NOTICE OF MEETING OF THE CITY COUNCIL
OF THE CITY OF SIOUX CITY, IOWA

City Council agendas are also available on the Internet at www.sioux-city.org.

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held October 2, 2017, 4:00 p.m., local time, in the City Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

This is a formal meeting during which the Council may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Council for speakers:

1. Anyone may address the Council on any agenda item.
2. Speakers should approach the microphone one at a time and be recognized by the Mayor.
3. Speakers should give their name, spell their name, give their address, and then their statement.
4. Everyone should have an opportunity to speak. Therefore, please limit your remarks to three minutes on any one item.
5. At the beginning of the discussion on any item, the Mayor may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under ‘Citizen Concerns’.
7. For the benefit of all in attendance, please turn off all cellular phones and other communication devices while in the City Council Chambers.

1. Call of the roll - Silent prayer and Pledge of Allegiance to the Flag - Proclamations

CONSENT AGENDA

Items 2 through 12B constitute a Consent Agenda. Items pass unanimously unless a separate roll call vote is requested by a Council Member.

2. Reading of the City Council minutes of September 25, 2017. (CLOSED, REGULAR)

3. LIBRARY - Motion accepting and approving the Library Board of Trustees FY 2017 Annual Report.

4. HOMELAND SECURITY - Resolution approving and accepting Grant Agreement No. SHSP-172002 from the State of Iowa Homeland Security and Emergency Management in the amount of $165,500 in connection with the FY17 Homeland Security Grant Program.

5. ACTIONS RELATING TO STREET CLOSURES

   A. FIREFIIGHTER MEMORIAL - Resolution temporarily closing Douglas Street from 6th Street to 7th Street, including the 7th Street and Douglas Street intersection, beginning at 2:00 p.m. and ending at 4:00 p.m. October 6, 2017 to accommodate the Sioux City Fire Rescue’s Fallen Firefighter Memorial event.
6. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

A. AIRPORT - Resolution rejecting all bids received for the proposed construction of the Airport Roadway Reclamation Project (Project No. 6883-719-260) and ordering the return of the bid bonds.

B. CHANNEL IMPROVEMENTS - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Channel Improvements, South Saint Aubin Street to Lincoln Way Project. (Project No. 6871-549-020)

7. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. FIBERCOMM - Resolution granting a permit to FiberComm to own, operate and maintain underground cable commencing at an existing handhole north of the intersection of 3rd Street and Iowa Street and ending at the southeast corner of Iowa Street and the east-west alley between Iowa Street and Floyd Boulevard.

B. RASMUSSEN - Resolution awarding and approving a contract to Rasmussen Mechanical Services, Inc. in the amount of $306,917 for the City Hall Air Handler Unit Replacement Project. (Project No. 6928-889-001)

8. ACTIONS AUTHORIZING THE ISSUANCE OF CHECKS

A. TORT - Resolution approving settlement of a tort claim and authorizing payment. (Mammens)

B. BAINBRIDGE - Resolution rescinding Resolution No. 2017-0835 accepting the work and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project. (Project No. 6849-549-101)

C. BAINBRIDGE - Resolution approving Change Order No. 2, accepting the work, and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project. (Project No. 6849-549-101)

9. ACTIONS RELATING TO PROPERTY

A. LEWIS BOULEVARD - Resolution approving and accepting an Offer of Sale of Land from Matthew C. Tank and Jessica Tank in consideration of $112,500 in connection with the Wastewater Treatment Plant Asset Renewal/Modification Project. (Property commonly known as 2804 South Lewis Boulevard)

B. CBD - Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City – CBD Urban Renewal Plan for the Combined Central Sioux City – CBD Urban Renewal Area of the City of Sioux City, Iowa.
C. DONNER PARK - Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan for the Donner Park Urban Renewal Area of the City of Sioux City, Iowa.

D. FLOYD RIVER - Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area of the City of Sioux City, Iowa.

10. PURCHASING

A. PHYSIO-CONTROL - Resolution awarding a Purchase Order to Physio-Control, Inc. in the amount of $48,950.30 for the purchase of defibrillators for Sioux City Fire Rescue (Quote No. 00093026).

B. LIFT SOLUTIONS - Resolution awarding a Purchase Order to Lift Solutions, Inc. of Sioux City, Iowa in the amount of $26,313 for the purchase of one (1) UniCarrier GC050VX fork lift. (RFQ No. 248063)

11. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. ON-PREMISE SALES

1. SPECIAL CLASS C LIQUOR LICENSE (wine/beer/wine coolers/carry-out)
   A. Briar Cliff University, 3303 Rebecca Street (Renewal)

B. OFF PREMISE SALES

1. CLASS B WINE PERMIT (wine only)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

2. CLASS C BEER PERMIT (beer/wine coolers)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

3. CLASS E LIQUOR LICENSE (liquor only)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

12. BOARD, COMMISSION AND COMMITTEE MINUTES

A. Events Facilities Advisory Board – August 25, 2017
B. Woodbury County Information and Communication Commission – August 9, 2017

- End of Consent Agenda -
RECOMMENDATIONS OF PLANNING AND ZONING

13. Hearing and Ordinance vacating the east/west alley adjacent to 1314 West 3rd Street. (Petitioner: 1314 West 3rd LLC). The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0081) (First Consideration passed September 25, 2017)

14. Hearing and Ordinance rezoning 1314 West 3rd Street from Zone Classification PI (Public and Institutional) to Zone Classification GR (General Residential, 12,000 square feet per unit minimum). (Petitioner: 1314 West 3rd LLC) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0082) (First Consideration passed September 25, 2017)

15. Hearing and Ordinance vacating a portion of Rebecca Street adjacent to 1314 West 3rd Street. (Petitioner: 1314 West 3rd LLC) (File No. 2017-0083) (First Consideration passed September 25, 2017)

16. Resolution proposing to grant a temporary easement (vacated portion of Rebecca Street adjacent to 1314 West 3rd Street). (Petitioner: 1314 West 3rd LLC) (File No. 2017-0084) (Deferred from September 25, 2017)

HEARINGS

17. Hearing and Resolution accepting the proposal of P. Paul Gorski and Sandra M. Gorski for the purchase of certain land in the Donner Park Urban Renewal Area and authorizing sale of said property. (5100 Sunnybrook Drive)

18. Hearing and Resolution approving proposal to sell certain real property and authorizing a city deed. (The vacated east/west alley abutting 1809 Geneva Street) (Petitioner: Hugo Prieto) (Purchase price: $696 plus costs)

DISCUSSION

19. Motion authorizing City staff to enter into negotiations with CivicSmart, Inc. of Milwaukee, Wisconsin, to formulate a contract for Parking Enforcement System Software and Hardware.

20. Resolution amending Resolution No. 2017-0526 relating to the Hearing on Manager’s report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90 day delay in demolition. (Address: 1925 Highland Avenue) (Property Owner: Omar Molina Maldonado)

21. Resolution awarding and approving a contract to Hebert Construction, Inc. in the amount of $34,810 for demolition and removal of structure and site work at 501 Market Street.

22. Resolution authorizing and directing the City Manager to execute a Prairie Partners Cost Sharing Program Agreement with the Iowa Department of Natural Resources for the purpose of establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.
23. Resolution authorizing and directing the City Manager to execute a Partners for Fish and Wildlife Program Landowner Agreement with the U.S. Fish and Wildlife Service and the Iowa Department of Natural Resources for the purpose of establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

24. CITIZEN CONCERNS

25. COUNCIL CONCERNS

26. ADJOURNMENT

City Council agendas are also available at www.sioux-city.org.

The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 6th Street, Room 204, (712) 279-6175. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.
A Closed Session of the City Council was held at 3:45 p.m. The following Council Members were present on call of the roll: Groetken, Moore, Scott, and Watters. Absent: Capron.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Lisa McCardle, City Clerk.

Motion by Scott, seconded by Moore, that Council enter closed session to discuss strategy with Counsel in matters where litigation is imminent and its disclosure would be likely to prejudice or disadvantage the position of the City in that litigation; all voting aye.

Motion by Scott, seconded by Moore, that Council return to open session at 4:17 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:18 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: ___________________________ ___________________________
                   Lisa L. McCardle, City Clerk   Robert E. Scott, Mayor

City Council minutes are available on the Internet at www.sioux-city.org.
1. The Regular Meeting of the City Council was held at 4:19 p.m. The following Council Members were present on call of the roll: Groetken, Moore, Scott, and Watters. Absent: Capron.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Lisa McCardle, City Clerk.

Mayor Scott read a commendation for Al Sturgeon, 615 Shady Lane, awarding him the September 2017 “Yard of the Month Award”; Al Sturgeon accepting.

2. City of Sioux City Strategic Plan Quarterly Update Presentation.

Jessica Johnson, City Manager’s Office Administrative Assistant, provided information on the item.

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 3 through 10G are approved unanimously unless specifically noted after the item.

3. Reading of the City Council minutes of September 18, 2017.

Reading of the minutes of September 18, 2017, was waived and as part of the consent agenda the minutes were approved as presented.

4. SKYWALK - Resolution assessing unpaid Skywalk Operation Charges against 622 4th Street. (Badgerow Building)

Motion by Scott, seconded by Moore, to delete this item; all voting aye.

5. HOGLUND - Resolution awarding a Purchase Order to Hoglund Bus Company, Inc. in the amount of $72,233 for the purchase of one (1) 176” light-duty, ADA compliant bus for the Sioux City Transit System.

6. ACTIONS RELATING TO STREET CLOSURES

A. OKTOBERFEST - Resolution temporarily closing 4th Street from Virginia Street to Iowa Street and Court Street from the east/west alley between 5th Street, 4th Street, Iowa Street, and Virginia Street to Design Place beginning at 10:00 a.m. and ending at 5:00 p.m. September 30, 2017 for the Oktoberfest on Fourth event.
B. **TRI-STATE TRAILS** - Resolution temporarily closing the west lane of Riverside Boulevard from the entrance of Riverside Park on Council Oak Drive to Florence Avenue beginning at 8:00 a.m. and ending at 2:00 p.m. October 14, 2017, for the Tri-State Trails Tour XIII Charity Bike Ride sponsored by Siouxland Trails Foundation.  

Angel Wallace, Parks and Recreation Manager, provided information on the item.  

C. **EAST HIGH** - Resolution temporarily closing Morningside Avenue from South Saint Aubin Street to Jay Avenue beginning at 6:30 p.m. and ending at 7:30 p.m. and temporarily restricting travel to local traffic only on Orleans Avenue from South Newton Street to South Saint Aubin Street and the Morningside Public Library parking lot beginning at 6:00 p.m. and ending at 6:30 p.m. October 5, 2017 to accommodate the East High School Homecoming Parade and staging.  

7. **ACTIONS RELATING TO AGREEMENTS AND CONTRACTS**

A. **HUD** - Motion authorizing acceptance of FY2017 Cooperative Agreement No. FF207K177018 from the Department of Housing and Urban Development (HUD) in the amount of $49,600 for the Sioux City Human Rights Commission.  

Scott abstained on the item due to a conflict of interest.  

B. **HCI** - Resolution awarding and approving a contract to HCI Construction of South Sioux City, Nebraska in the amount of $163,600 for the Zenith Water Facility Structural Preservation Project. (Project No. 6923-519-214)  

C. **SUPERIOR INDUSTRIAL** - Resolution authorizing and approving a Targeted Jobs Withholding Tax Credit Program Withholding Agreement with the Iowa Economic Development Authority and Superior Industrial Mechanical, Inc. (Contract Number: 17-TJ-008) (613 West 7th Street)  

D. **I & A CONSTRUCTION** - Resolution awarding and approving a contract to I & A Construction, LLP in the amount of $262,212.55 for the Tyson Events Center Site Repairs Project. (Project No. 6830A-379-010)  

E. **PARAGON** - Resolution awarding and approving a contract to Paragon Restoration II, LLC in the amount of $54,010 for the 2017 Martin Luther King Parking Ramp Repair Project. (Project No. 6926-739-020)  

F. **SCCSD** - Resolution approving a 28E Agreement for Developmental Services with the Sioux City Community School District in the Counties of Woodbury and Plymouth. (Proposed Clark Early Childhood Center Trail Addition Project – 4315 Hamilton Boulevard and 4310 Perry Way)  

Brett Langley, Civil Engineer; and Dave Carney, Public Works Director; provided information on the item.
Request by Scott to pull the item from the Consent Agenda for a separate vote; the resolution was moved and seconded as part of the Consent Agenda; Groetken and Watters voting aye; Scott voting nay; and Moore abstaining due to a conflict of interest. Thus, per Rules of Procedure for the City Council, the item failed due to the lack of a majority of three Council members approving the resolution.

Motion by Watters, seconded by Groetken, to reconsider the resolution; Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest; thus, the motion to reconsider is approved and the resolution was reconsidered.

Motion by Watters, seconded by Groetken, to defer this item to October 9, 2017; Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest.

G. **CLARK TRAIL** - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Clark Early Childhood Center Trail Addition Project. (Project No. 6853-459-302)

Request by Watters to pull the item from the Consent Agenda for a separate vote. Motion by Watters, seconded by Groetken, to defer this item to October 9, 2017; Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest.

8. **APPLICATIONS FOR CIGARETTE, TOBACCO, NICOTINE, VAPOR PERMITS**

   A. **OVER-THE-COUNTER**

      1. White Oak Station No. 54, 2626 Court Street (New)
      2. White Oak Station No. 55, 2930 Gordon Drive (New)
      3. White Oak Station No. 56, 1031 Morningside Avenue (New)
      4. Yesway No. 1104, 2501 Floyd Boulevard (New)
      5. Yesway No. 1105, 1203 Tri-View Avenue (New)

9. **APPLICATIONS FOR BEER AND LIQUOR LICENSES**

   A. **ON-PREMISE SALES**

      1. **CLASS B LIQUOR LICENSE** (Hotel/Motel; liquor/wine/beer/wine coolers/carry-out)
         A. Hard Rock Hotel & Casino Sioux City, 111 3rd Street (Temporary Outdoor Service for Bacon Fest, October 14 and 15, 2017)

Moore abstained on the Hard Rock Hotel & Casino Sioux City, Temporary Outdoor Service for Bacon Fest, due to a conflict of interest.
2. **CLASS C LIQUOR LICENSE** (liquor/wine/beer/wine coolers/carry-out)
   A. Chili’s Southwest Grill, 110 Nebraska Street (Renewal)
   B. Iron Hill Bar and Grill, 4400 Sergeant Road No. 300 (Renewal)
   C. One-Eyed Jacks, 3091 Hamilton Boulevard (Renewal)
   D. SoHo, 1024 4th Street (Renewal)

3. **SPECIAL CLASS C LIQUOR LICENSE** (wine/beer/wine coolers/carry-out)
   A. Huhot Mongolian Grill, 4229 South Lakeport Street (Renewal)
   B. Sioux City Art Center, 225 Nebraska Street (Renewal)

B. **OFF PREMISE SALES**

1. **CLASS B WINE PERMIT** (wine only)
   A. Select Mart, 4103 Floyd Boulevard (Renewal)
   B. Walgreens No. 5470, 4650 Morningside Avenue (Renewal)

2. **CLASS C BEER PERMIT** (beer/wine coolers)
   A. Select Mart, 4103 Floyd Boulevard (Renewal)
   B. Walgreens No. 5470, 4650 Morningside Avenue (Renewal)

3. **CLASS E LIQUOR LICENSE** (liquor only)
   A. Select Mart, 4103 Floyd Boulevard (Renewal)
   B. Walgreens No. 5470, 4650 Morningside Avenue (Renewal)

10. **BOARD, COMMISSION AND COMMITTEE MINUTES**

   A. Board of Adjustment – September 12, 2017
   B. Civil Service Commission – August 16 and September 5, 2017
   C. Human Rights Commission – September 7, 2017
   D. Mayor’s Youth Commission – August 28 and September 10, 2017
   E. Museum Board of Trustees – August 2, 2017
   F. Planning and Zoning Commission – September 12, 2017
   G. Sioux City Sports Commission – September 13, 2017

   - *End of Consent Agenda*

**RECOMMENDATIONS OF PLANNING AND ZONING**

11. Ordinance dedicating for park purposes and naming a 620 square foot tract of land bounded by Pearl Street, 7th Street, and the north/south and east/west alleys in Block 5, Sioux City East Addition as “Pearl Street Park.” (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0079) 2017-0891

   Suzan Stewart, Planning and Zoning Commission Chair; and Jeff Hanson, Community Development Operations Manager; provided information on the item.

   The ordinance was considered on motion by Scott, seconded by Moore, to pass first consideration; all voting aye.
On motion by Scott, seconded by Moore, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Scott, seconded by Moore, the ordinance passed second and third considerations; all voting aye.

12. Hearing and Ordinance vacating that portion of the 4th Street right-of-way adjacent to 400 Virginia Street. (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0085) 2017-0892

Suzan Stewart, Planning and Zoning Commission Chair, provided information on the item.

Motion by Scott, seconded by Watters, to close the hearing and pass first consideration of the ordinance; all voting aye.

On motion by Scott, seconded by Moore, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Scott, seconded by Moore, the ordinance passed second and third considerations; all voting aye.

13. Hearing and Ordinance vacating the east/west alley adjacent to 1314 West 3rd Street. (Petitioner: 1314 West 3rd LLC) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0081)

Suzan Stewart, Planning and Zoning Commission Chair; and Jeff Hanson, Community Development Operations Manager; provided information on the item. Wendy Crook, 509 Walker St, Woodbine, Iowa, spoke on the item.

Motion by Scott, seconded by Watters, to close the hearing and pass first consideration of the ordinance; Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest.

Motion by Scott, seconded by Groetken, to suspend the Statutory Rule requiring that an ordinance be considered at three separate meetings; Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest; thus, the motion failed. Per Rules of Procedure for the City Council, a motion to suspend the Statutory Rule requires at least four members voting aye for approval.

14. Hearing and Ordinance rezoning 1314 West 3rd Street from Zone Classification PI (Public and Institutional) to Zone Classification GR (General Residential, 12,000 square feet per unit minimum). (Petitioner: 1314 W 3rd LLC) The Planning and Zoning Commission recommends approval of this item. (File No. 2017-0082)

Suzan Stewart, Planning and Zoning Commission Chair, provided information on the item.
Motion by Scott, seconded by Watters, to close the hearing, pass first considera-
tion of the ordinance, and direct staff to forward the Site Plan for the project to
the City Council after the Planning and Zoning Commission approves it; Groet-
ken, Scott, and Watters voting aye; Moore abstaining due to a conflict of interest.

15. Hearing and Ordinance vacating a portion of Rebecca Street adjacent to 1314 West
3rd Street. (Petitioner: 1314 W 3rd LLC) (File No. 2017-0083)

Motion by Scott, seconded by Watters, to close the hearing and pass first consid-
eration of the ordinance; Groetken, Scott, and Watters voting aye; Moore abstain-
ing due to a conflict of interest.

16. Resolution proposing to grant a temporary easement (vacated portion of Rebecca
Street adjacent to 1314 West 3rd Street). (Purchase price: $15 plus costs) (Petitioner:
1314 W 3rd LLC) (File No. 2017-0084)

Jeff Hanson, Community Development Operations Manager, provided information on
the item.

Motion by Scott, seconded by Watters, to defer this item to October 2, 2017;
Groetken, Scott, and Watters voting aye; Moore abstaining due to a conflict of in-
terest.

17. Hearing and Ordinance rezoning 3401 Lincoln Court and 4816 Lincoln Way from
Zone Classification NC.5 (Neighborhood Conservation, 5,000 square feet per unit
minimum) and GC (General Commercial) to Zone Classification UR (Urban
Residential, 4,500 square feet per unit minimum). (Petitioner: Liberty National Bank)
The Planning and Zoning Commission recommends approval of this item. (File No.
2017-0084) 2017-0893

Suzan Stewart, Planning and Zoning Commission Chair, provided information on the
item.

Motion by Scott, seconded by Watters, to close the hearing and pass first consid-
eration of the ordinance; all voting aye.

On motion by Scott, seconded by Groetken, all voting aye; the Statutory Rule re-
quiring that an ordinance be considered at three separate meetings was sus-
pended. On motion by Scott, seconded by Watters, the ordinance passed second
and third considerations; all voting aye.

18. Hearing and ordinance rezoning 2611 Apache Court from Zone Classification NC.5
(Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classifi-
cation UR (Urban Residential, 4,500 square feet per unit minimum). (Petitioner:
Brown Wegher Construction) The Planning and Zoning Commission recommends
approval of this item. (File No. 2017-0080) 2017-0894
Suzan Stewart, Planning and Zoning Commission Chair, provided information on the item.

Motion by Scott, seconded by Moore, to close the hearing and pass first consideration of the ordinance; all voting aye.

On motion by Scott, seconded by Moore, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Scott, seconded by Watters, the ordinance passed second and third considerations; all voting aye.

HEARINGS

19. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Gilchrist Learning Center Project, 220 Pierce Street. (City Project No. 6938-339-007) 2017-0895

No protests were received. The hearing was closed on motion by Scott, seconded by Moore; all voting aye.

20. Hearing and Resolution accepting the proposal of Saltzman and Saltzman Management, LLC for the purchase of certain land in the Combined Floyd River Urban Renewal Area and authorizing a Development Agreement. (3104 Floyd Boulevard)

Motion by Scott, seconded by Moore, to continue the hearing and defer action on the item until October 9, 2017; all voting aye.

DISCUSSION

21. Hearing and Resolution concerning the appeal of Paula Hogan from a Notice to Abate a Public Nuisance at 1408 South Hennepin Street. (Deferred from August 21 and 28, and September 11, 2017)

Justin Pottorff, Civil Engineer, provided information on the item.

Motion by Scott, seconded by Watters, to delete this item; all voting aye.

22. Motion authorizing City Staff to move forward with preliminary plans based on eliminating the bridge structure with the Bluff Road Bridge Project. (Iowa DOT Project Number BROS-7057(697)—8J-97 / City Project No. 6874-719-355)

Brittany Anderson, Acting City Engineer; Dave Carney, Public Works Director; Steve Moffitt, and Jon Peterson, HGM Associates; provided information on the item.

Motion by Scott, seconded by Watters, to delete this item; all voting aye.
23. CITIZEN CONCERNS

Doug Waples, 3255 Dearborn Blvd, spoke on the repair of the storm drain wall near his property to prevent wash out of the creek; Brittany Anderson, Acting City Engineer; and Dave Carney, Public Works Director; provided information on the repair as a permanent solution and stated they would provide a report with pictures to the Council for their review.

Moore exited the meeting at 5:55 p.m.

Joe Courey, 4605 Correctionville Rd, spoke on the speed study done on Correctionville Rd near his property; Corey stated he wanted to reduce the speed from 35 to 30 miles per hour. Carney provided information and stated the study provided proof that the speed limit should not be changed. Corey also spoke on tree encroachment on Correctionville Rd and wants the City to trim the trees; Scott stated City staff works on a complaint basis and the trees will be cut in the order the complaint is received.

24. COUNCIL CONCERNS

Scott stated the School District is looking at Hunt School and he wants the Council to get on the front side of the issue.

25. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:12 p.m., on motion by Scott, seconded by Watters; all voting aye.

ATTEST: ___________________________  ___________________________
                   Lisa L. McCardle, City Clerk           Robert E. Scott, Mayor

City Council minutes are available on the Internet at www.sioux-city.org.
CITY OF SIOUX CITY  
REQUEST FOR CITY COUNCIL ACTION  

MEETING DATE: October 2, 2017  
ACTION ITEM # 3  

FROM: Sara Leiss, Interim Library Director  

SUBJECT: Motion accepting and approving the Library Board of Trustees FY 2017 Annual Report.  

Reviewed By:  
- x Department Director  
- Finance Department  
- x City Attorney  
- x City Manager  

RECOMMENDATION:  
Staff respectfully requests Council approve the motion accepting and approving the Board of Library Trustees’ FY 2017 Annual Report.  

DISCUSSION:  
As required by City Code, Section 2.66.070 Annual Reports, the Library Board has completed their FY2017 Annual Report and is requesting formal Council approval.  

FINANCIAL IMPACT:  
None  

RELATIONSHIP TO STRATEGIC PLAN:  
N/A  

ALTERNATIVES:  
Accept or reject the Annual Report.  

ATTACHMENTS:  
Library Board of Trustees FY 2017 Annual Report on library service to our community.
Creating opportunities for a lifetime of learning to empower and enrich our community.
Adopted by the Board of Trustees, June 2016

1,000 BOOKS BEFORE KINDERGARTEN

Sioux City Public Library launched the 1,000 Books Before Kindergarten challenge in January 2017, helping families prepare their children for kindergarten through the simple and enjoyable act of sharing books. Research shows that children who hear at least 1,000 books before kindergarten have wider vocabularies and are better prepared for kindergarten with the skills they need to succeed. Over 100 youngsters are participating in the challenge and 62 have reached milestones with eight having received their 1000-book medal.

Sioux City Public Library celebrated reading milestones with 62 children between January and June.

As a leading advocate for literacy and reading, Sioux City Public Library emphasizes childhood literacy and seeks to have every kindergarten student starting school ready to learn to read and every third grader reading at grade level.

FROM THE DIRECTOR

Sioux Cityans use their public library for a variety of reasons. While providing this year’s 321,000 Library visitors with their preferred experience, staff focused on advancing the Library’s strategic plan of: (1) transformative collections, services, and events; (2) targeted outreach initiatives; and (3) physical and virtual spaces for delightful user experiences. Peruse the stories in this annual report to see how the experiences surrounding these statistics enrich our community.

As the fiscal year ended, I announced my plans to retire in August 2017. It’s been a pleasure to serve this community for nearly 36 years, the last 22 years as Library Director. I thank you for your support. I see great things on the horizon for Sioux City and its Public Library.

Betsy Thompson
Library Director

Aals Downtown Library
529 Pierce St.

Morningside Branch Library
4005 Morningside Ave.

Perry Creek Branch Library
2912 Hamilton Blvd.

Online Branch Library
www.SiouxCityLibrary.org
SUMMER READING

New to the Library’s summer reading initiative, this year, participants could track their reading minutes to enter their name into a drawing for a LEGO Creator set for each three hours (twelve 15-minute sessions) of reading time.

One father wrote that reading didn’t come as easily to his younger son and he compared himself to his brother (unfavorably): “Thanks to a wonderfully encouraging teacher this past year, he became much more confident. Still, he didn’t just pick up books to read on his own. That changed this summer. The prospect of LEGO was just too much! He dived into books this summer. This program was a great encouragement. Thank you!”

Young readers logged 4,647 hours of reading time during Summer Reading.

The teen after-hours “Murder at the Library” event challenged critical thinking skills and had the highest ever teen turnout with 72 in attendance.

A FAMILY EXPERIENCE

Kassandra had a Skype interview for an out-of-state job. Not trusting her home internet connection to support the videoconference, she came to the Library. The interview was scheduled for 9:00 a.m. CST and 10:00 a.m. EST. “Since the Library opens at 9:00 a.m., I arranged with staff to arrive a little early to get set up and they were wonderfully accommodating,” expressed Kassandra.

During another visit to the Library while she was reading Lion Lessons [by Jon Agee] to her four-year-old son, he spontaneously started acting out the story with another young boy. Creating his own stories at the new puppet stage with other children, discovering new things in the PBS learning apps loaded on the iPads, and creating masterpieces at the activity table are his favorite things to do when he visits the Library.

Kassandra’s 13-year-old daughter met some girls her age from another school while searching for a book in the teen section. When Kassandra came looking, she found her daughter talking and laughing with new friends.

“We love coming to the Library,” said Kassandra. “It’s always such a good experience.”

ENGAGING READERS

Open Book Club meets at the Perry Creek Branch to discuss Valiant Ambition: George Washington, Benedict Arnold, and the Fate of the American Revolution by Nathaniel Philbrick.

Between January and November, reading enthusiasts meet for a lively book discussion the first Monday of each month in the morning at Perry Creek Branch Library and evenings at the Morningside Branch Library. Among others, the group read popular titles such as the worldwide bestseller A Man Called Ove by Fredrik Backman, and Behold the Dreamers by Imbolo Mbue which was announced as Oprah’s 2017 Summer Book Club pick.

The One Book One Siouxland community-wide reading initiative featured Shoeless Joe by W.P. Kinsella as the 2017 title. Programming that expands the reading experience brought 548 people out to 21 events.

More than 290 Library patrons picked up a Reading BINGO card to take part in the Adult Summer Reading program. Participants widened their reading selections with books ranging from a young adult book, to a book based on a true story, to a book by a new author as they worked to complete a bingo. Regular Facebook posts with recommendations from the Library’s reader services advisor provided book suggestions to complete bingo squares.
LIBRARY ENHANCEMENTS

The Library welcomed 321,142 visitors over the past year (223,674 at Aails Downtown Library, 70,632 at Morningside Branch Library, and 26,836 at Perry Creek Branch Library). To engage community members and visitors in delightful library-user experiences, we made the following enhancements:

- **Introduced a Kid's Card**

  Kids can check out three children’s books at a time without late fees when using their “kids” Library card. The Kid’s Card is often a child’s first Library card and offers the opportunity for children to enjoy books while teaching responsibility.

- **Improved browsability**

  Children’s paperback, hardcover, and series books are now shelved together (by the author’s last name), making it easier to find books.

- **Upgraded computer labs**

  The Library replaced its 40 public-use computers with new machines using funds from Enrich Iowa Direct Aid. Job seekers, entrepreneurs, student researchers, and internet users can all enjoy a more responsive computer experience.

- **Improved patron account privacy**

  Online account logins and onsite internet logins now require a 4-digit personal identification number (PIN) in addition to your Library card number. Implementing PINs reduces the likelihood that someone could mistakenly use your Library card number for internet access or to borrow materials.

CIRCULATION

The Library has 26,539 active cardholders. Over the past year, those active cardholders borrowed 408,973 items (down 2.3% from last year).

**Audiobook checkouts increased 5.9% from last year and account for 8.2% of total checkouts.**

The increase in audiobook checkouts follows the national trend of “skyrocketing sales and use of audiobooks as access grows increasingly simple for connected listeners.” The multitasking reader finds that audiobooks are the answer to reading with an increasingly busy schedule.

