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 April 25, 2016, 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 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 12D 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 April 18 (Closed and Regular) and 20, 2016.

3. MORNINGSIDE DAYS - Resolution temporarily closing Orleans Avenue from Morningside Avenue to S. St. Aubin Street beginning at 12:01 a.m. May 17, 2016 and ending at 11:59 p.m. May 22, 2016 to accommodate the Morningside Days Carnival and temporarily closing Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street on May 19, 2016, beginning at 5:30 p.m. and ending at 7:30 p.m. and restricting travel to local traffic only on Morningside Avenue from South Lemon Street to South Lakeport Street to and including the side streets north of Morningside Avenue from Morningside Avenue to Orleans Avenue on South Palmetto Street, South Cedar Street and South Lemon Street and the side streets south of Morningside Avenue from Morningside Avenue to 4th Avenue on South Palmetto Street, South Cedar Street and South Lemon Street to accommodate the Morningside Days Parade.
4. **BIERSCHBACH EQUIPMENT** - Resolution awarding a purchase order to Bierschbach Equipment and Supply of Sioux City, Iowa, in the amount of $128,385 for the purchase of three (3) 2016 Cimline Magma 230 Melters/Applicators for the Central Maintenance Garage. (Bid No. 233775)

5. **ACTIONS RELATING TO GRANTS**

   A. **DOT** - Resolution authorizing the Airport Director to submit a funding application to the United States Department of Transportation for a Small Community Air Service Development Program Grant to assist with air service development at the Sioux Gateway Airport/Col. Bud Day Field.

   B. **IDOT** - Resolution authorizing the Airport Director to submit an Air Service Development Grant in the amount of $400,000 to the Iowa Department of Transportation to assist in fence replacement projects, airfield lighting and storm water drainage improvements at the Sioux Gateway Airport/Col. Bud Day Field.

   C. **IDOT** - Resolution authorizing the Airport Director to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant in the amount of $104,244 to the Iowa Department of Transportation to assist in hangar refurbishment and hangar construction projects at the Sioux Gateway Airport/Col. Bud Day Field.

   D. **IDOT** - Resolution authorizing the Airport Director to submit an Airport State Funding Application for an Air Service Sustainment Grant in the amount of $35,000 to the Iowa Department of Transportation to assist with marketing efforts at the Sioux Gateway Airport/Col. Bud Day Field.

   E. **FTA** - Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C Chapter 53, United States code and other federal statutes administered by the Federal Transit Administration.

   F. **IDOT** - Resolution authorizing and approving the submission of an application for annual consolidated transit assistance funding from the Iowa Department of Transportation.

   G. **IDOT** - Resolution authorizing the Economic Development Department to submit a grant application to the Iowa Department of Transportation for Rail Revolving Loan and Grant Program (RRLG) funding to conduct a study for the potential development of a transload facility at the Southbridge Rail Yard.

   H. **DOT** - Resolution authorizing and approving the submission of a grant application to the United States Department of Transportation’s TIGER Grant Program to assist with the construction of the 18th Street Viaduct Project.

6. **CIVIL PENALTIES AND SUSPENSIONS**

   A. **SAVE A LOT** - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Select Foods, Inc. d.b.a. Save A Lot, 1730 Pierce Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.
B. SELECT MART - Resolution fixing a date, time and place for a hearing on a proposed $1,500 civil penalty or thirty day suspension of a cigarette permit issued to Select Mart, Inc. d.b.a. Select Mart #1, 623 14th Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.

C. SAM’S MINI MART - Resolution fixing a date, time and place for a proposed $1,500 civil penalty or thirty day suspension of a cigarette permit issued to Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 West 7th Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.

7. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

A. DEARBORN BOULEVARD - Resolution adopting construction documents for the proposed construction of the Dearborn Boulevard Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(680)--8J-97. (City Project No. 6634-719-350)

B. 38TH STREET - Resolution adopting construction documents for the proposed construction of the 38th Street Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(682)--8J-97. (City Project No. 6346-719-352)

C. 225TH STREET - Resolution adopting construction documents for the proposed construction of the 225th Street and Port Neal Road Project Iowa Department of Transportation Project Nos. STP-U-7057(681)--70-97/RM-7057(673)--90-97. (City Project No. 6377-719-343)

8. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. SUBSURFCO - Resolution awarding a contract to SuBSurfc, LLC in the amount of $2,605,153.19 for the Jackson Street Reconstruction, 14th Street to 18th Street Project. (Project No. 6647-719-133)

B. RP CONSTRUCTORS - Resolution awarding a contract to RP Constructors, LLC in the amount of $143,481.60 for the CBD Infrastructure Improvements Project. (Project No. 6790-719-001)

C. EXPLORERS BASEBALL - Resolution approving a Skybox Sublease Agreement with Irving Jensen, Jr. and the Sioux City Explorers Baseball Club, LLC.

D. LONG PAINTING - Resolution awarding a Service Provider Agreement to Long Painting & Sandblasting, Inc. of Homer, Nebraska, in the amount of $30,900 for the Leif Erikson Pool Caulking Project. (Bid No. 234282)

E. LESSARD - Resolution awarding a contract to Lessard Contracting, Inc. in the amount of $1,853,427 for the Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street) Project. (Project No. 6816-719-133)

F. ABM PARKING - Resolution approving a contract with ABM Onsite Services-Midwest, Inc. d.b.a. ABM Parking Services for operation of the Sioux City Parking Ramp System.
G. DNS LANDSCAPING - Resolution awarding and approving a contract to DNS Landscaping, Inc. of Dakota City, Nebraska, in the amount of $34,092 for the Riverside Soccer Fields Reconstruction (Seeding and Sidewalk Backfill) Repairs Project. (1301 Riverside Boulevard)

9. MOTIONS MAKING APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

A. YAMANASHI - Motion appointing Azusa Allard to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

B. YAMANASHI - Motion appointing Randy Hansen to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

C. YAMANASHI - Motion appointing Gary Bennier to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

10. APPLICATIONS FOR CIGARETTE, TOBACCO, NICOTINE, VAPOR PERMITS

A. OVER-THE-COUNTER
   1. La Plazita Latina, 1300 West 4th Street (Renewal)
   2. Floyd Food N Fuel, 3241 Floyd Boulevard (Renewal)
   3. Circle S Gordon Drive, 2520 Gordon Drive (Renewal)
   4. Leeds Food N Fuel, 4004 Floyd Boulevard (Renewal)
   5. Circle S Riverside, 2404 Riverside Boulevard (Renewal)
   6. Tobacco Hut, 4523 Morningside Avenue (Renewal)
   7. Sarg’s Mini Mart, 3407 Glenn Avenue (Renewal)
   8. Sarg’s Mini Mart, 2329 West 2nd Street (Renewal)
   9. Blue Ribbon Tap, 413 Pearl Street (Renewal)
  10. Central Mart, 1000 Morningside Avenue (Renewal)

B. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. CLASS “C” BEER PERMIT
   1. MLRTYM C-Store, 1100 Larsen Park Road (Renewal)

B. CLASS “C” LIQUOR LICENSE
   1. Castle Pub & Grill, 4400 Singing Hills Boulevard (Renewal)
   2. Mavericks, 416 Cunningham Drive (Renewal)
   3. Bill’s Bar, 2110 Court Street (Renewal)
   4. Marty’s Tap, 1306 Court Street (New)
   5. La Fiesta Charra, 3079 Floyd Boulevard (Renewal)

C. SPECIAL CLASS “C” LIQUOR LICENSE
   1. Bob Roe’s Point After, 3608 Peters Avenue (05/13/16-05/18/16 New 5 Day)

12. RECEIPT OF BOARD, COMMISSION AND COMMITTEE MINUTES:

A. Mayor’s Youth Commission -, February 1, 22, March 7 and 21, 2016
B. Planning and Zoning Commission - April 12, 2016
C. Transit System Advisory Board - April 13, 2016
D. Yamanashi City Sister City Committee - February 18, 2016

- End of Consent Agenda -
13. Hearing and Ordinance vacating the north/south alley adjacent to 821 30th Street, the north/south alley adjacent to 2934 Jones Street, and 30th Street lying between Jones Street and Jennings Street. (Petitioner: Sioux City Community School District) The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0016)

14. Resolution approving and accepting a quit claim deed from Sioux City Community School District in counties of Woodbury and Plymouth to the City in consideration of mutual benefits and dedicating said property as alley right-of-way. (2928 Jones Street) (Petitioner: Sioux City Community School District) The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0017)

15. Hearing and Ordinance rezoning 2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street from Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification PI (Public and Institutional). (Petitioner: Sioux City Community School District) The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0018)

DISCUSSION

16. Resolution approving a License and Naming Agreement between the City of Sioux City and Mercy Medical Center - Sioux City for the naming rights of the Baseball Playing Surface at Lewis and Clark Park. (3400 Line Drive)

17. Resolution approving Addendum No. 1 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia, for increased flow volume, additional dosing efforts during special events, response to citizen complaints, and for expanded services running from May 1, 2015 through April 30, 2016 in an amount not to exceed $78,254.10.

18. Resolution approving Amendment No. 1 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia, to realign the final renewal term from May 1, 2016 through June 30, 2017 and in an amount not to exceed $370,000.

19. CITIZEN CONCERNS

20. COUNCIL CONCERNS

21. 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) 279-6299. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

U:\CityAgenda\Minutes and Agendas\Council Agendas\2016\042516a
A Closed Session of the City Council was held at 3:00 p.m. The following Council Members were present on call of the roll: Groetken, Moore, Radig and Scott. Absent: Capron. (Capron entered the meeting at 3:05 p.m.)

Staff members present included: Robert Padmore, City Manager; Nicole Jensen-Harris, City Attorney; and Sarah Swearingen, Deputy City Clerk.

Motion by Scott, seconded by Radig, 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.

Capron entered the meeting at 3:05 p.m.

Motion by Scott, seconded by Radig, that Council return to open session at 3:57 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:58 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 4:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Radig and Scott. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole Jensen-Harris, City Attorney; and Sarah Swearingen, Deputy City Clerk.

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 2 through 19J are approved unanimously unless specifically noted after the item.

2. Reading of the City Council minutes of April 4 and 5, 2016.

Reading of the minutes of April 4 and 5, 2016, was waived and as part of the consent agenda the minutes were approved as presented.

3. ASSESSMENTS - Resolution fixing the amount to be assessed against private property, adopting and levying schedule of assessments for the FY 2015-2016 Sidewalk Snow Removal Program and providing for the payment thereof. 

Darrel Bullock, Code Enforcement Manager; and Ed Pickens, Field Services Manager; provided information on the item. Frank Stoos, 1317 Morningside Ave; and Steve Lewon, 416 Woodland Way; spoke on the item.

4. SIOUXLAND CARES-MYC - Resolution authorizing the Parks and Recreation Department to receive a donation from the Siouxland Cares - Mayor's Youth Commission in the amount of $4,500 for the Disc Golf Course at Grandview Park.

5. LONG LINES REC CENTER - Resolution rejecting all bids received for the proposed construction of the Interior Remodel - Long Lines Recreational Center Auditorium Space Project, ordering the return of all bid bonds, and directing staff to amend and rebid the project.

6. YAMANASHI - Resolution amending Resolution No. 2013-0344 by increasing the number of Yamanashi City Sister Committee members to nine.

7. HUD - Resolution approving an application to fund two Housing Choice Voucher Family Self-Sufficiency Program Coordinators for FY 2016 under the Notice of Funding Availability from the U.S. Department of Housing and Urban Development in the amount of $138,000 and authorizing and directing the Housing Services Division Manager to execute the required assurances and certifications in connection with said program application.

8. BISHOP HEELAN GRADUATION - Resolution temporarily closing Pierce Street from 5th Street to 6th Street and the adjacent east/west alleys between the west end of the Wilbur Aalfs Library building to the east end of the Orpheum building beginning at 1:00 p.m. and ending at 4:00 p.m., May 22, 2016, to accommodate the Bishop Heelan High School Outdoor Graduation Reception.
9. **RECREATION/EVENTS FACILITIES** - Resolution approving a salary schedule for Seasonal Laborer, Recreation and Events Facilities Department personnel effective April 18, 2016.  
   2016-0277

Bridey Hayes, Human Resources Director, provided information on the item.

