, and power controlling solid state equipment. Must be familiar with PC computers and current operating systems. Must be familiar with PROM's uploading and downloading of software, and using/programming dial up modems. Must have the ability to work from plans, blueprints, manual, and diagrams; a good mechanical aptitude, good

physical condition; ability to learn new electronic systems and equipment quickly, ability to do small drafting projects, ability to comprehend and carry out job duties. Must have the ability to effectively communicate with people. Must have ability to make emergency repairs of traffic signals and related equipment. Must be able to bend, twist and reach overhead to install or repair equipment. Must be able to lift up to 50 lbs, operate bucket truck, climb ladder or into bucket truck as needed.

Acceptable Experience and Training: A minimum of a two year degree in electronics from an accredited technical institute or an approved equivalent of military training or other specialized electronic training. Must have a valid Iowa driver's license.

4/06 CT 20

9.D.

ELECTRICIAN

General Statement of Duties: Performs highly skilled electrical work in the maintenance and repair of specialized machinery in a treatment plant or pumping station; does related work as required.

Distinguishing Features of the Class: An employee of this class is responsible for maintaining electrical equipment at the treatment plant and pump stations. Work is performed under general supervision and requires employee to exercise independent judgement. Employee may supervise a small crew of laborers on special assignments.

Examples of Work: (Illustrative Only)

- Performs routine maintenance of the telemetry system;
- Runs Cathodic Protection tests on the system and install cathodic equipment as needed;
- Removes, cleans and installs motors; repairs and replaces parts, as needed;
- Performs electrical checks and troubleshoots fans and heaters, replacing parts and cleaning as necessary;
- Installs and repairs lighting fixtures and connections;
- Performs necessary preventative maintenance of all electrical equipment;
- Locates and retrieves parts as needed;
- Studies electrical blueprints, manuals and files for reference;
- Maintains required records;
- Checks control panels and replaces relays, switches, and other parts;
- Changes circuit breakers and works with stab assemblies on bus bar;
- Operates portable multi-gas monitor in order to detect gases;
- Repairs wiring, relays and switches on pump controls;
- Trains and supervises the work of assistant;
- Performs related duties as directed or as the situation dictates;
- Works in coordination with the Electronics Tech on projects as needed.

Required Knowledge, Skills and Abilities: Thorough knowledge of standard practices, methods, tools, terminology, and materials of the electrical trade; considerable knowledge of electrical theory; ability to detect and work with high voltage in a safe manner; ability to repair complicated electrical wiring fixtures and equipment; ability to work from sketches and blueprints; ability to understand and carry out difficult oral and written instructions; knowledge and ability to maintain effective working relationship with the general public and co-workers; skill in the use and care of equipment and tools used in electrical trade; ability to work in unpleasant work conditions, i.e. temperature extremes, unpleasant odors, noise, dust, heights, underground, and exposure to sewage; good physical condition.

Acceptable Experience and Training: Any combination of experience and training, which provides the necessary knowledge, skills, and abilities. Requires a City of Council Bluffs Journeyman Electrician's License. Must have a valid Iowa driver's license.

7/02 AF 24

9.D.



City of Council Bluffs

Job Description

Electrician/Controls Technician

Department: Public Works
Supervisor: Building Maintenance Superintendent
Location: Operations Building
FLSA Status: Non-exempt
Prepared By: Mallory Davis, Recruiter
Prepared Date: November 2016
Union: CWA
Pay Grade: 20

Summary: Performs highly skilled electrical and microcontroller work in the installation, operation, maintenance, and repair of electrical systems to include specialized machinery, controls, and equipment in a wastewater treatment plant, pumping stations, and other City facilities. Installs and repairs electrical wiring for buildings, equipment, and machinery. Installs, repairs, and programs Programmable Logic Controllers (PLC's).

Essential Duties and Responsibilities: includes the following.

- Receives wiring diagrams, drawings, specifications, and instructions, either verbally or in writing, concerning emergency and scheduled repair, installation, and inspection work to be performed
- Plans and performs work requiring a thorough knowledge of electrical and electronic theory and principles, wiring specifications, local and national electrical codes, properties of various materials, and principles of operation and application of electronic equipment
- Plans details of working procedure to determine material or replacement needs and determines a logical approach to repair problems
- Services electronic equipment by checking, testing, and replacing faulty components, circuit modules, printed circuit boards, PLC's, and similar electronic devices
- Performs City-wide facility electrical maintenance making operating adjustments as required
- Makes sketches of parts and layout
- Designs and constructs adaptations of component parts or standard parts as required
- Maintains and installs communication cables, power distribution cables and wiring, and performs splicing as required
- Fabricates parts as required using machine and hand tools common to the trade
- Informs supervisor and all employees of potentially dangerous electrical equipment and corrective actions taken

- Advises operators and mechanics of standard operating procedures and requirements for working safely with electronic equipment and components
- Maintains company-required performance and maintenance records for cathodic protection, grounding, electronic, and electrical equipment
- Provides technical direction to helpers as required
- Regular and predictable attendance is required
- Other duties as assigned

Supervisory Responsibilities:

This job has no supervisory responsibilities.

Qualifications:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience:

- Associate's Degree in Electrical and Electronic Theory and a minimum 5 years' work experience in that field. Applicable work experience may be substituted for formal training
- Industrial experience preferred
- A state of Iowa Journeyman or Masters Electrician License is preferred
- Or any equivalent combination of education and experience which provides the required knowledge, skills, and abilities

Certificates, Licenses, Registrations:

- Must possess a valid Driver's License

Physical Demands:

- While performing the duties of this job, the employee is frequently required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; and see, talk, and hear.
- The employee must be able to occasionally lift and work with up to fifty (50) pounds.
- The employee must be able to frequently lift and work with up to twenty (20) pounds.
- The employee must be able to continuously lift and work with up to ten (10) pounds.
- Ability to work both in and out of doors, in all weather conditions, in high places, in confined spaces, in dusty environments, in high noise levels, and around wastewater odors.

Other Skills and Abilities:

- Knowledge of standard practices, methods, tools, terminology, and materials of the electrical and electronics trades
- Basic knowledge of electrical/electronic theory
- Ability to repair electrical wiring, fixtures, and equipment
- Ability to troubleshoot, repair, install, and program PLC's

- Knowledge of the occupational hazards and safety precautions necessary in a wastewater treatment facility and all other City facilities
- Skill in the care and use of tools, equipment, and testing devices used in electrical and electronic repair
- Skill in making logical analysis of complex electrical and electronic systems and determining causes of malfunctions
- Ability to enter data or information into a computer terminal, laptop computer, or other keyboard device
- Ability to read and interpret sketches, schematics, prints, circuit diagrams and specifications
- Ability to discern colors especially wiring color codes
- Ability to understand and carry out oral and written instructions in the English language
- Ability to establish effective working relationships with co-workers and subordinates
- Ability to work safely without presenting a direct threat to self or others
- Ability to make skillful, controlled manipulations of small objects
- Ability to respond to emergency requests during non-work hours including nights and weekends

9.D.

RESOLUTION 16-304

**RESOLUTION ABOLISHING WITHIN THE
PUBLIC WORKS DEPARTMENT THE
POSITIONS OF ELECTRONICS TECHNICIAN
AND ELECTRICIAN AND CREATING A NEW
POSITION OF ELECTRICIAN/CONTROLS
TECHNICIAN**

WHEREAS, currently, Public Works has two separate job positions performing electrical and electronics maintenance: Electronics Technician (CWA bargaining unit, grade 20, located at the Waste Water Treatment Plant) and Electrician (AFSCME bargaining unit, grade 24, located at Sewer Pump Stations). Both are within the Sewer Maintenance operating budgets; and

WHEREAS, the supervisors have determined that there is insufficient work load to warrant the two separate positions and the job descriptions are too narrow to permit better utilization of the manpower; and

WHEREAS, the city has a strong need for coordinated electrical and electronics maintenance skills on a citywide basis for all of its 78 separate facilities. This need justifies a position that is qualified to do both electrician work and systems controls technician work.

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

That the positions of Electronics Technician and Electrician are hereby abolished.

AND BE IT FURTHER RESOLVED

That the position of Electrician/Controls Technician is created within the Public Works Department.

ADOPTED
AND
APPROVED _____, 2016

Matthew J. Walsh, Mayor

ATTEST: _____
Marcia L. Worden, City Clerk

City Council Communication

<p>Department: Community Development</p> <p>CASE #TU-15-006</p> <p><u>Owner:</u> Midwest Walnut P.O. Box 97 1917 Tostevin Street Council Bluffs, IA 51502</p> <p><u>Applicant:</u> Sean Negus Construction LLC 11828 N. 34th Avenue Omaha, NE 68112</p>	<p>Resolution No. <u>16-305</u></p>	<p>City Council: November 18, 2016</p>
--	-------------------------------------	--

Subject/Title

Request: Extension of time request 2: Extension of time to all the continued crushing of asphalt and concrete on property located at 1914 Tostevin Street.