LIBRARY ON THE GO

![Image: Library staff provides remote library service at One Book One Siouxland's opening reception.](image)

Sioux City Public Library took the Library to the community with remote Library services at three different local events where 15 new patrons received Library cards. With funds from the Library Foundation Endowment, the necessary equipment was purchased so that staff could sign people up for Library cards, check out items, place items on hold, and demonstrate downloading eResources. An update to a cloud-based integrated library system in 2015 made it possible to realize this year’s vision of offering remote Library service.

The Library debuted its fully connected library service at events outside of our buildings in October 2016.
PROGRAMS

10%

Program attendance was up 10% from last year with 14,318 attendees going to 507 Library programs.

1,031 community group meetings held in our public meeting spaces.

51,002 public-use computer logins. 56,096 WIFI logins, up ~9% from last year.

COLLECTION

17,733 items withdrawn
12,155 items added

215,978

The Library now holds 210,400 physical books and recordings in three locations.

119 volunteers donated 2,297 hours of service to the Library during the year.

Staff scheduled 138 Tech Consultations to assist patrons with their devices.

BUDGET SUMMARY

Operating Budget (Not Audited)

$2,962,476 City Adjusted Budgeted Amount

Expenditures:

$2,162,213 Personnel
$263,844 Materials
$407,458 Building/Operations/Equipment

Revenue:

$84,966 Fines/Fees

Gifts and Grants Received:

$80,055 Library Foundation Endowment
$5,561 Gleeson Book Fund
$26,034 Friends of the Sioux City Public Library
$32,326 State of Iowa Funds

BOARD OF TRUSTEES

President: Richard A. Moon
Vice President: David Halaas
Secretary: Jaret Plathe
Rebecca Kemper
Charles (Bill) McKenny
Hope Schaefer
Todd Stanley
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017  ACTION ITEM # 4

FROM: Tom Everett, Fire Chief

SUBJECT: Resolution approving and accepting Grant Agreement No. SHSP-172002 from the State of Iowa Homeland Security and Emergency Management in the amount of $165,500.00 in connection with the FY17 Homeland Security Grant Program.

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution to accept the Agreement Articles for the FY17 Homeland Security Grant Program (HSGP) between the City of Sioux City and the State of Iowa.

DISCUSSION:
On October 6, 2003, the City Council approved and entered into a 28E Agreement between the City of Sioux City and the State of Iowa to be a sponsoring organization along with the City of Cedar Rapids to provide resources to the Iowa Urban Search and Rescue Task Force One (IA-TF1).

Under the Agreement the Sponsoring Organizations agreed to develop US&R teams that can be deployed outside their local jurisdictions for urban search and rescue missions when formally requested by the Iowa Homeland Security and Emergency Management Division.

The 28E Agreement states that operational equipment required by such missions and activities will be purchased using any available funds. The source of funding currently being used to support the IA-TF1’s training, administrative and equipment needs are the Office for Domestic Preparedness Homeland Security Grants, which are passed through the Iowa Homeland Security and Emergency Management (HLSEM) Department to each sponsoring organization.

Some of the highlights of this Agreement include:

- Period of Performance for this grant is from 9/1/2017 through 6/30/2019
- The amount awarded is $165,500.00
- There is no cost-share or match required for this funding. HLSEM will pay up to 100% of the eligible costs identified in the approved budget of $165,500.00.
➢ Equipment purchases are authorized by the sub-grantee (Sioux City Fire Rescue).

➢ Sioux City Fire Rescue will be required to use the reimbursement method as the preferred funding method for planning, training, training exercises and equipment costs.

By approving this Agreement, it allows us to continue the process of developing and sustaining the Sioux City Division of IA-TF1 by providing specialized equipment and training for team members. It will also allow us to utilize grant funds to offset administrative costs of the program.

FINANCIAL IMPACT:
Financing is provided by Federal Homeland Security Grants passed through the Iowa Homeland Security and Emergency Management Department.

RELATIONSHIP TO STRATEGIC PLAN:
Relates to Core Operation

II. Health and Safety Cluster: We will be known as a safe and healthy city.

ALTERNATIVES:
None

ATTACHMENTS:
Resolution
Hard copies of the Grant Agreement will be provided.
RESOLUTION NO. 2017 -

RESOLUTION APPROVING AND ACCEPTING GRANT AGREEMENT NO. SHSP-172002 FROM THE STATE OF IOWA HOMELAND SECURITY AND EMERGENCY MANAGEMENT IN THE AMOUNT OF $165,500.00 IN CONNECTION WITH THE FY17 HOMELAND SECURITY GRANT PROGRAM.

WHEREAS, the State of Iowa, through its Homeland Security and Emergency Management, contacted different fire departments in the State to determine the feasibility of creating State-sponsored Urban Search and Rescue teams; and

WHEREAS, on October 6, 2003, pursuant to Resolution No. 2003-0889, the City of Sioux City, Iowa, agreed to participate as a sponsoring organization of the Iowa Urban Search and Rescue and entered into a 28E Agreement with the State of Iowa which delineate responsibilities and procedures for urban search and rescue activities under the authority of the State of Iowa, the Department of Public Defense, and the Iowa Homeland Security and Emergency Management; and

WHEREAS, the State of Iowa has submitted to the City Grant Agreement No. SHSP-172002 in the amount of $165,500.00 for FY17 Homeland Security Grant Program funding, which Grant Agreement No. SHSP-172002 should be approved and accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Grant Agreement No. SHSP-172002 from the State of Iowa in the amount of $165,500.00 for FY17 Homeland Security Grant Program funding, as referred to in the preamble hereof, be and the same is hereby approved and accepted.

BE IT FURTHER RESOLVED, that the City Manager and Fire Chief be and they are hereby authorized and directed to execute said Grant Agreement No. SHSP-172002 for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: October 2, 2017 ________________________________
Robert E. Scott, Mayor

ATTEST: ________________________________
Lisa L. McCardle, City Clerk
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017

FROM: Angel Wallace, Parks and Recreation Manager

SUBJECT: Resolution temporarily closing Douglas Street from 6th Street to 7th Street, including the 7th Street and Douglas Street intersection, beginning at 2:00 p.m. and ending at 4:00 p.m. October 6, 2017 to accommodate the Sioux City Fire Rescue’s Fallen Firefighter Memorial event.

RECOMMENDATION:
Staff respectfully requests the City Council approve the resolution requesting a temporary street closure for the Sioux City Fire Rescue’s Fallen Firefighter Memorial event.

DISCUSSION:
Sioux City Fire Rescue requests the temporary street closure of Douglas Street from 6th Street to 7th Street, including the 7th Street and Douglas Street intersection, on October 6, 2017 from 2:00 p.m. to 4:00 p.m. to accommodate the Sioux City Fire Rescue’s Fallen Firefighters Memorial event.

The Special Event packet has been completed and routed to the required City departments for approval. All necessary permits will be obtained by the organization. To promote safe community events, we propose to temporarily close the rights-of-way for the period specified.

FINANCIAL IMPACT:
N/A

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Explore Destination Sioux City
Focus Area - Grow Sioux City Pride

ALTERNATIVES:
Deny the request for a street closure and direct the event coordinator to seek an alternative location.

ATTACHMENTS:
Resolution
Map
RESOLUTION NO. 2017 - ____________

RESOLUTION TEMPORARILY CLOSING DOUGLAS STREET FROM 6TH STREET TO 7TH STREET, INCLUDING THE 7TH STREET AND DOUGLAS STREET INTERSECTION, BEGINNING AT 2:00 P.M. AND ENDING AT 4:00 P.M. OCTOBER 6, 2017 TO ACCOMMODATE THE SIOUX CITY FIRE RESCUE’S FALLEN FIREFIGHTER MEMORIAL EVENT.

WHEREAS, Sioux City Fire Rescue requests to host a Fallen Firefighter Memorial event; and

WHEREAS, the Fallen Firefighter Memorial event involves the temporary closure of Douglas Street from 6th Street to 7th Street, including the 7th Street and Douglas Street intersection, beginning at 2:00 p.m. and ending at 4:00 p.m., October 6, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Douglas Street from 6th Street to 7th Street, including the 7th Street and Douglas Street intersection be and the same is hereby temporarily closed beginning at 2:00 p.m. and ending at 4:00 p.m. October 6, 2017 to accommodate the Sioux City Fire Rescue’s Fallen Firefighter Memorial event.

PASSED AND APPROVED: ____October 2, 2017 ______________________________

Robert E. Scott, Mayor

ATTEST: ______________________________

Lisa L. McCardle, City Clerk
Closure
2:00 PM to 4:00 PM
Douglas Street: 8th Street to 7th Street
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017   ACTION ITEM #: 5B

FROM: Angel Wallace, Parks and Recreation Manager

SUBJECT: Resolution temporarily closing Main Street from W. 6th Street to the Main Street cul-de-sac beginning at 8:00 a.m. and ending at 3:00 p.m. October 7, 2017 for the Girls Inc. Fall Festival and Golf Ball Drop Fundraiser.

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution requesting a temporary street closure for the Girls Inc. Fall Festival and Golf Ball Drop Fundraiser.

DISCUSSION:
Girls Inc. of Sioux City requests the temporary closure of Main Street from W. 6th Street to the Main Street cul-de-sac beginning at 8:00 a.m. and ending at 3:00 p.m. October 7, 2017 for the Girls Inc. Fall Festival and Golf Ball Drop Fundraiser.

Girls Inc. of Sioux City wishes to hold a fundraiser at Cook Park. The event has free admission and includes various activities and entertainment. The fundraiser activity, coordinated by Versatile Golf LLC, will include a helicopter golf ball drop taking place in the southeast section of Cook Park.

Event Logistics: The helicopter pilot will provide multiple updates to the event coordinator regarding the approach to coordinate landing the helicopter on Cook Park grounds at approximately 1:45 pm. Following the landing, 2,000 golf balls will be loaded onto the helicopter. A designated Safety Zone has been identified and all spectators will be asked to gather behind a marked viewing area clear of the golf ball landing zone. Once in the air, the helicopter pilot will slowly pour out all the golf balls directly over a designated target marked in the park. Once concluded, the pilot will briefly re-land the helicopter setting out the golf ball bags before flying away. Lastly, the fundraiser winners will be determined and announced. This unique fundraising event will take approximately 20-25 minutes in duration.

All necessary permits will be obtained by the organization to include:

- Clearance for the event made with the FAA report: Clearance with the FAA will be handled and secured by the pilot when filing the flight plan.
- The City is listed as an additional insured on both the Girls Inc. liability insurance policy and from the fundraising group, Versatile Golf LLC.
- A Hold Harmless agreement from Girls Inc. absolving the City of any liability should it occur.
Area businesses have been notified and approval obtained. To promote safe community events, we propose to temporarily close this right-of-way for the period specified.

**FINANCIAL IMPACT:**
N/A

**ALTERNATIVES:**
Deny the request for the temporary street closure and direct the event coordinator to seek an alternative location.

**ATTACHMENTS:**
Resolution
Map
RESOLUTION NO. 2017 -

RESOLUTION TEMPORARILY CLOSING MAIN STREET FROM W. 6TH STREET TO THE MAIN STREET CUL-DE-SAC BEGINNING AT 8:00 A.M. AND ENDING AT 3:00 P.M. OCTOBER 7, 2017 FOR THE GIRLS INC. FALL FESTIVAL AND GOLF BALL DROP FUNDRAISER.

WHEREAS, Girls Inc. desires to conduct a Fall Festival fundraiser; and

WHEREAS, the fundraiser involves the temporary closure of Main Street from W. 6th Street to the Main Street cul-de-sac beginning at 8:00 a.m. and ending at 3:00 p.m. October 7, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY that Main Street from W. 6th Street to the Main Street cul-de-sac be and the same is hereby temporarily closed beginning at 8:00 a.m. and ending at 3:00 p.m. October 7, 2017 for Girls Inc. Fall Festival and Golf Ball Drop fundraiser.

PASSED AND APPROVED: October 2, 2017

______________________________
Robert E. Scott, Mayor

ATTEST:

______________________________
Lisa L. McCardle, City Clerk
TRINITY ELECTRIC PRESENTS

FALL FESTIVAL & GOLF BALL DROP

A Benefit For Girls Inc. of Sioux City

WIN $5,000!

October 7, 2017 at Cook Park

11 am to 3 pm

FALL FESTIVAL - FREE

- Admission & Attractions including
  - Petting zoo
  - Pumpkin slingshot
  - Inflatables & games
  - Face painting
  - Entertainment
  - Food trucks (food for purchase)
  - Much more!

GOLF BALL DROP

- Helicopter drops numbered balls
- Closest ball to the marker wins
- Golf balls are $25/ea or 5 for $100
- First prize: $5,000
- 2nd prize: iPad Pro
- 3rd prize: Sony Playstation
- Only available for purchase online @ girlsincofsiouxcity.org/GolfBallDrop

Ball Drop Zone
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017 ACTION ITEM # 6A

FROM: David Carney, Public Works Director
Eric Jones, Civil Engineer

SUBJECT: Resolution rejecting all bids received for the proposed construction of the
Airport Roadway Reclamation Project (Project No. 6883-719-260) and
ordering the return of the bid bonds.

RECOMMENDATION:
Staff respectfully requests Council reject all bids for the Airport Roadway Reclamation Project
(Project No. 6883-719-260). Due to the construction of Phase IV of the Bridgeport Improve-
ments Project, which includes the construction of the southerly access to Seaboard-Triumph
Parkway, staff is reevaluating the current use of the properties adjacent to the roadway network
that was to be improved as part of the Airport Roadway Reclamation Project.

DISCUSSION:
This project included 4" depth pulverizing and compaction of the existing roadways and a 2”
inch overlay.

Notice of Public Hearing was advertised on July 1, 2017 and July 8, 2017. The public hearing
was held on July 10, 2017. The project was bid on July 18, 2017. Two (2) bids were received
for this project; as follows:

<table>
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<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid</th>
<th>Alternate A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barkley Asphalt Inc.</td>
<td>Sioux City, IA</td>
<td>$86,249.40</td>
<td>$18,000.00</td>
<td>$104,249.40</td>
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<tr>
<td>Knife River Midwest, LLC</td>
<td>Sioux City, IA</td>
<td>$111,269.46</td>
<td>$15,918.00</td>
<td>$127,187.46</td>
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<tr>
<td>Engineer’s Estimate</td>
<td></td>
<td>$104,147.00</td>
<td>$9,240.00</td>
<td>$113,387.00</td>
</tr>
</tbody>
</table>

At this time Staff is recommending rejecting bids while the future use of the adjacent properties
is evaluated in connection with the Bridgeport Improvements Project.

FINANCIAL IMPACT:
This project is funded using GO Bonds under CIP 719-260, Airport Roadway Reclamation.
The project currently has an available balance of $135,377.13.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City
ALTERNATIVES:
The City Council may choose to award the contract to the lowest bidder, Barkley Asphalt Inc., and move forward with the roadway reclamation while future development options are explored.

ATTACHMENTS:
Resolution
RESOLUTION NO. 2017 -

RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE PROPOSED CONSTRUCTION OF THE AIRPORT ROADWAY RECLAMATION PROJECT (PROJECT NO. 6883-719-260) AND ORDERING THE RETURN OF THE BID BONDS.

WHEREAS, on July 18, 2017, two bids were received and opened for the construction of the Airport Reclamation Roadway Project in Sioux City, Iowa; and

WHEREAS, City Staff is currently evaluating the use of properties adjacent to the project limits; and

WHEREAS, the City Council is advised and does believe that all bids received for the construction of the project should be rejected while future plans for the area are evaluated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that all bids received for the project, referred to in the preamble hereof, be and the same are hereby rejected and said bid bonds be returned to the respective bidders.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM # 6B

FROM: David Carney, Public Works Director
Ricky J. Mach, Assistant to the City Manager
Justin Pottorff, Civil Engineer

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Channel Improvements, South Saint Aubin Street to Lincoln Way Project (Project No. 6871-549-020).

Reviewed By: x Department Director x Finance Department x City Attorney x City Manager

RECOMMENDATION:
Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the Channel Improvements, South Saint Aubin Street to Lincoln Way Project (Project No. 6871-549-020).

DISCUSSION:
JEO Consulting Group, Inc. of South Sioux City, Nebraska has completed plans and specifications for the Channel Improvements, South Saint Aubin Street to Lincoln Way Project. This project includes the design of an access road to the above mentioned channel, clearing of debris and overgrowth within the channel and removal of dead or dying trees from the banks.

Staff is ready to publish the Notice of Public Hearing on October 7, 2017 and October 14, 2017, and advertise the Notice of Taking Bids on October 4, 2017. A public hearing will be held on October 16, 2017. Bids will be received on October 17, 2017. This project has a completion date of April 1, 2018.

FINANCIAL IMPACT:
This project is funded using State Revolving Funds and Sewer Funds under CIP No. 549-020 “Channel Improvements South St. Aubin Street to Lincoln Way”. The Engineer’s opinion of probable construction cost for the work is $100,000.00. The project currently has an available balance of $468,047.76.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:
Council may request changes to the project documents or schedule.
ATTACHMENTS:
Resolution
Notice of Taking Bids
Notice of Public Hearing
RESOLUTION NO. 2017 -  
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE CHANNEL IMPROVEMENTS, SOUTH SAINT AUBIN STREET TO LINCOLN WAY PROJECT (PROJECT NO. 6871-549-020).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the Channel Improvements, South Saint Aubin Street to Lincoln Way Project, in Sioux City, Iowa; and

WHEREAS, JEO Consulting Group, Inc. of South Sioux City, Nebraska have prepared the plans, specifications, form of contract, and estimated cost.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

A. The plans, specifications, form of contract, and estimated cost, as prepared by JEO Consulting Group, Inc. of South Sioux City, Nebraska, and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the Channel Improvements, South Saint Aubin Street to Lincoln Way Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, October 16, 2017, in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the same as required by law, at which hearing any interested person may appear and file objections to the proposed plans, specifications, form of contract and estimated cost in the amount of $100,000.00 for said improvements.

B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 o'clock P.M., Local Time, October 17, 2017 for the proposed construction of said improvements.

C. The time of 1:00 o'clock P.M., Local Time, October 17, 2017, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.

D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City Engineering website and in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
E. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Public Hearing to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: __October 2, 2017__________________

Robert E. Scott, Mayor

ATTEST: __________________________

Lisa L. McCardle, City Clerk
NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE CHANNEL
IMPROVEMENTS, SOUTH SAINT AUBIN STREET TO LINCOLN WAY PRO-
JECT (PROJECT NO. 6871-549-020), IN SIOUX CITY, IOWA.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center
located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local
Time, October 17, 2017, for the construction of the project, as described in the construction
documents. The project is located Southeast of the Intersection of South Saint Mary’s Street
and Mulberry Street and includes clearing existing trees and vegetation, removal of debris and
reconstruction of a storm sewer outfall.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engi-
neer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall,
at 1:00 P.M., Local Time, on October 17, 2017. Thereafter, bids will be acted upon by the City
Council at such time and place as may be fixed.

Each bid must be made on a form furnished by the City and must be accompanied by a bid
bond, a cashier’s check or certified check of an Iowa bank or a bank chartered under the laws of
the United States, or a certified share draft drawn on a credit union in Iowa or chartered under
the laws of the United States, in an amount equal to ten percent (10%) of the amount of the bid,
made payable to the City Treasurer of the City of Sioux City, Iowa. The check or draft may be
cashed by the City Treasurer as liquidated damages in the event the successful bidder fails to
enter into a contract within the ten (10) days after notice of award and post bond satisfactory to
the City ensuring the faithful fulfillment of the contract.

The contract will be awarded to the lowest responsive, responsible bidder. However, the City
reserves the right to reject any or all bids, readvertise for new bids and to waive informalities
that may be in the best interest of the City. By virtue of statutory authority, a preference will be
given to products and provisions grown and coal produced within the state of Iowa and to Iowa
domestic labor.

The Notice of Public Hearing will be published in the Sioux City Journal on October 7, 2017 and
October 14, 2017.

The work on this project shall begin upon receipt of the Notice to Proceed and be fully complet-
ed by April 1, 2018.

Specifications for this project shall be the 2017 version of the Iowa Statewide Urban Standard
Specifications for Public Improvements modified in accordance with the 2015 version of the
City of Sioux City’s Standards.
Copies of said construction documents are available at the office of the City Clerk of Sioux City for examination by the public. The documents are also available for viewing by the public, or sub-contractors, or suppliers, on the City’s Engineering website, under the Projects Out to Bid tab www.sioux-city.org/engineering. Construction documents for private use, or potential prime contractors may be obtained from the Engineering Division, City Hall, upon deposit of twenty dollars ($20) for each set. The deposit will be returned to depositor if the construction documents are returned in good condition within fourteen (14) days from date of award. Contractors intending to bid as the prime contractor must obtain a hard copy of the plans, specifications and form of contract from the Engineering Division. Failure to obtain a hard copy may result in the bid being deemed nonresponsive and rejected.

/s/ Lisa L. McCardle, 
City Clerk of the City of Sioux City, Iowa

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE CHANNEL IMPROVEMENTS, SOUTH SAINT AUBIN STREET TO LINCOLN WAY PROJECT (PROJECT NO. 6871-549-020), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on October 16, 2017 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of $100,000.00 (the construction documents) for the construction of the Channel Improvements, South Saint Aubin Street to Lincoln Way Project in Sioux City, Iowa (the project). At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. The public improvement project is located Southeast of the Intersection of South Saint Mary’s Street and Mulberry Street and includes clearing existing trees and vegetation, removal of debris and reconstruction of a storm sewer outfall.

/s/ Lisa L. McCardle, 
City Clerk of the City of Sioux City, Iowa

CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM #: 7A

FROM: David Carney, Public Works Director
        Eric Jones, Civil Engineer

SUBJECT: Resolution granting a permit to FiberComm to own, operate and maintain underground cable commencing at an existing handhole north of the intersection of 3rd Street and Iowa Street and ending at the southeast corner of Iowa Street and the east-west alley between Iowa Street and Floyd Boulevard.

RECOMMENDATION:
Staff respectfully requests the City Council approve a Resolution granting a permit to FiberComm of Sioux City, Iowa, to perform underground construction in the City’s right-of-way. This includes the installation of fiber optic network services from an existing handhole north of the intersection of 3rd Street and Iowa Street, then north along the west side of Iowa Street for approximately 500 feet, to a new hand hole, then east crossing Iowa Street, to a new hand hole at the southeast corner of Iowa Street and the east-west alley between Iowa Street and Floyd Boulevard.

DISCUSSION:
The City has received a letter from Jeff Zyzda of FiberComm for a permit to install underground cable commencing at an existing handhole north of the intersection of 3rd Street and Iowa Street, then north along the west side of Iowa Street for approximately 500 feet, to a new hand hole, then east crossing Iowa Street, to a new hand hole at the southeast corner of Iowa Street and the east-west alley between Iowa Street and Floyd Boulevard.

The fiber optic is being installed to serve the address of 1201 4th Street and 418 Iowa Street.

This fiber permit approval is recommended by staff to continue to provide optical telecommunications services to the area.

Pursuant to municipal ordinance, permits are granted by the City Council to install underground cable to those companies not holding a franchise with the City. In the past, the Council has been concerned about exclusivity with respect to the granting of these permits. The City is prohibited from granting any type of exclusive rights to a cable company, a telecommunications company, a gas company or an electric company under the laws of the State of Iowa. Therefore, we cannot require anybody to use the facilities of FiberComm or any other telephone company.
The attached route has been reviewed by the City’s Engineering Division, Utility Department, and Communications Center.

FINANCIAL IMPACT:
There are no budget implications for the City due to this project.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:
Council could deny permit to FiberComm

ATTACHMENTS:
Resolution
Application (with Map)
Insurance
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION GRANTING A PERMIT TO FIBERCOMM TO OWN, OPERATE AND MAINTAIN UNDERGROUND CABLE COMMENCING AT AN EXISTING HANDHOLE NORTH OF THE INTERSECTION OF 3RD STREET AND IOWA STREET AND ENDING AT THE SOUTHEAST CORNER OF IOWA STREET AND THE EAST-WEST ALLEY BETWEEN IOWA STREET AND FLOYD BOULEVARD.

WHEREAS, the City Council has received a request from FiberComm of Sioux City, Iowa (hereinafter referred to as “Applicant”) to own, operate and maintain underground communication cable to be installed by Applicant in certain specified public right-of-ways; and

WHEREAS, the City Council is advised and does believe that permission to own, operate and maintain such cable should be granted, pursuant to Chapter 12.05 of the Sioux City Municipal Code, under the conditions hereafter imposed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Applicant be and is hereby authorized to own, operate and maintain communication cable underground, across or along the following streets:

- Commencing at an existing handhole north of the intersection of 3rd Street and Iowa Street, then north along the west side of Iowa Street for approximately 500 feet, to a new hand hole, then east crossing Iowa Street, and ending at a new hand hole at the southeast corner of Iowa Street and the east-west alley between Iowa Street and Floyd Boulevard;

Subject to the following terms and conditions as outlined in the attached Fiber/Utility Installation and Maintenance Permit.

BE IT FURTHER RESOLVED that the City Engineer be and she is hereby authorized and directed to execute said Fiber/Utility Installation and Maintenance Permit for and on behalf of the City.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk
Engineering
City of Sioux City
405 6th Street
P.O. Box 447
Sioux City, IA 51102

9/8/2017

FiberComm Request for ROW Use: Iowa St.

Dear Engineering,

FiberComm respectfully requests the City’s consideration to grant permission and be placed on the Council’s earliest agenda for approval to perform underground construction in the City’s right-of-way/property for the installation of fiber optic underground facilities. Please see the enclosed aerial map/plan and narrative description of the project below. This project is to provide telecommunications services to a FiberComm customer FEH Realty and Interstate Mechanical.

Proposed Route Description
Underground construction will begin in the in western right-of-way of Iowa St. between 3rd & 4th St., where a new FiberComm hand hole will be placed over existing duct. From this location one 1 3/4" duct will extend north along the west right-of-way of Iowa St. for approximately 425', where a hand hole, flush to grade will be placed. Construction will extend east crossing Iowa St. for approximately 75' where a hand hole, flush to grade will be placed. Construction will extend from this location to both the private property of FEH Realty and cross the east/west alley onto the private property of Interstate Mechanical.

Construction Dates
Estimated Start Date: Mid Oct., 2017
Estimated Completion Date: Late Oct, 2017

Underground Contractor
Tri-State Underground / Dave Brown
Sioux City, IA
712-281-0297

Method of Installation
Horizontal directional drilling (HDD), a trenchless method of installing underground ducts in a prescribed bore path by using a surface launched drilling machine with minimal impact on the surrounding area and environmental disruption.

Underground HDPE
All underground ducts placed will be at an approximate minimum depth of 40" whenever possible. 1 1/2" or 2" schedule 40 nonmetallic flexible raceway made from high density polyethylene (HDPE) for use in underground applications will be utilized providing durability and longevity.
Underground Enclosures (Hand Holes)
All hand holes placed will be flush to grade/concrete made of precast polymer concrete reinforced with fiberglass and conform to current ANSI/SC1E 77 Specifications for Underground Enclosure Integrity. Hand hole dimensions will be 49 3/8” x 32 1/8” with 22000 lbs load rated covers.

Iowa One Notices
All necessary Iowa One notices and associated locating costs will be the responsibility of FiberComm and underground contractor.

FiberComm agrees to comply with the terms and conditions listed on the City Council approved Resolution granting a permit to FiberComm to own, operate and maintain underground cable in certain specified public streets. All associated costs related to the herein described construction will be the responsibility of FiberComm.

If the City has questions, suggestions, or recommendations that would be applicable to our construction plans, please do not hesitate to contact me.

Sincerely,

Jeff Zyzda
224-2061 (direct)
jzyzda@fibercomm.net

Enclosures
- Fiber - Utility Installation Maintenance Permit Application
- Check Permit Fee (# 5059)
- Work Area Map
- Certificate of Insurance Listing City of Sioux City - Additionally Insured
- Blanket Performance, Payment, & Maintenance Bond BD7900685622
**Fiber / Utility Installation & Maintenance Permit**

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
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<tr>
<td>Applicant</td>
<td>FirstComm</td>
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<tr>
<td>Facility Owner</td>
<td>FirstComm</td>
</tr>
<tr>
<td>Contractor</td>
<td>Telstate Underground</td>
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<tr>
<td>Bond on File</td>
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<tr>
<td>Insurance Certificate on File</td>
<td>☐ Yes ☐ No ☐ Not Applicable</td>
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<td>Work in (Street)</td>
<td>IOWA St</td>
</tr>
<tr>
<td>From: (Street)</td>
<td>near alley north of 3rd St.</td>
</tr>
<tr>
<td>To: (Street)</td>
<td>near alley between 4th &amp; 5th St.</td>
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<tr>
<td>Address Served: (If Applicable)</td>
<td>1201 14th St. E (5th Realty) &amp; 4th IOWA St. (Renton Meadows)</td>
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<tr>
<td>Start Date</td>
<td>Mid October</td>
</tr>
<tr>
<td>Completion Date</td>
<td>Late October</td>
</tr>
<tr>
<td>Project Description</td>
<td>Please see enclosed letter &amp; map for complete project details.</td>
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<tr>
<td>Type of Work</td>
<td>Installation of underground optical telecommunications utilities.</td>
</tr>
</tbody>
</table>

- A map showing the work area and proposed traffic control must be attached to the application.

By signing the permit below, the Permitee acknowledges the rules, regulations & City Code pertaining to this permit. The Permitee also agrees to defend, indemnify, and hold harmless the City, its employees, and agents from all suits, actions, damages, or claims to which the City may be subject to, of any kind or nature whatsoever, resulting from, caused by, or arising out of the Permitee's use or occupancy of the public right-of-way authorized by this permit.