   2016-0278

11. **CIVIL PENALTIES AND SUSPENSIONS**

   A. **LA PLAZITA LATINA** - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Erick Cruz d.b.a. La Plazita Latina, 1300 West 4th Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.  
      2016-0279

   B. **SELECT MART** - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Select Mart, Inc. d.b.a. Select Mart, 623 14th Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.  
      2016-0280

   C. **WAL-MART** - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Wal-Mart Stores, Inc. d.b.a. Wal-Mart No. 3590, 3101 Floyd Boulevard, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.  
      2016-0281

   D. **WORK & CHURCH** - Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300 against Work & Church LLC d.b.a. Work & Church, 215 4th Street, Sioux City, Iowa, for violation of the Iowa Cigarette Laws.  
      2016-0282

12. **ACTIONS RELATING TO BONDS**

   A. **SEWER REVENUE** - Resolution fixing date for a meeting on the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed $104,000 Sewer Revenue Capital Loan Notes of City of Sioux City, Iowa, and providing for publication of notice thereof.  
      2016-0283

   B. **SEWER REVENUE** - Resolution fixing date for a meeting on the authorization of a Loan and Disbursement Agreement and the issuance of not to exceed $313,000 Sewer Revenue Capital Loan Notes of City of Sioux City, Iowa, and providing for publication of notice thereof.  
      2016-0284

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

   A. **IMPACT7G** - Motion authorizing City staff to enter into negotiations with the firm of Impact7G of Johnston, Iowa, to formulate a contract for the Lead Inspections / Risk Assessments, Bid Specifications, and Lead Clearances related to the FY 2015 Lead Hazard Control Grant.  
      2016-0285

Jill Wanderscheid, Neighborhood Services Manager, provided information on the item.

Request by Scott to pull the item from the Consent Agenda for a separate vote; item was moved and seconded as part of the Consent Agenda; Capron, Groetken and Moore voting aye; Radig and Scott voting nay.
B. **JEO CONSULTING** - Resolution approving Amendment No. 3 to the Engineering Services Agreement with JEO Consulting Group, Inc. for minor construction staking services in connection with the Myrtle Street Reconstruction Project (West 21st Street to West 25th Street and West 23rd Street Water Main Project) in an amount not to exceed $1,258.25.  

Glenn Ellis, City Engineer, provided information on the item.

C. **I&A CONSTRUCTION** - Resolution awarding a contract to I&A Construction, LLP in the amount of $181,456.88 for the 2016 Paving Patch Project. (Project No. 6812-719-121)  

D. **WESTERN WATERPROOFING** - Resolution awarding a contract to Western Waterproofing Company of America in the amount of $200,000 for the 2016 Rivers Landing Parking Facility Repairs Project, 419 Douglas Street. (Project No. 6864-728-012)  

Motion by Scott, seconded by Moore, to amend the item awarding a contract to Western Waterproofing Company of America d.b.a. Western Specialty Contractors of America; all voting aye. Resolution passed as amended as part of the consent agenda.

E. **NYSTROM ELECTRIC** - Resolution approving the contract and performance bond with Nystrom Electric Company, Inc. in the amount of $79,500 for the Traffic Signal Battery Back-up Project. (City Project No. 6819-139-006 / IDOT Project No. CS-TSF-7057(691)--85-97)  

14. **ACTIONS AUTHORIZING THE ISSUANCE OF CHECKS**

A. **OTIS ELEVATOR** - Resolution accepting the work and authorizing final payment to Otis Elevator Company for the Library Elevator Modernization Project.  

B. **INFRA-TRACK** - Resolution accepting the work and authorizing final payment to Infra-Track, Inc. for the Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project. (Project No. 6827-539-201)  

15. **ACTIONS RELATING TO PROPERTY**

A. **GENEVA STREET** - Resolution proposing to sell certain real property. (The north one-half of the vacated east/west alley abutting 1911 Geneva Street) (Petitioner: Geneva Street LLC) (Purchase Price: $5,448 plus costs)  

B. **WEST 19TH STREET** - Resolution proposing to sell certain real property. (South one-half of the vacated east/west alley abutting 405 West 19th Street) (Petitioner: Vista Villa LLC) (Purchase Price: $5,448 plus costs)  

C. **CHEYENNE BOULEVARD** - Resolution proposing to lease a portion of space inside the existing Public Safety Communications Building to Long Lines LLC and authorizing and directing publication of notice to lease such real estate. (4201 Cheyenne Boulevard)
16. PURCHASING

A. KNIFE RIVER - Resolution awarding a purchase order to Knife River Midwest LLC in the amount of $63.25 per ton for the purchase of hot mix asphalt for the Field Services Headquarters. (Bid No. 234599) 2016-0295

B. NYSTROM ELECTRIC - Resolution awarding a Service Provider Agreement to Nystrom Electric, Inc. of Sioux City, Iowa, in the amount of $10,952.70 to install equipment to run a Roots Ram Blower W75 HP Motor at the Zenith Water Plant located at 1101 Tri View Avenue. (Bid No. 233911) 2016-0296

C. PATHFINDER SYSTEMS - Resolution awarding a purchase order to Pathfinder Systems, Inc. of Kansas City, Missouri, in the amount of $22,854 for the purchase of a Roots 624 Ram Blower Package W75 HP Motor for the Zenith Water Plant located at 1101 Tri View Avenue. (Bid No. 233830) 2016-0297

17. TOTAL CHECKS - Approve total checks issued for the reporting period of March 2016, in the amount of $6,800,496.38

18. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. CLASS “B” BEER PERMIT
   1. Chuck E. Cheese’s, 4400 Sergeant Road No. 536 (Renewal)

B. CLASS “C” BEER PERMIT
   1. Kum & Go, 2930 Gordon Drive (Renewal)
   2. Kum & Go, 2626 Court Street (Renewal)
   3. Kum & Go, 1401 Court Street (Renewal)
   4. Kum & Go, 1031 Morningside Avenue (Renewal)

C. CLASS “C” LIQUOR LICENSE
   1. J T’s Pub, 1742 Riverside Boulevard (Renewal)
   2. Buffalo Wild Wings, 5001 Sergeant Road (Renewal)
   3. Sneaky’s Lounge, 3711 Gordon Drive (Renewal)
   4. El Herradero, 1223 Court Street (Renewal)

D. SPECIAL CLASS “C” LIQUOR LICENSE
   1. Hy-Vee Club Room, 2827 Hamilton Boulevard (Renewal)

E. CLASS “B” WINE PERMIT
   1. Kum & Go, 2930 Gordon Drive (Renewal)
   2. Kum & Go, 2626 Court Street (Renewal)
   3. Kum & Go, 1401 Court Street (Renewal)
   4. Kum & Go, 1031 Morningside Avenue (Renewal)

19. RECEIPT OF BOARD, COMMISSION AND COMMITTEE MINUTES:

A. Civil Service Commission - December 7, 2015 and January 12, 2016
B. Cone Park Advisory Committee - March 25, 2016
C. Effective Fiscal and Public Policy Committee - March 9, 2016
D. Environmental Advisory Board - March 10, 2016
E. Events Facilities Advisory Board - February 26, 2016
F. Historic Preservation Commission - March 1, 2016
HEARINGS

20. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (The north one-half of vacated 13th Street abutting 1220 Mulberry Street) (Petitioner: Mark Allen Bahmer-Hamilton) (Purchase Price: $1,372.50 plus costs) 2016-0298

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

21. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (The north one-half of vacated 13th Street abutting 3920 14th Street) (Petitioner: Justin Mckay) (Purchase Price: $367.50 plus costs) 2016-0299

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.

22. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (The north one-half of vacated 13th Street abutting 3916 14th Street) (Petitioner: Keith Sorgdrager) (Purchase Price: $397.50 plus costs) 2016-0300

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.

23. Hearing and Resolution accepting the proposal of Kay -Dee Feed, LLC for the purchase of certain land in the Combined Floyd River Urban Renewal Area and authorizing sale of said property. (Multiple vacated alley right-of-ways and a portion of vacated Cunningham Drive abutting 1919 Grand Avenue) 2016-0301

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.

24. Hearing and Resolution adopting the revisions to the Administrative Plan for the Section 8 Housing Choice Voucher Program and authorizing the Mayor to execute required assurances and certifications in connection therewith. 2016-0302

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

25. Hearing and Resolution adopting the Annual Plan for the Section 8 Housing Choice Voucher Program and authorizing the Mayor to execute required assurances and certifications in connection therewith. 2016-0303

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Capron; all voting aye.
26. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting an Amended and Restated Urban Renewal Plan for The Teton Urban Renewal Area. 2016-0304

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.

27. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting an Amended and Restated Urban Renewal Plan for the Combined Central Sioux City -CBD Urban Renewal Area. 2016-0305

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Scott, seconded by Radig; all voting aye.

28. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting an Amended and Restated Urban Renewal Plan for the Amended Donner Park Urban Renewal Area. 2016-0306

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Radig, seconded by Capron; all voting aye.

29. Hearing and Resolution determining an area of the City to be a blighted area and economic development area, and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an urban renewal project; and adopting an Amended and Restated Urban Renewal Plan for the Combined Floyd River Urban Renewal Area. 2016-0307

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

30. Resolution electing classifications and procedures for proposed bond projects. 2016-0308

Motion by Scott, seconded by Radig, to adopt the proposed resolution; all voting aye.

31. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $27,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof. (ECP-1) 2016-0309

Motion by Radig, seconded by Moore, to adopt the proposed resolution; Capron, Groetken, Moore and Radig voting aye; Scott voting nay.
32. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-2) 2016-0310

Motion by Scott, seconded by Radig, to adopt the proposed resolution; all voting aye.

33. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-3) 2016-0311

Motion by Radig, seconded by Moore, to adopt the proposed resolution; all voting aye.

34. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-4) 2016-0312

Motion by Moore, seconded by Radig, to adopt the proposed resolution; all voting aye.

35. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $1,000,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-5) 2016-0313

Motion by Scott, seconded by Moore, to adopt the proposed resolution; all voting aye.

36. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $650,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-6) 2016-0314

Donna Forker, Finance Director, provided information on the item.

Motion by Scott, seconded by Moore, to adopt the proposed resolution; all voting aye.

37. Resolution fixing date for a meeting on the proposition of the issuance of not to exceed $8,650,000 General Obligation Urban Renewal Bonds of the City of Sioux City, State of Iowa (for essential corporate urban renewal purposes), and providing for publication of notice thereof. (UR/ECP-7) 2016-0315

Motion by Scott, seconded by Moore, to adopt the proposed resolution; Capron, Groetenken, Moore and Scott voting aye; Radig voting nay.

38. Resolution approving advances of funds for repayment from the City’s urban renewal tax increment revenue funds and directing the filing of certification under Iowa Code Section 403.19. 2016-0316

Motion by Scott, seconded by Capron, to adopt the proposed resolution; all voting aye.
39. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the Country Club Boulevard Reconstruction (38th Street to West Kings Highway) Project. (Project No. 6709-719-133)  

Glenn Ellis, City Engineer, provided information on the item. Mark Adams, 53 Red Bridge Dr, spoke on the item.

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Capron, seconded by Moore; Capron, Groetken, Moore and Radig voting aye; Scott voting nay.

40. Hearing and Resolution approving plans, specifications, form of contract and estimated cost for the WWTP Asset Renewal Section A - Manhole Rehabilitation Project.  

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Radig, seconded by Scott; all voting aye.

41. Hearing and Resolution approving plans, specifications, form of contract and estimated cost for the WWTP Asset Renewal Section B - Check Valve Installation Project.  

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Radig, seconded by Moore; all voting aye.

42. Hearing and Resolution approving plans, specifications, form of contract and estimated cost for construction of the North Lewis Boulevard Water Main 1st Street to 31st Street - Phase 2 (20th Street to 11th Street) Project. (Project No. 6782B-519-237)  

Glenn Ellis, City Engineer, provided information on the item.

No protests were received. The hearing was closed and the proposed resolution adopted on motion by Radig, seconded by Moore; all voting aye.

ORDINANCES

43. Ordinance adding a new chapter to the Sioux City Municipal Code to be entitled “Whispering Creek Urban Revitalization Area Plan”.  

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.

44. CITIZEN CONCERNS

Rick Coury, Alignment Specialist, 1704 11th St, spoke about the potential closure of 11th St. Ellis and Carney spoke on the project.
45. COUNCIL CONCERNS

Groetken stated Siouxland Cares and the Mayor’s Youth Commission are holding a Town Hall Meeting focusing on teenage drinking tonight at 7:00 p.m. in Council Chambers.

Capron received a complaint about train whistles in the Indian Hills area. Wanderscheid will contact the Railroad.

Radig asked where the Douglas Street project was in the CIP. Ellis will look into it.

Scott will not be able to attend the Iowa Commission on Native American Affairs will be meeting on Friday, April 22nd at Four Directions Community Center and asked for someone to attend in his absence; stated he thought the Red Flex item would be on this agenda; and stated he attended a meeting this morning about a rail study conducted by the State to look at issues and adverse effects of rail placement in the City.

46. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:22 p.m., on motion by Scott, seconded by Radig; 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.

u:\CityAgenda\Minutes and Agendas\Council Minutes\2016\041816m
A Joint Meeting of the City Council and Parking and Skywalk System Board of Trustees was held at 12:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore and Scott. Absent: Radig.