Background/Discussion

The City Council approved a temporary use permit to allow the asphalt and concrete crushing located on the north easterly side of South Avenue in the general vicinity of property known as Midwest Walnut from 9/15/2015 until 8/31/2016. The City Council gave the approval by Resolution No. 15-218. At the time the applicant indicated the material will be hauled to the site, processed, loaded and hauled back to the construction site. Resolution No. 16-236, passed and approved on September 12, 2016, granted an extension of time to allow the use to continue until December 31, 2016.

At this time the applicant has requested a second extension of time to allow the use to continue until January 31, 2017. At last discussion, the applicant intends to request a conditional use permit to allow the use to be established permanently at the location. A complete application has not been received at this time.

For reference the following information is provided:

The Municipal Code Section 15.02.110 Temporary Use Permit, provides for the issuance of temporary use permit(s) *'for limited term activities or events which occur on private property within the City that may potentially create off-site impacts to surrounding properties and the neighborhood in which it will occur.'* The code further defines eight specific uses which are eligible for issuance administratively.

The procedure set forth in Code Section 15.02.110(C)2 states that *'temporary uses not specifically listed here shall require the specific approval of the City Council. Such uses may be allowed in any zoning district, provided that such temporary use is consistent with the purpose and intent of this Ordinance and the zoning district in which it is located.'*

The crushing of concrete and asphalt is considered 'salvage operation' in the context of the Zoning Ordinance and is only allowed as a permanent use if established in an I-2/General Industrial District with the issuance of a conditional use permit by the Zoning Board of Adjustment, to allow salvage operations. The requested use is not defined as a temporary use that can be administratively authorized. In order for

temporary crushing to be allowed the City Council would have to authorize the use through the issuance of a temporary use permit.

The following conditions were included with the original approval by the City Council:

1. Hours of operation are limited to Monday through Friday from 8:00AM-2:30PM and 3:30PM to 7:00PM and Saturday from 7:00AM to 4:00PM.
2. The recommendations of the approved traffic study shall be implemented.
3. On site circulation must be identified. Circulation paths will need to be stabilized and track-out controls put in place (i.e. wheel wash).
4. All materials will need to be stored in containment areas to reduce the potential for erosion.
5. Site restoration will be required to current or better conditions upon completion of site use.
6. All applicable permits necessary to meet local, state and federal requirements shall be the operator's responsibility.

Recommendation

The Community Development Department has identified potential alternatives for action:

1. Approve the extension of time for the temporary use permit to allow crushing as requested, subject to all the comments, conditions (including restriction of hauling hours) and improvements identified and approved in the current permit until January 31, 2017.
2. Find that the duration of the issued temporary use permit adequate and require that the operation be stopped and the site returned to pre-use condition on, or before December 31, 2016, in accordance with the current permit.

Attachment A: Map from Community Development Department

Prepared by: Rose E. Brown, AICP, Planning Coordinator

RESOLUTION NO. 16-305

A RESOLUTION GRANTING AN EXTENSION OF TIME OF A TEMPORARY USE PERMIT TO ALLOW CRUSHING/SALVAGE OF ASPHALT AND CONCRETE ON PROPERTY LOCATED AT 1914 TOSTEVIN STREET.

WHEREAS, Sean Negus Construction, LLC has requested an extension of time to allow the continued ability to crush asphalt and concrete at property located at 1914 Tostevin Street; and

WHEREAS, The City Council approved the temporary use permit (CASE #TU-15-006) by Resolution No. 115-218 on August 24, 2015; and

WHEREAS, The City Council approved an extension of time for the temporary use by Resolution No. 16-236, allowing operation until December 31, 2016; and

WHEREAS, The property is zoned I-2/General Industrial District, as is property located to the northwest and southwest; and

WHEREAS, The original conditions of approval are still applicable to the location and request; and

WHEREAS, The temporary use permit shall be extended until January 31, 2017, subject to the following conditions:

1. Hours of operation are limited to Monday through Friday from 8:00AM-2:30PM and 3:30PM to 7:00PM and Saturday from 7:00AM to 4:00PM.
2. The recommendations of the approved traffic study shall be implemented.
3. On site circulation must be identified. Circulation paths will need to be stabilized and track-out controls put in place (i.e. wheel wash).
4. All materials will need to be stored in containment areas to reduce the potential for erosion.
5. Site restoration will be required to current or better conditions upon completion of site use.
6. All applicable permits necessary to meet local, state and federal requirements shall be the operator's responsibility.

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

That the temporary use permit to allow crushing/salvage of asphalt and concrete on property located at 1914 Tostevin Street, is hereby extended until January 31, 2017, subject to the comments and conditions set forth above.

RESOLUTION NO. _____

PAGE 2

ADOPTED
AND
APPROVED

November 28, 2016

MATTHEW J. WALSH

Mayor

Attest:

MARCIA L. WORDEN

City Clerk

9.E.

Planning Case No. #TU-15-003

Council Communication

Department: City Council City Clerk's Office	Ordinance No. Resolution No. <u>16-306</u>	Council Action: <u>11-28-2016</u>
Applicant: Sharon White		
Subject/Title		
A RESOLUTION appointing Jodi Quakenbush to the position of City Clerk effective upon the retirement of current City Clerk, Marcia L. Worden.		
Background/Discussion		
I am requesting that effective upon my retirement, Jodi Quakenbush shall be appointed to the position of City Clerk, at Pay Grade 27, Step 3, of the Non Union pay scale; and that she be granted five days of Administrative Leave in accordance with City Personnel Policy 500.		
To better serve the City and staff I'm also requesting authorization to hire an Administrative Secretary two (2) weeks prior to my retirement; this overlap will greatly assist in training of the new employee. Once I have a retirement date a resolution will be prepared to eliminate the position of Deputy City Clerk with the replacement of the Administrative Secretary position.		
Recommendation		
The City Clerk is recommending approval of the Resolution.		

Marcia L. Worden,

City Clerk

Matthew J. Walsh,

Mayor

RESOLUTION 16-306

**A RESOLUTION TO APPOINT JODI QUAKENBUSH TO THE POSITION OF CITY CLERK
UPON THE RETIREMENT OF THE CURRENT CITY CLERK, MARCIA L. WORDEN.**

WHEREAS, this resolution shall appoint Jodi Quakenbush to the position of City Clerk effective upon the retirement of current City Clerk Marcia L. Worden. Compensation shall be established at Grade 27, Step 3 of the nonunion pay scale; and

WHEREAS, as City Clerk, Jodi Quakenbush will be granted an additional five days of administrative leave on an annual basis beginning upon her appointment;

WHEREAS, and the City Clerk's Office is hereby authorized to hire an Administrative Secretary for the City Clerk's Office two (2) weeks prior to the retirement of the current City Clerk, Marcia L. Worden; Upon the notice of a retirement date, a resolution will be prepared to replace the current Deputy City Clerk position with the Administrative Secretary position.

NOW, THEREFORE, BE IT RESOLVED

BY THE CITY COUNCIL

OF THE

CITY OF COUNCIL BLUFFS, IOWA

That effective upon the retirement of Marcy Worden, Jodi Quakenbush is hereby appointed to the position of City Clerk at pay grade 27, step 3 of the non union pay scale;

BE IT FURTHER RESOLVED

That effective upon appointment to City Clerk, Jodi Quakenbush is also hereby granted five days of administrative leave in accordance with City Personnel Policy 500;

BE IT FURTHER RESOLVED

That the City Clerk is hereby authorized to hire an Administrative Secretary two (2) weeks prior to the retirement of Marcia L. Worden for training purposes. After the retirement of the current City Clerk, the position of Deputy City Clerk will be eliminated and replaced with the previously established position of Administrative Secretary.

ADOPTED
AND
APPROVED

November 28, 2016

Matthew J. Walsh,

Mayor

ATTEST:

Marcia L. Worden,

City Clerk

Council Communication

Department: Public Works	Ordinance No.	Council Action: <u>11/28/2016</u>
Case/Project No.	Resolution No. <u>16-307</u>	
Subject/Title		
A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED FROM D.E.B. PARTNERSHIP FOR A PARCEL OF LAND LOCATED NEAR RIVER ROAD.		
Recommendation		
This Resolution was prepared in follow up to discussions held at Executive Session on November 14, 2016.		

Richard Wade, City Attorney

Matthew J. Walsh Mayor

RESOLUTION NO. 16-307

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED FROM D.E.B. PARTNERSHIP FOR A PARCEL OF LAND LOCATED NEAR RIVER ROAD.

WHEREAS, the City authorizes the acceptance of a Deed from D.E.B. Partnership for a parcel of land located near River Road; and

WHEREAS, the parcel of land is legally described on Exhibit A attached hereto; and

WHEREAS, it is in the best interest of the City of Council Bluffs to accept the Deed from D.E.B. Partnership.

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

That the Mayor is hereby authorized to accept the Deed from D.E.B. Partnership.