**Applicant Signature:**

**Date:**

**City Engineer:**

**Date:**

**FOR OFFICE USE ONLY**

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<td>Date:</td>
<td>9/12/17</td>
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<tr>
<td>Utility Review</td>
<td>30</td>
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<td>Date:</td>
<td>9/8/17</td>
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<tr>
<td>Communication Review</td>
<td>65</td>
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<tr>
<td>Date:</td>
<td>9/18/17</td>
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<tr>
<td>Permit Fee</td>
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(Other fields and signatures)
Fiber / Utility Installation & Maintenance Permit

STANDARD PERMIT CONDITIONS

The applicant agrees as if granted a permit for obstruction/excavation in the public right-of-way as described in the permit application, the following stipulations shall govern in addition to those included in Chapter 12.05 of the Sioux City Municipal Code:

- No public right-of-way shall be closed without notice and consent of the Public Works Department. Notice shall be at least ten (10) days in advance of any closing. Applicant is responsible for notifying the properties adjacent to the closure via door hangers. Street Closures shall be at no expense to the City.
- The contractor must schedule a preconstruction meeting with City Engineering staff prior to construction to provide information concerning the construction methods, traffic control plan, construction schedule, and impacts to the City's right-of-way. The contractor must also provide City Engineering with a construction plan showing trenches, vaults, traffic control locations, and other appurtenances that will be installed in the City's right-of-way.
- Applicant/contractor shall comply with all city ordinances regulating construction in the public right-of-way during any maintenance activities on the buried utility system. Applicant agrees to comply with all other ordinances and any amendments thereto of the City regulating the use and occupancy of public right-of-way including, but not limited to, Chapter 12.05 of the Sioux City Municipal Code. Construction work shall conform to the current edition of SUDAS and the City of Sioux City Supplement to SUDAS. See Section 7040 regarding pavement patching requirements. All street patching shall use Iowa DOT Class M concrete mix.
- The applicant shall notify Iowa One Call (IOC) at 1-800-292-8383 or www.iowaeonecall.com for utility locates prior to excavation. IOC requires 48 hour notification.
- No excavation in the traveled portion of the public right-of-way shall be left opened and with no work in progress for more than five (5) days. No excavation in the pathway shall be left opened and with no work in progress for more than ten (10) days.
- When an emergency excavation is necessary, a permit application shall be submitted at the earliest opportunity after the work has started, no later than the next business day.
- Contractor shall furnish, erect and maintain the necessary traffic control such as signs, barricades, flappers, etc. as required by the City. Traffic control provided shall be in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) as adopted by the Iowa Department of Transportation.
- A complete set of "as built" construction plans in paper and electronic format shall be filed with the City's Engineering Division within fourteen (14) days after completion of the project.
- Applicant shall maintain with the City's Engineering Division a telephone number or numbers to call in locate buried cables and to receive emergency messages at any time.
- Applicant shall relocate any buried utilities, cable, etc. at its expense, to accommodate a public improvement in the public right-of-way.
- All surfacing shall be replaced to its original condition satisfactory to the Public Works Department. Grass surfaces may be seeded and mulched, sodded or treated with erosion mat as determined by the City Engineer or his designee. Paved areas will require passable density tests to be provided to City Engineering staff prior to being paved.
- Applicant shall assume the responsibility for maintenance costs for restoring any grassed areas, jointed, driveways, and sidewalks due to settlement of the trenches or improperly restricted improvements over such trenches for a period of two (2) years, or until the area is reconstructed by the City, whichever is sooner.
- Applicant shall submit a surety bond in the amount of $10,000 for all right-of-way obstructions/excavations that will likely cause damage to the right-of-way. The bond shall be signed by a good and sufficient surety company authorized to execute such bonds under the laws of the state and upon which service of process may be made in the State of Iowa. Action may be taken on the bond to recover costs associated with repairs to any damages caused to the right-of-way or City utilities, if the applicant fails to make timely repairs and reopen the right-of-way.
- Applicant agrees to require all general contractors who may perform any work for Applicant under this permit to post a payment bond with a surety by a company licensed to do business in the State of Iowa guaranteeing payment of all subcontractors and suppliers of the general contractor. In the event Applicant does not comply with this paragraph, it shall become a personal guarantor of the general contractor's obligations. This requirement is specifically provided for the benefit of third parties.
Applicant shall submit a Certificate of Liability Insurance with the application. The amount of the insurance shall be a minimum of $1,000,000 with a maximum deductible of $5,000. The certificate shall name the City as an additional insured and shall include a copy of the endorsement naming the City as such.

If the work is to be completed with the provision of the application, after having been given reasonable notice, the City may do such works as may be needed to properly repair such pavements, sidewalks, curbs and gutters or other portions of streets and public places and the cost thereof shall be paid to the City by the Applicant. In cases where a cut or disturbance is made in a section of street paving or sidewalk, but causes greater disturbance than to just the area cut, rather than replace only the area cut, the Applicant shall replace that area as may be ordered by the Public Works Director. All work shall comply with the City’s requirements for patch back and repair.

Applicant shall defend at its own expense, in the name and on behalf of the City, and shall indemnify and save harmless the City from any and all claims, suits, losses, damages, costs or expenses, whether caused or contributed to by the negligence of Applicant or the City, on account of injury or damage to any person or property, caused or occasioned or otherwise caused or occasioned, in whole or in part, by reason of or arising out of the construction, excavation, operation or maintenance of the buried cable permitted by this resolution. However, Applicant shall not be obligated to defend, indemnify and save harmless the City for any costs or damages arising from the sole negligence of the City. The duty of Applicant to defend and save harmless and indemnify the City shall extend to the officers, employees, elected officials, and agents of the City to the extent the City is obligated to defend, save harmless and indemnify by law.

The applicant agrees to abide by the Supplemental Conditions (if applicable) written below:

Supplemental Permit Conditions (attach additional sheets as required):

West Side of Iowa St

In the area of City Utilities, will be crossing Storm, Sanitary Sewers and the new mains fiber crossing both 4th and Iowa Streeet.

This completed, signed and approved permit must be present at the project site while work is underway. Failure to produce this permit when requested can and will result in compulsory work stoppage.

Applicant’s initials
VERIFICATION CERTIFICATE

THIS IS TO CERTIFY THAT BOND NUMBER BD 7900685622
ISSUED TO: FIBERCOM, L.C.
PO BOX 416
SIoux CITY, IA 51102

IN FAVOR OF: CITY OF SIoux CITY

DESCRIBED AS A: $10,000.00 BLANKET PERFORMANCE, PAYMENT & MAINTENANCE BOND

REMAINS IN FULL FORCE AND EFFECT, SUBJECT TO ALL ITS AGREEMENTS, CONDITIONS AND
LIMITATIONS FOR THE PERIOD FROM: 04/03/2017 TO: 04/03/2018.


NATIONAL MUTUAL INSURANCE COMPANY

By: JOSEPH M. POETZ, ATTORNEY-IN-FACT
Power of Attorney

Know all men by these presents that:

American Mutual Insurance Company, an Ohio corporation
National Casualty Company, an Ohio corporation
Allied Property and Casualty Insurance Company, an Ohio corporation

are referred to severally as the "Company" and collectively as "the Companies." As indemnity, security, substitute and appraisers.

Joseph M. Feuerz

in his individual capacity, is true and absolute owner with full power and authority to sign, seal, and execute on his behalf any and all bonds, undertakings, and other obligations, instruments of similar nature, in amounts not exceeding the sum of

Ten Thousand and NO/100 Dollars

and for the Company, thereby being fully and completely authorized to act in said capacity to execute any contract or instrument or other document to be executed in connection herewith, and the said attorney generally or particularly, as he shall in his discretion determine, to be used in connection with the obligations of the said Company; and in addition to the foregoing, to enter into any contract or instrument, or other document to be executed in connection with the obligations of the said Company; and in addition to the foregoing, to enter into any contract, instrument, or other document to be executed in connection with the obligations of the said Company.

ACKNOWLEDGEMENT

State of New York, County of New York
On the 30th day of April, 2017, before me, the undersigned officer of the Company, personally appeared the aforesaid Joseph M. Feuerz, who, after being duly sworn, acknowledged the execution of the instrument, and personally subscribed his name thereto as agent for the Company, for the purpose of executing the same.

[Signature]

Notary Public, State of New York
April 30, 2017

This power of attorney expires April 30, 2027.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017 ACTION ITEM # 7B

FROM: Stan LaFave, Facilities Maintenance Supervisor
Mike Collett, Assistant City Manager

SUBJECT: Resolution awarding and approving a contract to Rasmussen Mechanical Services, Inc. in the amount of $306,917.00 for the City Hall Air Handler Unit Replacement Project (Project No. 6928-889-001).

Reviewed By: × Department Director Finance Department × City Attorney × City Manager

RECOMMENDATION:
Staff respectfully requests Council award and approve a contract to Rasmussen Mechanical Services, Inc. of Sioux City, Iowa in the amount of $306,917.00 for the construction of the City Hall Air Handler Unit Replacement Project (Project No. 6928-889-001).

DISCUSSION:
This project includes the replacement of the RTU (Roof Top Unit) that serves the third, fourth, and fifth floors of City Hall, and the condensing unit that serves the lower level, first and second floor of City Hall. The units are at the end of the useful life. The 2018 CIP currently has no funding to replace the units, but staff is recommending that funding be delayed on LED lighting scheduled for City Hall and this funding be used to replace the RTU and Condensing Unit now and fund the LED Lighting Project during the next CIP process.

Notice of Public Hearing was advertised on August 19, 2017 and August 26, 2017. The public hearing was held on August 28, 2017. Construction completion shall be on or before December 31, 2017.

The project was bid on September 12, 2017. Four (4) bids were received for this project. The bids are as follows:

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<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interstate Mechanical Corp.</td>
<td>Sioux City, Iowa</td>
<td>$344,242.00</td>
</tr>
<tr>
<td>Tessiers Inc.</td>
<td>Sioux Falls, South Dakota</td>
<td>$352,700.00</td>
</tr>
<tr>
<td>CW Suter &amp; Son, Inc.</td>
<td>Sioux City, Iowa</td>
<td>$388,000.00</td>
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<tr>
<td><strong>Rasmussen Mechanical Services, Inc.</strong></td>
<td><strong>Sioux City, Iowa</strong></td>
<td><strong>$306,917.00</strong></td>
</tr>
<tr>
<td>Engineer's Estimate</td>
<td></td>
<td>$310,000.00</td>
</tr>
</tbody>
</table>

The base bid, submitted by Rasmussen Mechanical Services, Inc. of Sioux City, Iowa is 1% or $3,083.00 below the Engineer’s Estimate of $310,000.00.
FINANCIAL IMPACT:
This project is to be funded under FY2018 CIP No. 889-001, “Annual City Building Repairs”. The available cash balance in this CIP is $502,687.00.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:
1. The City Council may choose to not award and approve this contract.
2. Bids may be further evaluated or the project documents may be revised and reissued for bid.

ATTACHMENTS:
Resolution
LETTER OF RECOMMENDATION FROM CONSULTANT
Bid Tabulation Sheet
Contracts (Hard Copies)
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION AWARDING AND APPROVING A CONTRACT TO RASMUSSEN MECHANICAL SERVICES, INC. IN THE AMOUNT OF $306,917.00 FOR THE CITY HALL AIR HANDLER UNIT REPLACEMENT PROJECT (PROJECT NO. 6928-889-001).

WHEREAS, pursuant to a notice published in the manner and form prescribed by law, bids and proposals were received by the City of Sioux City, Iowa, on September 12, 2017, for the City Hall Air Handler Unit Replacement Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by West Plains Engineering; and

WHEREAS, all of said bids and proposals were carefully considered and it is necessary and advisable that the lowest and/or best bid be accepted and that a contract be awarded for the construction of the Project in Sioux City, Iowa; and

WHEREAS, the low bidder has submitted a contract and performance bond and related documents, copies of which are attached hereto and by this reference made a part hereof; and

WHEREAS, the City Attorney has examined the contract and performance bond for proper execution and all supporting documents to determine if the same comply with the contract specifications; and

WHEREAS, the City Attorney found said documents to be in order and she has approved the same in writing; and

WHEREAS, the City Manager and City Clerk should be authorized and directed to execute a contract for and on behalf of the City of Sioux City, Iowa.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: The construction of the Project in Sioux City, Iowa, together with necessary accessories and appurtenances, referred to in the preamble hereof, be and the same is hereby ordered.

Section 2: It is hereby found, determined and declared that the bid of Rasmussen Mechanical Services, Inc. of Sioux City, Iowa, in the amount of $306,917.00 for construction of the Project in Sioux City, Iowa, as provided in the plans and specifications referred to in the preamble hereof is the lowest and/or best bid received and the same is hereby accepted and the contract awarded to said bidder.

Section 3: It is hereby found, determined and declared that the bid accepted in the preceding section of this resolution is fully responsive to the proposal, plans and specifications for the construction of the Project in Sioux City, Iowa, together with necessary accessories and appurtenances.

Section 4: The contract and bond submitted by the contractor is hereby approved by the City Council for approval and signature by the City.
Section 5: The City Manager and City Clerk are hereby authorized and directed to execute said contract for and on behalf of the City of Sioux City, Iowa. Upon execution of the contract by the City Manager as authorized herein, the contract shall be in full force and effect and not before.

Section 6: Progress payments may be made to the contractor under the terms and provisions of the contract by the Director of Finance in amounts certified by the City Project Manager as the value of work satisfactorily performed for the period.

Section 7: The checks or bid bonds of all unsuccessful bidders, be, and the same are hereby ordered returned to such bidders.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
Date: 09-19-2017
To: Stan LaFave
From: Connor Swiontek / Darrin Tille
Project: City Hall Air Handler Unit Replacement Project
        6928-888-001
        WPE# BS17079
        Sioux City, Iowa
Re: Bid Recommendation

After reviewing our estimate and the bids submitted for the above mentioned project we recommend awarding a contract to Rasmussen Mechanical. I have contacted Rasmussen Mechanical, and confirmed that they have a full understanding of the project and will be able to complete it.

I suggest we get contracts out and signed ASAP so they can get through shop drawings and get equipment on site for the start date.

Please contact us if you have any additional questions or comments regarding these items.

CS/DT
City Hall Air Handler Unit Replacement Project
City of Sioux City
September 12th, 2017 @ 1:00 PM

BID TABULATION SHEET

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<th>Contractor Name</th>
<th>Base Bid</th>
<th>ADDENDA 1</th>
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<tr>
<td>Rasmussen Mechanical</td>
<td>$306,917.00</td>
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<td>CW Suter</td>
<td>$268,000.00</td>
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<td>Tessiers</td>
<td>$352,700.00</td>
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</tr>
<tr>
<td>Interstate Mechanical</td>
<td>$344,242.00</td>
<td>Acknowledged</td>
</tr>
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Opinion of Probable Cost $310,000.00
MEETING DATE: October 2, 2017  ACTION ITEM #: 8A

FROM: Don Trometer, Risk Manager

SUBJECT: Resolution approving settlement of a tort claim and authorizing payment (Mammen)

RECOMMENDATION:
Staff respectfully requests the City Council approve settlement of the property damage claim of Marlus Mammen.

DISCUSSION:
On August 26, 2017, the City experienced heavy rainfall resulting in large amounts of runoff to accumulate in front of the residence at 3015 Pierce Street. The water caused a large sink hole to develop which then followed the water service line and/or gas line to the foundation of 3015 Pierce Street.

FINANCIAL IMPACT:
Reduce the tort fund by $33,301.00

RELATIONSHIP TO STRATEGIC PLAN:
N/A

ALTERNATIVES:
Litigation

ATTACHMENTS:
Resolution
WHEREAS, a claim was filed against the City of Sioux City, Iowa, by Marlus Mammen resulting from a water event at 3015 Pierce Street occurring on August 26, 2017; and

WHEREAS, the City Council has been advised and does believe that it will be in the best interests of the City to compromise and settle said claim without admitting liability.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that said claim for property damage be settled and the Director of Finance be and she is hereby authorized and directed to issue a check from the appropriate fund payable to Jayz A Better Restoration in the amount of $33,301.00.

BE IT FURTHER RESOLVED that said check be delivered to the Legal Department and that the City Attorney secure necessary releases and thereafter deliver the check.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM # 8B-C

FROM: David Carney, Public Works Director
                   Eric Jones, Civil Engineer

SUBJECT: Resolution rescinding Resolution No. 2017-0835 accepting the work and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project (Project No. 6849-549-101).

Resolution approving Change Order No. 2, accepting the work, and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project (Project No. 6849-549-101).

RECOMMENDATION:
Staff respectfully requests Council rescind Resolution No. 2017-0835 accepting the work, and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project (Project No. 6849-549-101).

Staff respectfully requests Council approve the resolution approving Change Order No. 2, accepting the work, and authorizing final payment in the amount of $7,994.72 now and in the amount of $2,973.09 in 30 days to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project (Project No. 6849-549-101).

DISCUSSION:
On September 11, 2017 under Resolution No. 2017-0835 City Council approved the work, and authorized final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project (Project No. 6849-549-101). The final payment application attached to Resolution No. 2017-0835 failed to contain approval for Change Order No. 2, which would add the final quantity amount to the encumbrance of the project contract. Staff is requesting Council rescind Resolution No. 2017-0835 and approve a new resolution approving Change Order No. 2, accepting the work, and authorizing final payment.

A project summary is provided below:

A contract was awarded to Bainbridge Construction, LLC of Kingsley, Iowa on March 20, 2017 under Resolution No. 2017-0246 for a contract amount of $52,472.00. The work has been completed and approved by City staff.

This project involved removal of the failed CMP storm line and replacing it with a new RCP storm line, the reestablishing of the drainage pond, installation of new storm inlets and associated paving.
Original Contract Amount: $52,472.00

Change Order No. 1 Summary: $4,487.50
Change Order No. 1 was approved by staff on August 18, 2017. This change order added additional fencing that was not covered under the original bid item and additional fill soil needed on the site due to unknown conditions.

Change Order No. 2 Summary: $2,502.20
Change Order No. 2, attached for approval includes final quantity adjustments to measured field quantities.

Final Construction Cost: $59,461.70
The final construction cost for this project is $59,461.70 which is 13.3% above the original contract amount.

FINANCIAL IMPACT:
This project is funded using GO Bonds under CIP 549-101, Annual Unspecified Storm Sewer. The project currently has an available balance of ($82,116.69).

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:
Council can choose not to accept the work and staff will go back to the contractor to discuss any issues.

ATTACHMENTS:
Resolution Rescinding Resolution 2017-0835
Resolution Approving Change Order No. 2 and Authorizing Final Payment
Change Order No. 2
Final Payment Application
RESOLUTION NO. 2017 - __________

RESOLUTION RESCINDING RESOLUTION NO. 2017-0835 ACCEPTING THE WORK, AND AUTHORIZING FINAL PAYMENT TO BAINBRIDGE CONSTRUCTION, LLC FOR THE WEST 28TH STREET STORM SEWER PROJECT (PROJECT NO. 6849-549-101).

WHEREAS, on September 11, 2017, pursuant to Resolution No. 2017-0835, the City Council accepted the work, and authorized final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project; and

WHEREAS, it has been determined that the final payment application attached to Resolution No. 2017-0835 failed to contain Change Order No. 2 for the project quantity adjustment; and

WHEREAS, the City Council is advised and does believe that said Resolution No. 2017-0835 should be rescinded.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Resolution No. 2017-0835 passed and approved September 11, 2017 accepting the work, and authorizing final payment to Bainbridge Construction, LLC for the West 28th Street Storm Sewer Project, be and the same is hereby rescinded.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION APPROVING CHANGE ORDER NO. 2, ACCEPTING THE
WORK, AND AUTHORIZING FINAL PAYMENT TO BAINBRIDGE
CONSTRUCTION, LLC FOR THE WEST 28TH STREET STORM SEWER
PROJECT (PROJECT NO. 6849-549-101).

WHEREAS, on March 20, 2017, Sioux City, Iowa entered into a contract with Bainbridge
Construction, LLC for the West 28th Street Storm Sewer Project within the City as therein
described; and

WHEREAS, said Project included Change Order No. 2, a copy of which is attached hereto and
by this reference made a part hereof, in the amount of $2,502.20 for quantity adjustments to
match measured quantities; and

WHEREAS, said Change Order No. 2 should be approved; and

WHEREAS, said contractor has satisfactorily completed the construction of the project in
accordance with the terms and conditions of said contract and the plans and specifications as
shown by the engineer’s report filed with the City Clerk on October 2, 2017, and attached hereto
and made a part hereof; and

WHEREAS, in accordance with the terms of the contract, the contractor is entitled to final payment,
providing no liens have been filed against the work.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, IOWA:

A. That Change Order No. 2, be and the same is hereby approved and the City Manager is
hereby authorized and directed to execute said Change Order No. 2 for and on behalf of
the City.

B. The said report of the Engineer, be, and the same is hereby approved and adopted and the
project is hereby approved and accepted as having been fully completed in accordance
with the said plans and specifications and contract and the total project cost of the project
under said contract is hereby determined to be $59,461.70 as shown in said report of the
Engineer.

C. The Director of Finance be, and she is hereby authorized and directed to issue a check in
the amount of $7,994.72 now and in the amount of $2,973.09 in thirty days provided there
are no liens or claims against retainage on file, payable from the appropriate fund in favor
of Bainbridge Construction, LLC for the construction of the project.

PASSED AND APPROVED: ________________

Robert E. Scott, Mayor

ATTEST: __________________________
Lisa L. McCardle, City Clerk
**Change Order No. 2**

**Date of Issuance:** 9/15/2017  
**Project No.:** 6849-546-101  
**Contract Date:** 3/20/2017

**Project:** W 26th Street Storm Sewer Project  
**Contractor:** Bainbridge Construction  
**PO Box 293**  
**Kingsley, Iowa, 51323**

---

**Table: You are Directed to Make the Changes Noted Below in the Subject Contract**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Item Code</th>
<th>Description</th>
<th>Units</th>
<th>Plan Quantity</th>
<th>Adjusted Quantity</th>
<th>Unit Price</th>
<th>Quantity Change</th>
<th>Total Cost</th>
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<td>1.00</td>
<td>$2,502.20</td>
<td>1.00</td>
<td>$2,502.20</td>
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<td></td>
</tr>
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Value of Change Order: $2,502.20

---

**Original Contract Price:** $52,472.00  
**Previously Approved Change Orders:**  
No. | Date | Amount | Description |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>8/18/17</td>
<td>$4,487.50</td>
<td></td>
</tr>
</tbody>
</table>
No. | Date | Amount | Description |
| 2  | 8/18/17 | $0.00 |             |
| 3  | 8/18/17 | $0.00 |             |
| 4  | 8/18/17 | $2,502.20 |             |

**Revised Contract Price:** $59,461.70

---

**Contract Time Prior to this Change Order (Working Days):** 0.00 Days  
**Contract Time Including this Change Order (Working Days):** 0.00 Days

**Justification:**  
The purpose of this change order is to adjust the final quantities to reflect what was actually used for the project.

---

**Signatures:**  
**Contractor:**  
**Engineer:**  
**Finance:**  
**City Manager:**
CERTIFICATE OF PAYMENT NO. 2 (Final)

Date of issuance: 9/15/2017
Project No.: 8069-549-101
Contract Date: 3/29/2017
Payment Period: 5/2017 to 9/11/17

Project: W 26th Street Storm Sewer Project

Contractor:
Beaupre Construction
PO Box 213
Kingsley, Iowa, 51328

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Unit Price</th>
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<tbody>
<tr>
<td>See Attached</td>
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</tr>
</tbody>
</table>

Value of Work Completed this Estimate: $8,415.50

Original Contract Price: $52,472.00
Approved Change Orders:
   No. 1 Date: 6/16/17 $4,487.50
   No. 2 Date: 6/11/17 $2,502.20
Total Contract Price: $59,481.70

Total Value of Completed Work: $59,481.70
Total Retention (5%): $3,973.99
Total Net Amount: $55,507.71

Loss: Estimates previously approved:

<table>
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<tr>
<th>No. 1</th>
<th>Net Payment</th>
<th>Retainage</th>
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<tr>
<td></td>
<td>$51,464.20</td>
<td>$2,502.20</td>
</tr>
</tbody>
</table>

Total $51,464.20 Total $2,502.11

Value of Work Completed this Estimate: $8,415.50
Retainage held this Estimate: $422.15

NET AMOUNT DUE THIS ESTIMATE: $7,993.35

The undersigned hereby certifies that the work done and materials delivered have been checked as to quantity and conformance with the plans and specifications, and the Contractor, in accordance with the contract, is entitled to payment as indicated above.

The Contractor hereby declares that during the payment period, that they have not performed any work, furnished any material, sustained any loss, damage or delay for any reason, including add conditions encountered or created, or otherwise done anything for which they shall ask demand, sue for, or claim compensation, except as it hereby claims for additional compensation and/or extension of time, as set forth on the attached itemized statement.

Contractor:

Inspection (Sign)
Project Engineer (Print)

cc:
Contractor
Engineering
Finance
City Clerk's Office
<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>ITEM CODE</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>CONTRACT PRICE</th>
<th>PREVIOUS AMOUNT</th>
<th>CHANGE ORDER</th>
<th>TOTAL AMOUNT DUE</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>0302</td>
<td>Traffic Control</td>
<td>LS</td>
<td>1.20 $ 250.00</td>
<td>2,500.00</td>
<td>0.60 $ 7,250.00</td>
<td>10 $ 7,500.00</td>
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<tr>
<td>2</td>
<td>0310-105-G</td>
<td>Cable and Guttering</td>
<td>LS</td>
<td>1.00 $ 3,000.00</td>
<td>3,000.00</td>
<td>0.00 $ 0.00</td>
<td>1.00 $ 3,000.00</td>
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<tr>
<td>3</td>
<td>0310-105-C</td>
<td>Relocation, Class 10</td>
<td>C'Y</td>
<td>0.20 $ 10.00</td>
<td>950.00</td>
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<td>Transit, Di-Spit</td>
<td>C'Y</td>
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<td>0.00 $ 0.00</td>
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<tr>
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<td>Subgrade Preparation</td>
<td>SB</td>
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<td>420.00</td>
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<td>0.00 $ 0.00</td>
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<tr>
<td>6</td>
<td>0301-105-A</td>
<td>Storm Sewer, Transit, SC, 90°, 36 in</td>
<td>LF</td>
<td>0.10 $ 10.00</td>
<td>954.00</td>
<td>0.10 $ 954.00</td>
<td>0.00 $ 0.00</td>
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<tr>
<td>7</td>
<td>0301-105-F</td>
<td>Removal of Storm Sewer, CURV, 36 in</td>
<td>LF</td>
<td>0.10 $ 10.00</td>
<td>960.00</td>
<td>0.10 $ 960.00</td>
<td>0.00 $ 0.00</td>
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<tr>
<td>8</td>
<td>4030-105-B</td>
<td>Pipe, Apron, Concrete, 36 in</td>
<td>EA</td>
<td>1.00 $ 1,000.00</td>
<td>1,000.00</td>
<td>0.00 $ 0.00</td>
<td>1.00 $ 1,000.00</td>
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<tr>
<td>9</td>
<td>4010-105-A</td>
<td>Manhole, with Cover</td>
<td>EA</td>
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<td>2,000.00</td>
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<td>10</td>
<td>0310-105-E</td>
<td>Fittings, 225°/12°</td>
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<td>2,000.00</td>
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<td>11</td>
<td>0310-105-H</td>
<td>Receiver Stakes</td>
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<td>0310-105-A</td>
<td>Pavement, PCC, 4 in</td>
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<td>214.00 $ 8,560.00</td>
<td>41.30 $ 2,921.00</td>
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<td>0301-105-H</td>
<td>Kerb, 6 in</td>
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<td>2,140.00</td>
<td>214.00 $ 2,140.00</td>
<td>41.30 $ 851.00</td>
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<td>14</td>
<td>0310-105-A</td>
<td>Concrete Sewer, Concrete, Fastening, and Miscellaneous</td>
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<td>100.00</td>
<td>0.00 $ 0.00</td>
<td>0.05 $ 100.00</td>
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<td>0320-105-A</td>
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<td>200.00</td>
<td>0.00 $ 0.00</td>
<td>0.10 $ 200.00</td>
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<td>16</td>
<td>0330-105-A</td>
<td>Excavation Control</td>
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<td>200.00</td>
<td>0.00 $ 0.00</td>
<td>0.10 $ 200.00</td>
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<tr>
<td>17</td>
<td>0350-105-A</td>
<td>Removal and Reinstallation of Existing Force, Chain Link</td>
<td>LF</td>
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<td>100.00</td>
<td>0.00 $ 0.00</td>
<td>0.10 $ 100.00</td>
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<tr>
<td>18</td>
<td>0350-105-A</td>
<td>Removal and Relocation of Existing Force, Woven Wire, LF</td>
<td>LF</td>
<td>0.05 $ 100.00</td>
<td>1,000.00</td>
<td>0.05 $ 1,000.00</td>
<td>0.00 $ 0.00</td>
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<td>19</td>
<td>1310-105-A</td>
<td>Construction Survey</td>
<td>LS</td>
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<td>0.00 $ 0.00</td>
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<tr>
<td>20</td>
<td>1320-105-A</td>
<td>Mobilization</td>
<td>LS</td>
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<tr>
<td>21</td>
<td>2010</td>
<td>Tree Removal</td>
<td>EA</td>
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<tr>
<td>22</td>
<td>2010-105-H</td>
<td>Removal of Concrete, Concrete Forms</td>
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<td>0.00 $ 0.00</td>
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<tr>
<td>23</td>
<td>0330-105-A</td>
<td>Concrete, Frame</td>
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<tr>
<td>24</td>
<td>2010</td>
<td>Integrated II, 1-D, Water Main</td>
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<td>25</td>
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<td>Cleared Existing Point</td>
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<td>0.00 $ 0.00</td>
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<td><strong>TOTAL</strong></td>
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**Change Order No. 1**

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<tr>
<th>ITEM NUMBER</th>
<th>ITEM CODE</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>CONTRACT PRICE</th>
<th>PREVIOUS AMOUNT</th>
<th>CHANGE ORDER</th>
<th>TOTAL AMOUNT DUE</th>
</tr>
</thead>
<tbody>
<tr>
<td>26</td>
<td>0300-105-D</td>
<td>Frames</td>
<td>LF</td>
<td>129.00 $ 3,000.00</td>
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<tr>
<td>27</td>
<td>0310-105-D</td>
<td>Excavation, Class 10</td>
<td>LS</td>
<td>1.00 $ 2,000.00</td>
<td>2,000.00</td>
<td>0.00 $ 0.00</td>
<td>1.00 $ 2,000.00</td>
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<tr>
<td><strong>Change Order No. 1 Total</strong></td>
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<td></td>
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<td>$ 4,497.00</td>
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**Change Order No. 2**

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<th>DESCRIPTION</th>
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<th>CONTRACT PRICE</th>
<th>PREVIOUS AMOUNT</th>
<th>CHANGE ORDER</th>
<th>TOTAL AMOUNT DUE</th>
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</thead>
<tbody>
<tr>
<td>28</td>
<td>0350-105-D</td>
<td>Quality Adjustment</td>
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**TOTAL**

<table>
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<tr>
<th>ITEM NUMBER</th>
<th>ITEM CODE</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>CONTRACT PRICE</th>
<th>PREVIOUS AMOUNT</th>
<th>CHANGE ORDER</th>
<th>TOTAL AMOUNT DUE</th>
</tr>
</thead>
</table>

$ 49,817.00 | $ 51,448.20 | $ 89,461.70 | $ 8,415.90 | $ 15,982.00 | $ 420.70 | $ 2,084.70 |
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<th>ITEM NUMBER</th>
<th>ITEM CODE</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>CONTRACT QUANTITY</th>
<th>UNIT PRICE</th>
<th>CONTRACT PRICE</th>
<th>TOTAL QUANTITY</th>
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<th>AMOUNT CHANGE</th>
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<td>1</td>
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<tr>
<td>2</td>
<td>2010-108-G-0</td>
<td>Clearing and grubbing</td>
<td>LS</td>
<td>1.00</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
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<td>0.00</td>
<td>0.00</td>
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<tr>
<td>3</td>
<td>2010-108-E-0</td>
<td>Excavation, Class 10</td>
<td>CY</td>
<td>1.00</td>
<td>$10,000.00</td>
<td>$10,000.00</td>
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<td>0.00</td>
<td>0.00</td>
<td>None</td>
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<tr>
<td>4</td>
<td>2010-108-D-0</td>
<td>Trenching, On-Site</td>
<td>CY</td>
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<td>$10,000.00</td>
<td>$10,000.00</td>
<td>1.00</td>
<td>0.00</td>
<td>0.00</td>
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<tr>
<td>5</td>
<td>2010-108-G-0</td>
<td>Subgrade Preparation</td>
<td>SY</td>
<td>1.00</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
<td>1.00</td>
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<tr>
<td>6</td>
<td>4020-108-A-1</td>
<td>Storm Drain, Trenched, RCP, 20000 (Class III), 36 in</td>
<td>LF</td>
<td>1.00</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
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<td>0.00</td>
<td>0.00</td>
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<tr>
<td>7</td>
<td>6020-108-A-0</td>
<td>Removal of Storm Sewer, CMP, 36 in</td>
<td>LF</td>
<td>1.00</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>1.00</td>
<td>0.00</td>
<td>0.00</td>
<td>None</td>
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<tr>
<td>8</td>
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|$2,362.26 |
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM #: 9A

FROM: Jeff Hanson, Community Development Operations Manager (CR)

SUBJECT: Resolution approving and accepting an Offer of Sale of Land from Matthew C. Tank and Jessica Tank in consideration of $112,500.00 in connection with the Wastewater Treatment Plant Asset Renewal/Modification Project (Property commonly known as 2804 S. Lewis Boulevard)

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday is a resolution approving and accepting an Offer of Sale of Land from Matthew C. Tank and Jessica Tank for the property commonly known as 2804 S. Lewis Boulevard. The property was appraised and just compensation established at $112,500.00. That amount was offered to, and accepted by Mr. and Mrs. Tank. In addition to the just compensation, Mr. and Mrs. Tank are eligible for various relocation benefits. One of those benefits is the Replacement Housing Payment. This payment is based on the asking price of a comparable dwelling available on the market. After researching available properties, it was determined a Replacement Housing Payment not to exceed $42,500.00 would be required in order for Mr. and Mrs. Tank to purchase a replacement dwelling. The total payment (acquisition and replacement housing payment) to Mr. and Mrs. Tank will be $155,000.00. There are also incidental costs (abstracting, title work, recording fees, etc.) which will be paid by the City in addition to the acquisition and replacement housing payments).