Staff members present included: Robert Padmore, City Manager; Mike Collett, Assistant City Manager; Nicole Jensen-Harris, City Attorney; and Sarah Swearingen, Deputy City Clerk.

Members of the Parking and Skywalk System Board of Trustees present included: Alexcia Boggs, Ragen Cote, Monette Harbeck, Tim Matasovsky, Mark Reinders and Matt Robins. Absent: None.

Others present: Ann Mach and Mark Nordin, ABM Parking; and Bob Osterman, Per Mar Security.

Reinders welcomed Council and provided an update on the Parking and Skywalk System Board’s accomplishments including: Credit/Debit card friendly ramps; Rivers Landing ramp repairs; and the appointment of two new board members with a potential application coming.

Group discussion was held regarding ParkMobile. To-date 6,243 transactions have been completed at a cost of $11,125.70. The most popular zones are 7th Street from Douglas to Pierce and 4th Street from Jackson to Nebraska.

Reinders spoke about the Parking and Skywalk System Board’s goals for the upcoming year including: researching effects of 1 hour free in parking ramps; complete the re-roof project for portions of the skywalk; and complete the wall and ceiling repair update.

Scott exited the meeting at 12:11 p.m. and returned at 12:14 p.m.

Group discussion was held concerning parking ramps, parking meters, inconsistencies in parking, better public signage and ways to increase use of ramps.

Cote gave an update regarding Downtown Partners projects including: the status of the Parklet process; the downtown survey; the Roger Brooks visit; and the Brad Segal, PUMA, visit; noting a way-finding system is on the front burner. Harbeck stated money has been set aside to assist in the way-finding project.

The board discussed working with the Sioux City Schools and area colleges to each manage a section of the skywalk they would be able paint, showcase area artists and maintain. It was also suggested to contact the Art Center for additional ideas. Discussion was also held pertaining to Skywalk security.
Council thanked the board for their time and efforts.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:38 p.m., on motion by Scott, seconded by Capron; all voting aye.

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

City Council minutes are available on the Internet at www.siuox-city.org.
u:\CityAgenda\Minutes and Agendas\Council Minutes\2016\042016jointParkingm
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016  ACTION ITEM # 3

FROM: Angel Wallace, Parks and Recreation Manager

SUBJECT: Resolution temporarily closing Orleans Avenue from Morningside Avenue to S. St. Aubin Street beginning at 12:01 a.m. May 17, 2016 and ending at 11:59 p.m. May 22, 2016 to accommodate the Morningside Days Carnival and temporarily closing Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street on May 19, 2016, beginning at 5:30 p.m. and ending at 7:30 p.m. and restricting travel to local traffic only on Morningside Avenue from South Lemon Street to South Lakeport Street to and including the side streets north of Morningside Avenue from Morningside Avenue to Orleans Avenue on South Palmetto Street, South Cedar Street and South Lemon Street and the side streets south of Morningside Avenue from Morningside Avenue to 4th Avenue on South Palmetto Street, South Cedar Street and South Lemon Street to accommodate the Morningside Days Parade.

RECOMMENDATION:
Staff respectfully requests and recommends the City Council approve the resolution requesting temporary street closures for the Morningside Days carnival and parade.

DISCUSSION:
The Morningside Commercial Club requests the temporary closure of Orleans Avenue from Morningside Avenue to S. St. Aubin Street beginning at 12:01 a.m. May 17, 2016 and ending at 11:59 p.m. May 22, 2016 to accommodate the Morningside Days Carnival. The Morningside Commercial Club also requests the temporary closure of Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street on May 19, 2016, beginning at 5:30 p.m. and ending at 7:30 p.m. to accommodate the Morningside Days Parade.

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 these 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 the street temporary closure and direct the event coordinator to seek an alternate location.

ATTACHMENTS:
  Resolution
  Map
RESOLUTION TEMPORARILY CLOSING ORLEANS AVENUE FROM MORNING-SIDE AVENUE TO S. ST. AUBIN STREET BEGINNING AT 12:01 A.M. MAY 17, 2016 AND ENDING AT 11:59 P.M. MAY 22, 2016 TO ACCOMMODATE THE MORNING-SIDE DAYS CARNIVAL AND TEMPORARILY CLOSING MORNING-SIDE AVENUE FROM SOUTH LAKEPORT STREET TO PETERS AVENUE AND PETERS AVENUE FROM MORNING-SIDE AVENUE TO SOUTH PAXTON STREET ON MAY 19, 2016, BEGINNING AT 5:30 P.M. AND ENDING AT 7:30 P.M. AND RESTRICTING TRAVEL TO LOCAL TRAFFIC ONLY ON MORNING-SIDE AVENUE FROM SOUTH LEMON STREET TO SOUTH LAKEPORT STREET TO AND INCLUDING THE SIDE STREETS NORTH OF MORNING-SIDE AVENUE FROM MORNING-SIDE AVENUE TO ORLEANS AVENUE ON SOUTH PALMETTO STREET, SOUTH CEDAR STREET AND SOUTH LEMON STREET AND THE SIDE STREETS SOUTH OF MORNING-SIDE AVENUE FROM MORNING-SIDE AVENUE TO 4TH AVENUE ON SOUTH PALMETTO STREET, SOUTH CEDAR STREET AND SOUTH LEMON STREET TO ACCOMMODATE THE MORNING-SIDE DAYS PARADE.

WHEREAS, the Morningside Commercial Club desires to conduct a carnival with amusement rides and sideshows and a parade; and

WHEREAS, the carnival involves the temporary closure of Orleans Avenue from Morningside Avenue to S. St. Aubin Street beginning at 12:01 a.m. May 17, 2016 and ending at 11:59 p.m., May 22, 2016; and

WHEREAS, the parade involves the temporary closure of Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street and restricts travel to local traffic only on Morningside Avenue from South Lemon Street to South Lakeport Street to and including the side streets north of Morningside Avenue from Morningside Avenue to Orleans Avenue on South Palmetto Street, South Cedar Street and South Lemon Street and the side streets south of Morningside Avenue from Morningside Avenue to 4th Avenue on South Palmetto Street, South Cedar Street and South Lemon Street beginning at 5:30 p.m. and ending at 7:30 p.m. on May 19, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Orleans Avenue from Morningside Avenue to S. St. Aubin Street be and the same is hereby temporarily closed beginning at 12:01 a.m. May 17, 2016 and ending at 11:59 p.m., May 22, 2016 to accommodate the Morningside Days carnival.
BE IT FURTHER RESOLVED, that Morningside Avenue from South Lakeport Street to Peters Avenue and Peters Avenue from Morningside Avenue to South Paxton Street be and the same are hereby temporarily closed and that travel is hereby restricted to local traffic only on Morningside Avenue from South Lemon Street to South Lakeport Street to and including the side streets north of Morningside Avenue from Morningside Avenue to Orleans Avenue on South Palmetto Street, South Cedar Street and South Lemon Street and the side streets south of Morningside Avenue from Morningside Avenue to 4th Avenue on South Palmetto Street, South Cedar Street and South Lemon Street beginning at 5:30 p.m. and ending at 7:30 p.m. May 19, 2016 to accommodate the Morningside Days Parade.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
Morningside Days Parade
Thursday, May 19, 2016

5:30pm - 6:30pm - Staging on Morningside Avenue &
adjacent streets including:
S. Palmetto St., S. Cedar St., &
S. Lemon St.

6:30pm - 7:30pm - Parade along Morningside Ave. &
from S. Lakeport St. to Peters Ave.
& Peters Ave. to S. Pinson St.

Full Road Closed
Thursday, May 19, 2016

6:30pm - 7:30pm
Morningside Ave. & Peters Ave
Road Closed

5:30pm - 6:30pm
Staging Locations
Local Traffic Only
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016  ACTION ITEM # 4
Dave Carney, Public Works Director
Donna Forker, Finance Director
Spero Vlahoulis, Purchasing Manager
Jim Miller, CMG Fleet Supervisor

FROM: Dave Carney, Public Works Director
Donna Forker, Finance Director
Spero Vlahoulis, Purchasing Manager
Jim Miller, CMG Fleet Supervisor

SUBJECT: Resolution awarding a purchase order to Bierschbach Equipment and Supply of Sioux City, Iowa in the amount of $128,385 for the purchase of three (3) 2016 Cimline Magma 230 Melters/Applicators for the Central Maintenance Garage (Bid #233775).

RECOMMENDATION:
Staff respectfully requests City Council award a purchase order to Bierschbach Equipment and Supply of Sioux City, Iowa in the amount of $128,385 for the purchase of three (3) 2016 Cimline Magma 230 Melters/Applicators for the Central Maintenance Garage (Bid #233775).

DISCUSSION:
Invitations to bid were sent to twelve (12) companies thought to provide motor graders. Four (4) bids were received and are as follows:

<table>
<thead>
<tr>
<th>Purchase of Three (3) 2016 Melters/Applicators with Trade Ins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vendor</td>
</tr>
<tr>
<td>Model</td>
</tr>
<tr>
<td>Price per Melter/Applicator</td>
</tr>
<tr>
<td>Total Price for Three (3) Melters/Applicators</td>
</tr>
<tr>
<td>Less Trade in for City Unit #595</td>
</tr>
<tr>
<td>Less Trade in for City Unit #599</td>
</tr>
<tr>
<td>Total Cost less Trade Ins</td>
</tr>
</tbody>
</table>
Since low bid did not offer a trade-in price for City Units #595 and #599 these items will be sold at the City Auction.

FINANCIAL IMPACT:
Finance account #609-6759-488.43-02 CMG Equipment Replacement, Capital Outlay, Rolling Equipment, Contractor’s Mobile Equipment, has an FY16 available balance of $363,314.36.

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

ALTERNATIVES:
Reject all bids.

ATTACHMENTS:
Resolution
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016 ACTION ITEM # 5A

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to submit a funding application to the United States Department of Transportation for a Small Community Air Service Development Program Grant to assist with air service development at the Sioux Gateway Airport/Col. Bud Day Field.

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution allowing the Airport Director to submit a grant application to the United States Department of Transportation for a Small Community Air Service Development Grant to assist with air service development at the Sioux Gateway Airport/Col. Bud Day Field. The Airport Board of Trustees approved applying for the grant at their April 14, 2016 meeting. The amount of the award will be determined by the U.S. Department of Transportation and will be brought back to City Council to approve the award if the application is successful.

DISCUSSION:
The U.S. Department of Transportation invites grant proposals from communities interested in obtaining a federal grant to address air service development. The grants are subject to availability of funding and will vary depending upon the features and merits of the selected proposals.

FINANCIAL IMPACT:
Dependent on grant award and match requirements

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Economic Opportunity

ALTERNATIVES:
The alternative would be to not apply for the grant which Staff does not recommend.

ATTACHMENTS:
Resolution
RESOLUTION NO. 2016- __________
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT A FUNDING APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR A SMALL COMMUNITY AIR SERVICE DEVELOPMENT PROGRAM GRANT TO ASSIST WITH AIR SERVICE DEVELOPMENT AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Airport Director be and he is hereby authorized and directed to submit a Funding Application to the United States Department of Transportation, a copy of which is attached hereto and by this reference made a part hereof, for a Small Community Air Service Development Program Grant to assist with air service development at the Sioux Gateway Airport/Col. Bud Day Field.

PASSED AND APPROVED: April 25, 2016

______________________________
Robert E. Scott, Mayor

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

MEETING DATE: April 25, 2016 ACTION ITEM # 5B

FROM: Mike Collett, Assistant City Manager

Resolution authorizing the Airport Director to submit an Airport State Funding Application for an Airport Development Grant in the amount of $400,000.00 to the Iowa Department of Transportation to assist in fence replacement projects, airfield lighting and storm water drainage improvements at the Sioux Gateway Airport/Col. Bud Day Field.

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

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution allowing the Airport Director to submit a grant application to the Iowa Department of Transportation for Airport Improvement Program funds to assist in projects at the Sioux Gateway Airport/Col. Bud Day Field. The grant application was approved by the Airport Board of Trustees at their April 14, 2016 meeting.

DISCUSSION:
The total project amount is approximately $400,000.00 with state assistance not to exceed a maximum of $200,000.00 in capital improvement projects at the Sioux Gateway Airport. Funds will be used to improve fencing, airfield lighting, and storm water drainage improvements.

FINANCIAL IMPACT:
The grant will pay 50% of eligible project costs up to $400,000.00. The Airport matching $200,000.00 funds has been programmed in FY17 CIP.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Infrastructure

ALTERNATIVES:
The alternative would be to not apply for the grant which Staff does not recommend.