ADOPTED
AND
APPROVED

November 28, 2016

MATTHEW J. WALSH

Mayor

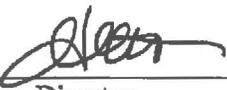
Attest:

MARCIA L. WORDEN

City Clerk

Council Communication

Department: Finance Case/Project No.: Submitted by: Daniel Jordet	Resolution No. <u>16-308</u>	Meeting Date: 11/28/2016
Subject/Title		
Resolution Appointing Registrar and Paying Agent for General Obligation Bonds Series 2016A		
Background/Discussion		
<p>When the City sells Bond Debt it appoints the Trust Department of a Bank qualified to handle transactions for administration of the bonds. These transactions would include closing the transaction and receiving the money from the bond buyer, monitoring and collecting timely principal and interest payments from the City to assure proper payments to bond clients, making the bond principal and interest payments directly to the bondholders so that the City does not have to track and maintain ledgers on all bond holders in the system and to balance all accounts to assure proper administration of the cash allocated for bond repayments. The cost for this service is a nominal \$ 500 per year per series of bonds issued.</p>		
Recommendation		
It is recommended that the City Council favorably consider adoption of this resolution.		



Finance Director

RESOLUTION NO. 16-308

November 28, 2016

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following resolution entitled "RESOLUTION APPOINTING BANKERS TRUST COMPANY OF DES MOINES, IOWA, TO SERVE AS PAYING AGENT, BOND REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND BOND REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT", and moved that the resolution be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

RESOLUTION APPOINTING BANKERS TRUST COMPANY
OF DES MOINES, IOWA, TO SERVE AS PAYING AGENT,
BOND REGISTRAR, AND TRANSFER AGENT, APPROVING
THE PAYING AGENT AND BOND REGISTRAR AND
TRANSFER AGENT AGREEMENT AND AUTHORIZING THE
EXECUTION OF THE AGREEMENT

WHEREAS, \$6,095,000 General Obligation Bonds, Series 2016A, dated December 13, 2016, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Bonds; and

WHEREAS, this Council has deemed that the services offered by Bankers Trust Company of Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered bonds; and

WHEREAS, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the City and Bankers Trust Company.

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

1. That Bankers Trust Company of Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$6,095,000 General Obligation Bonds, Series 2016A, dated December 13, 2016.

2. That the Agreement with Bankers Trust Company of Des Moines, Iowa, is hereby approved and that the Mayor and Clerk are authorized to sign the Agreement on behalf of the City.

PASSED AND APPROVED this 28th day of November, 2016.

Mayor

ATTEST:

City Clerk

Council Communication

Department: Finance Case/Project No.: Submitted by: Daniel Jordet	Resolution No. <u>16-309</u>	Meeting Date: 11/28/2016
Subject/Title		
Resolution Authorizing the Issuance of General Obligation Bonds Series 2016A in the Amount of \$ 6,095,000		
Background/Discussion		
<p>This final resolution in the process of selling the General Obligation Series 2016A General Obligation Bonds includes several actions. The Resolution incorporates several documents into the official record of the bond sale to assure compliance with State and Federal law. It incorporates the Certificate of Tax Exemption for the Series 2016A bond which sets out the conditions under which the interest on these bonds remains exempt from Federal taxation. It promises that the City will follow the rules for continuing disclosure of actions and incidents which are determined to be material actions in the administration of the bonds. It pledges the City's tax base as payment for the bonds and levies the taxes necessary to make all payments of principal and interest on these bonds.</p>		
Recommendation		
It is recommended that the City Council favorably consider adoption of this resolution.		



Finance Director

Council Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$6,095,000 GENERAL OBLIGATION BONDS, SERIES 2016A, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

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

RESOLUTION NO. 16-309

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$6,095,000 GENERAL OBLIGATION BONDS, SERIES 2016A, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE TAX EXEMPTION CERTIFICATE AND CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of:

a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, and the acquisition of any real estate needed for any of the foregoing purposes;

b) acquisition of ambulances and ambulance equipment;

c) demolition of abandoned, dangerous or dilapidated buildings, structures or properties;

d) acquisition, construction, reconstruction, enlargement, improvement, and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto;

9.I.

e) acquisition, construction, reconstruction, and improvement of all waterways, and real and personal property, useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;

f) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks; and

g) acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance,

essential corporate purposes, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$4,370,000 be authorized for said purposes; and

WHEREAS, pursuant to notice published as required by Section 384.25 of the Code of Iowa, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of the Bonds, and the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay costs of construction, reconstruction, enlargement, improvement, furnishing and equipping of the public library, general corporate purposes, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$565,000 be authorized for said purposes; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay costs of acquisition, construction, reconstruction, enlargement, and improvement of recreation grounds, including trails, and the acquisition of real estate therefor, general corporate purposes, and it is deemed necessary and

advisable that General Obligation Bonds, to the amount of not to exceed \$77,500 be authorized for said purposes; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for

referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, the City is also in need of funds to pay costs of construction, reconstruction, enlargement, improvement, and equipping of city buildings, including fire stations and the Union Pacific Museum, and the acquisition of any real estate needed for such purposes, general corporate purposes, and it is deemed necessary and advisable that General Obligation Bonds, to the amount of not to exceed \$1,107,500 be authorized for said purposes; and

WHEREAS, the Issuer has a population of more than 5,000 but not more than 75,000, and the Bonds for these purposes do not exceed \$700,000; and

WHEREAS, pursuant to notice published as required by Section 384.26 of the Code of Iowa, the Council of the City has held public meeting and hearing upon the proposal to institute proceedings for the issuance of Bonds for general corporate purposes in the amounts as above set forth, and, no petition for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, it is hereby found and determined that the various general obligation Bonds authorized as hereinabove described shall be combined for the purpose of issuance in a single issue of \$6,095,000 General Obligation Bonds, Series 2016A, as hereinafter set forth; and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned Bonds were heretofore sold at public sale and action should now be taken to issue said Bonds conforming to the terms and conditions of the best bid received at the advertised public sale.

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

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
- "Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
- "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.
- "Bond Fund" shall mean the fund created in Section 3 of this Resolution.
- "Bonds" shall mean \$6,095,000 General Obligation Bonds, Series 2016A, authorized to be issued by this Resolution.
- "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

9.I.

- "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

- "Depository Bonds " shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.

- "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.

- "Issuer" and "City" shall mean the City of Council Bluffs, State of Iowa.

- "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.

- "Paying Agent" shall mean Bankers Trust Company, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.

- "Project" shall mean:

- a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, and the acquisition of any real estate needed for any of the foregoing purposes;

- b) acquisition of ambulances and ambulance equipment;

- c) demolition of abandoned, dangerous or dilapidated buildings, structures or properties;

- d) acquisition, construction, reconstruction, enlargement, improvement, and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto;

- e) acquisition, construction, reconstruction, and improvement of all waterways, and real and personal property, useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;

- f) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks;

9.I.

g) acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance,

h) construction, reconstruction, enlargement, improvement, furnishing and equipping of the public library,

i) of acquisition, construction, reconstruction, enlargement, and improvement of recreation grounds, including trails, and the acquisition of real estate therefor, and

j) construction, reconstruction, enlargement, improvement, and equipping of city buildings, including fire stations and the Union Pacific Museum, and the acquisition of any real estate needed for such purposes.

- "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.

- "Rebate Fund" shall mean the fund so defined in and established pursuant to the Tax Exemption Certificate.

- "Registrar" shall mean Bankers Trust Company of Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.

- "Resolution" shall mean this resolution authorizing the Bonds.

- "Tax Exemption Certificate" shall mean the Tax Exemption Certificate approved under the terms of this Resolution and to be executed by the Finance Director and delivered at the time of issuance and delivery of the Bonds.

- "Treasurer" shall mean the Finance Director or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Council Bluffs, Iowa, to-wit:

9.I.

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$ 68,810*	2016/2017
\$ 247,450	2017/2018
\$ 245,450	2018/2019
\$ 243,450	2019/2020
\$ 826,450	2020/2021
\$1,112,750	2021/2022
\$1,108,125	2022/2023
\$1,098,000	2023/2024
\$1,092,500	2024/2025
\$1,086,500	2025/2026

* Payable from the Capitalized Interest Fund.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2017 will be collected during the fiscal year commencing July 1, 2018.)

b) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the City are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of the tax, and for no other purpose whatsoever.

c) Additional City Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the City available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Bond Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the City, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "GENERAL OBLIGATION BOND FUND NO. 1" (the "Bond Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Bonds hereinafter authorized to be issued; and also there shall be apportioned to said fund its proportion of taxes received by the City from property that is centrally assessed by the State of Iowa.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest and capitalized interest except as may be provided below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 5. Capitalized Interest Fund. There is hereby created a special capitalized interest fund known as the "CAPITALIZED INTEREST FUND – 2016A" into which fund there shall be deposited \$68,810 of Bond proceeds, which fund is hereby pledged to pay interest payments on the 2016A Bonds

coming due on June 1, 2017. Lender shall be authorized to draw upon said Capitalized Interest Fund for the purpose of making payment of the amount of interest falling due on the 2016A General Obligation Bonds.

Section 6. Investment of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, 2015, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2015, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 7. Bond Details, Execution and Redemption.

a) Bond Details. General Obligation Bonds of the City in the amount of \$6,095,000, shall be issued pursuant to the provisions of Sections 384.25, 384.26 and 384.28 of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "GENERAL OBLIGATION BOND, SERIES 2016A", be dated December 13, 2016, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

9.I.