Resolutions authorizing the payment of the purchase price and the replacement housing payment will be brought back to Council prior to closing.

FINANCIAL IMPACT:
Payments in the amount of $112,500.00 for the acquisition of the existing structure and in an amount not to exceed $42,500.00 for the replacement housing payment and such other incidental costs will be paid at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility: Quality of Life. Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:
None recommended.
ATTACHMENTS:
Proposed Resolution
Offer of Sale of Land
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION APPROVING AND ACCEPTING AN OFFER OF SALE OF LAND FROM MATTHEW C. TANK AND JESSICA TANK IN CONSIDERATION OF $112,500.00 IN CONNECTION WITH THE WASTEWATER TREATMENT PLANT ASSET RENEWAL/MODIFICATION PROJECT (PROPERTY COMMONLY KNOWN AS 2804 S. LEWIS BOULEVARD).

WHEREAS, in connection with the Wastewater Treatment Plant Asset Renewal/Modification Project, it is necessary and advisable that the City acquire land owned by Matthew C. Tank and Jessica Tank legally described as follows:

A parcel of land located in part of Government Lot 1 of Section 12, T88 N, R 48 W of the 5th P.M., Woodbury County, Iowa, further described as follows:

Commencing at the E ¼ corner of said Section 12; thence North 89° 50 ½' West 1055.1 feet along the south line of the NE ¼ of said Section 12; thence North 25° 35 ½' West 872.9 feet; thence northerly 1464.9 feet along a 3134.0 foot radius curve concave easterly with a long chord distance of 1434.0 feet bearing north North 12° 22' West to the point of beginning; thence N 99° 08 ½' West 30.0 feet; thence northerly 147.4 feet along a 3164 foot radius curve concave easterly with a long chord distance of 147.4 feet bearing North 2° 11 ½' east; thence North 3° 31 ½' East 5.3 feet; thence South 89° 24 ½' East 50.0 feet; thence South 40° 51’51” East 204.84 feet; thence North 89° 08 ½' West 160.0 feet to the point of beginning; and

WHEREAS, Matthew C. Tank and Jessica Tank have agreed to and have executed an Offer of Sale of Land to the City of Sioux City, Iowa, for the above described property in consideration of $112,500.00; and

WHEREAS, the City Council is advised and does believe that it is in the best interest of the City of Sioux City, Iowa, that the Offer of Sale of Land for the above-described property should be approved as to form and content and that said Offer should be accepted.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the Offer of Sale of Land, executed by Matthew C. Tank and Jessica Tank, a copy of which is attached hereto and by this reference made a part hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the said Offer of Sale of Land, be and hereby is accepted on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
OFFER OF SALE OF LAND

1. In consideration of the sum of one dollar ($1.00) and other valuable consideration, in hand paid, the receipt whereof is hereby acknowledged, the undersigned (hereinafter called the "Seller"), being the owner thereof, hereby offers and agrees upon the terms and conditions hereinafter stated, to sell to the City of Sioux City, Iowa and its assignees (hereinafter called the "Buyer") the property lying and being in the County of WOODBURY, State of IOWA, more particularly described as follows, to-wit:

A parcel of land located in part of Government Lot 1 of Section 12, T88 N, R 48 W of the 5th P.M., Woodbury County, Iowa, further described as follows:
Commencing at the E ¼ corner of said Section 12; thence North 89° 50 ½’ West 1055.1 feet along the south line of the NE ¼ of said Section 12; thence North 25° 35 ½’ West 872.9 feet; thence northwesterly 1446.9 feet along a 3134.0 foot radius curve concave easterly with a long chord distance of 1434.0 feet bearing north North 12° 22’ West to the point of beginning;
thence N 89° 08 ½’ West 30.0 feet; thence northerly 147.4 feet along a 3164 foot radius curve concave easterly with a long chord distance of 147.4 feet bearing North 2° 11 ½’ east; thence North 3°31 ½’ East 5.3 feet; thence South 89° 24 ½’ East 50.0 feet; thence South 40°51’51” East 204.84 feet;
thence North 89° 08 ½’ West 160.0 feet to the point of beginning.

2. PURCHASE PRICE AND POSSESSION. The purchase price shall be $112,500.00. As part of the consideration hereunder the Buyer shall be entitled to possession of the entire tract of land herein described on or before TO BE DETERMINED and shall have the right to use the land and construct thereon any and all improvements contemplated by the Wastewater Treatment Plant Asset Renewal/Modification Project notwithstanding payment may not have been made for the land nor title thereto conveyed to the Buyer.

3. TERMS OF CONVEYANCE. The Seller shall convey to the Buyer a good and merchantable title to the land satisfactory to the Attorney for the Buyer, free and clear of all mineral rights, easements, restrictions, leases, judgments, taxes, and assessments, existing or incumbrant, liens or encumbrances of any sort at the date of payment by the Buyer of the purchase price, together with all buildings and improvements (except those removed pursuant to Addendum #1) heretofore and appurtenant thereto belonging. The Seller agrees at his expense to attach to all deeds the necessary revenue stamps and to pay the cost of recording all deeds or other evidence of title necessary in the opinion of the Attorney for the Buyer to vest in the Buyer a valid and satisfactory title to the land. The Seller agrees to furnish to the Buyer, without expense to it, such abstracts, certificates, or other evidences of title as he may have affording the premises to be transferred to the Buyer.

4. PAYMENT OF PRICE. Payment of the purchase price specified in Paragraph 2 (but without any interest thereon) shall be made upon conveyance to the Buyer, of title to the
land and approval thereof by the Attorney for the Buyer, and shall be full and just compensation for all obligations of the Buyer hereunder and all claims which the Seller may have or assert by reason of the possession or occupancy of the land by the Buyer, whether acquisition be by direct purchase or through condemnation proceedings as provided in Paragraph 6 hereof.

5. **CONDITION OF PROPERTY AT TIME OF BUYER TAKING POSSESSION.** Loss or damage to the land, buildings, or improvements thereon shall be at the risk of the Seller until possession thereof has been surrendered, or until title thereto has been conveyed to the Buyer, whichever occurs earlier, and in the event of any loss or damage to said land, buildings, or improvements, prior to such surrender of possession or conveyance of title, as the case may be, the Buyer may, at its option cancel the contract created by the acceptance of this offer or agree to make whatever adjustment of the purchase price that may be appropriate to cover any such loss or damage.

6. **SALE PRICE OF PROPERTY IN EVENT OF CONDEMNATION PROCEEDINGS.** In the event that the Buyer considers it necessary or advantageous to its interest to have the land acquired through condemnation proceedings, the Seller agrees that the price stated in Paragraph 2, which he hereby declares to be the fair market value of the land inclusive of every interest therein, shall be full and just compensation payable by the Buyer for the taking of land, and that any and all awards of just compensation to any and all other parties shall be payable and deductible from said sum. The Seller further agrees in the event of the institution of condemnation proceedings that this offer and the acceptance thereof shall constitute and be a stipulation which may be filed in such condemnation proceedings fixing the fair market value and just compensation to be paid for the taking thereof in the amount of the contract price therein set forth.

7. **TIME PERIOD OFFER IS IN FORCE.** This offer shall remain in force for a period of 30 days and thereafter until ten days from the receipt by the Buyer at its principal office at Real Estate Office, Box 447, 405 6th Street, Sioux City, Iowa of notice in writing from the Seller of termination of the offer. Until terminated, this offer shall be binding upon the Seller and his or her heirs, executors, administrators, successors, and assigns.

8. **TAXES.** Fiscal year 2016/2017 Taxes which are collectible in 2017/2018 and which appear as a lien in the Treasurer's Office are to be paid by the Seller. Fiscal year 2017/2018 Taxes which are collectible in 2018/2019 will be paid from Seller's escrow.

9. **ESCROW.** Seller to deposit 120% of Fiscal Year 2016/2017 Taxes into escrow to be held by Buyer to pay Fiscal 2017/2018 Taxes which are collectible in 2018/2019. Escrow balance after payment of Fiscal 2017/2018 Taxes to be remitted to seller.

10. **POSSESSION OF FIXTURES.** Shades, rods, blinds, venetian blinds, linoleum, storm sash, screens, showers, automatic heating equipment, water heater, water softener, electric and all other attached fixtures shall be left with the buildings, unless excepted in Addendum #1 of this contract.
11. **DEDUCTIONS FROM PURCHASE.** It is agreed at the time of settlement, the Buyer may deduct from the purchase price any amounts necessary to be used to pay abstract costs, taxes, and other liens to comply with the above requirements, same to be handled under supervision of the Buyer and the legal representative of the Seller, as agents, and subject to the approval of the Attorney for Buyer on title questions involved and needed to produce merchantable title.

12. **ACCEPTANCE OF OFFER BY CITY.** This offer shall be deemed accepted by the City upon passage of a resolution by the City approving and accepting said offer.

**ADDENDUM #1 RESERVATIONS TO OWNERS.** Owner reserves the right to remove, but only within fifteen days from the date of acceptance of this offer, the following:

All said items reserved which have not been removed from the land at the expiration of said fifteen-day period shall be and remain the property of the City.

Executed this 14th day of September, 2017

Matthew C. Tank

Jessica Tank

STATE OF IOWA )
WOODBURY COUNTY )

On this 14th day of September, 2017, before me, a Notary Public, in and for the State of Iowa, personally appeared Matthew C. Tank and Jessica Tank, Husband and Wife, to me personally known to be the identical person(s) named in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their voluntary act and deed.

WITNESS my official signature and seal of office at Sioux City, Iowa, the day and year last written above.

Cheryl Reynolds
Notary Public in and for said County and State
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017          ACTION ITEM # 9B-D

FROM: Nicole DuBois, City Attorney
      Donna Forker, Finance Director

SUBJECT: Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City –CBD Urban Renewal Plan for the Combined Central Sioux City –CBD Urban Renewal Area of the City of Sioux City, Iowa

Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan for the Donner Park Urban Renewal Area of the City of Sioux City, Iowa

Resolution setting dates of a consultation and a public hearing on proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area of the City of Sioux City, Iowa

RECOMMENDATION:
Staff respectfully requests the City Council approve the proposed resolutions setting dates for a consultation meeting and a public hearing on a proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City –CBD Urban Renewal Plan for the Combined Central Sioux City –CBD Urban Renewal Area, Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan and Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan.

DISCUSSION:
Combined Central Sioux City –CBD Urban Renewal Area

Project B
The City is considering entering into a Development Agreement with a manufacturer of building materials for the construction of a new office facility on City-owned property on Floyd Boulevard. The City will sell property to the developer and provide TIF assistance in the form of property tax rebates.

625 Douglas Street
The City is considering entering into a Development Agreement with a nonprofit entity for the purchase and renovation of property at 625 Douglas Street. The City will provide TIF assistance in the form of a loan to the developer for the purchase of said property.
Warrior/Davidson
The City is considering entering into a Development Agreement with a private developer for the redevelopment of property located at 505 6th Street and 525 6th Street into a hotel, retail and residential space. The City will provide TIF assistance in the form of a loan to the developer and certain tax incentives to facilitate the redevelopment.

Project H
The City is considering entering into a Development Agreement with a private developer for the development of an extended stay hotel and other improvements on Court Street. The City will provide certain tax incentives to facilitate the development.

Donner Park Urban Renewal Area

Project K
The City is considering entering into a Development Agreement with a dealership of semi-trailers and other related equipment for the development of privately-owned land located on Harbor Drive in the Bridgeport Industrial Park. As per terms and conditions set forth in a Development Agreement, the developer will agree to construct a new sales, service, and office facility and other improvements. The City is proposing to provide TIF assistance in the form of property tax rebates.

SW Properties
The City entered into a Development Agreement on December 10, 2012 with the real estate holding company of a medical clinic for the development of a medical clinic on privately-owned land located at 5855 Sunnybrook Drive. The developer completed the medical clinic. As per terms and conditions set forth in a Development Agreement amendment, the City will provide TIF assistance in the form of two additional years of property tax rebates.

Airport Land Development
The City is considering entering into a Development Agreement with a private developer, through its wholly-owned property ownership subsidiary, for the development of certain City-owned property located at the intersection of Aviation Boulevard and Discovery Boulevard. As per terms and conditions set forth in a Development Agreement, the developer will agree to construct a new convenience store and other improvements. The City will provide TIF assistance by selling the property to the developer.

Beth Bruening, P.C.
The City entered into a Development Agreement on January 23, 2017 with the real estate holding company of a medical clinic for the development of a medical clinic on privately-owned land located at 5450 Sergeant Road. As per terms and conditions set forth in a Development Agreement amendment, the developer agreed to construct a new medical facility and other improvements. The City is proposing to provide TIF assistance in the form of property tax rebates.

Seaboard Triumph Foods, LLC
The City entered into a Development Agreement and Minimum Assessment Agreement with Seaboard Triumph Foods, LLC on June 22, 2015 and a First Amendment to Development Agreement and First Amendment to Minimum Assessment Agreement on April 17, 2017 for the construction of a state-of-the-art pork processing and finishing facility. As part of the Agreements, the City will make all necessary and appropriate road improvements to handle employee and semi-trailer traffic from I-29 to the site to accommodate the Development and has applied for a RISE Grant through the Iowa Department of Transportation (IDOT) for vari-
ous qualifying road way improvements that are RISE eligible. The Developer will provide one-half of the match, or ten percent (10%) of the cost, required under the RISE Grant up to an amount not to exceed $1,075,604. City assistance shall not exceed $1,800,000.

**Combined Floyd River Urban Renewal Area**

**Project S**
The City is considering entering into a Development Agreement with a manufacturer of construction materials for the development of a new manufacturing plant on 11th Street. The City is proposing to provide TIF assistance in the form of property tax rebates.

**Echo Electric**
The City of Sioux City and Echo Electric Supply Company of Sioux City IA, Inc. entered into a Development Agreement and an Assessment Agreement both dated January 13, 2014, pursuant to Resolution No. 2014-0027, relating to the redevelopment of a 4.8 acre site located at 1200 Cunningham Drive. Due to the difficult and costly site conditions of the property, Echo Electric Supply Company required an Amendment to the Development Agreement and Minimum Assessment Agreement. Said First Amendment to Development Agreement and First Amendment to Assessment Agreement were approved on May 12, 2014, pursuant to Resolution No. 2014-0310. The City is considering to further amend the Development Agreement and Minimum Assessment Agreement to account for additional costs related to the development. The City is proposing to provide TIF assistance in the form of property tax rebates and an extension of time on the Minimum Assessment Agreement.

Changes to Iowa Urban Renewal law now requires the City to amend its urban renewal plans to cover all approved items which shall use Tax Increment Financing assistance for economic development projects.

**Amended and Restated Combined Central Sioux City –CBD Urban Renewal Plan** - The proposed amount of indebtedness to be incurred and the estimated cost of the proposed City assistance in the development of projects in the Combined Central Sioux City -CBD Urban Renewal Area will be approximately as follows:

- Project B $300,000
- 625 Douglas Street $450,000
- Warrior/Davidson $13,000,000
- Project H $2,000,000

**Amended and Restated Donner Park Urban Renewal Plan** - The proposed amount of indebtedness to be incurred and the estimated cost of the proposed City assistance in the development of projects in the Donner Park Urban Renewal Area will be approximately as follows:

- Project K $700,000
- SW Properties $200,000
- Airport Land Development $3,900,000
- Beth Bruening, P.C. $250,000
- Seaboard Triumph Foods, LLC $1,800,000
Amended and Restated Combined Floyd River Urban Renewal Plan - The proposed amount of indebtedness to be incurred and the estimated cost of the proposed City assistance in the development of projects in the Combined Floyd River Urban Renewal Area will be approximately as follows:

- Project S $600,000
- Echo Electric $300,000

Schedule for Consultation Meeting and Public Hearing - If the proposed resolutions are approved, a consultation meeting will be set for October 10, 2017 for comment by affected taxing agencies. The public hearing on the proposed plan amendments will be scheduled for November 13, 2017.

FINANCIAL IMPACT:
These amendments are necessary to allow the City to move forward with economic development projects.

RELATIONSHIP TO STRATEGIC PLAN:
The amendments to the City’s Urban Renewal Plans shows the City’s effort to maintain sound fiscal policy in dealing with the City’s financial health.

Relates to Progressive Leadership Vision, PL-4 Formalize policies which result in sound financial practices.

ALTERNATIVES:
Not recommended.

ATTACHMENTS:
Resolution and proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City –CBD Urban Renewal Plan

Resolution and proposed Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan

Resolution and proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan
RESOLUTION NO. 2017 - ____________

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL PLAN FOR THE COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

WHEREAS, the City Council previously has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and has approved and adopted the Combined Central Sioux City –CBD Urban Renewal Plan on April 5, 1967, pursuant to Resolution No. S-8780 and recorded in the office of the Woodbury County Recorder’s Office at Book 1226, Page 97 Document No. 584; and subsequent amendments to the same on March 28, 1973, pursuant to Resolution No. S-21905; July 25, 1983, pursuant to Resolution No. 83/T-1933 and recorded in the office of the Woodbury County Recorder’s Office at Roll 146, Image 1816; April 8, 1985, pursuant to Resolution No. 85/T-3660 and recorded in the office of the Woodbury County Recorder’s Office at Roll 156, Image 208; October 7, 1985, pursuant to Resolution No. 85/T-4097 and recorded in the office of the Woodbury County Recorder’s Office at Roll 162, Image 1701; August 10, 1987, pursuant to Resolution No. 87/T-5714 and recorded in the office of the Woodbury County Recorder’s Office at Roll 191, Image 1253; June 4, 1990, pursuant to Resolution No. 90/T-8636 and recorded in the office of the Woodbury County Recorder’s Office at Roll 231, Image 330; December 17, 1990, pursuant to Resolution No. 90/T-9422 and recorded in the office of the Woodbury County Recorder’s Office at Roll 241, Image 87; June 1, 1992, pursuant to Resolution No. 92/U-189; July 7, 2003, pursuant to Resolution No. 2003-0599; November 21, 2011, pursuant to Resolution No. 2011-0825; September 17, 2012, pursuant to Resolution No. 2012-0648; May 13, 2013, pursuant to Resolution 2013-0378 and recorded in the office of the Woodbury County Recorder’s Office at Roll 729, Image 9440; November 25, 2013, pursuant to Resolution No. 2013-0879 and recorded in the office of the Woodbury County Recorder’s Office at Roll 732, Image 11981-12027; January 6, 2014, pursuant to Resolution No. 2014-0011 and recorded in the office of the Woodbury County Recorder’s Office at Roll 733, Image 8655-8674; May 5, 2014, pursuant to Resolution No. 2014-0274 and recorded in the office of the Woodbury County Recorder’s Office at Roll 735, Image 3415-3437; June 23, 2014, pursuant to Resolution No. 2014-0424 and recorded in the office of the Woodbury County Recorder’s Office at Roll 736, Image 708-753; August 18, 2014, pursuant to Resolution No. 2014-0596 and recorded in the office of the Woodbury County Recorder’s Office at Roll 736, Image 10608-10623; April 27, 2015, pursuant to Resolution No. 2015-0303 and recorded in the office of the Woodbury County Recorder’s Office at Roll 740, Image 9908-9956; October 19, 2015, pursuant to Resolution No. 2015-0797 and recorded in the office of the Woodbury County Recorder’s Office at Roll 743, Image 11386-11405; April 18, 2016, pursuant to Resolution No. 2016-0305 and recorded in the office of the Woodbury County Recorder’s Office at Roll 746, Image 7918-7976; September 26, 2016, pursuant to Resolution No. 2016-0833 and recorded in the office of the Woodbury County Recorder’s Office at Roll 749, Image 6510-6529 and March 20, 2017, pursuant to Resolution No. 2017-0250 and recorded in the office of the Woodbury County Recorder’s Office at Roll 751, Image 15120-15179 (together, the “Amended Plan”) for the amended Combined Central Sioux City –CBD Urban Renewal Project Area described therein (the “Project Area”); and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Amended Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to further update certain provisions of the Amended Plan to conform to current City objectives and planning initiatives for the Project Area, and to include additional properties within the Project Area, as hereinafter described; and
WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said Amended Plan; and

WHEREAS, the Iowa Code requires the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 to the Amended Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa Code further requires the City Council to hold a public hearing on the proposed Amendment No. 1 to the Amended Plan subsequent to notice thereof by publication in a newspaper having a general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 1 to the Amended Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on October 10, 2017, in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa at 3:30 P.M., and the City Manager or his designee is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of the proposed Amendment No. 1 to the Amended Plan, said notice to be in substantially the following form:
NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF SIOUX CITY, IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL PLAN FOR THE COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City of Sioux City, Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 3:30 P.M., October 10, 2017 in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa concerning a proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City -CBD Urban Renewal Plan for the Combined Central Sioux City -CBD Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in said Amended Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The City Manager (or his designee) as the designated representative of the City of Sioux City, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 1 to the Amended Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017

________________________________________
Lisa L. McCordle, City Clerk
City of Sioux City, Iowa

(END OF NOTICE)
Section 3. That a public hearing shall be held on the proposed Amendment No. 1 to the Amended Plan before the City Council at its meeting which commences at 4:00 P.M., November 13, 2017, in the Council Chambers, City Hall, Sioux City, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Sioux City Journal, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:
NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL PLAN FOR THE COMBINED CENTRAL SIOUX CITY -CBD URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City Council of the City of Sioux City, Iowa, will hold a public hearing before itself at its meeting which commences at 4:00 P.M. on November 13, 2017 in the Council Chambers, City Hall, Sioux City, Iowa to consider adoption of the proposed Amendment No. 1 to the Amended and Restated Combined Central Sioux City -CBD Urban Renewal Plan (the "Amended Plan") for the existing Combined Central Sioux City -CBD Urban Renewal Area ("Project Area").

A copy of Amendment No. 1 to the Amended Plan is on file for public inspection in the office of the City Clerk, City Hall, Sioux City, Iowa.

The purpose of the Amendment No. 1 to the Amended Plan is to further update certain provisions of the Amended Plan to conform to current City objectives, planning initiatives and program activities for the Project Area.

The general scope of the urban renewal activities under consideration in the Amended Plan is to convey land and enter into development agreements for new development and the redevelopment of existing commercial buildings and land for commercial residential and mixed use purposes in order to encourage investment and strengthen the area economy. This activity may involve grants, rebates, loans or other incentives funded by tax increment financing.

Specifically, the amendment addresses the following proposed urban renewal projects:

- Construction of a new office facility and other improvements located on Floyd Boulevard;
- Purchase and renovation of property located at 625 Douglas Street;
- Redevelopment of buildings located at 505 6th Street and 525 6th Street into hotel, retail and residential space; and
- Development of hotel and other improvements on Court Street,

all in Sioux City, Iowa.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This Notice is given by order of the City Council of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017.

Lisa L. McCardle, City Clerk, Sioux City, Iowa


(END OF NOTICE)
Section 5. That the proposed Amendment No. 1 to the Amended Plan, now before this Council, for the Combined Central Sioux City -CBD Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the Amended Plan referred to in said notices for purposes of such consultation and hearing and that a copy of said Amendment No. 1 to the Amended Plan shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
CERTIFICATE

STATE OF IOWA

) SS

COUNTY OF WOODBURY

I, the undersigned City Clerk of Sioux City, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 said 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 said Municipality hereto affixed this 2nd day of October, 2017.

____________________________________
Lisa L. McCardle, City Clerk, Sioux City, Iowa

SEAL
AMENDMENT NO. 1

TO THE
AMENDED AND RESTATED COMBINED
CENTRAL SIOUX CITY - CBD
URBAN RENEWAL PLAN

FOR THE
COMBINED CENTRAL SIOUX CITY –CBD
URBAN RENEWAL AREA

CITY OF SIOUX CITY, IOWA
The Amended and Restated Combined Central Sioux City - CBD Urban Renewal Plan ("Plan") for the Combined Central Sioux City – CBD Urban Renewal Area ("Area" or "Urban Renewal Area"), originally adopted April 5, 1967, pursuant to Resolution No. S-8780 and recorded in the office of the Woodbury County Recorder’s Office at Book 1226, Page 97 Document No. 584; and subsequent amendments to the same on March 28, 1973, pursuant to Resolution No. S-21905; July 25, 1983, pursuant to Resolution No. 83/T-1933 and recorded in the office of the Woodbury County Recorder’s Office at Roll 146, Image 1816; April 8, 1985, pursuant to Resolution No. 85/T-3660 and recorded in the office of the Woodbury County Recorder’s Office at Roll 156, Image 208; October 7, 1985, pursuant to Resolution No. 85/T-4097 and recorded in the office of the Woodbury County Recorder’s Office at Roll 162, Image 1701; August 10, 1987, pursuant to Resolution No. 87/T-5714 and recorded in the office of the Woodbury County Recorder’s Office at Roll 191, Image 1253; June 4, 1990, pursuant to Resolution No. 90/T-8636 and recorded in the office of the Woodbury County Recorder’s Office at Roll 231, Image 330; December 17, 1990, pursuant to Resolution No. 90/T-9422 and recorded in the office of the Woodbury County Recorder’s Office at Roll 241, Image 87; June 1, 1992, pursuant to Resolution No. 92/U-189; July 7, 2003, pursuant to Resolution No. 2003-0599; November 21, 2011, pursuant to Resolution No. 2011-0825; September 17, 2012, pursuant to Resolution No. 2012-0648; May 13, 2013, pursuant to Resolution 2013-0378 and recorded in the office of the Woodbury County Recorder’s Office at Roll 729, Image 9440; November 25, 2013, pursuant to Resolution No. 2013-0879 and recorded in the office of the Woodbury County Recorder’s Office at Roll 732, Image 11981-12027; January 6, 2014, pursuant to Resolution No. 2014-0011 and recorded in the office of the Woodbury County Recorder’s Office at Roll 733, Image 8655-8674; May 5, 2014, pursuant to Resolution No. 2014-0274 and recorded in the office of the Woodbury County Recorder’s Office at Roll 735, Image 3415-3437; June 23, 2014, pursuant to Resolution No. 2014-0424 and recorded in the office of the Woodbury County Recorder’s Office at Roll 736, Image 708-753; August 18, 2014, pursuant to Resolution No. 2014-0596 and recorded in the office of the Woodbury County Recorder’s Office at Roll 736, Image 10608-10623; April 27, 2015, pursuant to Resolution No. 2015-0303 and recorded in the office of the Woodbury County Recorder’s Office at Roll 740, Image 9908-9956; October 19, 2015, pursuant to Resolution No. 2015-0797 and recorded in the office of the Woodbury County Recorder’s Office at Roll 743, Image 11368-11405; and April 18, 2016, pursuant to Resolution No. 2016-0305 and recorded in the office of the Woodbury County Recorder’s Office at Roll 746, Image 7918-7976; September 26, 2016, pursuant to Resolution No. 2016-0833 and recorded in the office of the Woodbury County Recorder’s Office at Roll 749, Image 6510-6529 and March 20, 2017, pursuant to Resolution No. 2017-0250 and recorded in the office of the Woodbury County Recorder’s Office at Roll 751, Image 15120-15179 is being further amended to add and/or confirm a proposed project to be undertaken within the Urban Renewal Area ("Amendment"). No land is being added to the Area by this Amendment.