ATTACHMENTS:
Resolution
IDOT Application
RESOLUTION NO. 2016- __________
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT AN AIRPORT STATE FUNDING APPLICATION FOR AN AIRPORT DEVELOPMENT GRANT IN THE AMOUNT OF $400,000.00 TO THE IOWA DEPARTMENT OF TRANSPORTATION TO ASSIST IN FENCE REPLACEMENT PROJECTS, AIRFIELD LIGHTING AND STORM WATER DRAINAGE IMPROVEMENTS AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD PROPERTY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Airport Director be and he is hereby authorized and directed to submit an Airport State Funding Application for an Airport Development Grant, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation in the amount of $400,000.00 for fence replacement projects, airfield lighting and storm water drainage improvements at the Sioux Gateway Airport/Col. Bud Day Field property.

PASSED AND APPROVED: April 25, 2015

Robert E. Scott, Mayor

ATTEST: _________________________________

Lisa L. McCardle, City Clerk
April 12, 2016

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

Re: Airport State Funding Application

Iowa Department of Transportation Office of Aviation:

This letter is to confirm that all of the projects included in this application are endorsed by the City of Sioux City and that all of the Local Funds needed for the projects are either included in the Airport's Capital Projects Budget or will be matched with Operating funds, as needed for the FY 2017 program.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

[Signature]

Mike Coletti
Assistant City Manager
City of Sioux City
# AIRPORT STATE FUNDING APPLICATION

**Fiscal Year 2017**

**Airport Name:** Sioux Gateway Airport

**Airport Sponsor Name:** City of Sioux City

**Contact Person:** Mike Collett  
**Title:** Airport Director

**Complete Mailing Address:** 2403 Aviation Blvd

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sioux City</td>
<td>IA</td>
<td>51111</td>
</tr>
</tbody>
</table>

**Daytime Phone:** 712 279 0167

**FAX Number:** 712 277 82

**Email Address:** mcollett@sioux-city.org

---

### Project Description – If applying for more than one project, list in order of priority. A separate project application data sheet is required for each project.

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Total Project Amount</th>
<th>State Amount Requested</th>
<th>Percent State Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Service Development</td>
<td>$35,000</td>
<td>$28,000</td>
<td>80%</td>
</tr>
<tr>
<td>Rehabilitate and Build Hangars</td>
<td>$104,244</td>
<td>$104,244</td>
<td>100%</td>
</tr>
<tr>
<td>Airfield fencing, lighting and storm water drainage improvements</td>
<td>$400,000</td>
<td>$200,000</td>
<td>50%</td>
</tr>
</tbody>
</table>

---

**Windersocks – Orders may be placed using this form or by calling 515-239-1468**

**Indicate quantity needed:**

- 18" x 96"  
- 36" x 144"

---

The Sponsor certifies that the information contained in this application is accurate and complete to the best of his/her knowledge.

**Signature of Authorized Sponsor Representative:**

[Signature]

**Mike Collett**  
**Typed Name**

**Date:** April 12, 2016

---

Please mail, FAX, or email application to:

**ATTN: Program Manager**

**Office of Aviation**

**800 Lincoln Way**

**Ames, Iowa 50010**

**email:** Shane.Wriggins@dot.iowa.gov  
**515-239-1048 (questions)**  
**FAX:** 515-233-7983
# Airport State Funding Application

## Project Data Sheet

**Fiscal Year 2017**

<table>
<thead>
<tr>
<th>Airport</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sioux Gateway Airport</td>
<td>12 Apr 2016</td>
</tr>
</tbody>
</table>

### Project Type (check only one)
- **Airport Improvement Program (AIP)**
- Commercial Service Vertical Infrastructure (CSV)
- General Aviation Vertical Infrastructure (GAVI)

### Project Description
Airport fencing replacement will update some of the Airport's perimeter fence line to meet requirements set forth by the USDA-Wildlife Services. Wildlife Assessment completed at the Sioux Gateway Airport completed in 2012 and improve the safety and security of the Airport Area and its tenants. Airfield lighting will update some of the airfield signage to LED internal parts. The storm water drainage improvement will update drainage in certain portion of the airport and regrade this area to provide a positive drainage of this area that has proven to be an attractant to wildlife. Connect Gate 13 will allow T-Hangar tenants to access the north GA ramp where new t-hangars are being constructed and where all new additional GA development will occur.

### Engineering Firm
Name of Engineering Firm (if unknown write "unknown").

### Sketch
Attach separate sketch from ALP if applicable.

### Project Justification
All fence line work will improve the safety and security of the Airport Perimeter, the Main passenger Terminal, Airport users, tenants and employees. Airfield lighting will update 18 current airfield signs to LED, reusing the existing sign fixture. The Storm water drainage improvement will update drainage in 1 area of the airport and regrade that area to provide positive drainage of this area that have proven to be an attractant to wildlife. Airport employees will complete all of the work with current or rental equipment except for the fence installation only. Connecting Gate 13 will allow tenants to access the new t-hangars currently being constructed GA development area without crossing several other ramps and taxiways to gain access.

### Detailed Cost Estimate
(Attach separate sheet if necessary.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fenceline work</td>
<td>$110,000</td>
</tr>
<tr>
<td>Airfield lighting upgrades</td>
<td>$25,900</td>
</tr>
<tr>
<td>Storm water drainage improvements</td>
<td>$180,000</td>
</tr>
<tr>
<td>Connect Gate 13 to Access Control System</td>
<td>$50,000</td>
</tr>
<tr>
<td>Labor</td>
<td>$34,100</td>
</tr>
<tr>
<td><strong>Total Estimate</strong></td>
<td><strong>$400,000</strong></td>
</tr>
</tbody>
</table>

### Total Project Cost:

- **$400,000** (100%)

### Local Share:

- $200,000 (50%)

### Requested State Share:

- $200,000 (50%)

### Sponsor Signature

(Handwritten signature)

**Sponsor Title**

Airport Director

---

Please mail, FAX, or email signed application to:

**Iowa Department of Transportation**

Office of Aviation

800 Lincoln Way

Ames, Iowa 50010

**ATTN: Program Manager**

email: Shane.Wright@dol.iowa.gov

515-230-1048 (questions)

FAX: 515-233-7983
AIRPORT STATE FUNDING APPLICATION CHECKLIST

Fiscal Year 2017

Please attach the following documents with your application:

☐ Funding Application and Checklist
☐ Project Data Sheet, including a detailed cost breakdown. Use one for each project
☐ City/sponsor resolution that endorses the project and certifies availability of matching funds
☐ 5-year Capital Improvement Program (CIP)
☐ Verification that project is identified in a current ALP on file with the Office of Aviation (when applying for new construction of buildings or airfield expansion)
☐ Pavement maintenance program (verify the use of the pavement maintenance program provided by the Iowa DOT or similar program when applying for pavement preservation or reconstruction)
☐ Verification that you have an Airport Security Plan on file with the Office of Aviation (when applying for airport security projects)
☐ Protective land use zoning and/or planning (please answer the following)

Heights zoning ☒ Yes Date adopted 3/23/2015 ☐ No ☐ Pending

Land use planning/zoning ☒ Yes Date adopted 3/23/2015 ☐ No ☐ Pending

Comprehensive plan adopted with airport land use included ☐ Yes ☐ No ☐ Pending

Other (please explain)

☐ Provide verification that you have either updated the www.basedaircraft.com website or submitted based aircraft N-numbers to the Office of Aviation.

☐ Minority Impact Statement

Send 1 signed copy of the application materials to the address listed below.

Please mail, FAX, or email signed application to:

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

ATTN: Program Manager
email: Shane.Wright@dot.iowa.gov
515-239-1048 (questions)
FAX: 515-233-7963
MINORITY IMPACT STATEMENT

Pursuant to 2006 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the state of Iowa that are due beginning January 1, 2009 shall include a Minority Impact Statement. This is the state’s mechanism for requiring grant applicants to consider the potential impact of the grant project’s proposed programs or policies on minority groups.

Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s). Submit additional pages as necessary.

☐ The proposed grant project programs or policies could have a disproportionate or unique positive impact on minority persons.

Describe the positive impact expected from this project.

Indicate which group is impacted:

☐ Women ☐ Persons with a disability ☐ Blacks ☐ Latinos ☐ Asians
☐ Pacific Islanders ☐ American Indians ☐ Alaskan Native Americans ☐ Other

☐ The proposed grant project programs or policies could have a disproportionate or unique negative impact on minority persons.

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.
Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

☐ Women  ☐ Persons with a disability  ☐ Blacks  ☐ Latinos  ☐ Asians
☐ Pacific Islanders  ☐ American Indians  ☐ Alaskan Native Americans  ☐ Other

☐ The proposed grant project programs or policies are not expected to have a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge:

Name:  Mike Collett  [Signature]
Title:  Airport Director

Definitions

"Minority Persons," as defined in Iowa Code Section 8.11, means individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

"Disability," as defined in Iowa Code Section 15.102, subsection 7, paragraph "b," subparagraph (1):

b. As used in this subsection:
   (1) "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"Disability" does not include any of the following:
   (a) Homosexuality or bisexuality
   (b) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
   (c) Compulsive gambling, kleptomania, or pyromania.
   (d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016 ACTION ITEM # 5C

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant in the amount of $104,244.00 to the Iowa Department of Transportation to assist in hangar refurbishment and hangar construction projects at the Sioux Gateway Airport/Col. Bud Day Field.

RECOMMENDATION:
Staff respectfully requests the City Council approve the resolution allowing the Airport Director to submit a grant application to the Iowa Department of Transportation for Commercial Service Vertical Infrastructure funds to assist in hangar refurbishment and hangar construction projects. The grant application was approved by the Airport Board of Trustees at their April 14, 2016 meeting.

DISCUSSION:
The grant application authorizes funds up to $104,224.00 for refurbishment of existing hangars and construction of new hangars.

FINANCIAL IMPACT:
The grant will pay 100% of eligible project costs up to $104,224.00,

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Infrastructure

ALTERNATIVES:
Staff does not recommend alternatives as this grant requires no matching funds.

ATTACHMENTS:
Resolution
IDOT Application
RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT AN AIRPORT STATE FUNDING APPLICATION FOR A COMMERCIAL SERVICE VERTICAL INFRASTRUCTURE GRANT IN THE AMOUNT OF $104,244.00 TO THE IOWA DEPARTMENT OF TRANSPORTATION TO ASSIST IN HANGAR REFURBISHMENT AND HANGAR CONSTRUCTION PROJECTS AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Airport Director be and he is hereby authorized and directed to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation in the amount of $104,244.00 to assist in hangar refurbishment and hangar construction projects at the Sioux Gateway Airport/Col. Bud Day Field.

PASSED AND APPROVED: April 25, 2016 Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
April 12, 2016

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

Re: Airport State Funding Application

Iowa Department of Transportation Office of Aviation:

This letter is to confirm that all of the projects included in this application are endorsed by the City of Sioux City and that all of the Local Funds needed for the projects are either included in the Airport’s Capitol Projects Budget or will be matched with Operating funds, as needed for the FY 2017 program.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Mike Collett
Assistant City Manager
City of Sioux City
# AIRPORT STATE FUNDING APPLICATION

**Fiscal Year: 2017**

**Airport Name:** Sioux Gateway Airport  
**Airport Sponsor Name:** City of Sioux City  
**Contact Person:** Mike Collett  
**Title:** Airport Director  
**Complete Mailing Address:** 2403 Aviation Blvd  
**Sioux City**  
**Ia**  
**51111**  
**Daytime Phone:** 712 279 0167  
**FAX Number:** 712 277 82

**Project Description – If applying for more than one project, list in order of priority. A separate project application data sheet is needed for each project.**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Project Type</th>
<th>Total Project Amount</th>
<th>State Amount Requested</th>
<th>Percent State Share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Service Development</td>
<td>Air Service</td>
<td>$35,000</td>
<td>$28,000</td>
<td>80%</td>
</tr>
<tr>
<td>Rehabilitate and Build Hangars</td>
<td>CIVI</td>
<td>$104,244</td>
<td>$104,244</td>
<td>100%</td>
</tr>
<tr>
<td>Airfield fencing, lighting and storm water drainage improvements</td>
<td>AIP</td>
<td>$400,000</td>
<td>$200,000</td>
<td>50%</td>
</tr>
</tbody>
</table>

**Windsocks – Orders may be placed using this form or by calling 515-239-1468**

| Indicate quantity needed:                        | 18" x 96" | 36" x 144" |

The Sponsor certifies that the information contained in this application is accurate and complete to the best of his/her knowledge.

**Signature of Authorized Sponsor Representative:**  
**Mike Collett**  
**Title:**  
**Date:** April 12, 2016

Please mail, FAX, or email application to:  
**Iowa Department of Transportation**  
**Office of Aviation**  
**800 Lincoln Way**  
**Ames, Iowa 50010**  
**ATTN: Program Manager**  
**email:** Shane.Wright@dot.iowa.gov  
**515-239-1048 (questions)**  
**FAX:** 515-233-7983
# AIRPORT STATE FUNDING APPLICATION

## PROJECT DATA SHEET

Fiscal Year 2017

Submit a separate data sheet for each project.