Principal Amount	Interest Rate	Maturity June 1st
\$ 100,000	2.000%	2018
\$ 100,000	2.000%	2019
\$ 100,000	2.000%	2020
\$ 685,000	2.000%	2021
\$ 985,000	2.500%	2022
\$1,005,000	2.500%	2023
\$1,020,000	2.500%	2024
\$1,040,000	2.500%	2025
\$1,060,000	2.500%	2026

b) Redemption.

Optional Redemption. Bonds maturing after June 1, 2024, may be called for optional redemption by the Issuer on that date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All Bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Section 8. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Bankers Trust Company kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 9. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. Bankers Trust Company is hereby appointed as Bond Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

9.I.

c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional Bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 10. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 11. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding

the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Bond shall surrender the Bond to the Paying Agent.

Section 12. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute the Bonds by their manual or authorized signature and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Bonds shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the Resolution of Issuer authorizing the issuance of the Bonds;
2. A written order of Issuer signed by the Finance Director of the Issuer directing the authentication and delivery of the Bonds to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;
3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Bonds proposed to be issued.

Section 13. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 14. Form of Bond. Bonds shall be printed substantially in the form as follows:

"STATE OF IOWA"
"COUNTY OF POTTAWATTAMIE"
"CITY OF COUNCIL BLUFFS"
"GENERAL OBLIGATION BOND"
"SERIES 2016A"
CORPORATE PURPOSE

Rate: _____
Maturity: _____
Bond Date: December 13, 2016
CUSIP No.: _____
"Registered"
Certificate No. _____
Principal Amount: \$ _____

The City of Council Bluffs, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of Bankers Trust Company, Des Moines, Iowa, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This Bond is issued pursuant to the provisions of Sections 384.25, 384.26 and 384.28 of the Code of Iowa, for the purpose of paying costs of:

- a) opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys and public grounds; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of sidewalks, storm sewers, sanitary sewers, water service lines, street lighting, and traffic control devices, and the acquisition of any real estate needed for any of the foregoing purposes;
- b) acquisition of ambulances and ambulance equipment;
- c) demolition of abandoned, dangerous or dilapidated buildings, structures or properties;
- d) acquisition, construction, reconstruction, enlargement, improvement, and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto;
- e) acquisition, construction, reconstruction, and improvement of all waterways, and real and personal property, useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements;
- f) rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks;
- g) acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance,
- h) construction, reconstruction, enlargement, improvement, furnishing and equipping of the public library,
- i) of acquisition, construction, reconstruction, enlargement, and improvement of recreation grounds, including trails, and the acquisition of real estate therefor, and

9.I.

j) construction, reconstruction, enlargement, improvement, and equipping of city buildings, including fire stations and the Union Pacific Museum, and the acquisition of any real estate needed for such purposes,

in conformity to a Resolution of the Council of said City duly passed and approved.

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

Bonds maturing after June 1, 2024, may be called for optional redemption by the Issuer and paid before maturity on said date or any date thereafter, from any funds regardless of source, in whole or from time to time in part, in any order of maturity and within an annual maturity by lot. The terms of redemption shall be par, plus accrued interest to date of call.

Thirty days' written notice of redemption shall be given to the registered owner of the Bond. Failure to give written notice to any registered owner of the Bonds or any defect therein shall not affect the validity of any proceedings for the redemption of the Bonds. All bonds or portions thereof called for redemption will cease to bear interest after the specified redemption date, provided funds for their redemption are on deposit at the place of payment. Written notice will be deemed completed upon transmission to the owner of record.

If selection by lot within a maturity is required, the Registrar shall designate the Bonds to be redeemed by random selection of the names of the registered owners of the entire annual maturity until the total amount of Bonds to be called has been reached.

If less than all of a maturity is called for redemption, the Issuer will notify DTC of the particular amount of such maturity to be redeemed prior to maturity. DTC will determine by lot the amount of each Participant's interest in such maturity to be redeemed and each Participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. All prepayments shall be at a price of par plus accrued interest.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by Bankers Trust Company, Des Moines, Iowa, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

This Bond is a "qualified tax-exempt obligation" designated by the City for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986.

9.I.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Council, has caused this Bond to be signed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, with the seal of the City printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, Bankers Trust Company, Des Moines, Iowa.

Date of authentication: _____

This is one of the Bonds described in the within mentioned Resolution, as registered by Bankers Trust Company.

BANKERS TRUST COMPANY, Registrar
Des Moines, Iowa 50309

By: _____
Authorized Signature

Registrar and Transfer Agent: Bankers Trust Company
Paying Agent: Bankers Trust Company

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)
(Signature Block)

CITY OF COUNCIL BLUFFS, STATE OF IOWA

By: _____ (manual or facsimile signature)
Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

(Information Required for Registration)

9.I.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED)

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____
Address of Transferee(s) _____
Social Security or Tax Identification _____
Number of Transferee(s) _____
Transferee is a(n):
Individual* _____ Corporation _____
Partnership _____ Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with rights of survivorship and not as tenants in common
IA UNIF TRANS MIN ACT - Custodian
(Cust) (Minor)
Under Iowa Uniform Transfers to Minors Act.....
(State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Bond)

Section 15. Closing Documents. The Mayor and City Clerk are authorized and directed to execute, attest, seal and deliver for and on behalf of the City any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 16. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said City and the purchaser of the Bonds.

Section 17. Non-Arbitrage Covenants. The Issuer reasonably expects and covenants that no use will be made of the proceeds from the issuance and sale of the Bonds issued hereunder which will cause any of the Bonds to be classified as arbitrage bonds within the meaning of Sections 148(a) and (b) of the Internal Revenue Code of the United States, as amended, and that throughout the term of the Bonds it will comply with the requirements of statutes and regulations issued thereunder.

To the best knowledge and belief of the Issuer, there are no facts or circumstances that would materially change the foregoing statements or the conclusion that it is not expected that the proceeds of the Bonds will be used in a manner that would cause the Bonds to be arbitrage bonds.

Section 18. Approval of Tax Exemption Certificate. Attached hereto is a form of Tax Exemption Certificate stating the Issuer's reasonable expectations as to the use of the proceeds of the Bonds. The form of Tax Exemption Certificate is approved. The Issuer hereby agrees to comply with the provisions of the Tax Exemption Certificate and the provisions of the Tax Exemption Certificate are hereby incorporated by reference as part of this Resolution. The Finance Director is hereby directed to make and insert all calculations and determinations necessary to complete the Tax Exemption Certificate at issuance of the Bonds to certify as to the reasonable expectations and covenants of the Issuer at that date.

Section 19. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 20. Additional Covenants, Representations and Warranties of the Issuer. The Issuer certifies and covenants with the purchasers and holders of the Bonds from time to time outstanding that the Issuer through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) comply with all representations, covenants and assurances contained in the Tax Exemption Certificate, which Tax Exemption Certificate shall constitute a part of the contract between the Issuer and the owners of the Bonds;(c) consult with Bond Counsel (as

defined in the Tax Exemption Certificate); (d) pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Bonds;(e) file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, to employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the Issuer in such compliance.

Section 21. Amendment of Resolution to Maintain Tax Exemption. This Resolution may be amended without the consent of any owner of the Bonds if, in the opinion of Bond Counsel, such amendment is necessary to maintain tax exemption with respect to the Bonds under applicable Federal law or regulations.

Section 22. Qualified Tax-Exempt Obligations. For the sole purpose of qualifying the Bonds as "Qualified Tax-Exempt Obligations" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of the United States, the Issuer hereby designates the Bonds as qualified tax-exempt obligations and represents that the reasonably anticipated amount of tax-exempt governmental and qualified 501(c)(3) obligations which will be issued during the current calendar year will not exceed Ten (10) Million Dollars.

Section 23. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 24. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this 28th day of November, 2016.

Mayor

ATTEST:

City Clerk

9.I.

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

City Clerk, City of Council Bluffs,
State of Iowa

(SEAL)

Council Communication

Department: Finance Case/Project No.: Submitted by: Daniel Jordet	Resolution No. <u>16-310</u>	Meeting Date: 11/28/2016
Subject/Title		
Resolution Appointing Registrar and Paying Agent for Taxable General Obligation Bonds Series 2016B		
Background/Discussion		
When the City sells Bond Debt it appoints the Trust Department of a Bank qualified to handle transactions for administration of the bonds. These transactions would include closing the transaction and receiving the money from the bond buyer, monitoring and collecting timely principal and interest payments from the City to assure proper payments to bond clients, making the bond principal and interest payments directly to the bondholders so that the City does not have to track and maintain ledgers on all bond holders in the system and to balance all accounts to assure proper administration of the cash allocated for bond repayments. The cost for this service is a nominal \$ 500 per year per series of bonds issued.		
Recommendation		
It is recommended that the City Council favorably consider adoption of this resolution.		