Except as modified by this Amendment, the provisions of the Amended and Restated Combined Central Sioux-City – CBD Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.
PROPOSED URBAN RENEWAL PROJECTS

The following new subsections (v); (w); (x) and (y) to Section G (2) are added to the Plan as follows:

G. Urban Renewal Projects

2. Development Agreements

(v) Project B (2017)

The City is considering entering into a Development Agreement with a manufacturer of building materials for the construction of a new office facility on City-owned property on Floyd Boulevard. The City will sell property to the developer and provide TIF assistance in the form of property tax rebates. Assistance shall not exceed $300,000.

(w) 625 Douglas Street (2017)

The City is considering entering into a Development Agreement with a non-profit entity for the purchase and renovation of property at 625 Douglas Street. The City will provide TIF assistance in the form of a loan to the developer for the purchase of said property. Assistance shall not exceed $450,000.

(x) Warrior/Davidson (2017)

The City is considering entering into a Development Agreement with a private developer for the redevelopment of property located at 505 6th Street and 525 6th Street into a hotel, retail and residential space. The City will provide TIF assistance in the form of a loan to the developer and certain tax incentives to facilitate the redevelopment. Assistance shall not exceed $13,000,000.

(y) Project H (2017)

The City is considering entering into a Development Agreement with a private developer for the development of an extended stay hotel and other improvements on Court Street. The City will provide certain tax incentives to facilitate the development. Assistance shall not exceed $2,000,000.

DEBT

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<thead>
<tr>
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<tbody>
<tr>
<td>1.</td>
<td>July 1, 2016 constitutional debt limit:</td>
<td>$196,822,505</td>
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<td>2.</td>
<td>Outstanding general obligation debt:</td>
<td>$123,261,142</td>
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<tr>
<td>3.</td>
<td>Proposed amount of indebtedness to be incurred: It is estimated that the cost of the proposed improvements as described above will be approximately as follows:</td>
<td></td>
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<tr>
<td></td>
<td>• Project B</td>
<td>$300,000</td>
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</tbody>
</table>
PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property.

URBAN RENEWAL PLAN AMENDMENTS

The Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of renewal activities. The City Council may amend this Plan in accordance with applicable state law.

EFFECTIVE DATE

This Urban Renewal Plan Amendment No. 1 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code.

REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.
WHEREAS, the City Council previously has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and has approved and adopted the Donner Park Urban Renewal Plan on December 7, 1987, pursuant to Resolution No. 87/T-6002 and recorded in the office of the Woodbury County Recorder’s Office at Roll 195, Image 1135 and subsequent amendments to the same on September 12, 1988, pursuant to Resolution No. 88/T-6760 and recorded in the office of the Woodbury County Recorder's Office at Roll 206, Image 2169; June 10, 1991, pursuant to No. 91/T-9955; October 12, 1992, pursuant to Resolution No. 92/U-549; December 20, 1993, pursuant to Resolution No. 93/U-5267 and recorded in the office of the Woodbury County Recorder’s Office at Roll 370, Image 1365; August 24, 2009, pursuant to Resolution No. 2009-0679 and recorded in the office of the Woodbury County Recorder’s Office at Roll 706, Image 482; September 13, 2010, pursuant to Resolution No. 2010-0670; December 10, 2012, pursuant to Resolution No. 2012-0842; May 13, 2013, pursuant to Resolution No. 2013-0377 and recorded in the office of the Woodbury County Recorder’s Office at Roll 729, Image 9458; November 25, 2013, pursuant to Resolution No. 2013-0877 and recorded in the office of the Woodbury County Recorder’s Office at Roll 733, Image 1229-1283; May 5, 2014, pursuant to Resolution No. 2014-0273 and recorded in the office of the Woodbury County Recorder’s Office at Roll 735, Image 3371-3392; September 8, 2014, pursuant to Resolution No. 2014-0665 and recorded in the office of the Woodbury County Recorder’s Office at Roll 737, Image 2883-2902; December 22, 2014, pursuant to Resolution No. 2014-0939 and recorded in the office of the Woodbury County Recorder’s Office at Roll 739, Image 266-332; April 27, 2015, pursuant to Resolution No. 2015-0304 and recorded in the office of the Woodbury County Recorder’s Office at Roll 740, Image 9802-9864; July 13, 2015, pursuant to Resolution No. 2015-0535 and recorded in the office of the Woodbury County Recorder’s Office at Roll 742, Image 1525-1541; September 14, 2015, pursuant to Resolution No. 2015-0693 and recorded in the office of the Woodbury County Recorder’s Office at Roll 743, Image 3862-3885; April 18, 2016, pursuant to Resolution No. 2016-0306 and recorded in the office of the Woodbury County Recorder’s Office at Roll 746, Image 7843-7917; September 26, 2016, pursuant to Resolution No. 2016-0834 and recorded in the office of the Woodbury County Recorder’s Office at Roll 749, Image 6530-6549 and March 20, 2017, pursuant to Resolution No. 2017-0251 and recorded in the office of the Woodbury County Recorder’s Office at Roll 751, Image 15180-15254 (together, the “Amended Plan”) for the amended Donner Park Urban Renewal Project Area described therein (the “Project Area”); and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Amended Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to further update certain provisions of the Amended Plan to conform to current City objectives and planning initiatives for the Project Area, and to include additional properties within the Project Area, as hereinafter described; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by said Amended Plan; and
WHEREAS, the Iowa Code requires the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 to the Amended Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa Code further requires the City Council to hold a public hearing on the proposed Amendment No. 1 to the Amended Plan subsequent to notice thereof by publication in a newspaper having a general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 1 to the Amended Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on October 10, 2017, in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa at 3:30 P.M., and the City Manager or his designee is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of the proposed Amendment No. 1 to the Amended Plan, said notice to be in substantially the following form:
NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF SIOUX CITY, IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED DONNER PARK URBAN RENEWAL PLAN FOR THE DONNER PARK URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City of Sioux City, Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 3:30 P.M., October 10, 2017 in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa concerning a proposed Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan for the Donner Park Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in said Amended Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The City Manager (or his designee) as the designated representative of the City of Sioux City, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 1 to the Amended Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017

________________________________________
Lisa L. McCardle, City Clerk
City of Sioux City, Iowa

(END OF NOTICE)
Section 3. That a public hearing shall be held on the proposed Amendment No. 1 to the Amended Plan before the City Council at its meeting which commences at 4:00 P.M., November 13, 2017, in the Council Chambers, City Hall, Sioux City, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Sioux City Journal, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:
NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED DONNER PARK URBAN RENEWAL PLAN FOR THE DONNER PARK URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City Council of the City of Sioux City, Iowa, will hold a public hearing before itself at its meeting which commences at 4:00 P.M. on November 13, 2017 in the Council Chambers, City Hall, Sioux City, Iowa to consider adoption of the proposed Amendment No. 1 to the Amended and Restated Donner Park Urban Renewal Plan (the “Amended Plan”) for the existing Donner Park Urban Renewal Area (“Project Area”).

A copy of Amendment No. 1 to the Amended Plan is on file for public inspection in the office of the City Clerk, City Hall, Sioux City, Iowa.

The purpose of the Amendment No. 1 to the Amended Plan is to further update certain provisions of the Amended Plan to conform to current City objectives, planning initiatives and program activities for the Project Area.

The general scope of the urban renewal activities under consideration in the Amended Plan is to convey land and enter into development agreements for new development and the redevelopment of existing commercial buildings and land for commercial residential and mixed use purposes in order to encourage investment and strengthen the area economy. This activity may involve grants, rebates, loans or other incentives funded by tax increment financing.

Specifically, the amendment addresses the following proposed urban renewal projects:

- Construction of a new sales, service and office facility for a dealership of semi-trailers and other related equipment in the Bridgeport Industrial Park located on Harbor Drive;
- Additional two years of property tax rebates for property located at 5855 Sunnybrook Drive;
- Airport land development located at the intersection of Aviation Boulevard and Discovery Boulevard; and
- Property tax rebates for medical facility located at 5450 Sergeant Road; and
- Road improvements for Seaboard Triumph Foods

all in Sioux City, Iowa.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This Notice is given by order of the City Council of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017.

_________________________________
Lisa L. McCardle, City Clerk, Sioux City, Iowa


(END OF NOTICE)
Section 5. That the proposed Amendment No. 1 to the Amended Plan, now before this Council, for the Donner Park Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the Amended Plan referred to in said notices for purposes of such consultation and hearing and that a copy of said Amendment No. 1 to the Amended Plan shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
CERTIFICATE

STATE OF IOWA

COUNTY OF WOODBURY

I, the undersigned City Clerk of Sioux City, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 said 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 said Municipality hereto affixed this 2nd day of October, 2017.

Lisa L. McCardle, City Clerk, Sioux City, Iowa

SEAL
AMENDMENT NO. 1

TO THE
AMENDED AND RESTATED DONNER PARK
URBAN RENEWAL PLAN

FOR THE
DONNER PARK
URBAN RENEWAL AREA

CITY OF SIOUX CITY, IOWA
AMENDMENT NO. 1
TO THE
AMENDED AND RESTATED
DONNER PARK URBAN RENEWAL PLAN
CITY OF SIOUX CITY, IOWA

The Amended and Restated Donner Park Urban Renewal Plan ("Plan") for the Donner Park Urban Renewal Area ("Area" or "Urban Renewal Area"), originally adopted December 7, 1987, pursuant to Resolution No. 87/T-6002 and recorded in the office of the Woodbury County Recorder's Office at Roll 195, Image 1135 and subsequent amendments to the same on September 12, 1988, pursuant to Resolution No. 88/T-6760 and recorded in the office of the Woodbury County Recorder's Office at Roll 206, Image 2169; June 10, 1991, pursuant to No. 91/T-9955; October 12, 1992, pursuant to Resolution No. 92/U-549; December 20, 1993, pursuant to Resolution No. 93/U-1656; December 19, 1994, pursuant to Resolution No. 94/U-2783; March 24, 1997, pursuant to Resolution No. 97/U-5267 and recorded in the office of the Woodbury County Recorder's Office at Roll 370, Image 1365; August 24, 2009, pursuant to Resolution No. 2009-0679 and recorded in the office of the Woodbury County Recorder's Office at Roll 706, Image 482; September 13, 2010, pursuant to Resolution No. 2010-0670; December 10, 2012, pursuant to Resolution No. 2012-0842; May 13, 2013, pursuant to Resolution No. 2013-0377 and recorded in the office of the Woodbury County Recorder's Office at Roll 729, Image 9458; November 25, 2013, pursuant to Resolution No. 2013-0877 and recorded in the office of the Woodbury County Recorder's Office at Roll 733, Image 1229-1283; May 5, 2014, pursuant to Resolution No. 2014-0273 and recorded in the office of the Woodbury County Recorder's Office at Roll 735, Image 3371-3392; September 8, 2014, pursuant to Resolution No. 2014-0665 and recorded in the office of the Woodbury County Recorder's Office at Roll 737, Image 2883-2902; December 22, 2014, pursuant to Resolution No. 2014-0939 and recorded in the office of the Woodbury County Recorder's Office at Roll 739, Image 266-332; April 27, 2015, pursuant to Resolution No. 2015-0304 and recorded in the office of the Woodbury County Recorder's Office at Roll 740, Image 9802-9864; July 13, 2015, pursuant to Resolution No. 2015-0535 and recorded in the office of the Woodbury County Recorder's Office at Roll 742, Image 1525-1541; September 14, 2015, pursuant to Resolution No. 2015-0693 and recorded in the office of the Woodbury County Recorder's Office at Roll 743, Image 3862-3885; April 18, 2016, pursuant to Resolution No. 2016-0306 and recorded in the office of the Woodbury County Recorder's Office at Roll 746, Image 7843-7917; September 26, 2016, pursuant to Resolution No. 2016-0834 and recorded in the office of the Woodbury County Recorder's Office at Roll 749, Image 6530-6549 and March 20, 2017, pursuant to Resolution No. 2017-0251 and recorded in the office of the Woodbury County Recorder's Office at Roll 751, Image 15180-15254 is being further amended to add and/or confirm a proposed project to be undertaken within the Urban Renewal Area ("Amendment"). No land is being added to the Area by this Amendment.

Except as modified by this Amendment, the provisions of the Amended and Restated Donner Park Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

PROPOSED URBAN RENEWAL PROJECTS

The following new subsections (z); (aa); (bb) and (cc) to Section E (1) are added to the Plan as follows:

E. Urban Renewal Projects
1. Development Agreements

(z) Project K (2017)

The City is considering entering into a Development Agreement with a dealersh ip of semi-trailers and other related equipment for the development of privately-owned land located on Harbor Drive in the Bridgeport Industrial Park. As per terms and conditions set forth in a Development Agreement, the developer will agree to construct a new sales, service, and office facility and other improvements. The City is proposing to provide TIF assistance in the form of property tax rebates. Assistance shall not exceed $700,000.

(aa) SW Properties/Wadzinski Eye Clinic (2017)

The City entered into a Development Agreement on December 10, 2012 with the real estate holding company of a medical clinic for the development of a medical clinic on privately-owned land located at 5855 Sunnybrook Drive. The developer completed the medical clinic. As per terms and conditions set forth in a Development Agreement amendment, the City will provide TIF assistance in the form of two additional years of property tax rebates. Assistance shall not exceed $200,000.

(bb) Airport Land Development (2017)

The City is considering entering into a Development Agreement with a private developer, through its wholly-owned property ownership subsidiary, for the development of certain City-owned property located at the intersection of Aviation Boulevard and Discovery Boulevard. As per terms and conditions set forth in a Development Agreement, the developer will agree to construct a new convenience store and other improvements. The City will provide TIF assistance by selling the property to the developer. Assistance shall not exceed $3,900,000.

(cc) Beth Bruening, P.C. (2017)

The City entered into a development agreement on January 23, 2017 with the real estate holding company of a medical clinic for the development of a medical clinic on privately-owned land located at 5450 Sergeant Road. As per terms and conditions set forth in a Development Agreement amendment, the developer agreed to construct a new medical facility and other improvements. The City is proposing to provide TIF assistance in the form of property tax rebates. Assistance shall not exceed $250,000.

(dd) Seaboard Triumph Foods, LLC (2017)
The City entered into a Development Agreement and Minimum Assessment Agreement with Seaboard Triumph Foods, LLC on June 22, 2015 and a First Amendment to Development Agreement and First Amendment to Minimum Assessment Agreement on April 17, 2017 for the construction of a state-of-the-art pork processing and finishing facility. As part of the Agreements, the City will make all necessary and appropriate road improvements to handle employee and semi-trailer traffic from I-29 to the site to accommodate the Development and has applied for a RISE Grant through the Iowa Department of Transportation (IDOT) for various qualifying road way improvements that are RISE eligible. The Developer will provide one-half of the match, or ten percent (10%) of the cost, required under the RISE Grant up to an amount not to exceed $1,075,604. City assistance shall not exceed $1,800,000.

**DEBT**

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<td>1.</td>
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<td>Outstanding general obligation debt:</td>
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<tr>
<td>3.</td>
<td>Proposed amount of indebtedness to be incurred: It is estimated that the cost of the proposed improvements as described above will be approximately as follows:</td>
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<td>• Project K</td>
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<td>• Airport Land Development</td>
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<td>• Beth Bruening, P.C.</td>
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<td>• Seaboard Triumph Foods, LLC</td>
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**PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property.

**URBAN RENEWAL PLAN AMENDMENTS**

The Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of renewal activities. The City Council may amend this Plan in accordance with applicable state law.
EFFECTIVE DATE

This Urban Renewal Plan Amendment No. 1 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior amendment, resolution or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the “division of revenue,” as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code.

REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.
RESOLUTION NO. 2017 - 2

RESOLUTION SETTING DATES OF A CONSULTATION AND A PUBLIC HEARING ON PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED FLOYD RIVER URBAN RENEWAL PLAN FOR THE COMBINED FLOYD RIVER URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

WHEREAS, the City Council previously has found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and has approved and adopted the Combined Floyd River Urban Renewal Plan on October 13, 1986, pursuant to Resolution No. 86/T-4985 and recorded in the office of the Woodbury County Recorder’s Office at Roll 177, Image 592; and subsequent amendments to the same on April 11, 1988, pursuant to Resolution No. 88/T-6349 and recorded in the office of the Woodbury County Recorder’s Office at Roll 200, Image 36; October 6, 1997, pursuant to Resolution No. 97/U-5919 and recorded in the office of the Woodbury County Recorder’s Office at Roll 385, Image 1218; July 7, 2003, pursuant to Resolution No. 2003-0598; February 6, 2012, pursuant to Resolution 2012-0088; and recorded in the office of the Woodbury County Recorder’s Office at Roll 721, Image 3810-3837; October 22, 2012, pursuant to Resolution 2012-0744; May 13, 2013, pursuant to Resolution 2013-0376 and recorded in the office of the Woodbury County Recorder’s Office at Roll 729, Image 9450; November 25, 2013, pursuant to Resolution No. 2013-0876 and recorded in the office of the Woodbury County Recorder’s Office at Roll 733, Image 1189-1228; May 5, 2014, pursuant to Resolution No. 2014-0272 and recorded in the office of the Woodbury County Recorder’s Office at Roll 735 Image 3393-3414; November 17, 2014, pursuant to Resolution No. 2014-0848 and recorded in the office of the Woodbury County Recorder’s Office at Roll 738 Image 4410-4425; April 27, 2015, pursuant to Resolution No. 2015-0305 and recorded in the office of the Woodbury County Recorder’s Office at Roll 740, Image 9865-9907; July 13, 2015, pursuant to Resolution No. 2015-0534 and recorded in the office of the Woodbury County Recorder’s Office at Roll 742, Image 1542-1558; April 18, 2016, pursuant to Resolution No. 2016-0307 and recorded in the office of the Woodbury County Recorder’s Office at Roll 746, Image 8024-8078, and March 20, 2017, pursuant to Resolution No. 2017-0252 and recorded in the office of the Woodbury County Recorder’s Office at Roll 751, Image 15255-15306 (together, the "Amended Plan") for the amended Combined Floyd River Urban Renewal Project Area described therein (the "Project Area"); and

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 1 to the Amended Plan, a copy of which has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to further update certain provisions of the Amended Plan to conform to current City objectives and planning initiatives for the Project Area, and to include additional properties within the Project Area, as hereinafter described; and

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

WHEREAS, the Iowa Code requires the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 1 to the Amended Plan and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and
WHEREAS, the Iowa Code further requires the City Council to hold a public hearing on the proposed Amendment No. 1 to the Amended Plan subsequent to notice thereof by publication in a newspaper having a general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the urban renewal plan and shall outline the general scope of the urban renewal project under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

Section 1. That the consultation on the proposed Amendment No. 1 to the Amended Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on October 10, 2017, in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa at 3:30 P.M., and the City Manager or his designee is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).

Section 2. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of the proposed Amendment No. 1 to the Amended Plan, said notice to be in substantially the following form:
NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF SIOUX CITY, IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATED COMBINED FLOYD RIVER URBAN RENEWAL PLAN FOR THE COMBINED FLOYD RIVER URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City of Sioux City, Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at 3:30 P.M., October 10, 2017 in Room 306, City Hall, 405 Sixth Street, Sioux City, Iowa concerning a proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan for the Combined Floyd River Urban Renewal Area, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the Urban Renewal Area, and the duration of any bond issuance included in said Amended Plan.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The City Manager (or his designee) as the designated representative of the City of Sioux City, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Amendment No. 1 to the Amended Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017

________________________________________
Lisa L. McCardle, City Clerk
City of Sioux City, Iowa

(END OF NOTICE)
Section 3. That a public hearing shall be held on the proposed Amendment No. 1 to the Amended Plan before the City Council at its meeting which commences at 4:00 P.M., November 13, 2017, in the Council Chambers, City Hall, Sioux City, Iowa.

Section 4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Sioux City Journal, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity, such notice in each case to be in substantially the following form:
NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF THE PROPOSED AMENDMENT NO. 1 TO THE AMENDED AND RESTATES COMBINED FLOYD RIVER URBAN RENEWAL PLAN FOR THE COMBINED FLOYD RIVER URBAN RENEWAL AREA OF THE CITY OF SIOUX CITY, IOWA

The City Council of the City of Sioux City, Iowa, will hold a public hearing before itself at its meeting which commences at 4:00 P.M. on November 13, 2017 in the Council Chambers, City Hall, Sioux City, Iowa to consider adoption of the proposed Amendment No. 1 to the Amended and Restated Combined Floyd River Urban Renewal Plan (the "Amended Plan") for the existing Combined Floyd River Urban Renewal Area ("Project Area").

A copy of Amendment No. 1 to the Amended Plan is on file for public inspection in the office of the City Clerk, City Hall, Sioux City, Iowa.

The purpose of the Amendment No. 1 to the Amended Plan is to further update certain provisions of the Amended Plan to conform to current City objectives, planning initiatives and program activities for the Project Area.

The general scope of the urban renewal activities under consideration in the Amended Plan is to convey land and enter into development agreements for new development and the redevelopment of existing commercial buildings and land for commercial residential and mixed use purposes in order to encourage investment and strengthen the area economy. This activity may involve grants, rebates, loans or other incentives funded by tax increment financing.

Specifically, the amendment addresses the following proposed urban renewal projects:

- Construction of a new manufacturing plant on 11th Street; and
- Additional property tax rebates for industrial building located at 1200 Cunningham Drive,

all located in Sioux City, Iowa.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This Notice is given by order of the City Council of Sioux City, Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 2nd day of October, 2017.

Lisa L. McCardle, City Clerk, Sioux City, Iowa


(END OF NOTICE)
Section 5. That the proposed Amendment No. 1 to the Amended Plan, now before this Council, for the Combined Floyd River Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 1 to the Amended Plan referred to in said notices for purposes of such consultation and hearing and that a copy of said Amendment No. 1 to the Amended Plan shall be placed on file in the office of the City Clerk.

PASSED AND APPROVED:          October 2, 2017
                                   ________________________________
                                   Robert E. Scott, Mayor

ATTEST: _________________________
       Lisa L. McCardle, City Clerk
CERTIFICATE

STATE OF IOWA

COUNTY OF WOODBURY

I, the undersigned City Clerk of Sioux City, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of said Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by said Council with respect to said 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 (a copy of the face sheet of said agenda being attached hereto) 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 said 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 said 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 said Municipality hereto affixed this 2nd day of October, 2017.

Lisa L. McCardle, City Clerk, Sioux City, Iowa

SEAL
AMENDMENT NO. 1

TO THE
AMENDED AND RESTATED
COMBINED FLOYD RIVER
URBAN RENEWAL PLAN

FOR THE
COMBINED FLOYD RIVER
URBAN RENEWAL AREA

CITY OF SIOUX CITY, IOWA
The Amended and Restated Combined Floyd River Urban Renewal Plan ("Plan") for the Combined Floyd River Urban Renewal Area ("Area" or "Urban Renewal Area"), originally adopted October 13, 1986, pursuant to Resolution No. 86/T-4985 and recorded in the office of the Woodbury County Recorder’s Office at Roll 177, Image 592 and subsequent amendments to the same on April, 11, 1988, pursuant to Resolution No. 88/T-6349 and recorded in the office of the Woodbury County Recorder’s Office at Roll 200, Image 36; October 6, 1997, pursuant to Resolution No. 97/U-5919 and recorded in the office of the Woodbury County Recorder’s Office at Roll 385, Image 1218; July 7, 2003, pursuant to Resolution No. 2003-0598; February 6, 2012, pursuant to Resolution 2012-0088 and recorded in the office of the Woodbury County Recorder’s Office at Roll 721, Image 3810-3837; October 22, 2012, pursuant to Resolution 2012-0744; May 13, 2013, pursuant to Resolution 2013-0376 and recorded in the office of the Woodbury County Recorder's Office at Roll 729, Image 9450; November 25, 2013, pursuant to Resolution No. 2013-0876 and recorded in the office of the Woodbury County Recorder's Office at Roll 733, Image 1189-1228; May 5, 2014, pursuant to Resolution No. 2014-0272 and recorded in the office of the Woodbury County Recorder's Office at Roll 735 Image 3393-3414; November 17, 2014, pursuant to Resolution No. 2014-0848 and recorded in the office of the Woodbury County Recorder’s Office at Roll 738 Image 4410-4425; April 27, 2015, pursuant to Resolution No. 2015-0305 and recorded in the office of the Woodbury County Recorder's Office at Roll 740, Image 9865-9907; July 13, 2015, pursuant to Resolution No. 2015-0534 and recorded in the office of the Woodbury County Recorder’s Office at Roll 742, Image 1542-1558; April 18, 2016, pursuant to Resolution No. 2016-0307 and recorded in the office of the Woodbury County Recorder’s Office at Roll 746, Image 8024-8078 and March 20, 2017, pursuant to Resolution No. 2017-0252 and recorded in the office of the Woodbury County Recorder’s Office at Roll 751, Image 15255-15306 and is being further amended to add and/or confirm a proposed project to be undertaken within the Urban Renewal Area ("Amendment"). No land is being added to the Area by this Amendment.

Except as modified by this Amendment, the provisions of the Amended and Restated Combined Floyd River Urban Renewal Plan, as previously amended, are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control.

**PROPOSED URBAN RENEWAL PROJECTS**

The following new subsections (l) and (m) to Section G (2) is added to the Plan as follows:

**G. Urban Renewal Projects**

2. Development Agreements

(l) Project S (2017)

The City is considering entering into a Development Agreement with a manufacturer of construction materials for the development of a new manufacturing plant on 11th Street. The City is proposing to provide TIF assistance in the form of property tax rebates. Assistance shall not exceed $600,000.
The City of Sioux City and Echo Electric Supply Company of Sioux City IA, Inc. entered into a Development Agreement and an Assessment Agreement both dated January 13, 2014, pursuant to Resolution No. 2014-0027, relating to the redevelopment of a 4.8 acre site located at 1200 Cunningham Drive. Due to the difficult and costly site conditions of the property, Echo Electric Supply Company of Sioux City IA, Inc. required an Amendment to the Development Agreement providing that the City agreed to make a grant in the form of a tax rebate to Echo Electric Supply Company of Sioux City IA, Inc. (also known as Echo Group, Inc.) in the aggregate reimbursement amount of $666,197.00 and an Amendment to the Assessment Agreement providing that upon substantial completion of construction of the project, but no later than January 1, 2015, the minimum actual taxable value which shall be fixed for assessment purposes for the property and improvements to be constructed thereon shall be not less than $3,100,000. Said First Amendment to Development Agreement and First Amendment to Assessment Agreement were approved on May 12, 2014, pursuant to Resolution No. 2014-0310. The City is considering to further amend the Development Agreement and Minimum Assessment Agreement to account for additional costs related to the development. The City is proposing to provide TIF assistance in the form of property tax rebates and an extension of time on the Minimum Assessment Agreement. Assistance shall not exceed $300,000.

### DEBT

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### PROPERTY ACQUISITION/DISPOSITION

The City will follow any applicable requirements for the acquisition and disposition of property.

### URBAN RENEWAL PLAN AMENDMENTS

The Plan may be amended from time to time for a variety of reasons, including but not limited to, adding or deleting land, adding urban renewal projects, or to modify goals or types of renewal activities. The City Council may amend this Plan in accordance with applicable state law.

### EFFECTIVE DATE

This Urban Renewal Plan Amendment No. 1 will become effective upon its adoption by the City Council. Notwithstanding anything to the contrary in the Urban Renewal Plan, any prior
amendment, resolution or document, the Urban Renewal Plan shall remain in effect until terminated by the City Council, and the use of incremental property tax revenues, or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, will be consistent with Chapter 403 of the Iowa Code.

REPEALER

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

SEVERABILITY CLAUSE

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole or the previous amendments to the Plan, or any part of the Plan not determined to be invalid or unconstitutional.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017

FROM: Chief Tom Everett, Fire Department

SUBJECT: Resolution awarding a purchase order to Physio-Control, Inc. in the amount of $48,950.30 for the purchase of defibrillators for Sioux City Fire Rescue (Quote #00093026).

RECOMMENDATION:
Staff respectfully requests City Council award a purchase order to Physio-Control, Inc., Redmond, Washington, in the amount of $48,950.30 for the purchase of defibrillators for Sioux City Fire Rescue (Quote #00093026).

DISCUSSION:
The qualifying quote is as follows:

<table>
<thead>
<tr>
<th>Two (2) Defibrillators, complete LifePak 15 V4, 99577-001955</th>
<th>Physio-Control, Inc. Redmond, VA</th>
</tr>
</thead>
<tbody>
<tr>
<td>$48,950.30 Total</td>
<td></td>
</tr>
</tbody>
</table>

Physio-Control, Inc. is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training markets for LIFEPAK® 15 monitor/defibrillators.

Physio-Control does not authorize any resellers to sell these products or services. Physio-Control will not fulfill orders placed by non-authorized businesses seeking to resell products.

Sioux City Fire Rescue and SPI operate strictly with Physio-Control cardiac monitors and AED’s. This is done with the continuity of service and equipment in mind. A different supplier would require Sioux City Fire Rescue to carry numerous different disposable items and require numerous software upgrades, maintenance contracts, and training classes.

The attached quote does allow for a trade in of two (2) older model LifePak 12’s. One of which is not 12 lead cable and the other will require significant repairs. The trade in allowance is $5,000.00 per unit for a total of $10,000.00.

FINANCIAL IMPACT:
CIP Project 159-032 SCFR Major Response Equipment Replacement
Account 301-4901-412.31-02 Operating Equipment
RELATIONSHIP TO STRATEGIC PLAN:
This project supports the Grow Sioux City Pride Focus Area, as well as the Health and Safety Municipal Responsibility, "We will enhance public health and safety by maximizing the utilization of technology, improved community engagement, and improved communications and facilities."

ALTERNATIVES:
Reject all bids.