<table>
<thead>
<tr>
<th>Airport</th>
<th>Sioux Gateway Airport</th>
<th>Date</th>
<th>12 Apr 2016</th>
</tr>
</thead>
</table>

### Project Type (check only one)

- [ ] Airport Improvement Program (AIP)
- [x] Commercial Service Vertical Infrastructure (CSVl)
- [ ] General Aviation Vertical Infrastructure (GAVI)

### Project Description

Refurbishment to hangars and terminal on the airfield. Projects will include roof repair/replacement, hangar door repair replacement, HVAC repair or replacement, refurbishment to the whole building, and/or new hangar development to include engineering, utilities expansion to site, building and site preparation, ramp expansion, aircraft power distribution, and hangar construction.

### Engineering Firm

Name of Engineering Firm (if unknown write "unknown"): [Redacted]

### Sketch

Attach separate sketch from ALP if applicable.

### Project Justification

Hangars scheduled for work include hangar 802 for roof repair/replacement, hangar door work, HVAC repair/replacement; Alert Hangars hangar door work; other Airport Owned hangars on an 'as needed' basis. Power for aircraft used is also needed. All Airport Owned hangars are currently in use on a daily basis and are a vital part of the operation of the Airport. The hangar development project is currently on-going with two different developments in the planning stages. Hangar doors will be repaired/replaced, installed on hangars that are most in need at the time of the project start. The hangar development in the General Aviation area is underway but the buildings in place need massive improvements to be suitable for hangar rental.

### Detailed Cost Estimate

(Attach separate sheet if necessary.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof repair/replacement</td>
<td>$3,000</td>
</tr>
<tr>
<td>Hangar doors</td>
<td>$15,000</td>
</tr>
<tr>
<td>Hangar refurbishment</td>
<td>$15,000</td>
</tr>
<tr>
<td>Hangar development</td>
<td>$71,244</td>
</tr>
</tbody>
</table>

### Total Project Cost:

- $104,244 (100%)

### Local Share:

- $0 (0%)

### Requested State Share:

- $104,244 (100%)

### Sponsor Signature

[Signature]

Airport Title

Sponsor Title

Airport Director

---

Please mail, FAX, or email signed application to:

**Iowa Department of Transportation**
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

**ATTN: Program Manager**
email: Shane.Wright@dol.iowa.gov
515-299-1048 (questions)
FAX: 515-233-7983
AIRPORT STATE FUNDING APPLICATION CHECKLIST

Fiscal Year 2017

Please attach the following documents with your application:

- Funding Application and Checklist
- Project Data Sheet, including a detailed cost breakdown. Use one for each project
- City/sponsor resolution that endorses the project and certifies availability of matching funds
- 5-year Capital Improvement Program (CIP)
- Verification that project is identified in a current ALP on file with the Office of Aviation (when applying for new construction of buildings or airfield expansion)
- Pavement maintenance program (verify the use of the pavement maintenance program provided by the Iowa DOT or similar program when applying for pavement preservation or reconstruction)
- Verification that you have an Airport Security Plan on file with the Office of Aviation (when applying for airport security projects)
- Protective land use zoning and/or planning (please answer the following)
  - Height zoning: ☒ Yes, Date adopted: 3/23/2015, ☐ No, ☐ Pending
  - Land use planning/zoning: ☒ Yes, Date adopted: 3/23/2015, ☐ No, ☐ Pending
  - Comprehensive plan adopted with airport land use included: ☒ Yes, ☐ No, ☐ Pending
  - Other (please explain)

- Provide verification that you have either updated the www.elementaircraft.com website or submitted based aircraft N-numbers to the Office of Aviation.

- Minority Impact Statement

Send 1 signed copy of the application materials to the address listed below:

Please mail, FAX, or email signed application to:

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

ATTN: Program Manager
email: Shane.Wright@dot.iowa.gov
515-239-1048 (questions)
FAX: 515-233-7983
MINORITY IMPACT STATEMENT

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the state of Iowa that are due beginning January 1, 2009 shall include a Minority Impact Statement. This is the state’s mechanism for requiring grant applicants to consider the potential impact of the grant project’s proposed programs or policies on minority groups.

Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s). Submit additional pages as necessary.

☐ The proposed grant project programs or policies could have a disproportionate or unique positive impact on minority persons.

Describe the positive impact expected from this project.

Indicate which group is impacted:

☐ Women  ☐ Persons with a disability  ☐ Blacks  ☐ Latinos  ☐ Asians
☐ Pacific Islanders  ☐ American Indians  ☐ Alaskan Native Americans  ☐ Other

☐ The proposed grant project programs or policies could have a disproportionate or unique negative impact on minority persons.

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.
Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

☐ Women  ☐ Persons with a disability  ☐ Blacks  ☐ Latinos  ☐ Asians
☐ Pacific Islanders  ☐ American Indians  ☐ Alaskan Native Americans  ☐ Other

☐ The proposed grant project programs or policies are not expected to have a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge:

Name: Mike Collett
Title: Airport Director

Definitions

"Minority Persons," as defined in Iowa Code Section 8.11, means individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

"Disability," as defined in Iowa Code Section 15.102, subsection 7, paragraph "b," subparagraph (1):

b. As used in this subsection:
   (1) "Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"Disability" does not include any of the following:
(a) Homosexuality or bisexuality.
(b) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments or other sexual behavior disorders.
(c) Compulsive gambling, kleptomania, or pyromania.
(d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: _____ April 25, 2016 _____  ACTION ITEM #: 5D

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to submit an Airport State Funding Application for an Air Service Sustainment Grant in the amount of $35,000.00 to the Iowa Department of Transportation to assist with marketing efforts at the Sioux Gateway Airport/Col. Bud Day Field.

RECOMMENDATION:
Staff respectfully requests the City Council approve a resolution allowing the Airport Director to submit a grant application to the Iowa Department of Transportation for an Air Service Sustainment Grant to assist with marketing efforts at the Sioux Gateway Airport/Col. Bud Day Field. The grant application was approved by the Airport Board of Trustees at their April 14, 2016 meeting.

DISCUSSION:
The total grant amount is $35,000.00 with state assistance of $28,000.00 to assist in promoting the airport and air service provided at the Sioux Gateway Airport/Col. Bud Day Field. Funds will be used for advertising using print, radio and tv, sponsorships of local events, enhanced WiFi and social media and marketing services.

FINANCIAL IMPACT:
The grant will pay 80% of eligible project costs up to $28,000.00. The additional 20% will be paid by local funds and are budgeted in FY17 CIP.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Economic Opportunity

ALTERNATIVES:
The alternative would be to not apply for the grant which Staff does not recommend.

ATTACHMENTS:
Resolution
IDOT Application
RESOLUTION NO. 2016- _________
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT AN AIRPORT STATE FUNDING APPLICATION FOR AN AIR SERVICE SUSTAINMENT GRANT IN THE AMOUNT OF $35,000.00 TO THE IOWA DEPARTMENT OF TRANSPORTATION TO ASSIST WITH MARKETING EFFORTS AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD PROPERTY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Airport Director be and he is hereby authorized and directed to submit an Airport State Funding Application for an Air Service Sustainment Grant, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation in the amount of $35,000.00 to assist with marketing efforts at the Sioux Gateway Airport/Col. Bud Day Field.

PASSED AND APPROVED: April 25, 2015

Robert E. Scott, Mayor

ATTEST: _________________________________

Lisa L. McCardle, City Clerk
April 12, 2016

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

Re: Airport State Funding Application

Iowa Department of Transportation Office of Aviation:

This letter is to confirm that all of the projects included in this application are endorsed by the City of Sioux City and that all of the Local Funds needed for the projects are either included in the Airport’s Capital Projects Budget or will be matched with Operating funds, as needed for the FY 2017 program.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

[Signature]

Mike Collett
Assistant City Manager
City of Sioux City
AIRPORT STATE FUNDING APPLICATION
Fiscal Year: 2017

Airport Name: Sioux Gateway Airport

Airport Sponsor Name: City of Sioux City

Contact Person: Mike Colett
Title: Airport Director

Complete Mailing Address: 2403 Aviation Blvd
Sioux City IA 51111

Daytime Phone: 712 270 0167

Email Address: mcolett@sioux-city.org

FAX Number: 712 277 82

<table>
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<tr>
<th>Project Description</th>
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Windsocks – Orders may be placed using this form or by calling 515-239-1468
Indicate quantity needed:
- 18” x 96”
- 36” x 144”

The Sponsor certifies that the information contained in this application is accurate and complete to the best of his/her knowledge.

[Signature]
Mike Colett
Signature of Authorized Sponsor Representative

[Signature]
Airport Director

April 12, 2016
Date

Iowa Department of Transportation
Office of Aviation
800 Lincoln Way
Ames, Iowa 50010

ATTN: Program Manager
e-mail: Shane.Wright@dot.iowa.gov
515-239-1048 (questions)
FAX: 515-233-7983
SUX Air Service Development Program Grant

In 2016-2017, the Sioux Gateway Airport’s primary mission in air service sustainment was promoting interest in bids to our Essential Air Service, followed by customer awareness and convenience. The EAS process concluded in November 2015 with Sioux City coming off EAS. With IDOT assistance, SUX plans to aggressively market air service to Sioux Gateway Airport.

We plan to place ads in Sioux City area business journals, area newspapers and radio. The Sioux Gateway Airport will also purchase ads and sponsorships for popular local events and athletic teams to further expand our ‘brand’ presence.

The Airport will continue to upgrade the Wi-Fi in the terminal to provide a better travel experience for our passengers.

The Sioux Gateway Airport will continue to demonstrate the positive economics of using this airport for all their business and personal travel. This would include the convenience aspect and the large amount of time and money saved not ‘traveling somewhere else to travel’. This will be accomplished through use of the web site and social accounts such as Facebook and Twitter, providing for better connectivity to the tech savvy traveler.

Estimated costs

1. Print, radio, billboards, tv - $15,000
2. Sponsorships - $10,000
3. WiFi - $2,000
4. Social Media and Marketing Services - $8,000

Total $35,000

The Airport plans to advertise using print in local newspapers and sponsorships at various Sioux City events to promote the use of air service at SUX. Sponsorships for local events include in kind advertisement consisting of radio spots, tv commercials, Sioux Gateway and American Airlines banners, t-shirts with American Airlines and Airport logos, and print advertisements promoting Sioux City Air Service.

Continue upgrades to the Wi-Fi internet signal distribution in the main passenger terminal and sterile holding area and possibly add more access point. Facebook contests using tickets and passes we receive from sponsorships, promoting airport and airfare sales using email blasts and Twitter. (Airport and City staff do not receive any tickets or other give aways from our sponsorships.)
MINORITY IMPACT STATEMENT

Pursuant to 2008 Iowa Acts, HF 2393, Iowa Code Section 8.11, all grant applications submitted to the state of Iowa that are due beginning January 1, 2009 shall include a Minority Impact Statement. This is the state's mechanism for requiring grant applicants to consider the potential impact of the grant project's proposed programs or policies on minority groups.

Please choose the statement(s) that pertains to this grant application. Complete all the information requested for the chosen statement(s). Submit additional pages as necessary.

☐ The proposed grant project programs or policies could have a disproportionate or unique **positive** impact on minority persons.

Describe the positive impact expected from this project.

Indicate which group is impacted:

☐ Women  ☐ Persons with a disability  ☐ Blacks  ☐ Latinos  ☐ Asians
☐ Pacific Islanders  ☐ American Indians  ☐ Alaskan Native Americans  ☐ Other

☐ The proposed grant project programs or policies could have a disproportionate or unique **negative** impact on minority persons.

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.
Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

☐ Women  ☐ Persons with a disability  ☐ Blacks  ☐ Latinos  ☐ Asians
☐ Pacific Islanders  ☐ American Indians  ☐ Alaskan Native Americans  ☐ Other

☒ The proposed grant project programs or policies are not expected to have a disproportionate or unique impact on minority persons.

Present the rationale for determining no impact.

I hereby certify that the information on this form is complete and accurate, to the best of my knowledge.

Name: Mike Collett
Title: Airport Director

Definitions

"Minority Persons," as defined in Iowa Code Section 8.11, means individuals who are women, persons with a disability, Blacks, Latinos, Asians or Pacific Islanders, American Indians, and Alaskan Native Americans.

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(c) Compulsive gambling, kleptomania, or pyromania.
(d) Psychoactive substance abuse disorders resulting from current illegal use of drugs.

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.
## CITY OF SIOUX CITY
### REQUEST FOR CITY COUNCIL ACTION

**MEETING DATE:**
April 25, 2016

**ACTION ITEM #:** 5E

**FROM:** Mike Collett, Assistant City Manager for Administration

### SUBJECT:
Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C Chapter 53, United States code and other federal statutes administered by the Federal Transit Administration.