Finance Director

RESOLUTION NO. 16-310

November 28, 2016

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

Absent: _____

Vacant: _____

* * * * *

Council Member _____ introduced the following resolution entitled "RESOLUTION APPOINTING BANKERS TRUST COMPANY OF DES MOINES, IOWA, TO SERVE AS PAYING AGENT, BOND REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND BOND REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT", and moved that the resolution be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

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

RESOLUTION APPOINTING BANKERS TRUST COMPANY OF DES MOINES, IOWA, TO SERVE AS PAYING AGENT, BOND REGISTRAR, AND TRANSFER AGENT, APPROVING THE PAYING AGENT AND BOND REGISTRAR AND TRANSFER AGENT AGREEMENT AND AUTHORIZING THE EXECUTION OF THE AGREEMENT

WHEREAS, \$2,810,000 Taxable General Obligation Bonds, Series 2016B, dated December 13, 2016, have been sold and action should now be taken to provide for the maintenance of records, registration of certificates and payment of principal and interest in connection with the issuance of the Bonds; and

WHEREAS, this Council has deemed that the services offered by Bankers Trust Company of Des Moines, Iowa, are necessary for compliance with rules, regulations, and requirements governing the registration, transfer and payment of registered bonds; and

WHEREAS, a Paying Agent, Bond Registrar and Transfer Agent Agreement (hereafter "Agreement") has been prepared to be entered into between the City and Bankers Trust Company.

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

1. That Bankers Trust Company of Des Moines, Iowa, is hereby appointed to serve as Paying Agent, Bond Registrar and Transfer Agent in connection with the issuance of \$2,810,000 Taxable General Obligation Bonds, Series 2016B, dated December 13, 2016.

2. That the Agreement with Bankers Trust Company of Des Moines, Iowa, is hereby approved and that the Mayor and Clerk are authorized to sign the Agreement on behalf of the City.

PASSED AND APPROVED this 28th day of November, 2016.

Mayor

ATTEST:

City Clerk

Council Communication

Department: Finance Case/Project No.: Submitted by: Daniel Jordet	Resolution No. <u>16-311</u>	Meeting Date: 11/28/2016
Subject/Title		
Resolution Authorizing the Issuance of Taxable General Obligation Bonds Series 2016B in the Amount of \$ 2,810,000.		
Background/Discussion		
This final resolution in the process of selling the Taxable General Obligation Series 2016B General Obligation Bonds includes several actions. The Resolution incorporates several documents into the official record of the bond sale to assure compliance with State and Federal law. It promises that the City will follow the rules for continuing disclosure of actions and incidents which are determined to be material actions in the administration of the bonds. It pledges the City's tax base as payment for the bonds and levies the taxes necessary to make all payments of principal and interest on these bonds should the tax increments in the West Broadway Urban Renewal District be insufficient to make the payments in a timely manner.		
Recommendation		
It is recommended that the City Council favorably consider adoption of this resolution.		



Finance Director

Council Member _____ introduced the following Resolution entitled "RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,810,000 TAXABLE GENERAL OBLIGATION BONDS, SERIES 2016B, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE CONTINUING DISCLOSURE CERTIFICATE" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

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

RESOLUTION 16-311

RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF \$2,810,000 TAXABLE GENERAL OBLIGATION BONDS, SERIES 2016B, AND LEVYING A TAX TO PAY SAID BONDS; APPROVAL OF THE CONTINUING DISCLOSURE CERTIFICATE

WHEREAS, the Issuer is duly incorporated, organized and exists under and by virtue of the laws and Constitution of the State of Iowa; and

WHEREAS, the Issuer is in need of funds to pay costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403 in the West Broadway Urban Renewal District, including the acquisition of land for redevelopment, essential corporate purposes, and it is deemed necessary and advisable that Taxable General Obligation Bonds, to the amount of not to exceed \$2,830,000 be authorized for said purposes; and

WHEREAS, pursuant to notice published as required by Sections 384.25 and 403.12 of the Code of Iowa, this Council has held a public meeting and hearing upon the proposal to institute proceedings for the issuance of said Bonds, and no petitions for referendum having been received, the Council is therefore now authorized to proceed with the issuance of said Bonds for such purposes; and

WHEREAS, pursuant to the provisions of Chapter 75 of the Code of Iowa, the above mentioned Bonds were heretofore sold at public sale and action should now be taken to issue said Bonds conforming to the terms and conditions of the best bid received at the advertised public sale.

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

9.K

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by necessary implication requires otherwise:

- "Authorized Denominations" shall mean \$5,000 or any integral multiple thereof.
 - "Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee.
 - "Blanket Issuer Letter of Representations" shall mean the Representation Letter from the Issuer to DTC, with respect to the Bonds.
 - "Bond Fund" shall mean the fund created in Section 3 of this Resolution.
 - "Bonds" shall mean \$2,810,000 Taxable General Obligation Bonds, Series 2016B, authorized to be issued by this Resolution.
 - "Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.
 - "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate approved under the terms of this Resolution and to be executed by the Issuer and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.
 - "Depository Bonds" shall mean the Bonds as issued in the form of one global certificate for each maturity, registered in the Registration Books maintained by the Registrar in the name of DTC or its nominee.
 - "DTC" shall mean The Depository Trust Company, New York, New York, which will act as security depository for the Bond pursuant to the Representation Letter.
 - "Issuer" and "City" shall mean the City of Council Bluffs, State of Iowa.
 - "Participants" shall mean those broker-dealers, banks and other financial institutions for which DTC holds Bonds as securities depository.
 - "Paying Agent" shall mean Bankers Trust Company, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein as Issuer's agent to provide for the payment of principal of and interest on the Bonds as the same shall become due.
- 9.K.
- "Project" shall mean aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403 in the West Broadway Urban Renewal District, including the acquisition of land for redevelopment.
 - "Project Fund" shall mean the fund required to be established by this Resolution for the deposit of the proceeds of the Bonds.

9.K

- "Registrar" shall mean Bankers Trust Company of Des Moines, Iowa, or such successor as may be approved by Issuer as provided herein and who shall carry out the duties prescribed herein with respect to maintaining a register of the owners of the Bonds. Unless otherwise specified, the Registrar shall also act as Transfer Agent for the Bonds.
- "Resolution" shall mean this resolution authorizing the Bonds.
- "Treasurer" shall mean the Finance Director or such other officer as shall succeed to the same duties and responsibilities with respect to the recording and payment of the Bonds issued hereunder.

Section 2. Levy and Certification of Annual Tax; Other Funds to be Used.

a) Levy of Annual Tax. That for the purpose of providing funds to pay the principal and interest of the Bonds hereinafter authorized to be issued, there is hereby levied for each future year the following direct annual tax on all of the taxable property in Council Bluffs, Iowa, to-wit:

b)

AMOUNT	FISCAL YEAR (JULY 1 TO JUNE 30) YEAR OF COLLECTION
\$ 19,077.33*	2016/2017
\$865,880.00	2017/2018
\$871,805.00	2018/2019
\$875,045.00	2019/2020
\$295,510.00	2020/2021

*Payable from the Capitalized Interest Fund.

(NOTE: For example the levy to be made and certified against the taxable valuations of January 1, 2017 will be collected during the fiscal year commencing July 1, 2018.)

c) Resolution to be Filed With County Auditor. A certified copy of this Resolution shall be filed with the Auditor of Pottawattamie County, Iowa and the Auditor is hereby instructed in and for each of the years as provided, to levy and assess the tax hereby authorized in Section 2 of this Resolution, in like manner as other taxes are levied and assessed, and such taxes so levied in and for each of the years aforesaid be collected in like manner as other taxes of the City are collected, and when collected be used for the purpose of paying principal and interest on said Bonds issued in anticipation of the tax, and for no other purpose whatsoever.

d) Additional City Funds Available. Principal and interest coming due at any time when the proceeds of said tax on hand shall be insufficient to pay the same shall be promptly paid when due from current funds of the City available for that purpose and reimbursement shall be made from such special fund in the amounts thus advanced.

Section 3. Bond Fund. Said tax shall be assessed and collected each year at the same time and in the same manner as, and in addition to, all other taxes in and for the City, and when collected they shall be converted into a special fund within the Debt Service Fund to be known as the "GENERAL OBLIGATION BOND FUND NO. 2" (the "Bond Fund"), which is hereby pledged for and shall be used only for the payment of the principal of and interest on the Bonds hereinafter authorized to be issued; and

also there shall be apportioned to said fund its proportion of taxes received by the City from property that is centrally assessed by the State of Iowa.

Section 4. Application of Bond Proceeds. Proceeds of the Bonds, other than accrued interest except as may be provided below, and the Capitalized Interest Fund noted below, shall be credited to the Project Fund and expended therefrom for the purposes of issuance. Any amounts on hand in the Project Fund shall be available for the payment of the principal of or interest on the Bonds at any time that other funds shall be insufficient to the purpose, in which event such funds shall be repaid to the Project Fund at the earliest opportunity. Any balance on hand in the Project Fund and not immediately required for its purposes may be invested not inconsistent with limitations provided by law or this Resolution.

Section 5. Capitalized Interest Fund. There is hereby created a special capitalized interest fund known as the "CAPITALIZED INTEREST FUND – 2016B" into which fund there shall be deposited \$19,077.33 of Bond proceeds, which fund is hereby pledged to pay interest payments on the 2016B Bonds coming due on June 1, 2017. Lender shall be authorized to draw upon said Capitalized Interest Fund for the purpose of making payment of the amount of interest falling due on the 2016B Taxable General Obligation Bonds.