ATTACHMENTS:
Resolution
Quote
RESOLUTION NO. 2017 - __________

RESOLUTION AWARDING A PURCHASE ORDER TO PHYSIO-CONTROL, INC. IN THE AMOUNT OF $48,950.30 FOR THE PURCHASE OF DEFIBRILLATORS FOR SIOUX CITY FIRE RESCUE (QUOTE #00093026).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to Physio-Control, Inc. of Redmond, Washington in the amount of $48,950.30 for the purchase of defibrillators for Sioux City Fire Rescue (Quote #00093026).

PASSED AND APPROVED: October 2, 2017

___________________________________
Robert E. Scott, Mayor

ATTEST: _____________________________
Lisa L. McCardle, City Clerk
<table>
<thead>
<tr>
<th>Product</th>
<th>Product Description</th>
<th>Quantity</th>
<th>Unit Price</th>
<th>Discount</th>
<th>Total Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIFEPAK 15 V4</td>
<td>Monitor/Defib. Adaptive Biphasic. Manual &amp; AED, Color LCD. 100mm Printer, Noninvasive Pacing, Motoneuro, Trending, SpO2, NIBP, 12-Lead ECG, ECOG, Blutooth. INCLUDED AT NO CHARGE 2 PAIR QUIK-COMBO ELECTRODES PER UNIT - 11956-000001, TEST LOAD - 21330-001365, IN-SERVICE DVD - 21330-001486, SERVICE MANUAL CO-30050-000812 on request and ShipKit (RC Cable) 41577-000284 HARD PADDLES, BATTERIES AND CARRYING CASE NOT INCLUDED.</td>
<td>2.00</td>
<td>31,445.00</td>
<td>-6,869.10</td>
<td>25,575.90</td>
</tr>
<tr>
<td>21330-001175</td>
<td>LP 15 Lithium-ion Battery 5.7 amp hrs</td>
<td>4.00</td>
<td>499.00</td>
<td>-84.42</td>
<td>384.58</td>
</tr>
<tr>
<td>11140-000015</td>
<td>AC power cord</td>
<td>2.00</td>
<td>91.00</td>
<td>-14.50</td>
<td>66.50</td>
</tr>
<tr>
<td>11140-000072</td>
<td>LP15 AC Power Adapter (power cord not included)</td>
<td>2.00</td>
<td>1,695.00</td>
<td>-303.30</td>
<td>1,391.70</td>
</tr>
<tr>
<td>11140-000060</td>
<td>Extension Cable (50 ft)</td>
<td>2.00</td>
<td>333.00</td>
<td>-54.54</td>
<td>278.46</td>
</tr>
<tr>
<td>11171-000042</td>
<td>M-LNCS Neo, Neonatal/Adult Adhesive Sensor, 16-inch, 20/box</td>
<td>1.00</td>
<td>441.00</td>
<td>-79.38</td>
<td>361.62</td>
</tr>
<tr>
<td>11171-000048</td>
<td>M-LNCS DCL, Adult Reusable Sensor, 1 box</td>
<td>2.00</td>
<td>331.00</td>
<td>-54.18</td>
<td>276.82</td>
</tr>
<tr>
<td>11220-000028</td>
<td>Carry case top pouch for use with LIFEPAK 12 or LIFEPAK 15</td>
<td>2.00</td>
<td>57.00</td>
<td>-10.26</td>
<td>46.74</td>
</tr>
<tr>
<td>11280-000039</td>
<td>LIFEPAK 15 Carry case back pouch</td>
<td>2.00</td>
<td>82.00</td>
<td>-14.76</td>
<td>67.24</td>
</tr>
<tr>
<td>11577-000002</td>
<td>LIFEPAK 15 Basic carry case w/right &amp; left pouch, INCLUDED AT NO CHARGE WHEN ORDERED WITH DEVICE: 11956-000001 Shoulder Strap</td>
<td>2.00</td>
<td>320.00</td>
<td>-57.60</td>
<td>262.40</td>
</tr>
<tr>
<td>11996-000063</td>
<td>LifeLine EDGE QUIK-COMBO pediatric RTS</td>
<td>2.00</td>
<td>46.00</td>
<td>-8.28</td>
<td>37.72</td>
</tr>
<tr>
<td>11996-000162</td>
<td>SmartCapNite Plus - Adult/Intermediate patients &gt;44lbs (box of 25)</td>
<td>1.00</td>
<td>322.00</td>
<td>-57.95</td>
<td>264.04</td>
</tr>
<tr>
<td>11996-000081</td>
<td>FilterLine Set Adult/Pediatric (box of 25)</td>
<td>1.00</td>
<td>286.00</td>
<td>-51.48</td>
<td>234.52</td>
</tr>
</tbody>
</table>
Please Select One:

☐ MY COMPANY USES A PO SYSTEM—please acknowledge the following:

On all orders $100 or greater before applicable freight and taxes, a purchase order number, referencing the quote number, is required. [Under $100, a purchase order number is sufficient. Please provide purchase order number.]

☐ MY COMPANY DOES NOT USE A PO SYSTEM—section below must be completed prior to order submission.

BILLING ADDRESS

Shipping Address

Address

Address

City, State

City, State

Zip Code

Zip Code

Phone

Phone

Signature Required for Non-PO orders:

Physical Control Inc. Requires Written Notification Of This Order

This is an order placed in accordance with the Terms and Prices Denied herein

AUTHORIZED SIGNATURE

NAME

TITLE

DATE

(If add or modify any information, put the same found on the quote no. provided.)

Quote Number: 00009030
General Terms for all Products, Services, and Subscriptions.

1. General Terms: All purchases are subject to the terms and conditions specified on the order form. Any purchase made outside the United States may be subject to additional taxes or duties. Any purchase made outside the United States may be subject to additional taxes or duties. Any purchase made outside the United States may be subject to additional taxes or duties.

2. Payment Terms: Payment is due within 30 days of receipt of invoice. Payment terms vary based on the terms of purchase. Payment terms vary based on the terms of purchase. Payment terms vary based on the terms of purchase.

3. Warranty: All products are warranted for the period specified on the product label. All products are warranted for the period specified on the product label. All products are warranted for the period specified on the product label.

4. Return Policy: Returns are accepted within 30 days of purchase. Returns are accepted within 30 days of purchase. Returns are accepted within 30 days of purchase.

5. Cancellation: Cancellations are accepted within 30 days of purchase. Cancellations are accepted within 30 days of purchase. Cancellations are accepted within 30 days of purchase.

6. Privacy Policy: Personal information is collected for the purpose of processing orders and delivering products. Personal information is collected for the purpose of processing orders and delivering products. Personal information is collected for the purpose of processing orders and delivering products.

7. Legal Notice: This document is protected by copyright laws. Unauthorized copying or distribution of this document is prohibited.

8. Disclaimer: Physio-Control shall not be liable for any damages arising from the use of this product. Physio-Control shall not be liable for any damages arising from the use of this product. Physio-Control shall not be liable for any damages arising from the use of this product.

9. Export Control: The sale of this product may be subject to export controls. The sale of this product may be subject to export controls. The sale of this product may be subject to export controls.

10. Governing Law: This agreement is governed by the laws of the State of Washington. This agreement is governed by the laws of the State of Washington. This agreement is governed by the laws of the State of Washington.

Additional Terms:

- Additional terms may apply to specific products or services.
- Additional terms may apply to specific products or services.
- Additional terms may apply to specific products or services.

Contact Information:

Physio-Control, Inc.
1 Physio Way
Redmond, WA 98052
1-800-426-4999

Reference Number: P714221599 07/03/08

Customer Number: 000502509
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM #: 10B

FROM:
David Carney, Public Works Director
Darrel Bullock, Fleet Supervisor
Spero Vlahoulis, Purchasing Manager
Donna Forker, Finance Director

SUBJECT: Resolution awarding a purchase order to Lift Solutions, Inc. of Sioux City, Iowa in the amount of $26,313.00 for the purchase of one (1) UniCarrier GC050VX fork lift (RFQ #248063).

Reviewed By: x Department Director  x Finance Department  x City Attorney  x City Manager

RECOMMENDATION:
Staff respectfully requests the City approve a purchase order to Lift Solutions, Inc. of Sioux City, Iowa in the amount of $26,313.00 for the purchase of one (1) UniCarrier GC050VX fork lift (RFQ #248063).

DISCUSSION:
The Tyson Events Center staff currently uses a fork lift that was purchased in 2007 with an estimated useful life of ten (10) years and is due to be replaced. Central Maintenance Garage plans to sell the current unit on the City auction website. Invitations to bid were sent to eleven (11) vendors able to provide fork lifts. Four (4) were received and three (3) bids met specifications. The qualifying bids are as follows:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Lift Solutions of Sioux City, Iowa</th>
<th>Riekes Equipment Company of Sioux City, Iowa</th>
<th>MH Equipment of Tea, South Dakota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brand</td>
<td>Unicarrier</td>
<td>Yale</td>
<td>Hyster</td>
</tr>
<tr>
<td>Price</td>
<td>$26,313.00</td>
<td>$26,575.00</td>
<td>$27,361.20</td>
</tr>
<tr>
<td>Price Difference from Low Bid</td>
<td>Not Applicable</td>
<td>$262.00</td>
<td>$1,048.20</td>
</tr>
<tr>
<td>Percentage Difference from Low Bid</td>
<td>Not Applicable</td>
<td>.1%</td>
<td>3.98%</td>
</tr>
</tbody>
</table>

FINANCIAL IMPACT:
Finance account # 609-6759-482.31-02 CMG Equipment Replacement, Operating Equipment has a FY17 available balance of $132,529.

RELATIONSHIP TO STRATEGIC PLAN:
Relationship complies with City Operational Plans.

ALTERNATIVES:
Reject the bids.
ATTACHMENTS:
Resolution
RESOLUTION NO. 2017 - 

RESOLUTION AWARDING A PURCHASE ORDER TO LIFT SOLUTIONS, INC. OF SIOUX CITY, IOWA IN THE AMOUNT OF $26,313.00 FOR THE PURCHASE OF ONE (1) UNICARRIER GC050VX FORK LIFT (RFQ #248063).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to Lift Solutions, Inc. of Sioux City, Iowa in the amount of $26,313.00 for the purchase of one (1) UniCarrier GC050VX fork lift (RFQ #248063).

PASSED AND APPROVED: __October 2, 2017______ _______________ Robert E. Scott, Mayor

ATTEST: ________________________
Lisa L. McCardle, City Clerk
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTIONS ITEM #: 11

FROM: Lisa McCardle, City Clerk

SUBJECT: Applications For Beer and Liquor Licenses

B. ON-PREMISE SALES

1. SPECIAL CLASS C LIQUOR LICENSE (wine/beer/wine coolers/carry-out)
   A. Briar Cliff University, 3303 Rebecca Street (Renewal)

C. OFF PREMISE SALES

1. CLASS B WINE PERMIT (wine only)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

2. CLASS C BEER PERMIT (beer/wine coolers)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

3. CLASS E LIQUOR LICENSE (liquor only)
   A. Charlie’s Wine and Spirits, 507 West 19th Street (Renewal)
   B. Kum and Go No. 251, 1005 Gordon Drive (Renewal)
   C. Yesway No. 1104, 2501 Floyd Boulevard (New)
   D. Yesway No. 1105, 1203 Tri-View Avenue (New)

RECOMMENDATION:
Staff respectfully requests and recommends approval of the above Beer and Liquor Licenses.
DISCUSSION:
Fire Code Inspections were completed; Building, Electrical, Mechanical and Plumbing Inspections were performed; and Zoning Code has been verified for the above applicants, no violations were found unless otherwise noted.

All Outdoor Events are approved pending final inspections once the event is set up.

Property tax records were verified and taxes are paid to date; the business utility accounts are also current for all applicants unless otherwise noted.

Police Records for the establishments were reviewed and the Police Department recommends approval for all applicants unless otherwise noted.

FINANCIAL IMPACT:
The % of the local authority share of liquor license fees gathered by the State of Iowa Alcoholic Beverages Division varies from license to license; the City collected $111,316.90 in FY2016.

RELATIONSHIP TO STRATEGIC PLAN:
Health and Safety Vision - We will enhance public health and safety by maximizing the utilization of technology, improved community engagement, and improved communications and facilities.

ALTERNATIVES:
Council may, at their discretion, vote for approval or deny in opposition of the City departments’ recommendations.

ATTACHMENTS:
None
A meeting of the Events Facilities Advisory Board was held at 1:00 p.m., at the Sioux City Convention Center, 801 4th Street, Sioux City, IA 51101.

<table>
<thead>
<tr>
<th>BOARD PRESENT</th>
<th>STAFF PRESENT</th>
<th>OTHERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irving Jensen Jr.</td>
<td>Erika Newton</td>
<td>Pete Groetken, Council Member</td>
</tr>
<tr>
<td>Tom Padgett</td>
<td>Leon Koeppel</td>
<td>Rhonda Capron, Council Member</td>
</tr>
<tr>
<td>Zena Berenstein</td>
<td>Glenn Walinski</td>
<td>Mark Wisniewski, Centerplate</td>
</tr>
<tr>
<td>Dave Madsen</td>
<td>Angela Bergendahl</td>
<td>Brent Stockton, Centerplate</td>
</tr>
<tr>
<td>John Meyers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tim Seaman</td>
<td>BOARD ABSENT</td>
<td>Bret Hayworth, SC Journal</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bruce Miller</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Todd Moyer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Earl Miller</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Eric Hoak</td>
</tr>
</tbody>
</table>

CALL OF THE ROLL – Meeting was called to order by President Tim Seaman.

1. Minutes of July 28, 2017 were approved as written.

2. Committee Reports:

   **FACILITIES**
   
   Tim Seaman reported that you can see these committee notes in your packet.

   **MARKETING**
   
   Dave Madsen reported that you can see these committee notes in your packet.

   **FINANCE**
   
   Leon Koeppel & John Meyers reported we are close to how we did last year, after adjusting for insurance & additional payroll. The Convention Center is about $24,000 better than last year.

   **EXECUTIVE**
   
   A motion was made by Irving Jensen to continue with existing officers for another month. Seconded by Tim Seaman. Motion carried all voting aye.

   The Board discussed the size of the 11-member EFABoard.

   Respectfully submitted:
   
   Angela Bergendahl

Tim Seaman, EFABoard President

Angela Bergendahl, Administrative Secretary
MINUTES
Woodbury County Information and Communication Commission
Board of Supervisors Room Sioux City, Iowa

A meeting of the WCICC Commission was held on August 9th, 2017 at 8:05 a.m., the following Commission members were present: Matthew Ung, Pete Groetken, Dan Moore and Jeff Sypersma. Absent: Marty Pottebaum.

I. Meeting Called to Order
Jeff Sypersma called the meeting to order at 8:08 a.m. The minutes from July 19th, 2017 were approved. 4/0 Carried.

II. Communications Center
Monthly Budget Report (Agenda item II. A.)
Informational

Open Items (Agenda item II. B.)
Glenn Sedivy shared updates on CALEA reaccreditation, Staffing and the Fire Station Alerting System.

III. Information Systems
Department Update (Agenda item III. A.)
John Malloy shared updates on the following projects: City PC Replacement, Office 365, County Tax Statement Generation, City Website Support, Nature Center Troubleshooting, Skype Education and Integration, Technical Closet UPS Installs, Utility Billing Dual Rates and OneDrive and OneNote Investigation.

Open Items (Agenda item III. B.)
John Malloy led a discussion on changing the start time of the WCICC Commission meeting. A time change was not made and may be discussed at a later date.

The regular meeting adjourned at 8:35 a.m., with the next meeting scheduled for September 13th, 2017 at 8:05 a.m., in the Board of Supervisors Room in the Woodbury County Courthouse, Seventh and Douglas Streets, Sioux City, Iowa.


RECOMMENDATION:
Staff respectfully requests City Council approve the requested alley vacation, rezoning, and easement to clear title, subject to the following findings.

Planning and Zoning Commission:
Agenda Item 2017-0081: Requested vacation of the east/west alley adjacent to 1314 West 3rd Street. (Petitioner: 1314 West 3rd Street LLC)

Chris Madsen mentioned we will be discussing the next two agenda items together as it is the same project, however it will require two separate votes. The petitioner currently is looking to vacate a 3,600 square feet east/west alleyway and rezone the 2.4 acre lot from PI (Public and Institutional) to GR (General Residential). He mentioned staff will still need to see the proposed site plan before construction to make sure the petitioner meets parking requirements.
Jean Calligan asked if this project would be similar to the renovation of Joy School. Chris Madsen mentioned it is the same developer.

The petitioner, Jerry Ripley from JEO Consulting, representing the petitioner, spoke on the item stating he is available to answer any questions staff or the Commission has.

Judy Svendsen (1221 West 2nd Street) spoke in opposition to the item stating she has lived at her property for numerous years and is concerned about where the entrances to the apartments will be located and also is concerned about the drainage issue located on the Southeast corner of the site. Chris Madsen stated staff has not seen a site plan yet. The request is just to vacate an alleyway and rezone the property to allow the development under the proposed GR (General Residential) zoning, as currently under the PI (Public and Institutional) zoning, apartments are not allowed.

Michelle Bostinelos stated that the Commission is not sure of any site construction details at this point, but citizens are more than welcome to share their comments and staff and the petitioner’s representative will take into consideration their comments about the development.

Terry Svendsen (1318 West 2nd Street) spoke in opposition to the item stating she is concerned about the safety of the children in the neighborhood. She stated there are many kids in the neighborhood that play, ride bikes, etc. and want to be sure they are safe with this new development and added traffic to the area.

Lee Beukelman stated it would answer a lot of the citizen concerns if they were able to see the site plan before rezoning. Chris Madsen stated the site plan will only show where parking stalls will be located, along with entrances, it will not show the apartments on the interior of the building. He did state the Commission could however request that the site plan be brought back to Planning and Zoning before construction if that is something the Commission is interested in seeing.

The petitioner’s representative, Jerry Ripley, spoke again stating right now the plan is to construct two single bedroom units, nine two bedroom units, six three bedroom units and three four bed units, requiring 48 parking stalls.

Krage (Calligan) moved to recommend to the City Council approval of the vacation. Motion Carried. 5-0-0 (Yes: Krage, Silverberg, Beukelman, Bostinelos, Calligan/ No:0/ Abstain:0) Electronic Vote

**Agenda Item 2017-0082:** Requested rezoning of the property located at 1314 West 3rd Street from PI (Public and Institutional) to GR (General Residential)

Michelle Bostinelos mentioned that we will incorporate the discussion and staff report from Agenda Item 2017-0081 to this item as well.

Jean Calligan mentioned she doesn’t see a lot of other uses for old school buildings other than converting into usable housing.

Jennifer Svendsen (1318 West 2nd) spoke in opposition to the item stating their will be more violence, crime rate spikes and neighborhood issues if this development happens.
Jean Calligan asked how many old schools have been converted into apartments recently. Chris Madsen responded stating there have been 4 recent developments including: the old Whittier School, Joy School, Leeds and Central Annex.

Beukelman (Silverberg) moved to recommend to the City Council approval of the item with the conditions that the site plan be brought back to the Planning and Zoning Commission for review. Motion Carried 5-0-0 (Yes: Silverberg, Bostinelos, Beukelman, Calligan, Krage/ No:0/ Abstain:0)

Findings of Fact:
1) The petitioner is proposing converting the former Everett School into a 20 unit apartment building.
2) The east/west alley does not provide access to any abutting properties.
3) The rezoning would allow for apartments and single family units.
4) The applicant’s proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:
1) None.

DISCUSSION:
See Analysis

FINANCIAL IMPACT:
N/A

RELATIONSHIP TO STRATEGIC PLAN:
Focus Area: Expand Development Opportunities and Grow Sioux City.
#3 Grow a vibrant and balanced economy.

ALTERNATIVES:
None.

ATTACHMENTS:
Attachment A: Ordinance – Alley Vacation
Attachment B: Ordinance – Rezoning
Attachment C: Ordinance – Encroachment Vacation
Attachment D: Resolution – Granting Easement
Attachment E: General Area Map - Vacation
Attachment F: General Are Map – Rezoning
Attachment G: General Area Map – Encroachment
Attachment H: Notification Map
Attachment I: Photos / Aerial Views
Attachment J: Application

BACKGROUND REPORT:
The City has received a request from 1314 W 3rd LLC, petitioner, to vacate an approximately 3,601 square foot tract of land and rezoning approximately 2.4 acres located at 1314 West 3rd Street. The proposal will allow for the conversion of the former Everett School building into apartments. A general area map is enclosed for your review.
ANALYSIS:
As stated, the petitioner is requesting to vacate the east portion of the east/west alley and rezone the former Everett School building at 1314 West 3rd Street. The petitioner intends to convert the building into 20 apartment units. There are currently 19 parking stalls on the site, and depending on the number of bedrooms per unit, the reuse would require 30 to 50 parking stalls. There is room on the property to expand parking, and Staff will need to review prior to any building permits being issued.

The westerly portion of the east/west alley was vacated in 1990 and sold to the Sioux City Community School District. The east portion currently does not provide any access to the subject property or surrounding property, and includes a portion of the playground on the site.

The property is currently zoned Public and Institutional (PI), which does not allow for apartment uses. The rezoning to GR would allow for the reuse of the Everett School building as apartments. The petitioner has stated they may be interested in additional development on the southerly portion of the property, and the GR zoning would allow for single family attached or detached units.

The petitioner is also requesting an easement to clear title on a portion of the Everett School building. The westerly portion of the building encroaches into Rebecca Street by approximately six (6) feet.

EXISTING ZONING AND LAND USE:
PI; Former Everett School

EXISTING ZONING REQUIREMENTS:
The PI district is meant for public, semi-public, and institutional land uses that are unique in nature and scale and thus, most appropriate in their own district and subject to their own standards.

PROPOSED ZONING REQUIREMENTS:
The GR district developed as the Standard type is meant for standard-sized lots for single family detached dwellings with a moderate amount of common space to maintain the intended character of the district and to provide for recreational amenities, buffering of adjacent development, and resource protection.

SURROUNDING ZONING AND LAND USE:
North: NC.4; Single Family Residential
South: NC.4; Single Family Residential
East: NC.4; Single Family Residential
West: NC.4; Single Family Residential

DEPARTMENT COMMENTS
No comments.

COMPREHENSIVE PLAN:
The 2005 Comprehensive Plan indicates this area as "Urban Residential". "Urban Residential" is defined as older areas of higher density where infill and redevelopment are in forms and densities similar to existing urban development types and densities within these areas. This category may include a mixture of housing styles and types including single family, townhomes, duplexes, and apartment houses.
URBAN RENEWAL / URBAN REVITALIZATION / TIF:
The subject property is not located in an urban renewal or TIF district.

SUBAREA / CORRIDOR PLAN:
The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:
The subject property is not located in a flood plain.

CITIZEN RESPONSE:
Seventy one (71) notices were sent within the required timeframe. One phone call was received with general questions about the request.
ORDINANCE NO. 2017 - __________

ORDINANCE VACATING THE EAST/WEST ALLEY ADJACENT TO 1314 W. 3RD STREET.

WHEREAS, the City of Sioux City, Iowa, owns and has heretofore dedicated the following described public right-of-way within the City of Sioux City, Woodbury County, Iowa, legally described as follows:

All that part of the east/west alley in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa, except the vacated east/west alley lying west of a point 16’ east of the west line of Lots 5 and 10 as described in Deed Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County State of Iowa.

Said parcel contains approximately 3,584 square feet; and

WHEREAS, the Sioux City Planning and Zoning Commission has conducted a hearing on the proposed vacation and submitted a recommendation to the City Council relative thereto; and

WHEREAS, the City Council has conducted a public hearing on the proposed vacation of the above described property; and

WHEREAS, the City Council finds that said property is no longer necessary for public use and of no benefit to the public and there is no reason to believe that the same will be necessary for use by the public in the future and that vacation thereof will be for the public good.

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

Section 1: That the above described public right-of-way located within the City of Sioux City, Woodbury County, Iowa, be, and the same is hereby vacated.

Section 2: That any and all other ordinances of the City of Sioux City, Woodbury County, Iowa, in conflict herewith, be, and the same are to the extent of such conflict hereby repealed.
Section 3: That this Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: October 2, 2017

__________________________
Robert E. Scott, Mayor

ATTEST: ________________________
Lisa L. McCardle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-______ adopted by the City Council of Sioux City on ________________, 2017. Signed this ______ day of ________________, 2017.

__________________________
Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on October 7, 2017

__________________________
Lisa L. McCardle, City Clerk
ORDINANCE VACATING THE EAST/WEST ALLEY ADJACENT TO 1314 W. 3RD STREET.

This is a summary of Ordinance Number 2017-________ passed by the Sioux City City Council on ________________, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance vacates the following described public right of way within the City of Sioux City, Woodbury County, Iowa:

All that part of the east/west alley in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa, except the vacated east/west alley lying west of a point 16' east of the west line of Lots 5 and 10 as described in Deed Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County State of Iowa.

Said parcel contains approximately 3,584 square feet

/s/ Lisa L. McCardle, City Clerk

NOTICE OF HEARING ON PROPOSAL TO VACATE PUBLIC RIGHT-OF-WAY OWNED BY CITY OF SIOUX CITY

NOTICE is hereby given that there is now on file in the office of the City Clerk located at the
Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, an Ordi-
nance under and by virtue of which it is proposed to vacate the following described real estate in
Sioux City, Iowa:

All that part of the east/west alley in Block 13, Sioux City Davis Addition, Sioux
City, Woodbury County, State of Iowa, except the vacated east/west alley lying
west of a point 16’ east of the west line of Lots 5 and 10 as described in Deed
Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City,
Woodbury County State of Iowa.

Said parcel contains approximately 3,584 square feet.

(East/west alley adjacent to 1314 W. 3rd Street) (2017-0081)

That said Ordinance and proposal to vacate said real estate will come on for final hearing and
action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street,
Sioux City, Iowa, on September 25, 2017, at the council meeting commencing at 4:00 P.M., Lo-
cal Time, or as soon thereafter as the matter may be considered. At said hearing interested
persons may appear and be heard for or against said proposed vacation.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal September 18, 2017
ATTACHMENT B

ORDINANCE NO. 2017 - ____________

ORDINANCE REZONING 1314 W. 3RD STREET FROM ZONE CLASSIFICATION PI (PUBLIC AND INSTITUTIONAL) TO ZONE CLASSIFICATION GR (GENERAL RESIDENTIAL, 12,000 SQUARE FEET PER UNIT MINIMUM)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: That the City Council has conducted a public hearing on this proposed rezoning.

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1325 of said Ordinance No. 2015-0215 as amended:

25.02.030.1325: The following described real property shall be changed FROM Zone Classification PI (Public and Institutional) TO Zone Classification GR (General Residential, 12,000 square feet per unit minimum):

All of Lots 1 through 7, all of Lots 10 through 14, and the north half of Lots 8 and 9, together with that part of the vacated east/west alley lying west of a point 16' east of the west line of Lots 5 and 10 as described in Deed Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa and extending to the center line of abutting right-of-way.

Section 3: That the boundaries of zones as shown on the official zoning map on file in the Planning Division office of the City of Sioux City, Iowa, is hereby modified and corrected in accordance herewith, and said map and all information shown thereon shall be as much a part of this Ordinance as though all the matters and information set forth in said map were here fully set forth herein.

Section 4: That all Ordinances, or part of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.
Section 5: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: October 2, 2017

________________________
Robert E. Scott, Mayor

ATTEST: _______________________
Lisa L. McCadle, City Clerk

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-______ adopted by the City Council of Sioux City on ________________, 2017. Signed this _____ day of _________________, 2017.

________________________
Lisa L. McCadle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on October 7, 2017

________________________
Lisa L. McCadle, City Clerk
This is a summary of Ordinance Number 2017-________ passed by the Sioux City City Council on ______________, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance rezones the following described property within the City of Sioux City, Woodbury County, Iowa, from Zone Classification PI (Public and Institutional) to Zone Classification GR (General Residential, 12,000 square feet per unit minimum):

All of Lots 1 through 7, all of Lots 10 through 14, and the north half of Lots 8 and 9, together with that part of the vacated east/west alley lying west of a point 16' east of the west line of Lots 5 and 10 as described in Deed Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal ____________________, 2017.
NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered on September 25, 2017, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1325: The following described real property shall be changed FROM Zone Classification PI (Public and Institutional) TO Zone Classification GR (General Residential, 12,000 square feet per unit minimum):

   All of Lots 1 through 7, all of Lots 10 through 14, and the north half of Lots 8 and 9, together with that part of the vacated east/west alley lying west of a point 16’ east of the west line of Lots 5 and 10 as described in Deed Book 232, Page 127, all in Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa and extending to the center line of abutting right-of-way.

(1314 W. 3rd Street) (2017-0082)

At said hearing parties in interest and citizens will have an opportunity to be heard in relation to said proposed amendment and change.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal September 18, 2017.
ORDINANCE NO. 2017 - __________

ORDINANCE VACATING A PORTION OF REBECCA STREET ADJACENT TO 1314 WEST 3RD STREET

WHEREAS, the City of Sioux City, Iowa, owns and has heretofore dedicated the following described public right-of-way within the City of Sioux City, Woodbury County, Iowa, legally described as follows:

That part of the east 6' of Rebecca Street abutting the north 95' of Lot 7, Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa.

Said parcel contains approximately 570 square feet; and

WHEREAS, the Planning Division of the Community Development Department has reviewed the proposed vacation and submitted its recommendation to the City Council relative thereto; and

WHEREAS, pursuant to public notice published as required by law a public hearing on this ordinance was commenced on September 25, 2017; and

WHEREAS, the City Council finds that said property is no longer necessary for public use and there is no reason to believe that the same will be necessary for such use in the future and that vacation thereof will be for the public good.

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

Section 1: That the above described public right-of-way located within the City of Sioux City, Woodbury County, Iowa, be, and the same is hereby vacated.

Section 2: That any and all other ordinance of the City of Sioux City, Woodbury County, Iowa, in conflict herewith, be, and the same are to the extent of such conflict hereby repealed.
Section 3: That this Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: October 2, 2017

ATTEST:

Lisa L. McCardle, City Clerk

Robert E. Scott, Mayor

Office of the City Clerk, City of Sioux City, Iowa: State of Iowa, Woodbury County, ss:

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2017-______ adopted by the City Council of Sioux City on ________________, 2017. Signed this ______ day of _________________, 2017.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on October 7, 2017

Lisa L. McCardle, City Clerk
ORDINANCE VACATING A PORTION OF REBECCA STREET ADJACENT TO 1314 WEST 3RD STREET.