### REVIEWED BY:
- [x] Department Director
- [x] Finance Department
- [x] City Attorney
- [x] City Manager

### RECOMMENDATION:
Staff respectfully requests Council approve a resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the U.S. Department of Transportation. Other funding sources include the U.S. Department of Energy, U.S. Department of Agriculture, Iowa Office of Energy Independence, and the Iowa Department of Economic Development. Funding has been programmed and approved in the FY2017 CIP and Operating Budget.

### DISCUSSION:
The Federal Transportation Administration is the delegated authority to award federal financial assistance for transportation projects, grants, and cooperative agreements. The Federal Transit Administration may impose certain obligations upon the City of Sioux City and may require the City of Sioux City to provide the local share of the project cost. The City of Sioux City is required to provide annual certifications and assurances to the Federal Transit Administration for projects. Additional funds for projects currently approved in the City’s CIP budget may also be obtained through grant applications to include the U.S. Department of Energy, U.S. Department of Agriculture, Iowa Office of Energy Independence, and the Iowa Department of Economic Development.

### FINANCIAL IMPACT:
This will allow the city to continue to apply for grants for capital and operating funds.
Projected FY2017 Section 5307 Operating and Capital Assistance (Federal Transit Administration) – $1,753,120.

### RELATIONSHIP TO STRATEGIC PLAN:
This is part of the City Infrastructure Vision; Commit to providing a public transit system to connect residents with affordable and accessible mobility regarding social, medical, educational, and economic purposes.
ALTERNATIVES:
Not make applications to the Federal Transit Administration for federal assistance.

ATTACHMENTS:
Resolution
RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C CHAPTER 53, UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost; and

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

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

1. The City Manager or his/her designee is authorized to execute and file applications for Federal assistance on behalf of the City of Sioux City, Iowa with the Federal Transit Administration for Federal Assistance authorized by 49 U.S.C. Chapter 53, or other Federal statutes authorizing a project administered by the Federal Transit Administration. The City of Sioux City, Iowa, is the direct recipient for the Urbanized Area Formula Program. The Applicant has received authority from the designated recipient to apply for and receive Urbanized Area Formula Program Assistance as a direct recipient.

2. The City Manager or his/her designee is authorized to execute and file with its applications the annual certifications and assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.

3. The City Manager or his/her designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Sioux City, Iowa.

4. The City Manager or his/her designee is authorized to draw against available grant funding using the ECHO System.

PASSED AND APPROVED: April 25, 2016

______________________________
Robert E. Scott, Mayor

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

MEETING DATE: April 25, 2016 ACTION ITEM # 5F
FROM: Mike Collett, Assistant City Manager for Administration

SUBJECT: Resolution authorizing and approving the submission of an application for annual consolidated transit assistance funding from the Iowa Department of Transportation

RECOMMENDATION:
Staff respectfully requests Council approve a resolution to support the submission of the Consolidated Transit Assistance Application. Capital assistance funding has been programmed and approved in the FY2017 CIP.

DISCUSSION:
Each year, the City submits an application for transit operating assistance and special project funding. The funding is appropriated to transit systems throughout the State of Iowa, based on an Iowa DOT formula and availability of capital funds. The projections received from Iowa DOT for next year’s funding are much the same as the current year’s formula funding. The transit system has maintained consistent numbers for the past several years, which consist of miles traveled, number of passengers, and availability of funds. This application also requires transit systems to list capital projects to be applied for on a competitive basis, during FY2017.

FINANCIAL IMPACT:
This application promotes a positive impact to the Transit System operating budget during the next fiscal year.
FY2017 Consolidated Transit System Operating Assistance (IDOT) -- $366,750
FY2017 Public Transit Infrastructure Grant Program (PTIG) -- $116,000
FY2017 Section 5339 Discretionary Funding -- $1,398,875
FY2017 Section 5310 Special Needs Program for Elderly and Disabled -- $74,635

RELATIONSHIP TO STRATEGIC PLAN:
This is part of the City Infrastructure Vision; Commit to providing a public transit system to connect residents with affordable and accessible mobility regarding social, medical, educational, and economic purposes.
ALTERNATIVES:
Not make applications for consolidated transit assistance funding from Iowa Department of Transportation.

ATTACHMENTS:
Resolution and Application
RESOLUTION NO. 2016-_________  
with attachments  

RESOLUTION AUTHORIZING AND APPROVING THE SUBMISSION OF AN APPLICATION FOR ANNUAL CONSOLIDATED TRANSIT ASSISTANCE FUNDING FROM THE IOWA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Iowa Department of Transportation is authorized to make annual grants for mass transportation projects; and

WHEREAS, the City Council of the City of Sioux City, Iowa, believes it is in the best interests of the City to submit an application to the Iowa Department of Transportation for annual Consolidated Transit Assistance Funding; and

WHEREAS, the Iowa Department of Transportation Application, a copy of which is attached hereto and by this reference incorporated herein, should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the annual Consolidated Transit Assistance Funding Application with the Iowa Department of Transportation, referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the City Manager and Assistant City Manager for Administration be and they are hereby authorized and directed to execute said application for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that the Assistant City Manager for Administration and/or the City Manager be and they are hereby authorized and directed to execute such additional assurances and other documents and to provide such additional information as may be required by the Iowa Department of Transportation in connection with such application for annual Iowa Transit Assistance Funding.

PASSED AND APPROVED:   April 25, 2016                   Robert E. Scott, Mayor

ATTEST: _________________________________  
Lisa L. McCardle, City Clerk
TO BE PRINTED ON TRANSIT SYSTEM'S LETTERHEAD

Authorizing Resolution

We, hereby, authorize Robert K. Pedmore

on behalf of City of Sioux City/Sioux City Transit System

(Names of Authorized Signatory)

for financial assistance as noted below and to enter into related contract(s) with the Iowa Department of Transportation.

From the State Transit Assistance Program:

2,542,633 $ of formula funds:

$ of Special Project funds

From federal funds for transit in non-urbanized areas and/or for transit serving primarily elderly persons and persons with disabilities:

$74,635

From statewide federal capital assistance for transit:

$823,000

We understand acceptance of federal transit assistance involves an agreement to comply with certain labor protection provisions.

We certify that City of Sioux City/Sioux City Transit System

(legal Name of Applicant)

has sufficient non-federal funds to provide required local match for capital projects and that time of delivery will have the funds to operate and maintain vehicles and equipment purchased under this project.

We request that State Transit Assistance formula funding be advanced as allowed by law, to improve transit system cash flow.

Adopted the 25th day of April 2016

Name: Robert K. Pedmore

(Applicant's Governing Body)

By: signature of Chief Executive Officer

Title: City Manager, City of Sioux City – Sioux City Transit System

Address: 509 Nebraska Street, Sioux City, Iowa 51101

Telephone: 712-278-8102
Labor Protection Agreement

The City of Sioux City/ Sioux City Transit System

(Legal Name of Applicant)

as an applicant for federal non-urbanized area agrees that in the absence of a waiver by the Department of Labor, the terms and conditions of the Special Warranty Arrangement For Application to Other Than Urbanized and Over-the-Road Bus Accessibility Projects Pursuant to Section 5333(b) of Title 49, of the U.S. Code, Chapter 53 (hereinafter referred to as “Warranty”), shall apply for the protection of the employees of any employer providing transportation services assisted by the project and the employees of any other surface public transportation providers in the transportation service area of the Project. The Warranty shall be made part of the contract of assistance with the Iowa Department of Transportation and shall be binding and enforceable by and upon the parties thereto, by any covered employee or his/her representative.

Additionally, pursuant to the Department of Labor’s procedures for application of the Warranty, included with this submission is a listing of all transportation providers which will be recipients of transportation assistance funded by the Project, a listing of other transportation providers in the geographic area of such Project, and any labor organization representing the employees of such providers.

I further certify that I have read and understand the terms and conditions of the Warranty, which can be found at http://www.dol.gov/ohmig/regs compliance/transit/07_special_warranty.htm.

Signature
Robert K. Padmore
Print Name
City Manager
Title
City of Sioux City Transit System
Name of Organization
April 25, 2016
Date Signed
# Listing of Surface Transportation Providers in Project Area

**Table 1: Transit Providers Operating Under Authority of Applicant**

Note: List applicant as number one if it actually operates/provides services.

<table>
<thead>
<tr>
<th>Provider Operating Under Contract to (Legal Name of Applicant)</th>
<th>Use Union Code</th>
<th>check if Yes</th>
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<tbody>
<tr>
<td>City of Sioux City/Sioux City Transit System</td>
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<thead>
<tr>
<th>List transit operations showing their current status as of date (April 25, 2010)</th>
<th>Union Code Local Number</th>
<th>United</th>
<th>County Boundary</th>
<th>Crosses Regional Boundary</th>
<th>Crosses State Boundary</th>
<th>Receiving Public Money</th>
<th>Private-For-Profit</th>
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<tr>
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<td>ATU</td>
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<tr>
<td>1. Sioux City Transit System</td>
<td>509 Nebraska Street</td>
<td>Sioux City, IA 51101</td>
<td>779</td>
<td>ATU</td>
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<td></td>
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<tr>
<td>2. Siouxland Regional Transit System</td>
<td>1122 Pierce Street, P.O. Box 1077</td>
<td>Sioux City, IA 51102-1077</td>
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</table>
# Listing of Surface Transportation Providers in Project Area

## Table 2: Transit Providers Not Operating Under Authority of Applicant

List all other public, private, and non-profit transportation providers which operate or offer services in Applicant's service area, including intercity bus companies, taxis, and social service agencies.

| Services/Programs Operating Independently From: (Legal Name of Applicant) |
| City of Sioux City/Sioux City Transit System |

**List transit operations showing their current status as of (date): April 25, 2016**

<table>
<thead>
<tr>
<th>Union Code</th>
<th>Use Code</th>
<th>Union Local Number</th>
<th>Union Bargaining Unit</th>
<th>Crosses Urban Boundary</th>
<th>Crosses Regional Boundary</th>
<th>Crosses State Boundary</th>
<th>Crosses National Boundary</th>
<th>Receiving Public Money</th>
<th>Private-For-Profit</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATU - Amalgamated Transit Union; ASCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBEW - International Brotherhood of Teamsters; IUOE - International Union of Operating Engineers; IAM - International Union of Painters and Allied Trades; UME - Other</td>
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</tr>
</tbody>
</table>

**Addresses and e-mail addresses must be included.**

<p>| 1. | Siouxland Regional Transit System 1122 Pierce Street, P.O. Box 1077 Sioux City, IA 51102-1077 <a href="mailto:curt@siouxcity.org">curt@siouxcity.org</a> |
| 2. | Action Taxi and Limousine 418 West 9th Street Sioux City, IA 51103 |
| 3. | Siouxland Taxi and Limousine 613 10th Street Sioux City, IA 51102 |
| 4. | DZ Cab, Inc 4004 Floyd Blvd Sioux City, IA 51108 |
| 5. | TaxiXpress 531 12th Street Sioux City, IA 51105 |
| 6. | Lucky 7's Cab 621 Floyd Blvd. Sioux City, IA 51108 |
| 7. | South Sioux Taxi 840 Oak South Sioux City, NE 68776 |</p>
<table>
<thead>
<tr>
<th>Union Code</th>
<th>Address and e-Mail Address, must be included</th>
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<tbody>
<tr>
<td>ATU - Amalgamated Transit Union: AFSCME - American Federation of State, County, and Municipal Employees; IBEW - International Brotherhood of Electrical Workers; IBE - International Brotherhood of Teamsters; I.U.O.E. - International Union of Operating Engineers; ILPAI - International Union of Painters and Allied Trades. NONE: OTHER</td>
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<tr>
<td>0.</td>
<td>Siouxland Paramedics Inc. 1701 Terminal Drive Sioux City, IA 51105</td>
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<td>1.</td>
<td>Jefferson Lines 591 Nebraska Street Sioux City, IA 51101</td>
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<td>10.</td>
<td>Arrow Stage Lines 3225 3rd Street Sioux City, IA 51105</td>
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<td>11.</td>
<td>Royal Charters Royalty Limousines P.O. Box 112 LeMars, IA 51031-0112</td>
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<td>12.</td>
<td>Navigator Motorcoaches Inc. 8400 US Hwy 81 P.O. Box 2744 Norfolk, NE</td>
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<td>13.</td>
<td>Travel Plus Limousines 2411 Geneva Street Sioux City, IA 51103</td>
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<td>14.</td>
<td>Care-A-Van Transportation LLC 1437 38th Street Sioux City, IA 51104</td>
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<td>15.</td>
<td>Pona Express 1800 Syracuse Avenue Norfolk, NE 68701</td>
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<tr>
<td>Union Code</td>
<td>Union Local Number</td>
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<tr>
<td>ATU - Amalgamated Transit Union, AFSCME - American Federation of State, County, and Municipal Employees, IBEW - International Brotherhood of Electrical Workers, IBT - International Brotherhood of Teamsters, UOCE - International Union of Operating Engineers, IUPE - International Union of Painters and Allied Trades</td>
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<td>Address and e-Mail Address must be included</td>
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<tr>
<td>18. Prince and Princess Limbo</td>
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<td>P. O. Box 1374</td>
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<td>Sioux City, IA 51102</td>
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TO BE PRINTED ON TRANSIT SYSTEM'S LETTERHEAD

CERTIFICATE OF COST ALLOCATION PLAN

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief that:

(1) All costs and information included in this proposal dated April 25, 2016 to establish cost allocations or billings for FY 2017, are allowable in accordance with (please check the applicable CFR):
   - 2 CFR Part 225 (formerly OMB Circular A-87), “Cost Principles for State, Local and Indian Tribal Governments,” or

(2) All costs have been accorded consistent treatment in accordance with generally accepted accounting principles.