Section 6. Investment of Bond Fund Proceeds. All moneys held in the Bond Fund, provided for by Section 3 of this Resolution shall be invested in investments permitted by Chapter 12B, Code of Iowa, 2015, as amended, or deposited in financial institutions which are members of the Federal Deposit Insurance Corporation and the deposits in which are insured thereby and all such deposits exceeding the maximum amount insured from time to time by FDIC or its equivalent successor in any one financial institution shall be continuously secured in compliance with Chapter 12C of the Code of Iowa, 2015, as amended, or otherwise by a valid pledge of direct obligations of the United States Government having an equivalent market value. All such interim investments shall mature before the date on which the moneys are required for payment of principal of or interest on the Bonds as herein provided.

Section 7. Bond Details, Execution and Redemption.

a) Bond Details. Taxable General Obligation Bonds of the City in the amount of \$2,810,000, shall be issued pursuant to the provisions of Sections 384.25 and 403.12 of the Code of Iowa for the aforesaid purposes. The Bonds shall be designated "TAXABLE GENERAL OBLIGATION BOND, SERIES 2016B", be dated December 13, 2016, and bear interest from the date thereof, until payment thereof, at the office of the Paying Agent, said interest payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year until maturity at the rates hereinafter provided.

The Bonds shall be executed by the manual or facsimile signature of the Mayor and attested by the manual or facsimile signature of the Clerk, and impressed or printed with the seal of the City and shall be fully registered as to both principal and interest as provided in this Resolution; principal, interest and premium, if any, shall be payable at the office of the Paying Agent by mailing of a check to the registered owner of the Bond. The Bonds shall be in the denomination of \$5,000 or multiples thereof. The Bonds shall mature and bear interest as follows:

Principal Amount	Interest Rate	Maturity June 1st
\$825,000	1.100%	2018
\$840,000	1.400%	2019
\$855,000	1.700%	2020
\$290,000	1.900%	2021

b) Redemption. The Bonds are not subject to redemption prior to maturity.

Section 8. Issuance of Bonds in Book-Entry Form; Replacement Bonds.

a) Notwithstanding the other provisions of this Resolution regarding registration, ownership, transfer, payment and exchange of the Bonds, unless the Issuer determines to permit the exchange of Depository Bonds for Bonds in Authorized Denominations, the Bonds shall be issued as Depository Bonds in denominations of the entire principal amount of each maturity of Bonds (or, if a portion of said principal amount is prepaid, said principal amount less the prepaid amount). The Bonds must be registered in the name of Cede & Co., as nominee for DTC. Payment of semiannual interest for any Bonds registered in the name of Cede & Co. will be made by wire transfer or New York Clearing House or equivalent next day funds to the account of Cede & Co. on the interest payment date for the Bonds at the address indicated or in the Representation Letter.

b) The Bonds will be initially issued in the form of separate single authenticated fully registered bonds in the amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of the Bonds will be registered in the registry books of the Bankers Trust Company kept by the Paying Agent and Registrar in the name of Cede & Co., as nominee of DTC. The Paying Agent and Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions to be redeemed, giving any notice permitted or required to be given to registered owners of Bonds under the Resolution of the Issuer, registering the transfer of Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for other purposes. The Paying Agent, Registrar and the Issuer have no responsibility or obligation to any Participant or Beneficial Owner of the Bonds under or through DTC with respect to the accuracy of records maintained by DTC or any Participant; with respect to the payment by DTC or Participant of an amount of principal or redemption price of or interest on the Bonds; with respect to any notice given to owners of Bonds under the Resolution; with respect to the Participant(s) selected to receive payment in the event of a partial redemption of the Bonds, or a consent given or other action taken by DTC as registered owner of the Bonds. The Paying Agent and Registrar shall pay all principal of and premium, if any, and interest on the Bonds only to Cede & Co. in accordance with the Representation Letter, and all payments are valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum paid. DTC must receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal of and premium, if any, and interest. Upon delivery by DTC to the Paying Agent and Registrar of written notice that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to the new nominee in accordance with this Section.

9.K

c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds certificates, the Issuer may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the Participants, of the availability through DTC of Bonds certificates. The Bonds will be transferable in accordance with this Section. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Paying Agent and Registrar and discharging its responsibilities under applicable law. In this event, the Bonds will be transferable in accordance with this Section.

d) Notwithstanding any other provision of the Resolution to the contrary, so long as any Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of and premium, if any, and interest on the Bond and all notices must be made and given, respectively to DTC as provided in the Representation letter.

e) In connection with any notice or other communication to be provided to Bondholders by the Issuer or the Paying Agent and Registrar with respect to a consent or other action to be taken by Bondholders, the Issuer or the Paying Agent and Registrar, as the case may be, shall establish a record date for the consent or other action and give DTC notice of the record date not less than 15 calendar days in advance of the record date to the extent possible. Notice to DTC must be given only when DTC is the sole Bondholder.

f) The Representation Letter is on file with DTC and sets forth certain matters with respect to, among other things, notices, consents and approvals by Bondholders and payments on the Bonds. The execution and delivery of the Representation Letter to DTC by the Issuer is ratified and confirmed.

g) In the event that a transfer or exchange of the Bonds is permitted under this Section, the transfer or exchange may be accomplished upon receipt by the Registrar from the registered owners of the Bonds to be transferred or exchanged and appropriate instruments of transfer. In the event Bond certificates are issued to holders other than Cede & Co., its successor as nominee for DTC as holder of all the Bonds, or other securities depository as holder of all the Bonds, the provisions of the Resolution apply to, among other things, the printing of certificates and the method or payment of principal of and interest on the certificates. Any substitute depository shall be designated in writing by the Issuer to the Paying Agent. Any such substitute depository shall be a qualified and registered "clearing agency" as provided in Section 17A of the Securities Exchange Act of 1934, as amended. The substitute depository shall provide for (i) immobilization of the Depository Bonds, (ii) registration and transfer of interests in Depository Bonds by book entries made on records of the depository or its nominee and (iii) payment of principal of, premium, if any, and interest on the Bonds in accordance with and as such interests may appear with respect to such book entries.

h) The officers of the Issuer are authorized and directed to prepare and furnish to the purchaser, and to the attorneys approving the legality of Bonds, certified copies of proceedings, ordinances, resolutions and records and all certificates and affidavits and other instruments as may be required to evidence the legality and marketability of the Bonds, and all certified copies, certificates, affidavits and other instruments constitute representations of the Issuer as to the correctness of all stated or recited facts.

Section 9. Registration of Bonds; Appointment of Registrar; Transfer; Ownership; Delivery; and Cancellation.

Section 10.

a) Registration. The ownership of Bonds may be transferred only by the making of an entry upon the books kept for the registration and transfer of ownership of the Bonds, and in no other way. Bankers Trust Company is hereby appointed as Bond Registrar under the terms of this Resolution and under the provisions of a separate agreement with the Issuer filed herewith which is made a part hereof by this reference. Registrar shall maintain the books of the Issuer for the registration of ownership of the Bonds for the payment of principal of and interest on the Bonds as provided in this Resolution. All Bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bonds and in this Resolution.

b) Transfer. The ownership of any Bond may be transferred only upon the Registration Books kept for the registration and transfer of Bonds and only upon surrender thereof at the office of the Registrar together with an assignment duly executed by the holder or his duly authorized attorney in fact in such form as shall be satisfactory to the Registrar, along with the address and social security number or federal employer identification number of such transferee (or, if registration is to be made in the name of multiple individuals, of all such transferees). In the event that the address of the registered owner of a Bond (other than a registered owner which is the nominee of the broker or dealer in question) is that of a broker or dealer, there must be disclosed on the Registration Books the information pertaining to the registered owner required above. Upon the transfer of any such Bond, a new fully registered Bond, of any denomination or denominations permitted by this Resolution in aggregate principal amount equal to the unmatured and unredeemed principal amount of such transferred fully registered Bond, and bearing interest at the same rate and maturing on the same date or dates shall be delivered by the Registrar.

c) Registration of Transferred Bonds. In all cases of the transfer of the Bonds, the Registrar shall register, at the earliest practicable time, on the Registration Books, the Bonds, in accordance with the provisions of this Resolution.

d) Ownership. As to any Bond, the person in whose name the ownership of the same shall be registered on the Registration Books of the Registrar shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bonds and the premium, if any, and interest thereon shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

e) Cancellation. All Bonds which have been redeemed shall not be reissued but shall be cancelled by the Registrar. All Bonds which are cancelled by the Registrar shall be destroyed and a certificate of the destruction thereof shall be furnished promptly to the Issuer; provided that if the Issuer shall so direct, the Registrar shall forward the cancelled Bonds to the Issuer.

f) Non-Presentation of Bonds. In the event any payment check representing payment of principal of or interest on the Bonds is returned to the Paying Agent or if any bond is not presented for payment of principal at the maturity or redemption date, if funds sufficient to pay such principal of or interest on Bonds shall have been made available to the Paying Agent for the benefit of the owner thereof, all liability of the Issuer to the owner thereof for such interest or payment of such Bonds shall forthwith cease, terminate and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the owner of such Bonds who shall thereafter be restricted exclusively

to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, such interest or Bonds. The Paying Agent's obligation to hold such funds shall continue for a period equal to two years and six months following the date on which such interest or principal became due, whether at maturity, or at the date fixed for redemption thereof, or otherwise, at which time the Paying Agent, shall surrender any remaining funds so held to the Issuer, whereupon any claim under this Resolution by the Owners of such interest or Bonds of whatever nature shall be made upon the Issuer.

g) Registration and Transfer Fees. The Registrar may furnish to each owner, at the Issuer's expense, one bond for each annual maturity. The Registrar shall furnish additional Bonds in lesser denominations (but not less than the minimum denomination) to an owner who so requests.