This is a summary of Ordinance Number 2017-________ passed by the Sioux City City Council on ___________________, 2017 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance vacates the following described public right of way within the City of Sioux City, Woodbury County, Iowa:

That part of the east 6' of Rebecca Street abutting the north 95' of Lot 7, Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa.

Said parcel contains approximately 570 square feet

/s/ Lisa L. McCardle, City Clerk

NOTICE OF HEARING ON PROPOSAL TO VACATE PUBLIC
RIGHT-OF-WAY OWNED BY CITY OF SIOUX CITY

NOTICE is hereby given that there is now on file in the office of the City Clerk located at the
Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, an Ordi-
nance under and by virtue of which it is proposed to vacate the following described real estate in
Sioux City, Iowa:

That part of the east 6’ of Rebecca Street abutting the north 95’ of Lot 7, Block
13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa.

Said parcel contains approximately 570 square feet

(A portion of Rebecca Street adjacent to 1314 West 3rd Street) (2017-0083)

That said Ordinance and proposal to vacate said real estate will come on for final hearing and
action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street,
Sioux City, Iowa, on September 25, 2017, at the council meeting commencing at 4:00 P.M., Lo-
cal Time, or as soon thereafter as the matter may be considered. At said hearing interested per-
sons may appear and be heard for or against said proposed vacation.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal September 18, 2018.
ATTACHMENT D

RESOLUTION NO. 2017 - ____________
with attachment

RESOLUTION PROPOSING TO GRANT A TEMPORARY EASEMENT (VACATED PORTION OF REBECCA STREET ADJACENT TO 1314 WEST 3RD STREET) (PETITIONER: 1314 W 3RD LLC) (PURCHASE PRICE: $15.00 PLUS COSTS).

WHEREAS, the City of Sioux City, Iowa, is the owner of the following described real property:

That part of the vacated east 6' of Rebecca Street abutting the north 95' of Lot 7, Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa. Said parcel contains approximately 570 square feet; and

WHEREAS, said property was vacated pursuant to Ordinance No. 2017-_______ passed and approved October 2, 2017; and

WHEREAS, the City Council believes that the above described real property has no present use or anticipated future use by the City of Sioux City, Iowa; and

WHEREAS, the City Council desires to grant a temporary easement for encroachment purposes in the above described real property pursuant to the terms and conditions set forth in the "Grant of Temporary Easement" attached hereto and by this reference made a part hereof; and

WHEREAS, a public hearing on this proposed grant should be held and notice of the time, place, and date thereof be given by the City Clerk as by law provided.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the real property described in the preamble hereof has no present use or anticipated future use by the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that the City of Sioux City, Iowa, grant a temporary easement in the real property described in the preamble hereof pursuant to the terms and conditions set forth in the "Grant of Temporary Easement" attached hereto.

BE IT FURTHER RESOLVED that the City Council conduct a public hearing on this proposal on October 16, 2017 at 4:00 P.M., Local Time, in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, and the City Clerk give notice of said hearing in the manner prescribed by law.

PASSED AND APPROVED: __October 2, 2017 ____________________

Robert E. Scott, Mayor

ATTEST: _______________________

Lisa L. McCardle, City Clerk
NOTICE is hereby given that there is now on file in the office of the City Clerk located at the Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, a resolution, under and by virtue of which it is proposed to grant an easement in the following described real estate for the life of the structure for encroachment purposes in Sioux City, Woodbury County, Iowa:

That part of the vacated east 6' of Rebecca Street abutting the north 95' of Lot 7, Block 13, Sioux City Davis Addition, Sioux City, Woodbury County, State of Iowa.
Said parcel contains approximately 570 square feet
(Vacated portion of Rebecca Street adjacent to 1314 West 3rd Street)

Said proposal to grant an easement in said real estate will come on for final hearing and action before the City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on October 16, 2017, at the council meeting commencing at 4:00 P.M., Local Time. At said hearing interested persons may appear and be heard for or against said proposal.

CITY OF SIOUX CITY, IOWA

BY: Lisa L. McCardle
City Clerk

Published in the Sioux City Journal October 7, 2017.
PROPOSED
GRANT OF TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, in Woodbury County, Iowa, by its Mayor duly authorized as hereinafter set forth, does hereby grant unto 1314 W 3rd LLC their assigns and successors in interest, in consideration of one dollar and other valuable consideration, the right to use, enjoy and occupy the following described real estate situated in Sioux City, Woodbury County, Iowa, to-wit:

"Legal Description of Subject Property."

subject to the following conditions limiting this Grant of Easement:

1. The City of Sioux City, Iowa, shall have the right of placing any and all improvements and/or utilities for public purpose over, under and upon the property hereinbefore described without the consent of grantee(s) or their assigns or successors, and without obligation to said grantee(s).

2. This temporary easement is given and granted for encroachment purposes for that portion of a building which currently encroaches onto City-owned property as further described in the above legal description (herein structure). This temporary easement is granted only for the period of time as the structure placed on the property described above shall be and remain in its present form. In the event of the removal, destruction or reconstruction of said structure not attributable general maintenance of said structure, this easement shall terminate and be of no further force and effect.

3. The temporary easement is granted only for such period of time as the above described real property is not needed by the City of Sioux City, Iowa, for public right-of-way. As a further condition of the grant of this easement, the grantee(s) agree that in the event the above described real property is ever needed by the City of Sioux City, Iowa, for public right-of-way, the structure placed on the above described real property will be removed, upon the request of the City of Sioux City, Iowa at the expense of the grantee(s), their assigns and successors in interest.

4. This temporary easement is granted upon the condition that the grantee shall file in a timely manner on behalf of the City, as grantor, the verified claim required under Section 614.24 of the Code of Iowa so as to preserve the reversionary interests of the City. Such verified claim is to be submitted sixty days prior to the expiration of each twenty-one year term (as described in said Section 614.24) to the City for approval as to form and content. The failure of the grantee to file said verified claim in a timely manner before the expiration of each twenty-one (21) year term shall serve as an automatic termination of this temporary easement.

5. Grantee(s) further agree that as a condition and consideration of granting the easement herein, grantee(s) will indemnify and save harmless the City of Sioux City, Iowa, its officers, employees, elected officials and agents from and against all loss or expense, including court costs and attorney's fees by reason of liability imposed by law upon the City of Sioux City, Iowa, its officers, employees, elected officials or agents for damages because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damage to property, both real and chattel, including the loss of use thereof, arising out of or in consequence of the use of the property for which the temporary easement is granted. This provision shall apply to any claim against the City of Sioux City, Iowa, for damages of whatever kind or description arising out of or in consequence of the granting of this temporary easement by the said City to the grantee(s), their heirs, successors and assigns.

6. That title to said above described real estate shall at all times remain in the City of Sioux City, Iowa.

This Grant of Easement is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provision of Resolution No. 2017-_______, duly passed and approved on the 16th day of October, 2017, and subject to the terms and conditions thereof.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused this instrument to be executed by the Mayor and the City of Sioux City, Iowa, with the seal of said City duly affixed and attested by the City Clerk and whose signatures are hereto affixed on the 16th day of October, 2017.
CITY OF SIOUX CITY, IOWA

By: ____________________________

“COPY”

______________________________
MAYOR

ATTEST: _______________________

______________________________
CITY CLERK
GENERAL AREA MAP – ENCROACHMENT
August 22, 2017

Chris Madsen, AICP, CFM
Senior Planner
City of Sioux City
405 6th Street
Sioux City, IA 51102

RE: Rezone/Vacation/Easement – 1314 W 3rd Street, Sioux City, Iowa
    Everett School Site
    JEO Project No. 171303.00

Dear Mr. Madsen:

Please accept the enclosed applications and associated materials specific to the request to rezone, vacate part of an alley, and to seek an easement for an existing encroachment on the above noted property. The information as provided is based on what has been discussed at your office and has been revised based on your comments of the draft application documents. Should you require additional information, do not hesitate to contact me and we will do our best to get you the requested information in a timely manner.

It is our understanding that the rezoning request, vacation request, and easement can all be reviewed and approved simultaneously and will be on the agenda for the September 12, 2017 Planning & Zoning Commission Meeting, and on the September 25, 2017 meeting of the City Council for approval. If the schedule will differ from the stated dates, please advise us at your earliest opportunity.

Enclosed with this cover letter you will find the following:

- Applicant Profile Form and Application for a Zone Change
  - Rezoning application fee of $350, check no. 3825, is enclosed
  - Copy of the plat of survey showing requested zoning area, in green

- Applicant Profile Form and Application for Vacation and Easement
  - Vacation application fee of $275, check no. 3823, is enclosed
  - Encroachment Easement application fee of $300, check no. 3824, is enclosed
  - Copy of the plat of survey showing alleyway and encroachment area

If you have any questions about the enclosed information, please feel free to contact us.

Sincerely,

[Signature]

Jerry C. Ripley, PLS
Project Coordinator

Enclosures
CITY OF SIOUX CITY

Applicant Profile Form
(Complete along with the appropriate application forms. Not required with the Design Review Committee Request Form)

Before completing, read the entire Applicant Profile Form and related application. A pre-application conference is required for all applications for cluster, mixed housing, and planned neighborhoods; traditional neighborhood development, as well as applications for development in the Airport Protection (AP), Casino Entertainment (CE), Historic Area (HA), and Public Institutional (PI) zoning districts. However, pre-application conferences may be requested for any development type.

PETITIONER/APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>1314 W 3rd LLC</th>
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<tbody>
<tr>
<td>Street Address</td>
<td>509 Walker</td>
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<tr>
<td>City</td>
<td>Woodbine</td>
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<tr>
<td>State</td>
<td>Iowa</td>
</tr>
<tr>
<td>ZIP</td>
<td>51379</td>
</tr>
<tr>
<td>Phone</td>
<td>712.647.3355</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:dswinch@arch-lcom.com">dswinch@arch-lcom.com</a></td>
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Petitioner's interest in the property:
- Owner
- Contractor
- Architect
- Engineer
- Other: Developer/Contractor

PROPERTY OWNER (IF DIFFERENT)

<table>
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<th>Name</th>
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LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Request to vacate the east 234.00 feet of the alley within Block 13, Sioux City Davis Addition, Woodbury County, Iowa adjacent to County Road 221. Also designates an easement related to a building encroachment for the following described area: The East 5.5 feet of Rebecca Street, lying West of and adjacent to Lot 7 of Block Thirteen (13), Sioux City Davis Addition, Woodbury County, Iowa.

PLANNING AND ZONING DIVISION REQUESTS

Approvals are issued by the City after compliance with the requirements of the Zoning and Sign Code is determined. A determination is made by the Planning and Zoning Commission, Board of Adjustment, Administrator, or City Council upon recommendation of City staff, Board, or Commissions. A full list of permits and approval procedures are listed in Subchapter 25.06-8 Permits and Procedures of the Code.

<table>
<thead>
<tr>
<th>Request Type</th>
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<tbody>
<tr>
<td>Vacate</td>
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<td>Site Plan Development Concept Plan</td>
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<tr>
<td>Conditional/Use Permit</td>
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<td>Certificate of Appropriateness</td>
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<td>Sign Permit</td>
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<td>Minor Changes to Site/Concept Plan</td>
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<td>Temporary Use Permit</td>
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<td>Designation of Historic Site/Landmark</td>
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<td>Zoning Compliance Certificate</td>
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<td>Sign Design Program</td>
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<td>Interchange Development</td>
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<td>Site Amendment</td>
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<tr>
<td>Interpretation</td>
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<tr>
<td>Preliminary/Final Plat</td>
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</tbody>
</table>

SIGNATURE

Property Owner's Signature: [Signature]
Application Date: 8/22/17

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx. See Subsection 25.06-879 for the complete review procedures.

For Office Use Only: [Space for file number and staff reviewer]
CITY OF SIOUX CITY
Application for a Vacation or Easement of Public Ground
(Complete along with the Applicant Profile Form)

SUBJECT PROPERTY INFORMATION
Owner: 1314 W 3rd LLC
Street Address: 1314 West 3rd Street
Zoning District: (GC) - General Commercial
Lot Area: 
Existing Use: Vacant - Former School Campus

REQUEST
Requested Approval:
☐ Vacation of public ground ($275 filing fee)
☐ Easement of public ground ($275 filing fee)
☐ Easement cleaning title ($300 filing fee)
Existing Use:
☐ Public street
☐ Public alley
☐ Other public ground

WRITTEN STATEMENT OF REQUEST
Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public.

The vacation request would vacate the remainder of the alleyway thru Block Thirteen (13) of Sioux City Davis Addition, as the alleyway does not currently provide a through-way between Rebecca Street and Isabel Street, and has been utilized in the past as an enclosed school campus playground area.

This easement request formally addresses existing building encroachments in seeking to obtain an easement to allow existing occupations to be accounted for and granted by the City on behalf of the public interest. This easement request seeks to obtain the minimal amount of relief with the hope of preserving the integrity of the existing building through the granting of such easement, thus allowing the existing structure, and subsequent to remain. The areas of encroachment have been in this form for a substantial number of years, so the public did not have recent use of the space. The encroachment area should not affect the public use of the balance of the Rebecca Street right-of-way, as the encroachment does not appear to effect the use of the streets, sidewalks, or existing utilities.

INFORMATION CHECKLIST
☐ □ N/A

☐ A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.

☐ A complete set of surveys that describe the property, unless an abutting property owner requests to purchase the half abutting their property, you may include the contact information of the purchaser if requesting vacation.

☐ A parcel area map showing the subject area and request.
☐ Completed Applicant Profile Form

☐ Filing fee of $275 for vacations and easements, $300 for an easement cleaning title.

SIGNATURE
Owner/Agent's Signature: [Signature]
Application Date: 8/22/17

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or can be found online at http://online.encycloiada.com/regs/siouxcity-ia/index.aspx
CITY OF SIOUX CITY
Application for a Zone Change (Includes Restricted Use Overlay Districts)
(Complete along with the Applicant Profile Form)

SUBJECT PROPERTY INFORMATION
Owner: 1234 W 3rd LLC
Street Address: 1234 W 3rd Street
Current Zoning District: PI - Public Institutional
Proposed Zoning District: GR - General Residential
Existing Use: Vacated Public School Facility
Proposed Use: Apartment Units

WRITTEN STATEMENT OF REQUEST
Describe the need and justification for the proposed zone change, including the conformity of the proposal with the Comprehensive Plan. (Refer to Subsection 25.06.200.13 Zone Change (Map Amendment, Including Restricted Use Planned Developments) of the Sioux City Zoning and Sign Code.)
The need for the proposed zone change is that the current zoning classification (PI - Public Institutional) and original use of the building as a public school facility are no longer applicable and useful in its current condition. Therefore, the request is to seek a zone change to General Residential, which would allow for a more appropriate use for the building and surrounding grounds. It is the owner's intent to convert the Everett School building into 23 multi-family dwelling units, including one-bedroom, two-bedroom, three-bedroom and four-bedroom apartment units, and such use is appropriate per Municipal Code Section 25.02.110.02 Land Uses.

This proposed zone change would fit with the Urban Development Area where infill and redevelopment are appropriate. The area also falls in or near an area designated as a Stabilization Area, where the proposed use would reduce further deterioration of the building and grounds, stabilize the area by making a vacant building available for much needed housing, enhance the attractiveness of the area, utilize a development opportunity, and promote quality maintenance and redevelopment.

INFORMATION CHECKLIST
☐ 1 N/A A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.
☐ 2 A general area map or site plan showing the area requested to be rezoned.
☐ 3 Completed Applicant Profile Form.
☐ 4 A filing fee of $350.
☐ 1 N/A A zone change to a Historic Area District requires an application for a Local Historic District or Landmark for review by the Historic Preservation Commission and State Historic Preservation Office prior to approving the request.
Other information as requested by the Administrator prior to submittal of the application, including whether a Restricted Use Overlay District is required. (Subsection 25.06.200.13 Restricted Use Overlay Districts)

SIGNATURE
Owner/Property's Signature: 
Application Date: 8/23/17

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at http://online.encodedal.com/reps/ sioux-city-ia/index.aspx

For Office Use Only:
Filing Number: 
Staff Reviewer:
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017
ACTION ITEM #: 17

FROM: Jeff Hanson, Community Development Operations Manager (SW)

Subject: Hearing and resolution accepting the proposal of P. Paul Gorski and Sandra M. Gorski for the purchase of certain land in the Donner Park Urban Renewal Area and authorizing sale of said property. (5100 Sunnybrook Drive)

Reviewed By: x Department Director  x Finance Department  x City Attorney  x City Manager

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the city owned property at 5100 Sunnybrook Drive to P. Paul Gorski and Sandra M. Gorski. The city acquired this property July 7, 1960 from the Estate of Clarence J. Buckwalter for the purpose of building a lift station. However, the lift station was never built. The Gorskis who live next door to this parcel, would like to add this property to the property that they own. This property is located in the Donner Park Urban Renewal Area.

The resolution on Monday’s agenda authorizes the issuance of a city deed to P. Paul Gorski and Sandra M. Gorski.

FINANCIAL IMPACT:
The amount of $1,075.25 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility - Infrastructure
Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:
Do not approve the resolution

ATTACHMENTS:
Proposed Resolution
Aerial
RESOLUTION NO. 2017 - __________
with attachments

RESOLUTION ACCEPTING THE PROPOSAL OF P. PAUL GORSKI AND SANDRA M. GORSKI FOR THE PURCHASE OF CERTAIN LAND IN THE DONNER PARK URBAN RENEWAL AREA AND AUTHORIZING SALE OF SAID PROPERTY. (5100 SUNNYBROOK DRIVE)

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, the City of Sioux City, Iowa, has undertaken a program of redevelopment of blighted areas and economic development in the City, and in this connection has instituted the Donner Park Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa authorizes the City to invite proposals from all interested parties for the purchase of land in an urban renewal area by publishing public notice of its intent to receive and accept any such proposal; and

WHEREAS, P. Paul Gorski and Sandra M. Gorski have submitted a proposal to the City for the purchase of the following described property in the Donner Park Urban Renewal Area:

A parcel of land in the SW ¼ of the NE ¼ of Sec. 8-88-47, more particularly described as follows: Commencing at the northeast corner of the southwest quarter of the northeast quarter of said section 8, thence south along the east line of the southwest quarter of the northwest quarter of said section 8 for a distance of 93 feet to the point of beginning; thence with an angle to the right of 88° 20' for a distance of 75 feet; thence with an angle to the left of 88° 20' for a distance of 40.2 feet; thence with and angle to the left of 65° 11' 30" for a distance of 82.6 feet to the east line of the southwest quarter of the northeast quarter of said section 8; thence with an angle to the left of 114° 48' 30" along the east line of the southwest quarter of the northeast quarter of said section 8 to the point of beginning; containing 4,301 square feet, more or less; and

WHEREAS, pursuant to Resolution No. 2017-0822 passed and approved by the City Council on August 28, 2017, the City indicated its intent to accept said proposal of P. Paul Gorski and Sandra M. Gorski, established a date and time for the submission of proposals by other interested parties, established a date and time for a hearing accepting such proposals, and authorized the publication of notice of such invitation, intent and hearing; and

WHEREAS, a hearing was held on the proposals so submitted and the City Council being fully advised in the premises is of the opinion and belief that it would be in the best interests of the City to accept the proposal of P. Paul Gorski and Sandra M. Gorski for the purchase of said property and that accepting such proposal is in the public interests; and

WHEREAS, a city deed has been prepared for the purchase of said property pursuant to the terms of said proposal and should be approved as to form and content.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the city deed attached hereto providing for the sale of said property to P. Paul Gorski and Sandra M. Gorski is hereby approved as to form and content and the Mayor and City Clerk be and they are hereby authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.
BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to P. Paul Gorski and Sandra M. Gorski.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of ONE THOUSAND SEVENTY-FIVE DOLLARS AND TWENTY-FIVE CENTS ($1,075.25) in hand paid by P. Paul Gorski and Sandra M. Gorski of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said P. Paul Gorski and Sandra M. Gorski, husband and wife as joint tenants with right of survivorship and not as tenants in common, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

A parcel of land in the SW ¼ of the NE ¼ of Sec. 8-88-47, more particularly described as follows: Commencing at the northeast corner of the southwest quarter of the northeast quarter of said section 8, thence south along the east line of the southwest quarter of the northwest quarter of said section 8 for a distance of 93 feet to the point of beginning; thence with an angle to the right of 88° 20’ for a distance of 75 feet; thence with an angle to the left of 88° 20’ for a distance of 40.2 feet; thence with angle to the left of 65° 11’ 30” for a distance of 82.6 feet to the east line of the southwest quarter of the northeast quarter of said section 8; thence with an angle to the left of 114° 48’ 30” along the east line of the southwest quarter of the northeast quarter of said section 8 to the point of beginning; containing 4,301 square feet, more or less.

(Subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise in the City of Sioux City, Iowa.)

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.
IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 2nd day of October, 2017.

CITY OF SIOUX CITY, IOWA

BY: _____________________________
   Robert E. Scott, Mayor

ATTEST: _____________________________
        Lisa L. McCardle, City Clerk

STATE OF IOWA       )
                   :
WOODBURY COUNTY)      ss

On this 2nd day of October, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2017-_______ passed on the 2nd day of October, 2017, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: ______________________________
   Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017 ACTION ITEM # 18

FROM: Jeff Hanson, Community Development Operations Manager (SW)

Subject: Hearing and Resolution approving proposal to sell certain real property and authorizing a city deed (The vacated east/west alley abutting 1809 Geneva Street) (Petitioner: Hugo Prieto) (Purchase price: $696.00 plus costs).

Reviewed By: x Department Director x Finance Department x City Attorney x City Manager

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the vacated east/west alley abutting 1809 Geneva Street to Hugo Prieto. This portion of alley was vacated by Ordinance 2017-0807 dated August 21, 2017. Mr. Prieto owns the abutting property and would like to add the vacated alley to the property that he owns.

The resolution on Monday’s agenda authorizes the issuance of a city deed to Hugo Prieto.

FINANCIAL IMPACT:
The amount of $696.00 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility - Infrastructure
Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:
Do not approve the resolution

ATTACHMENTS:
Proposed Resolution
Aerial
RESOLUTION NO. 2017 - ____________
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY AND AUTHORIZING A CITY DEED (THE VACATED EAST/WEST ALLEY ABUTTING 1809 GENEVA STREET) (PETITIONER: HUGO PRIETO) (PURCHASE PRICE: $696.00 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2017-0872, passed and approved September 18, 2017:

That part of the vacated east/west alley, being all abutting Lots Three (3) and Four (4) in Block Twelve (12) of North Sioux City, in the County of Woodbury and State of Iowa, and contains approximately 2,400 square feet more or less; and

WHEREAS, a public hearing was held on said proposal on October 2, 2017, pursuant to published notice given as provided by law; and

WHEREAS, the City Council has heard all the objections to said proposal, but believes selling of the real property is in the public interest; and

WHEREAS, a city deed prepared in accordance with the previously received “Offer To Purchase” is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that all objections to the proposed sale of the real estate described in the preamble hereof, be and the same are hereby overruled.

BE IT FURTHER RESOLVED, that the above described real property be sold to Hugo Prieto in accordance with the terms and conditions set forth in Resolution No. 2017-0872, passed and approved September 18, 2017.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Hugo Prieto, be and the same is hereby approved as to form and content and the Mayor and City Clerk authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to the purchasers.

PASSED AND APPROVED: ____________
Robert E. Scott, Mayor

ATTEST: ________________
Lisa L. McCardle, City Clerk
KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of SIX HUNDRED NINETY-SIX DOLLARS AND NO CENTS ($696.00) in hand paid by Hugo Prieto of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Hugo Prieto, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

That part of the vacated east/west alley, being all abutting Lots Three (3) and Four (4) in Block Twelve (12) of North Sioux City, in the County of Woodbury and State of Iowa, and contains approximately 2,400 square feet more or less.

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 2nd day of October, 2017.

CITY OF SIoux CITY, IOWA

BY: ______________________________

Robert E. Scott, Mayor
STATE OF IOWA \n: ss
WOODBURY COUNTY)

On this 2nd day of October, 2017, before me, the undersigned, a Notary Public in and for the 
State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally 
known, and, who, being by me duly sworn, did state that they are the Mayor and City Clerk, re-
spectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the 
official seal of the City, and that the instrument was signed and sealed on behalf of the City, by 
authority of its City Council, as contained in Resolution No. 2017-_______ passed on the 2nd 
day of October, 2017, and that Robert E. Scott and Lisa L. McCardle acknowledge the execu-
tion of the instrument to be their voluntary act and deed and the voluntary act and deed of the 
City.

BY: ______________________________
    Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017

ACTION ITEM #: 19

FROM: David Carney, Public Works Director
Monette Harbeck, Parking & Meter Operations Supervisor

SUBJECT: Motion authorizing City staff to enter into negotiations with CivicSmart, Inc. of Milwaukee, Wisconsin, to formulate a contract for Parking Enforcement System Software and Hardware.

Reviewed By: x Department Director  x Finance Department  x City Attorney  x City Manager

RECOMMENDATION:
Staff respectfully requests Council authorize staff to proceed with negotiations with CivicSmart, Inc. to formulate a contract for parking enforcement system software and hardware. After the contract is finalized we will bring it back to Council for approval.

DISCUSSION:
This project will allow Parking Division staff to update the handheld ticket writing devices and integrate the ParkMobile Parking app so staff only has to carry one unit. This will also update the parking ticket software so that ticket information can be uploaded and downloaded in a more current format. The software being used now is not compatible with Windows 10.

A Request for Proposal was rereleased on June 1, 2017 with a due date of September 7, 2017. The RFP was sent to twelve vendors that provide parking hardware and software options; we received five proposals by the September 7th deadline.

We received proposals from the following vendors:

<table>
<thead>
<tr>
<th>VENDOR NAME</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>T2</td>
<td>Indianapolis, IN</td>
</tr>
<tr>
<td>Passport</td>
<td>Wilmington, DE</td>
</tr>
<tr>
<td>Municipal Citation Solutions</td>
<td>Chattanooga, TN</td>
</tr>
<tr>
<td>CivicSmart, Inc.</td>
<td>Milwaukee, WI</td>
</tr>
<tr>
<td>EDC Corporation</td>
<td>Syracuse,</td>
</tr>
</tbody>
</table>
An Evaluation Committee, comprised of Dave Carney, Ragen Cote, Amy Walker, Lisa Felts, Trudy Smith, and Monette Harbeck, reviewed the proposals and met multiple times to evaluate the proposals.

After reviewing the five submitted proposals, **CivicSmart, Inc.** was determined to be the preferred vendor to provide the parking enforcement system software and hardware.

**CivicSmart, Inc** – CivicSmart Inc. will provide single piece durable handheld units that parking enforcement staff can use in extreme weather. No anticipated changes to HTE software will be required due to configuration of tickets. The Android-based Autolissue software will be a significant upgrade to what staff currently uses and is user friendly and will require minimal training. This system will integrate with ParkMobile so staff will not need to carry a second device. CivicSmart’s proposed price was significantly lower than the other providers based on a five-year estimate of costs.

In conclusion, the Evaluation Committee feels the most qualified Request for Proposal is **CivicSmart, Inc.**

**FINANCIAL IMPACT:**
This project is budgeted in this fiscal year. Base software system, first year of technical support, training, and handhelds will total approximately $31,000.00. Optional features that include wireless communications framework, wireless citation upload, polythermal paper, and a spare battery and ParkMobile system integration will be an additional cost. Ongoing annual expenses will include monthly technical support and maintenance for wireless functionality.

**RELATIONSHIP TO STRATEGIC PLAN:**
This project is directly supported by the Grow Sioux City Pride Strategic Focus Area #7, “Expand the use of technology to engage our residents,” and the Health and Safety Municipal Responsibility, “We will enhance public health and safety by maximizing the utilization of technology, improved community engagement, and improved communications and facilities.”

**ALTERNATIVES:**
Council may choose to direct City staff to select one of the other vendors or choose not proceed with the project at this time.

**ATTACHMENTS:**
None.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017 ACTION ITEM # 20

FROM: Darrel Bullock, Code Enforcement Manager

SUBJECT: Resolution amending Resolution No. 2017-0526 relating to the Hearing on Manager’s report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90 day delay in demolition. (Address: 1925 Highland Avenue) (Property Owner: Omar Molina Maldonado)

RECOMMENDATION:
Staff respectively requests City Council approve the proposed Resolution.

DISCUSSION:
The placarded dwelling located at 1925 W. Highland Ave. was ordered demolished at the May 22, 2017 Placard Hearing. The owner has provided the required documentation and a cashier’s check in the amount of $10,000.

Staff recommends a 90 day Stay of Demolition with Bond.

FINANCIAL IMPACT:
Demolition funds will be expended on other more seriously dilapidated structures.

RELATIONSHIP TO STRATEGIC PLAN:
Improve the appearance of City neighborhoods, housing, and major corridors.

ALTERNATIVES:
Council may require staff to continue with demolition order.

ATTACHMENTS:
Resolution
RESOLUTION NO. 2017 - ____________

RESOLUTION AMENDING RESOLUTION NO. 2017-0526 RELATING TO THE HEARING ON MANAGER’S REPORT ON DEMOLITION OF AND RESOLUTION DECLARING A CERTAIN STRUCTURE TO BE DANGEROUS OR DILAPIDATED AS DEFINED BY THE MUNICIPAL CODE AND AUTHORIZING THE CITY MANAGER TO CARRY OUT SUCH ORDER TO DEMOLISH SAID STRUCTURE BY AUTHORIZING A 90 DAY DELAY IN DEMOLITION. (ADDRESS: 1925 W. HIGHLAND AVENUE) (PROPERTY OWNER: OMAR MOLINA MALDONADO)

WHEREAS, due, proper and timely notice has been given to all parties in interest concerning the following property:

    1925 W. Highland Avenue legally described as Lot 10, Block 9, Riverview Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, said notice was served as set out in the Municipal Code; and

WHEREAS, on May 22, 2017, pursuant to Resolution No. 2017-0526, said structure was declared a dangerous or dilapidated structure as defined in the Municipal Code and ordered demolished; and

WHEREAS, since May 22, 2017, owner has provided the required documentation and a cashier’s check in the amount of $10,000.00; and

WHEREAS, the City Council is advised and does believe that said Resolution No. 2017-0526 should be amended to give the owner an additional 90 days to complete the required repairs and have the placard removed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Resolution No. 2017-0526 be and the same is hereby amended to permit the owner an additional 90 days from the date of this resolution to complete the required repairs of the property at 1925 W. Highland Avenue.
BE IT FURTHER RESOLVED that the owner executes and delivers to the City an Agreement and Bond in compliance with Section 20.06.110 of the Sioux City Municipal Code. If the Owner completes the repairs and rehabilitation of the above described property in accordance with the said Agreement and Section 20.06.110, the City Manager may forego demolition of said structure. If the Owner violates the terms and provisions of the Agreement, the City Manager shall immediately proceed to demolish said structure.