(3) An adequate accounting and statistical system exists to support claims that will be made under the Plan.

(4) The information provided in support of the Cost Allocation Plan is accurate, and

(5) All federally unallowable costs have been excluded from allocations.

I declare under penalty of perjury that the foregoing is true and correct.

Signed by the official having the authority to negotiate indirect cost rates for the organization or by a higher level official.

Signature
Michael Collett
Print Name
Assistant City Manager for Administration
Title
City of Sioux City
Name of Organization
April 25, 2016
Date Signed
CERTIFICATE OF INDIRECT COSTS

This is to certify that I have reviewed the indirect cost proposal submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal dated April 25, 2016 to establish billing or final indirect costs for FY 2017 are allowable in accordance with the requirements of the Federal award(s) to which they apply and (please check the applicable CFR):

☐ 2 CFR Part 225 (formerly OMB Circular A-87), "Cost Principles for State, Local and Indian Tribal Governments.",

All unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan or indirect cost rate proposal.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the agreements to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently, and the Federal Government will be notified of any accounting changes that would affect the negotiated rate (if any).

Subject to the provisions of the Program Fraud Civil Remedies Act of 1986 (31 USC 3701 et seq.), and the Department of Labor’s implementing regulations, (29 CFR Part 22), the False Claims Act (18 USC 287 and 31 USC 3729), and the False Statement Act (18 USC 1001), I declare to the best of my knowledge that the foregoing is true and correct.

Signed by the official having the authority to negotiate indirect cost rates for the organization or by a higher level official.

Signature

Michael Collett
Print Name

Assistant City Manager for Administration
Title

City of Sioux City
Name of Organization

April 25, 2016
Date Signed
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE:        April 25, 2016               ACTION ITEM #        5G

FROM:    Chris Myres, Economic Development Specialist

SUBJECT:  Resolution authorizing the Economic Development Department to submit a grant application to the Iowa Department of Transportation for Rail Revolving Loan and Grant Program (RRLG) funding to conduct a study for the potential development of a transload facility at the Southbridge Rail Yard

RECOMMENDATION:

Staff respectfully requests Council approve the above resolution.

DISCUSSION:

Background
Southbridge Business Park began as an effort to identify sites to meet the need for large industrial development in Sioux City. Planning for the Southbridge Business Park was first included in the City’s Comprehensive Plan in 2005. Studies of the potential for a new water plant, utilities and access roads took place over the next few years.

Today, the Southbridge Business Park development includes several major street projects, a number of significant utility improvements, a new water plant, and an electric substation. Most of these improvements benefitted from various state and federal grant sources. Southbridge Business Park is now home to Sabre Industries, the first occupant of the new business park that has grown to over 530 employees on a 150-acre campus. The City is working closely with Trinity Industries on the development of a new rail maintenance facility at the 27 Flags site.

As a part of the overall development of the Southbridge Business Park, the City has completed construction of a “drop and pull yard” and associated rail spur. This new rail infrastructure will provide rail service to the business park, and help attract major rail-served industries to Sioux City. The City successfully received several grants, including a $3 million State (IDOT) Rail grant, a $2 million Federal (FRA) grant, and a $1.18 million Federal EDA award for the project for the $7 million estimated cost.

IDOT RRLG Grant Opportunity:
The Rail Revolving Loan and Grant (RRLG) program provides funding for projects to increase the accessibility of freight rail infrastructure to industry in Iowa. RRLG is intended for projects that enhance economic development by improving multi-modal freight transportation systems, provide flexible funding, competitive transportation options, and partnering opportunities.
Staff has identified this program as an opportunity to obtain funding for enhancements for the Southbridge Rail Yard, including a potential transload facility. Transload facilities allow products to be transferred between truck and rail. The study is also intended to become the basis for future applications for construction funding.

Approval of this resolution will allow the City’s application to be considered by the Iowa Department of Transportation. Review of applications will begin in May with initial staff recommendations in mid-summer and awards anticipated at an IDOT Commission meeting in the fall of 2016.

FINANCIAL IMPACT:
The rail yard transload study is projected to cost $125,000. If successful, the RRLG program would fund 80% or $100,000 and the City would be responsible for the remaining 20% or $25,000, funded by CIP 663164 Southbridge Tech Studies. The City’s match would be funded from the Donner Park Tax Increment Financing District.

RELATIONSHIP TO STRATEGIC PLAN:
Supports the strategic plan goals to develop Sioux City into a leading Iowa business destination, invest in infrastructure to retain current businesses, develop a long-term economic development strategy, as well as to grow a vibrant and balanced economy. This project also furthers the Strategic Goal to achieve Phase I build out of the Southbridge Industrial Park and completion of a rail-yard.

ALTERNATIVES:
None suggested.

ATTACHMENTS:
Resolution
Hard copies of the IDOT RRLG Grant Application will be provided
RESOLUTION NO. 2016-______
with attachments

RESOLUTION AUTHORIZING THE ECONOMIC DEVELOPMENT DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE IOWA DEPARTMENT OF TRANSPORTATION FOR RAIL REVOLVING LOAN AND GRANT PROGRAM (RRLG) FUNDING TO CONDUCT A STUDY FOR THE POTENTIAL DEVELOPMENT OF A TRANSLOAD FACILITY AT THE SOUTHBRIDGE RAIL YARD

WHEREAS, the City has developed the Southbridge Business Park to encourage the creation of quality jobs and significant capital investment and tax base; and

WHEREAS, the City has also developed the Southbridge Rail Yard to further enhance and improve the competitiveness of the Southbridge Business Park to provide rail service and attract industrial development; and

WHEREAS, the City of Sioux City plans to study the potential development of a transload facility to allow products to be transferred between truck and rail and enhance the overall value of the Southbridge Rail Yard, and will pursue Iowa Department of Transportation Rail Revolving Loan and Grant Program (RRLG) funding to study the potential for the development of a transload facility; and

WHEREAS, an RRLG award from the Iowa Department of Transportation is essential to the City’s efforts to enhance the Southbridge Rail Yard; and

WHEREAS, the City Council supports submission of such a grant application to provide critical funding to meet these needs; and

WHEREAS, the City has prepared a grant application for said Iowa Department of Transportation RRLG Program funding in the amount of $100,000, a copy of said grant application being 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 the Economic Development Department is hereby authorized to submit a grant application, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation RRLG Program requesting funds in the amount of $100,000.00 for a transload facility study related to the Southbridge Business Park.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

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

MEETING DATE: April 25, 2016 ACTION ITEM # 5H

FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: Resolution authorizing and approving the submission of a grant application to the United States Department of Transportation’s TIGER Grant Program to assist with the construction of the 18th Street Viaduct Project.

RECOMMENDATION:
Staff respectfully requests Council approve the attached Resolution authorizing and approving the submission of a grant application to the United States Department of Transportation’s Transportation Investment Generating Economic Recovery (TIGER) Grant Program for the 18th Street Viaduct Viaduct Project.

DISCUSSION:
The Hoeven Valley Transportation Plan, completed in 2002 and updated in 2016, identified the need to improve access to the middle portion of the Hoeven Valley, including the proposed construction of an 18th Street Viaduct, to connect from Floyd Boulevard to Steuben Street. The purpose of the project is to reduce vehicular, truck and rail delays, allow switching yards to operate more efficiently, allow existing and future industries to expand and to capitalize on rail access and improve the ability of public transit and emergency vehicles to serve the area.

On June 15, 2015 under Resolution Number 2015-0441 City Council approved a Consultant Services Agreement with JEO Consulting Group, Inc. to complete the final design of the 18th Street Viaduct as well as complete an update to the Hoeven Valley Transportation Plan utilizing the 2014 awarded United States Department of Transportation’s TIGER Planning Grant Funding. Final design is scheduled to be completed in August 2016.

The U.S. Department of Transportation’s TIGER Program is intended to assist large infrastructure projects that are consistent with several goals including job creation and economic competitiveness, and improving energy efficiency. Total project costs are estimated to be $20,777,000. An application for 2016 TIGER construction funding has been prepared for TIGER funding with a local match being provided from the City of $2,000,000. The remaining $18,777,000 will be funded through TIGER and private partner funds. Private partners include Cargill, Union Pacific Railroad, Canadian National Railway, and the Iowa Department of Transportation.
**FINANCIAL IMPACT:**
If awarded, this project will be funded through the TIGER Grant Program with the local match provided by the City, and the private partners. The City’s share will be funded under CIP No. 719-071 using General Obligation Bonds made available from the Annual Infrastructure Reconstruction CIP No. 719-133.

**RELATIONSHIP TO STRATEGIC PLAN:**
Municipal Responsibility – Infrastructure
Focus Area – Expand Development Opportunities and Grow Sioux City

**ALTERNATIVES:**
None recommended.

**ATTACHMENTS:**
Resolution
Grant Application will be available for review in the City Manager's and City Clerk's Offices
RESOLUTION NO. 2016 - __________
with attachments

RESOLUTION AUTHORIZING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION’S TIGER GRANT PROGRAM TO ASSIST WITH THE CONSTRUCTION OF THE 18TH STREET VIADUCT PROJECT.

WHEREAS, the City of Sioux City adopted the Hoeven Valley Transportation Plan in 2002 and completed the first major project, the Outer Drive Connector, in 2010; and

WHEREAS, the City of Sioux City has developed the 18th Street Viaduct Project to further implement the goals of the Hoeven Valley Transportation Plan; and

WHEREAS, the 18th Street Viaduct Project will improve transportation efficiencies, promote environmental sustainability, and improve safety by reducing vehicular and rail conflicts; and

WHEREAS, the construction of said infrastructure will help develop the industrial base, create jobs, and improve the economic competitiveness of the region; and

WHEREAS, the City of Sioux City’s grant application to the United States Department of Transportation TIGER Program, a copy of which is attached hereto and by this reference made a part hereof, will provide vital funding to assist with the construction of the 18th Street Viaduct Project; and

WHEREAS, said grant application should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Engineering Division is hereby authorized and directed to submit a grant application to the United States Department of Transportation TIGER Grant Program to request funding to assist with the construction of the 18th Street Viaduct Project.

PASSED AND APPROVED: April 25, 2016 __________________________
Robert E. Scott, Mayor

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

MEETING DATE: April 25, 2016  ACTION ITEM # 6 A-C

FROM: Sgt. Dane Wagner, Investigative Services Bureau, Special Investigations Unit

SUBJECT: Resolution fixing a date, time and place for a hearing on a proposed civil penalty of $300.00 against Select Foods, Inc. d.b.a. Save A Lot, 1730 Pierce Street, Sioux City, Iowa, for violation of the Iowa cigarette laws.

Resolution fixing a date, time and place for a hearing on a proposed $1,500.00 civil penalty or thirty (30) day suspension of a cigarette permit issued to Select Mart, Inc. d.b.a. Select Mart #1, 623 14th Street, Sioux City, Iowa, for violation of the Iowa cigarette laws.

Resolution fixing a date, time and place for a hearing on a proposed $1,500.00 civil penalty or thirty (30) day suspension of a cigarette permit issued to Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 W. 7th Street, Sioux City, Iowa, for violation of the Iowa cigarette laws.

RECOMMENDATION:

The Sioux City Police Department respectfully requests that the City Council set a date, time and place for a hearing on a proposed civil penalty of $300.00 against the following cigarette permit holder for a first violation of State Cigarette Statute 453A.2(1):

- Cigarette License #16-44860 under the name Select Foods, Inc. d.b.a. Save A Lot, 1730 Pierce Street, Sioux City, Iowa.

The Sioux City Police Department respectfully requests that the City Council set a date, time and place for a hearing on a proposed civil penalty of $1,500.00 or a thirty (30) day suspension against the following cigarette permit holders for a second violation within two (2) years of the State Cigarette Statute 453A.2(1):

- Cigarette License #16-23349 under the name Select Mart, Inc. d.b.a. Select Mart #1, 623 14th Street, Sioux City, Iowa
- Cigarette License #16-28294 under the name Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 W. 7th Street, Sioux City, Iowa.