Section 10. Reissuance of Mutilated, Destroyed, Stolen or Lost Bonds. In case any outstanding Bond shall become mutilated or be destroyed, stolen or lost, the Issuer shall at the request of Registrar authenticate and deliver a new Bond of like tenor and amount as the Bond so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bond to Registrar, upon surrender of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen or lost, upon filing with the Registrar evidence satisfactory to the Registrar and Issuer that such Bond has been destroyed, stolen or lost and proof of ownership thereof, and upon furnishing the Registrar and Issuer with satisfactory indemnity and complying with such other reasonable regulations as the Issuer or its agent may prescribe and paying such expenses as the Issuer may incur in connection therewith.

Section 11. Record Date. Payments of principal and interest, otherwise than upon full redemption, made in respect of any Bond, shall be made to the registered holder thereof or to their designated agent as the same appear on the books of the Registrar on the 15th day of the month preceding the payment date. All such payments shall fully discharge the obligations of the Issuer in respect of such Bonds to the extent of the payments so made. Upon receipt of the final payment of principal, the holder of the Bond shall surrender the Bond to the Paying Agent.

Section 12. Execution, Authentication and Delivery of the Bonds. Upon the adoption of this Resolution, the Mayor and Clerk shall execute the Bonds by their manual or authorized signature and deliver the Bonds to the Registrar, who shall authenticate the Bonds and deliver the same to or upon order of the Purchaser. No Bond shall be valid or obligatory for any purpose or shall be entitled to any right or benefit hereunder unless the Registrar shall duly endorse and execute on such Bond a Certificate of Authentication substantially in the form of the Certificate herein set forth. Such Certificate upon any Bond executed on behalf of the Issuer shall be conclusive evidence that the Bond so authenticated has been duly issued under this Resolution and that the holder thereof is entitled to the benefits of this Resolution.

No Bonds shall be authenticated and delivered by the Registrar unless and until there shall have been provided the following:

1. A certified copy of the Resolution of Issuer authorizing the issuance of the Bonds;
2. A written order of Issuer signed by the Finance Director of the Issuer directing the authentication and delivery of the Bonds to or upon the order of the Purchaser upon payment of the purchase price as set forth therein;

9.K

3. The approving opinion of Ahlers & Cooney, P.C., Bond Counsel, concerning the validity and legality of all the Bonds proposed to be issued.

Section 13. Right to Name Substitute Paying Agent or Registrar. Issuer reserves the right to name a substitute, successor Registrar or Paying Agent upon giving prompt written notice to each registered bondholder.

Section 14. Form of Bond. Bonds shall be printed substantially in the form as follows:

"STATE OF IOWA"
"COUNTY OF POTTAWATTAMIE"
"CITY OF COUNCIL BLUFFS"
"TAXABLE GENERAL OBLIGATION BOND"
"SERIES 2016B"
ESSENTIAL CORPORATE PURPOSE

Rate: _____
Maturity: _____
Bond Date: December 13, 2016
CUSIP No.: _____
"Registered"
Certificate No. _____
Principal Amount: \$ _____

The City of Council Bluffs, State of Iowa, a municipal corporation organized and existing under and by virtue of the Constitution and laws of the State of Iowa (the "Issuer"), for value received, promises to pay from the source and as hereinafter provided, on the maturity date indicated above, to

(Registration panel to be completed by Registrar or Printer with name of Registered Owner).

or registered assigns, the principal sum of (enter principal amount in long form) THOUSAND DOLLARS in lawful money of the United States of America, on the maturity date shown above, only upon presentation and surrender hereof at the office of Bankers Trust Company, Des Moines, Iowa, Paying Agent of this issue, or its successor, with interest on the sum from the date hereof until paid at the rate per annum specified above, payable on June 1, 2017, and semiannually thereafter on the 1st day of June and December in each year.

Interest and principal shall be paid to the registered holder of the Bond as shown on the records of ownership maintained by the Registrar as of the 15th day of the month preceding such interest payment date. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

THE HOLDERS OF THE BONDS SHOULD TREAT THE INTEREST AS SUBJECT TO FEDERAL INCOME TAXATION.

This Bond is issued pursuant to the provisions of Sections 384.25 and 403.12 of the Code of Iowa, for the purpose of paying costs of aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403 in the West Broadway Urban Renewal District, including the acquisition of land for redevelopment, in conformity to a Resolution of the Council of said City duly passed and approved.

9.K

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a limited purpose trust company ("DTC"), to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other Issuer as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

The Bonds are not subject to redemption prior to maturity.

Ownership of this Bond may be transferred only by transfer upon the books kept for such purpose by Bankers Trust Company, the Registrar. Such transfer on the books shall occur only upon presentation and surrender of this Bond at the office of the Registrar as designated below, together with an assignment duly executed by the owner hereof or his duly authorized attorney in the form as shall be satisfactory to the Registrar. Issuer reserves the right to substitute the Registrar and Paying Agent but shall, however, promptly give notice to registered Bondholders of such change. All bonds shall be negotiable as provided in Article 8 of the Uniform Commercial Code and Section 384.31 of the Code of Iowa, subject to the provisions for registration and transfer contained in the Bond Resolution.

And it is hereby represented and certified that all acts, conditions and things requisite, according to the laws and Constitution of the State of Iowa, to exist, to be had, to be done, or to be performed precedent to the lawful issue of this Bond, have been existent, had, done and performed as required by law; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the territory of the Issuer for the payment of the principal and interest of this Bond as the same will respectively become due; that such taxes have been irrevocably pledged for the prompt payment hereof, both principal and interest; and the total indebtedness of the Issuer including this Bond, does not exceed the constitutional or statutory limitations.

IN TESTIMONY WHEREOF, the Issuer by its Council, has caused this Bond to be signed by the manual or facsimile signature of its Mayor and attested by the manual or facsimile signature of its City Clerk, with the seal of the City printed or impressed hereon, and to be authenticated by the manual signature of an authorized representative of the Registrar, Bankers Trust Company, Des Moines, Iowa.

Date of authentication: _____

This is one of the Bonds described in the within mentioned Resolution, as registered by Bankers Trust Company.

BANKERS TRUST COMPANY, Registrar
Des Moines, Iowa 50309

By: _____

Authorized Signature

Registrar and Transfer Agent: Bankers Trust Company
Paying Agent: Bankers Trust Company

SEE REVERSE FOR CERTAIN DEFINITIONS

(Seal)
(Signature Block)

CITY OF COUNCIL BLUFFS, STATE OF IOWA
9.K

By: _____ (manual or facsimile signature)
Mayor

ATTEST:

By: _____ (manual or facsimile signature)
City Clerk

(Information Required for Registration)

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (Social Security or Tax Identification No. _____) the within Bond and does hereby irrevocably constitute and appoint _____ attorney in fact to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

(Person(s) executing this Assignment sign(s) here)

SIGNATURE)
GUARANTEED) _____

IMPORTANT - READ CAREFULLY

The signature(s) to this Power must correspond with the name(s) as written upon the face of the certificate(s) or bond(s) in every particular without alteration or enlargement or any change whatever. Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signature to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.

INFORMATION REQUIRED FOR REGISTRATION OF TRANSFER

Name of Transferee(s) _____

Address of Transferee(s) _____

Social Security or Tax Identification

Number of Transferee(s) _____

Transferee is a(n):

Individual* _____ Corporation _____

Partnership _____ Trust _____

*If the Bond is to be registered in the names of multiple individual owners, the names of all such owners and one address and social security number must be provided.

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though written out in full according to applicable laws or regulations:

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with rights of survivorship and not as tenants in common
IA UNIF TRANS MIN ACT - Custodian
(Cust) (Minor)
Under Iowa Uniform Transfers to Minors Act.....
(State)

ADDITIONAL ABBREVIATIONS MAY
ALSO BE USED THOUGH NOT IN THE ABOVE LIST

(End of form of Bond)

Section 15. Closing Documents. The Mayor and City Clerk are authorized and directed to execute, attest, seal and deliver for and on behalf of the City any other additional certificates, documents, or other papers and perform all other acts, including without limitation the execution of all closing documents, as they may deem necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 16. Contract Between Issuer and Purchaser. This Resolution constitutes a contract between said City and the purchaser of the Bonds.