PASSED AND APPROVED: __October 2, 2017__________________________

Robert E. Scott, Mayor

ATTEST: ________________________________

Lisa L. McCadle, City Clerk
AGREEMENT

This Agreement made by and between the City of Sioux City, Iowa, a municipal corporation, (herein “City”) and Omar Molina Maldonado, (herein “Owner”)

RECITALS

WHEREAS, Owner is the owner of 1925 W. Highland Avenue which has been red-tagged by the City of Sioux City, Iowa, and is more particularly described as Lot 10, Block 9, Riverview Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, on May 22, 2017, pursuant to Resolution No. 2017-0526, said structure was declared a dangerous or dilapidated structure as defined in the Municipal Code and ordered demolished; and

WHEREAS, since May 22, 2017, owner has provided the required documentation and a cashier’s check in the amount of $10,000.00; and

WHEREAS, the Owner has requested additional time to bring said structure up to city code; and

WHEREAS, the City is willing to amend said Resolution No. 2017-0526 to grant the additional time to repair and rehabilitate the structure under the following terms and conditions:

AGREEMENT

1. The Owner agrees to make all necessary repairs to the above described premises within 90 days of October 2, 2017. The repairs required are set forth on the attached document labeled Exhibit “A”.

2. The Owner, by this document, does hereby authorize and permit the City to enter onto the premises described above and demolish the structure without further notice or further hearing being granted to the Owner in the event the repairs that are required to be made as set forth on Exhibit “A” are not completed within the said 90 days or if, in the opinion of the City, substantial progress towards the completion of the repairs have not been achieved in the 90 days that have been granted herein by the City to complete repairs and rehabilitation. The Owner agrees to reimburse the City for all expenses incurred in the demolition of the above described property.

3. The Owner agrees to pay the City the sum of $25.00 for each day the repairs take beyond 90 days to compensate the City for additional administration and inspection work incurred in connection with the repair and rehabilitation of the above described property. This paragraph will only be in effect if the City determines that substantial progress has been made towards the repairs and rehabilitation of the property and that said repairs and rehabilitation can be completed within a reasonable time after the 90 days that have been granted herein. This paragraph does not prohibit the City from proceeding under paragraph 2 above in the event the City determines in its sole discretion that there has been insufficient progress made in completing the necessary repairs and rehabilitation of the above described property and that the same cannot be completed within a reasonable period of time after the expiration of the 90 days herein granted.
4. The Owner hereby agrees to file with the City a performance bond with such sureties, terms and conditions as are satisfactory to the City in the amount of $_____________ to be used by the City to reimburse the costs of demolition of the above described property in the event the Owner does not pay the costs of demolition to the City. The bond may also be used to pay the per diem cost incurred, if any, should the Owner fail or refuse to reimburse the City for the additional administrative costs incurred because the repairs were not completed within 90 days as allowed above. If the bond is not presented to the City by the close of business on October 6, 2017, the City shall have the right to proceed with demolition of the above described structure without any further notice, hearing or consent of the Owner and shall be permitted to come on the above described premises with City employees or agents of the City to demolition said structure.

5. Owner by this Agreement gives the City the full access to the property described above at all reasonable times and place with or without notice to monitor the repair and rehabilitation of the structure.

CITY OF SIOUX CITY, IOWA

By: ____________________________________________
   Darrel Bullock
   Code Enforcement Manager

[Please Print Name]

[Please Print Name]

STATE OF IOWA               )
                           : ss.
COUNTY OF WOODBURY

On this _____ day of ________________, 2017, before me, the undersigned a Notary Public in and for said State, personally appeared Darrel Bullock to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(SEAL)                                           __________________________
                                                 NOTARY PUBLIC in and for said COUNTY and STATE

STATE OF ____________________________)          )
                                               : ss.
COUNTY OF _____________________________)
On this ______ day of ___________________, 2017, before me, the undersigned a Notary Public in and for said State, personally appeared

______________________________________________________________________________

to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)                                            __________________________________________________

                                          NOTARY PUBLIC in and for said COUNTY and STATE
COMBINED PERFORMANCE AND PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, ________________________________ as Principal (hereinafter called "Owner"), and ________________________________ as Surety (hereinafter called "Surety"), are held and firmly bound unto the City of Sioux City, Iowa, as Obligee, (hereinafter called "City") in the amount of ____________________________ Dollars ($__________) for the payment of which sum of money we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly, severally and firmly by these presents.

WHEREAS, Owner has by written agreement dated October 2, 2017, entered into a Agreement with the City wherein Owner has agreed to repair and rehabilitate Owner’s property at 1925 W. Highland Avenue to avoid demolition of said structure which Agreement is by reference made a part hereof, and is hereinafter referred to as "the Agreement"; and

WHEREAS, Owner is required to furnish a Performance and Payment Bond in connection with said Agreement pursuant to the terms and provisions as set forth herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that:

1. If Owner shall in all respects well and truly keep and perform the said Agreement on Owner’s part in accordance with the terms and provisions of all of the Agreement documents comprising said Agreement, and in the time and manner therein prescribed; and,

2. If Owner shall pay to the City all sums due to the City under the terms and provisions of said Agreement then this obligation shall be null and void, otherwise it shall remain in full force and effect.

Every surety on this bond shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

A. To any extension of time beyond the Agreement completion date necessary for the Owner to perform the Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on ____________________________.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017  ACTION ITEM # 21

FROM: Darrel Bullock, Code Enforcement Manager

SUBJECT: Resolution awarding and approving a contract to Hebert Construction, Inc. in the amount of $34,810.00 for demolition and removal of structure and site work at 501 Market Street.

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution awarding and approving a contract to Hebert Construction in the amount of $34,810.00 for demolition/removal of the structure and site work at 501 Market Street.

DISCUSSION:
This project consists of the demolition, landfill, grading and closing up of openings at 501 Market Street.

On September 12, 2017, the Inspection Services Division received bids for the demolition/removal of debris and site work at 501 Market Street. Staff estimated the demolition at $50,000.00 based on the original findings. When reviewing the total bid amount and discussing the results with City Legal, it was determined that Hebert Construction was the responsible low bidder at $34,810.00.

The bids are as follows based upon submitted unit prices:

<table>
<thead>
<tr>
<th>Company</th>
<th>City</th>
<th>Amount</th>
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<tr>
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<tr>
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<td>S. Sioux City, NE</td>
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<tr>
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<td>Sioux City, IA</td>
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<td>69.6%</td>
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<tr>
<td>S. Jans Const.</td>
<td>Dakota City, NE</td>
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<tr>
<td>4B Contracting</td>
<td>Sioux City, IA</td>
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<td>224%</td>
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</tbody>
</table>

FINANCIAL IMPACT:
This project is funded with CIP 889-012 Annual Field Services Facility Maintenance project.

RELATIONSHIP TO STRATEGIC PLAN:
We will be known as a safe and healthy city.
ALTERNATIVES:
The City has the option of changing the scope of the project and rebidding.

ATTACHMENTS:
Resolution
Bid tabulation sheet

Hard copies of the contract will be provided.
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION AWARDING AND APPROVING A CONTRACT TO HEBERT CONSTRUCTION, INC. IN THE AMOUNT OF $34,810.00 FOR DEMOLITION AND REMOVAL OF STRUCTURE AND SITE WORK AT 501 MARKET STREET.

WHEREAS, bids and proposals were received by the City of Sioux City, Iowa, on September 12, 2017 for the demolition/removal of structure and site work at 501 Market Street, in Sioux City, Iowa (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by the Inspection Services Division of the City of Sioux City; and

WHEREAS, all of said bids and proposals were carefully considered and it is necessary and advisable that the lowest and/or best bid be accepted and that a contract be awarded for the construction of the Project in Sioux City, Iowa; and

WHEREAS, the low bidder has submitted a contract and performance bond and related documents, copies of which are attached hereto and by this reference made a part hereof; and

WHEREAS, the City Attorney has examined the contract and performance bond for proper execution and all supporting documents to determine if the same comply with the contract specifications; and

WHEREAS, the City Attorney found said documents to be in order and she has approved the same in writing; and

WHEREAS, the City Manager and City Clerk should be authorized and directed to execute a contract for and on behalf of the City of Sioux City, Iowa.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA:

Section 1: The construction of the Project in Sioux City, Iowa, together with necessary accessories and appurtenances, referred to in the preamble hereof, be and the same is hereby ordered.

Section 2: It is hereby found, determined and declared that the bid of Hebert Construction, Inc. of Sioux City, Iowa, in the amount of $34,810.00 for demolition of the Project in Sioux City, Iowa, as provided in the plans and specifications referred to in the preamble hereof is the lowest and/or best bid received and the same is hereby accepted and the contract awarded to said bidder.

Section 3: It is hereby found, determined and declared that the bid accepted in the preceding section of this resolution is fully responsive to the proposal, plans and specifications for the construction of the Project in Sioux City, Iowa, together with necessary accessories and appurtenances.

Section 4: The contract and bond submitted by the contractor is hereby approved by the City Council for approval and signature by the City.

Section 5: The City Manager and City Clerk are hereby authorized and directed to execute said contract for and on behalf of the City of Sioux City, Iowa. Upon execution of the contract by the City Manager as authorized herein, the contract shall be in full force and effect and not before.
Section 6: Progress payments may be made to the contractor under the terms and provisions of the contract by the Director of Finance in amounts certified by the Code Enforcement Manager of the Inspection Services Division as the value of work satisfactorily performed for the period.

Section 7: The checks or bid bonds of all unsuccessful bidders, be, and the same are hereby ordered returned to such bidders.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
<table>
<thead>
<tr>
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Tabulated by

Tiffany Barnes
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: October 2, 2017 ACTION ITEM # 22-23

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution authorizing and directing the City Manager to execute a Prairie Partners Cost Sharing Program Agreement with the the Iowa Department of Natural Resources for the purpose of establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

Resolution authorizing and directing the City Manager to execute a Partners for Fish and Wildlife Program Landowner Agreement with the U.S. Fish and Wildlife Service and the Iowa Department of Natural Resources for the purpose of establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

Reviewed By: x Department Director x Finance Department x City Attorney x City Manager

RECOMMENDATION:
Staff respectfully requests City Council approve resolutions authorizing agreements with the Iowa Department of Natural Resources (DNR) and U.S. Fish and Wildlife Service (USFWS) for the purpose of establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

DISCUSSION:
The Parks and Recreation Department is requesting the approval of a Prairie Partners Cost Share Program Agreement and Partners for Fish and Wildlife Program Landowner Agreement to support establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

The proposed improvements are designed to improve the habitat for native pollinators including the monarch butterfly. The work will include the establishment or restoration of native prairie habitats that include a diverse mix of native wildflowers and grasses that provide nectaring sources and shelter for pollinators to survive. The habitat will also provide excellent nesting and stop-over sites for migratory grassland birds.

Prairie Partners Cost Sharing Program Agreement
Per the terms of the agreement, the Iowa DNR will provide technical and financial assistance of $360.00 to the City of Sioux City to establish wildlife in the Sioux City Loess Hills Prairie Corridor. The City shall follow Iowa DNR requirements for establishing native grassland species.
Partners for Fish and Wildlife Program Landowner Agreement
Per the terms of the agreement, the USFWS will provide 50% or $360.00 of the cost of native seed for the site up to a maximum of $3,500.00 to the City of Sioux City to establish wildlife in the Sioux City Loess Hills Prairie Corridor. The City shall maintain the habitat restored under this agreement.

FINANCIAL IMPACT:
The estimated cost of the recommended native grassland seeding to establish wildlife habitat is $720.00. Per the agreements, the Iowa DNR will issue a Prairie Partners Cost Share Voucher to the City to fund 50% or $360.00 for the cost of the seed mix and the USFWS Partners for Fish and Wildlife Program will fund 50% or $360.00 for the cost of the seed mix. Total funding for this project will be provided through these agreements. The City will be responsible for the labor and equipment needed to complete this project.

ALTERNATIVES:
N/A

ATTACHMENTS:
Resolutions
Prairie Partners Cost-Share Agreement
Partners for Fish and Wildlife Program Landowner Agreement
RESOLUTION NO. 2017 - _____________
with attachments

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PRAIRIE PARTNERS COST SHARING AGREEMENT WITH THE IOWA DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ESTABLISHING WILDLIFE HABITAT IN THE SIOUX CITY LOESS HILLS PRAIRIE CORRIDOR.

WHEREAS, the City of Sioux City is developing the Sioux City Loess Hills Prairie Corridor into a natural prairie; and

WHEREAS, the Iowa Department of Natural Resources and the City of Sioux City, Iowa, desire to enter into a Prairie Partners Cost Sharing Agreement which will provide technical and financial assistance in establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor; and

WHEREAS, said Prairie Partners Cost Sharing Agreement, a copy of which is attached hereto and by this reference made a part hereof, sets forth the various rights and obligations of the parties in establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Prairie Partners Cost Sharing Agreement, referred to in the preamble hereof, be and the same is hereby approved as to form and content and the City Manager be and he is hereby authorized and directed to execute said Prairie Partners Cost Sharing Agreement for and on behalf of the City.

PASSED AND APPROVED: October 2, 2017

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk
PRAIRIE PARTNERS COST-SHARE PROGRAM AGREEMENT

An AGREEMENT made this _______ day of ___________ 2017_________ between the Iowa Department of Natural Resources (DNR) and _____ City of Sioux City, Iowa _________.

(Cooperator)

It is mutually agreed as follows:

1. Purpose
   The purpose of this agreement is to provide technical and financial assistance to landowners that agree to establish wildlife habitat on their land.

2. Description
   The Cooperator agrees to establish wildlife habitat in accordance with the establishment specifications described below.

Establishing native grassland species
   A. The native grass establishment area will be as designated on the attached aerial map.
      a. No till method will be used unless otherwise specified by the DNR.
   B. Field prep:
      a. Mow or burn prior to chemical burn down.
      b. Chemical burn down should be done when existing vegetation is actively growing:
         i. Rates per acre for burn down
            1. 2 quarts round up
   C. Planting
      a. Seed shall be drill uniformly at a depth of 1/8 to 1/4 inches.
      b. Planting dates
         i. Spring planting – March 1 to June 1.
         ii. Dormant planting – November to freeze up.
         iii. Frost seeding – February 1- March 15
   D. Weed control must be maintained during establishment period.
      a. Site shall be mowed just above native seedlings – about 8 inches – 3 or 4 times initial year and a minimum of 2 times the second year.
   E. The designated area will remain in native grasses and forbs for the duration of the contract.

3. Location - include an aerial photo showing the location of each practice (see map)
   Acres to be established ______________3__________

   Legal description of farmstead is: County: Woodbury, Sioux City Limits ____________
   Section(s) ___________ Township ___________, Range ____________.

4. Seeding Specifications (include species mix, lbs/acre, and total lbs.) See attached

5. Payment
   The DNR shall issue a Prairie Partners Cost-Share Voucher to the Cooperator for 60% of the estimated cost of the seed as specified in #4. The Cooperator agrees to purchase remaining 50% of the seed from a dealer of their choice.

   Estimated cost of seed is: $____720.00____________
DNR voucher amount is $720 x 0.50 = $360

Cooperator seed purchase amount $720 X 0.50 = $360

6. Indemnification Clause
The Cooperator agrees to jointly and severally indemnify and hold the DNR, its successors and assigns harmless from and against all liability, loss, damage or expense, including reasonable attorney's fees which the DNR may incur or sustain by reason of the failure of the Cooperator to fully perform and comply with the terms and obligations of this agreement.

7. Assignment
This agreement may not be assigned or transferred by either party to this contract without the prior written consent of the other party.

8. Compliance with Laws
Cooperator agrees that during the duration of and as a condition of the state's duty to perform under the terms of this contract that it will be in compliance with all applicable laws and regulations of the state and federal government.

9. Integration
This agreement contains the entire contract between the parties, and any representations that may have been made before the signing of this contract are nonbinding, void, and of no effect. Neither party has relied on such prior representation in entering into this agreement.

10. Termination Due to Lack of Funds or Change in Law
The DNR shall have the right to terminate this contract without penalty and at any time if:
   a) adequate funding is not appropriated or granted to allow DNR to fulfill its obligations,
   b) funds are de-appropriated or not allocated, c) the DNR's authorization to operate or participate is withdrawn, or d) the DNR's duties are substantially modified.

11. Violations
Violation of the contract by the Cooperator shall be reason for the Department to cancel the contract. The Cooperator, in violation of the contract terms, shall reimburse the Department a pro-rated amount of the payments received. Violation will include failure to adhere to the establishment specification described above or failure to maintain the habitat practice for the entire length of this agreement.

This agreement is now being executed by the parties and shall remaining in effect for a period of ___ years, beginning the ___ day of ___________, 2017, and ending the ___ day of __________, 2027.

IOWA DEPARTMENT OF NATURAL RESOURCES

[Signature]

Cooperator

(Date)

City of Sioux City Iowa

(Signature) (Cooperator Name)

(Date) (Address)
INVOICE

Date: 30-Aug-17
Inv#: OP-01970
Acct #: USFWS-Iowa

SOLD TO: 641-784-5356
USFWS-Iowa Private Lands Office
9981 Pacific Street
PO Box 399
Prairie City, IA 50228

SHIPPED TO: *** DROP SHIP ***
Kelly Boeh
Sioux City Parks and Rec.
1723 18th St
Sioux City, IA 51105

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Total Weight: 14.67

Invoice Total: $720.00

Net cash required upon receipt. A service charge of 1.5% per month (APR 18%) will be applied to all accounts over 30 days past due. NO WARRANTY IS EXPRESSED OR IMPLIED. THERE IS NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Seed labels show independent lab testing results. Weed seed is naturally occurring and the absence of weed seed is not represented or guaranteed. Liability is limited to the purchase price of the seed only. Seed not accepted under these terms must be returned within 10 days. Therefore a restocking fee of 25% will be charged on all returned seed. Custom seed mixes cannot be returned.

Thank you for your business.
RESOLUTION NO. 2017 - ______________
with attachments

RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PARTNERS FOR FISH AND WILDLIFE PROGRAM LANDOWNER AGREEMENT WITH THE U.S. FISH AND WILDLIFE SERVICE AND THE IOWA DEPARTMENT OF NATURAL RESOURCES FOR THE PURPOSE OF ESTABLISHING WILDLIFE HABITAT IN THE SIOUX CITY LOESS HILLS PRAIRIE CORRIDOR.

WHEREAS, the City of Sioux City is developing the Sioux City Loess Hills Prairie Corridor into a natural prairie; and

WHEREAS, the U.S. Fish and Wildlife Service, the Iowa Department of Natural Resources, and the City of Sioux City, Iowa, desire to enter into a Partners for Fish and Wildlife Program Landowner Agreement which will provide technical and financial assistance in establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor; and

WHEREAS, said Partners for Fish and Wildlife Program Landowner Agreement, a copy of which is attached hereto and by this reference made a part hereof, sets forth the various rights and obligations of the parties in establishing wildlife habitat in the Sioux City Loess Hills Prairie Corridor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Partners for Fish and Wildlife Program Landowner Agreement, referred to in the preamble hereof, be and the same is hereby approved as to form and content and the City Manager be and he is hereby authorized and directed to execute said Partners for Fish and Wildlife Program Landowner Agreement for and on behalf of the City.

PASSED AND APPROVED: __October 2, 2017__________________________

Robert E. Scott, Mayor

ATTEST: __________________________

Lisa L. McCardle, City Clerk
PARTNERS FOR FISH AND WILDLIFE PROGRAM
LANDOWNER AGREEMENT

This Landowner Agreement (Agreement), dated 2017, between City of Sioux City, Iowa, the Iowa DNR Prairie Partners Program and the U.S. Fish and Wildlife Service (USFWS) is entered into pursuant to authority contained in the Partners for Fish and Wildlife Act (P.L. 109-294), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j), as amended. This project was selected because the Landowner share(s) a common objective with the USFWS to restore habitat for the benefit of Federal trust species on private lands, and the project supports priority actions identified in the Regional Partners for Fish and Wildlife (Partners) Program Strategic Plan.

City of Sioux City, 401 Gordon Dr, Sioux City, IA 51102, hereby agrees to participate with the USFWS in conducting certain wildlife management practices on lands owned or managed in Woodbury County, State of Iowa, described as follows: all of, or within, City Limits of Sioux City, Iowa.

In signing this Agreement, the Landowner join(s) as a participant in a wildlife habitat improvement program and grant(s) to the USFWS and any other cooperators signing this Agreement] authority to complete the habitat improvement project or the Landowner may personally carry out management activities with financial or material support as described in attached Exhibit A. Any donation of supplies or equipment to the Landowner for carrying out the habitat improvements is included in Exhibit A. The activities conducted pursuant to this Agreement are not to replace, supplement or otherwise contribute to any mitigation or compensation that may be required of the Landowner or other parties as a result of any mandated requirements.

The term of this Agreement (also referred to as the habitat retention period) will be completed on [09/01/2027]. This Agreement may be modified at any time by mutual written consent of the parties. It may be terminated by either party upon 30 days advance written notice to the other party(ies). However, if the Landowner terminates the Agreement before its expiration, or if the Landowner should materially default on these commitments, then the Landowner agrees to reimburse the USFWS prior to final termination for the prorated costs of all habitat improvements placed on the land through this Agreement. For these purposes, the total cost of the habitat improvements to the United States is agreed to be $360.00

Landowner:

The Landowner or his/her land manager, with legal authority over land management decisions, guarantees ownership of the above-described land and warrants that there are no outstanding rights that interfere with this Landowner Agreement.

The Landowner will notify the USFWS and Iowa Department of Natural Resources of planned or pending changes in ownership. A change of ownership shall not change the terms

Revised 08/14
of this Agreement. The Agreement and terms shall be in effect on the described land for the
term of the Agreement.

The Landowner agrees to allow access (with advance notice) to the USFWS and the Iowa
Department of Natural Resources to implement the project described in Exhibit A, and to
monitor project success.

The Landowner retains all rights to control trespass and retains all responsibility for taxes,
assessments, and damage claims.

During the habitat retention period, the landowner must maintain the habitat restored under this
award. This includes the control of invasive weed species including encroaching brush and trees.
Best management practices include prescribed burning which is recommended a minimum of twice
during the habitat retention period.

At the end of the habitat retention period, the habitat improvement project will become the sole
property and complete responsibility of the Landowner. There shall be no obligation to the
USFWS after the term of the Agreement has expired.

The Landowner will be responsible for securing any necessary permits. Technical advice and
support will be provided by participating agencies in the application for the permit(s). The
Landowner agrees to identify USFWS' contribution to the project during public presentations,
reports, or other information published about the project, as appropriate.

The Landowner will not be responsible for replacing wildlife habitat developments that are
damaged or destroyed by severe acts of nature.

USFWS:

The USFWS will work with the Landowner and any other cooperators signing this Agreement,
throughout the entire Agreement term to support actions needed to ensure that the project is
designed and constructed per the Agreement and functions as intended.

The USFWS, its agents, or assignees will provide advanced notice prior to accessing the
Landowner property to implement the project described in the work plan, and to monitor project
success.

The USFWS assumes no liability for damage or injury other than that caused by its own
negligence, on the above acreage. The USFWS does not assume jurisdiction over the premises by
this Agreement.

Spatial Information Sharing: In accordance with the Privacy Act of 1974, permission must be
obtained from the Landowner before any personal information can be released. The only
information that can be shared is payment information that is authorized by law. Therefore,
Landowner consent is requested to allow for sharing of spatial information about this project
solely with conservation cooperators providing technical or financial assistance with the
restoration, enhancement or management of fish and wildlife habitat.
☐ I, the Landowner, consent to having spatial information about this project shared with other conservation cooperators

☐ I, the Landowner, do NOT wish to have any spatial information about this project shared with other conservation cooperators

Signatures:

\[\text{City of Sioux City, Landowner} \quad \text{Date}\]

\[\text{Katharine Koskovich, Iowa DNR Prairie Partners Program Field Biologist} \quad \text{Date: 8/31/17}\]

\[\text{Gregg Pattison, USFWS Partners Program Biologist} \quad \text{Date}\]

\[\text{Doug Helmers, USFWS Partners Program State Coordinator} \quad \text{Date}\]

Revised 08/14
EXHIBIT A

The habitat improvements described below are agreed to by City of Sioux City, the USFWS, Iowa Department of Natural Resources, Prairie Partners Program in a Landowner Agreement dated 09/01/2017.

Description of Habitat Improvement Project and Objectives:

The habitat improvements implemented on this site are designed to improve habitat for native pollinators including the monarch butterfly. The work to be accomplished will include the establishment or restoration of native prairie habitats that include a diverse mix of native forbs and grasses that provide critical nectaring sources and shelter for pollinators to survive. Specifically for the monarch butterfly a diverse array of milkweed plants will be added to the mixes to provide critical habitat necessary for the monarch caterpillars to feed. Habitat work may include conversion of cool season grasslands to diverse prairie habitats, conversion of cropland acres to native prairie habitats and the interseeding of existing grasslands with diverse prairie forbs and milkweed species. The main objective of this project is to provide high quality, diverse forbs and grasses that will provide blooming plants throughout the growing season to support a diverse population of native pollinators, including the monarch butterfly. In addition, these habitats will provide excellent nesting and stop-over sites for migratory grassland birds.

USFWS will:

The USFWS will provide 50% of the cost of native seed for the site up to a maximum of $3,500 for each landowner enrolled in the program and will:

- Develop habitat management plans in conjunction with the landowner and Iowa DNR Prairie Partners Biologist for the landowner to implement and maintain the habitat on the project site.
- Work with the landowners and contractors to ensure one phase of the project is complete before a second phase of the project can proceed.
- Make changes to the project plan based on soil, weather or climatic issues that arise during the implementation of the project.
- Evaluate and monitor the success of the seeding and assist in decision on when maintenance needs to occur on the site.

The Landowner(s) will:

In addition to providing the land for conversion to pollinator habitat the landowner will:

- Provide funds or equipment to prepare the sites for conversion to prairie habitat. This will include burning any residue or thatch on the site, spraying the area with herbicide to kill cool season grasses or weeds prior to inter-seeding, and any soil preparations that may be needed.
- Provide funding or equipment to plant the native forbs and grasses.
- Mow the site a minimum of one time within the first two months of seeding to control weed species – unless determined by a wildlife biologist that the site does not need mowing.
- Maintain the site for the habitat retention period of the agreement to control invasive species, including brush and tree invasion into the site.

Revised 08/14
The Iowa DNR Prairie Partners Biologist will:

Work with the USFWS biologist and the landowner to provide 50% of the seed needed to complete the project. The Iowa DNR will also play a key role in identifying and contacting interested landowners to enroll in the program. The Iowa DNR will also provide technical assistance throughout the habitat retention period of the project to help the landowner maintain the site.

Additional information as required for the project:

This 3 acre prairie pollinator seeding will compliment a previous Prairie Partners Program native seeding as a part of the new park or green space developed by Sioux City.
**Budget Table:**

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<sup>a</sup>The total cost-share by the Cooperator, the USFWS, and the Landowner must remain the same, however allocations by category may be redistributed upon prior approval by the USFWS.

Any work to be completed may be modified with the mutual agreement of the aforementioned parties.

**Budget Narrative:**

The Landowner cost share will include implementing the planting of the native seed. This includes landowner time to treat the sites with herbicide, and complete the planting and do an initial maintenance mowing. The landowner will also provide the equipment needed to complete these activities. In addition, the landowner will supply the herbicide for treatment of the sites prior to seeding. The USFWS Partners Program will fund 50% of the seed cost which is estimated to total $720.00. The Cooperato (Iowa DNR) will use the Prairie Partners Program to fund 50% of the total seed cost and provide a biologist to help develop the management plan and recommend management options during the implementation of the project. All costs are based on average costs of labor and equipment rental and a seed estimate from a local seed vendor.

Revised 08/14
Sioux City Parks and Recreation
Native Prairie Monarch Habitat Project
3 Acres; Unit 3; 2017
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<td><strong>Total</strong></td>
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**INVOICE**

**Date:** 30-Aug-17  
**Inv #:** OP-01970  
**Acct #:** USFWS-Iowa

**SOLD TO:** 641-784-5356  
USFWS-Iowa Private Lands Office  
9881 Pacific Street  
PO Box 399  
Prairie City, IA 50228

**SHIPPED TO:** ***DROP SHIP ***  
Kelly Bach  
Sioux City Parks and Rec.  
1723 18th St  
Sioux City, IA 51105

<table>
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<th>Sale #</th>
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<td>OP-01970</td>
<td>30-Aug-17</td>
<td>Net 30</td>
<td>UPS</td>
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<table>
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<th>LOT CODE</th>
<th>QUANTITY</th>
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<th>EXTENSION</th>
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<td>Pollinator Mix</td>
<td>179: Mix-1</td>
<td>3,000 acres</td>
<td>$240.00/acre</td>
<td>$720.00</td>
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**Total Weight:** 14.67  
**Invoice Total:** $720.00

*Net cash required upon receipt. A service charge of 1.5% per month (APR 18%) will be applied to all accounts over 30 days past due. NO WARRANTY IS EXPRESSED OR IMPLIED. THERE IS NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Seed labels show independent lab testing results. Weed seed is naturally occurring and the absence of weed seed is not represented or guaranteed. Liability is limited to the purchase price of the seed only. Seed not accepted under these terms must be returned within 10 days. Thereafter a restocking fee of 25% will be charged on all returned seed. Custom seed mixes cannot be returned.*

*Thank you for your business.*