Section 17. Continuing Disclosure. The Issuer hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate, and the provisions of the Continuing Disclosure Certificate are hereby incorporated by reference as part of this Resolution and made a part hereof. Notwithstanding any other provision of this Resolution, failure of the Issuer to comply with the Continuing Disclosure Certificate shall not be considered an event of default under this Resolution; however, any holder of the Bonds or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Issuer to comply with its obligations under the Continuing Disclosure Certificate. For purposes of this section, "Beneficial Owner" means any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

Section 18. Repeal of Conflicting Resolutions or Ordinances. All ordinances and resolutions and parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 19. Severability Clause. If any section, paragraph, clause or provision of this Resolution be held invalid, such invalidity shall not affect any of the remaining provisions hereof, and this Resolution shall become effective immediately upon its passage and approval.

9.K

PASSED AND APPROVED this 28th day of November, 2016.

Mayor

ATTEST:

City Clerk

9.K

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

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

WITNESS my hand and the seal of the Council hereto affixed this _____ day of _____, 2016.

City Clerk, City of Council Bluffs,
State of Iowa

(SEAL)



CITY CLERK
(712) 328-4616

**Liquor Licenses
City Council Agenda
Monday, November 28, 2016**

Listed below are locations set for City Council approval.
Please note no "Calls for Service" occurred during the last licensing period.

New Applications:

- 712 Council Bluffs, 1851 Madison Avenue
- Color of Money, 519 South Main Street

Renewals Applications:

- Applebee's, 3000 Dial Drive
- Hy-Vee #2, 1745 Madison Avenue





<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <i>on</i>	Local Amt _____	
FIRE <i>AE</i>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <i>SR</i>	Expires _____	
ZONING <i>RS</i>		

- Help
- License Search
- License List
- On-Demand Reporting
- Keg Registration Search
- User Profile
- Logoff

- » License
- » Privileges
- » Applicant
- » Status Of Business
- » Ownership - Names
- » Ownership - Interests
- » Criminal History
- » Premises
- » General Premises
- » Applicant Signature
- » Dram Cart
- » Local Endorse
- » History

Applicant LC_V_69481, 712, 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): 712 LLC (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): 712

Address of Premise: 1851 Madison Avenue Suite 700

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (402) 290-8662 Cell / Home Phone: (402) 290-8662

Mailing Address: Same Address

Mailing Address Line 2: _____

City: Council Bluffs State: Iowa

Zip: 51503

Contact Name: Janie Rogers

Phone: (402) 290-8662 Email Address: sevenonetwork@gmail.com

402 290-2662

« Prev

Next »

Follow us with RSS, Facebook or Twitter



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866.Iowa.BD (866.489.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division All Rights Reserved.

10B.1



<input type="checkbox"/> RENEWAL	<input checked="" type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CR</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>SP</u>	Expires _____	
ZONING <u>ES</u>		

- Help
- License Search
- License List
- On-Demand Reporting
- Keg Registration Search
- User Profile
- Logout

- > License
- > Privileges
- > Applicant
- > Status Of Business
- > Ownership - Names
- > Ownership - Interests
- > Criminal History
- > Premises
- > General Premises
- > Applicant Signature
- > Dram Cert
- > Local Endorse
- > History

Applicant LC_V_69345, Color of Money, 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): John Salanitro (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Color of Money

Address of Premise: 519 South Main Street

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (712) 258-3613 Cell / Home Phone: _____

Same Address

Mailing Address: 519 South Main Street

Mailing Address Line 2: _____

City: Council Bluffs State: Iowa

Zip: 51501

Contact Name: John Salanitro

Phone: (402) 305-8326 Email Address: jsalan4644@msn.com

Prev

Next

Follow us with RSS, Facebook or Twitter



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulstizer Road, Ankeny, IA 50021
Toll Free 866.Iowa.BD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division. All Rights Reserved.

10B. 2



<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>CM</u>	Local Amt _____	
FIRE <u>AF</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>ES</u>	Expires _____	
ZONING <u>ES</u>		

- Help
- License Search
- License List
- On-Demand Reporting
- Keg Registration Search
- User Profile
- Logout

- » License
- » Privileges
- » Applicant
- » Status Of Business
- » Ownership - Names
- » Ownership - Interests
- » Criminal History
- » Premises
- » General Permits
- » Applicant Signature
- » Dram Cart
- » Local Endorse
- » History

Applicant LC0029668, Applebee's Neighborhood Grill & Bar, Council Bluffs

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

Corporation Name/Sole Proprietor Name/Partnership Name(s): J S Ventures Inc (Sole Proprietorship, Partnership, Corporation, etc.)

Name of Business (D/B/A): Applebee's Neighborhood Grill & Bar

Address of Premise: 3000 Dial Dr

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51501

Business Phone: (316) 263-3446 Cell / Home Phone: _____

Same Address

Mailing Address: 2400 N Woodlawn, Ste 230

Mailing Address Line 2: _____

City: Wichita State: Kansas

Zip: 67220

Contact Name: Keicl Muse

Phone: (316) 263-3446 Email Address: kmuse@stevensenterprises.com

Prev

Next

Follow us with RSS, Facebook or Twitter



Contact Us

Iowa Alcoholic Beverages CDMs on
 1918 SE Hulsizer Road, Ankeny, IA 50021
 Toll Free 866 Iowa.BD (866.489.2225)
 Local 515 261.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
 Alcoholic Beverages Division. All Rights Reserved

10A. 1



<input checked="" type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW	<input type="checkbox"/> SPECIAL EVENT
POLICE <u>com</u>	Local Amt: _____	
FIRE <u>AF</u>	Endorsed _____	
HEALTH _____	Issued _____	
BUILDING <u>AF</u>	Expires _____	
ZONING <u>AF</u>		

- Help
- License Search
- License List
- On-Demand Reporting
- Keg Registration Search
- User Profile
- Logout

- License
- Privileges
- Applicant
- Status Of Business
- Ownership - Names
- Ownership - Interests
- Criminal History
- Premises
- General Premises
- Applicant Signature
- Bond Cert
- Local Endorse
- History

Applicant LE0001063, Hy-Vee #2, Council Bluffs

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

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

Name of Business (DBA): Hy-Vee #2

Address of Premise: 1745 Madison Ave

Address Line 2: _____

City: Council Bluffs

County: Pottawattamie

Zip: 51503

Business Phone: (712) 322-9260 Cell / Home Phone: _____

Same Address

Mailing Address: 5820 Westown Pkwy

Mailing Address Line 2: _____

City: West Des Moines State: Iowa

Zip: 50266

Contact Name: Kelly Palmer

Phone: (515) 267-2949 Email Address: kpalmer@hy-vee.com

Prev

Next

Follow us with RSS, Facebook or Twitter



Contact Us

Iowa Alcoholic Beverages Division
1918 SE Hulsizer Road, Ankeny, IA 50021
Toll Free 866 Iowa ABD (866.469.2223)
Local 515.281.7400

[Terms and Conditions](#)
[Privacy Policy](#)

Copyright ©2009 State of Iowa
Alcoholic Beverages Division All Rights Reserved.

10A. 2



SEE INSTRUCTIONS ON THE REVERSE SIDE

For period (MM/DD/YYYY) 10/1/16 through June 30, 17

I/we apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products:

Business Information:

Trade Name/DBA: TOBACCO VAPE and Food MART LLC
 Physical Location Address: 1531 2ND AVE City: COUNCIL BLUFFS ZIP: 51501
 Mailing Address: _____ City: _____ State: _____ ZIP: _____
 Business Phone Number: (712) 352-0153

Legal Ownership Information:

Type of Ownership: Sole Proprietor Partnership Corporation LLC LLP
 Name of sole proprietor, partnership, corporation, LLC, or LLP: TOBACCO VAPE and Food MART LLC
 Mailing Address: 1531 2ND AVE City: COUNCIL BLUFFS State: IA ZIP: 51501
 Phone Number: (____) _____ Fax Number: (____) _____ Email: _____

Retail Information:

Types of Sales: Over-the-counter Vending machine
 Types of Products Sold: (Check all that apply)
 Cigarettes Tobacco Alternative Nicotine Products Vapor Products

Type of Establishment: (Select the option that best describes the establishment)

Alternative nicotine/vapor store Bar Convenience store/gas station Drug store
 Grocery store Hotel/motel Liquor store Restaurant Tobacco store
 Has vending machine that assembles cigarettes Other

If application is approved and permit granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products.

SIGNATURE OF OWNER(S), PARTNER(S), OR CORPORATE OFFICIAL(S)

Name (please print): KARIMA ELOUAHIDY Name (please print): _____
 Signature: KARIMA ELOUAHIDY Signature: _____
 Date: 11-14-2016 Date: _____

Send this completed application and the applicable fee to your local jurisdiction. If you have any questions contact your city clerk (within city limits) or your county auditor (outside city limits).

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: \$75.00
- Fill in the date the permit was approved by the council or board: 11-28-16
- Fill in the permit number issued by the city/county: 452719
- Fill in the name of the city or county issuing the permit: Council Bluffs

Send completed/approved application to Iowa Alcoholic Beverages Division within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375