DISCUSSION:

On March 25, 2016, officers sent an underage confidential informant into Save A Lot, 1730 Pierce Street, Sioux City, Iowa to attempt to purchase tobacco. The clerk, Cindy B. Lara Morales, sold the confidential informant a pack of Marlboro Light cigarettes and was subsequently issued a citation for selling tobacco to an underage person in violation of State Cigarette Statute 453.2(1). On April 5, 2016, Ms. Lara Morales was found guilty and received a fine of $195.00.
Resolution No. 2016-0280, passed and approved by the City Council on April 18, 2016, assessed a civil penalty of $300.00 against Select Mart #1, 623 14th Street, Sioux City, Iowa for violation of State Cigarette Statute 453A.2(1). On March 25, 2016, officers sent an underage confidential informant into Select Mart #1, 623 14th Street, Sioux City, Iowa to attempt to purchase tobacco. The clerk, Debra M. Downs, sold the confidential informant a pack of Marlboro Light cigarettes and was subsequently issued a citation for selling tobacco to an underage person in violation of State Cigarette Statute 453A.2(1). On April 8, 2016, Ms. Downs was found guilty and received a fine of $195.00.

Resolution No. 2016-0152, passed and approved by the City Council on March 7, 2016, assessed a civil penalty of $300.00 against Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 W. 7th Street, Sioux City, Iowa for violation of State Cigarette Statute 453A.2(1). On March 25, 2016, officers sent an underage confidential informant into Sam’s Mini Mart, 923 W. 7th Street to attempt to purchase tobacco. The clerk, Saeed A. Mian, sold the confidential informant a pack of Marlboro Lights and was subsequently issued a citation for selling tobacco to an underage person. On April 7, 2016, Mr. Mian was found guilty and received a fine of $195.00.

FINANCIAL IMPACT:
Collection of civil penalties to be placed in the City’s General Fund.

RELATIONSHIP TO STRATEGIC PLAN:
INVESTIGATIVE SERVICES:
Municipal Responsibility - Health and Safety Vision
Strategic Focus Area - Enhance Public/Private Partnerships

ALTERNATIVES:
There are no alternatives to the imposition of the fines. These are regulated by state law and we have no option but to follow the state law.

ATTACHMENTS:
Council Resolutions for Save A Lot, Select Mart #1, and Sam’s Mini Mart.

Citations for Cindy B. Lara Morales, Debra M. Downs, and Saeed A. Mian.
RESOLUTION NO. 2016-_____

with attachments

RESOLUTION FIXING A DATE, TIME AND PLACE FOR A HEARING ON A PROPOSED CIVIL PENALTY OF $300.00 AGAINST SELECT FOODS, INC. D.B.A. SAVE A LOT, 1730 PIERCE STREET, SIOUX CITY, IOWA, FOR VIOLATION OF THE IOWA CIGARETTE LAWS.

WHEREAS, on April 5, 2016, Cindy B. Lara Morales was convicted in Woodbury County District Court, Case No. STA0133207 of violating Iowa Code § 453A.2 on March 25, 2016 (a copy of said conviction is attached hereto and incorporated herein by reference); and

WHEREAS, at the time of the above violation Cindy B. Lara Morales was an employee of Select Foods, Inc. d.b.a. Save A Lot, 1730 Pierce Street, Sioux City, Iowa, a cigarette permit holder; and

WHEREAS, the acts of an agent or employee of a licensee are imputed to the licensee; and

WHEREAS, said violation is a first violation of this section within a period of two (2) years; and

WHEREAS, Iowa Code § 453A.22(2), as amended, provides that a permittee who violates said section shall be assessed a civil penalty in the amount of $300.00 after a hearing and notice; and

WHEREAS, the City Council is advised and does believe that a public hearing should be set and fixed for May 23, 2016 at 4:00 o’clock P.M. in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa for the purpose of considering whether a penalty in the amount of $300.00 should be assessed against the permittee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the City Council conduct a public hearing on a proposed fine to be assessed against Select Foods, Inc. d.b.a. Save A Lot, 1730 Pierce Street, Sioux City, Iowa, Cigarette Permit No. 16-44860.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the license holder of this action by providing to said license holder a certified copy of this Resolution. Such notice shall be by mail sent to the address listed on the application for a cigarette permit.

BE IT FURTHER RESOLVED, that the City Clerk shall mail a certified copy of this Resolution to: Department of Revenue, Cigarette Permit Division, P.O. Box 10456, Des Moines, Iowa 50306-0456; Iowa Department of Public Health, Division of Tobacco Use Prevention and Control, 321 E. 12th Street, Des Moines, Iowa 50319-0075; and the Iowa Attorney General, ATTN: Matthew L. Gannon, Assistant Attorney General, Hoover State Office Building, 1305 E. Walnut Street, 2nd Floor, Des Moines, Iowa 50319.

BE IT FURTHER RESOLVED that in the event the permittee chooses to settle this matter by voluntary payment of the fine, the City Clerk is authorized to file a copy of the Acknowledgment/Settlement Agreement with this resolution and cancel the hearing set forth herein.

PASSED AND APPROVED: April 25, 2016

ATTEST: _____________________________

Lisa L. McCardle, City Clerk

Robert E. Scott, Mayor
**Defendant:** LARA MORALES, CINDY BEATZABE

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**Appeal:** ,

**Facility Type:**

**Restitution:**

**Lic.Revoked:**

**Fine Amount:**

**Comment:**
Financials
Title: STATE vs. LARA MORALES, CINDY BEATZABE
Case: 03971 STA0133207 (WOODBURY)
Citation Number: DO570749

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Case: 03971 STA0133207 (WOODBURY)
Citation Number: DO570749

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RESOLUTION NO. 2016-_____
with attachments

RESOLUTION FIXING A DATE, TIME AND PLACE FOR A HEARING ON A PROPOSED $1,500.00 CIVIL PENALTY OR THIRTY DAY SUSPENSION OF A CIGARETTE PERMIT ISSUED TO SELECT MART, INC. D.B.A. SELECT MART #1, 623 14TH STREET, SIOUX CITY, IOWA, FOR VIOLATION OF THE IOWA CIGARETTE LAWS.

WHEREAS, on April 8, 2016, Debra M. Downs was convicted in Woodbury County District Court, Case No. STA0133208 of violating Iowa Code § 453A.2 on March 25, 2016 (a copy of said conviction is attached hereto and incorporated herein by reference); and

WHEREAS, at the time of the above violation Debra M. Downs was an employee of Select Mart, Inc. d.b.a. Select Mart #1, 623 14th Street, Sioux City, Iowa, a cigarette permit holder; and

WHEREAS, the acts of an agent or employee of a licensee are imputed to the licensee; and

WHEREAS, said violation is a second violation of this section within a period of two (2) years; and

WHEREAS, Iowa Code § 453A.22(2), as amended, provides that a permittee who violates said section twice within a two year period shall, at the permittee’s option, pay a civil penalty of $1,500.00 or have the permittee’s license suspended for thirty days after a hearing and notice; and

WHEREAS, the City Council is advised and does believe that a public hearing should be set and fixed for May 23, 2016 at 4:00 P.M. in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa for the purpose of considering whether said permittee should pay a $1,500.00 civil penalty or the license should be suspended for a thirty day period.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the City Council conduct a public hearing on a proposed $1,500.00 civil penalty or thirty day suspension of a cigarette permit issued to Select Mart, Inc. d.b.a. Select Mart #1, 623 14th Street, Sioux City, Iowa, Cigarette Permit No. 16-23349.

BE IT FURTHER RESOLVED that if the civil penalty is not paid within thirty days after the hearing date, the license will automatically be suspended for thirty days

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the license holder of this action by providing to said license holder a certified copy of this Resolution. Such notice shall be by mail sent to the address listed on the application for a cigarette permit. The permittee may select either the civil penalty or suspension by written notice to the City.

BE IT FURTHER RESOLVED, that the City Clerk shall mail a certified copy of this Resolution to: Department of Revenue, Cigarette Permit Division, P.O. Box 10456, Des Moines, Iowa 50306-0456; Iowa Department of Public Health, Division of Tobacco Use Prevention and Control, 321 E. 12th Street, Des Moines, Iowa 50319-0075; and the Iowa Attorney General, ATTN: Matthew L. Gannon, Assistant Attorney General, Hoover State Office Building, 1305 E. Walnut Street, 2nd Floor, Des Moines, Iowa 50319.
BE IT FURTHER RESOLVED that in the event the permittee chooses to settle this matter by voluntary payment of the fine, the City Clerk is authorized to file a copy of the Acknowledgment/Settlement Agreement with this resolution and cancel the hearing set forth herein.

PASSED AND APPROVED: ___April 25, 2016_______

_______________________________
Robert E. Scott, Mayor

ATTEST:
_______________________________
Lisa L. McCardle, City Clerk
**Defendant:** DOWNS, DEBRA M

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**Against Type:**  

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**Adj.Date:** 04/08/2016  
**Adj.Judge:** WOODBURY COUNTY CLERK,  

**Sentence:**  
**Sentence Date:** 04/08/2016  
**Sentence:** FINE  
**Sen.Judge:** WOODBURY COUNTY CLERK,  

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**Drug:** N  
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**Batterer:**  

**Fine Amount:** 100  
**Duration:**  

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**Financials**
Title: STATE vs. DOWNS, DEBRA M  
Case: 03971 STA0133208 (WOODBURY)  
Citation Number: DO570750

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Total: $195.00 $0.00 $195.00

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Case: 03971 STA0133208 (WOODBURY)  
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RESOLUTION FIXING A DATE, TIME AND PLACE FOR A HEARING ON A PROPOSED $1,500.00 CIVIL PENALTY OR THIRTY DAY SUSPENSION OF A CIGARETTE PERMIT ISSUED TO GOOD MART, INC. D.B.A. SAM’S MINI MART, 923 W. 7TH STREET, SIOUX CITY, IOWA, FOR VIOLATION OF THE IOWA CIGARETTE LAWS.

WHEREAS, on April 7, 2016, Saeed A. Mian was convicted in Woodbury County District Court, Case No. STA0133209 of violating Iowa Code § 453A.2 on March 25, 2016 (a copy of said conviction is attached hereto and incorporated herein by reference); and

WHEREAS, at the time of the above violation Saeed A. Mian was an employee of Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 W. 7th Street, Sioux City, Iowa, a cigarette permit holder; and

WHEREAS, the acts of an agent or employee of a licensee are imputed to the licensee; and

WHEREAS, said violation is a second violation of this section within a period of two (2) years; and

WHEREAS, Iowa Code § 453A.22(2), as amended, provides that a permittee who violates said section twice within a two year period shall, at the permittee’s option, pay a civil penalty of $1,500.00 or have the permittee’s license suspended for thirty days after a hearing and notice; and

WHEREAS, the City Council is advised and does believe that a public hearing should be set and fixed for May 23, 2016 at 4:00 P.M. in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa for the purpose of considering whether said permittee should pay a $1,500.00 civil penalty or the license should be suspended for a thirty day period.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the City Council conduct a public hearing on a proposed $1,500.00 civil penalty or thirty day suspension of a cigarette permit issued to Good Mart, Inc. d.b.a. Sam’s Mini Mart, 923 W. 7th Street, Sioux City, Iowa, Cigarette Permit No. 16-28294.

BE IT FURTHER RESOLVED that if the civil penalty is not paid within thirty days after the hearing date, the license will automatically be suspended for thirty days

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to notify the license holder of this action by providing to said license holder a certified copy of this Resolution. Such notice shall be by mail sent to the address listed on the application for a cigarette permit. The permittee may select either the civil penalty or suspension by written notice to the City.

BE IT FURTHER RESOLVED, that the City Clerk shall mail a certified copy of this Resolution to: Department of Revenue, Cigarette Permit Division, P.O. Box 10456, Des Moines, Iowa 50306-0456; Iowa Department of Public Health, Division of Tobacco Use Prevention and Control, 321 E. 12th Street, Des Moines, Iowa 50319-0075; and the Iowa Attorney General, ATTN: Matthew L. Gannon, Assistant Attorney General, Hoover State Office Building, 1305 E. Walnut Street, 2nd Floor, Des Moines, Iowa 50319.
BE IT FURTHER RESOLVED that in the event the permittee chooses to settle this matter by voluntary payment of the fine, the City Clerk is authorized to file a copy of the Acknowledgment/Settlement Agreement with this resolution and cancel the hearing set forth herein.

PASSED AND APPROVED:  April 25, 2016  

__________________________
Robert E. Scott, Mayor

ATTEST:  
Lisa L. McCardle, City Clerk
### Charges, Dispositions, Sentences

**Title:** STATE vs. MIAN, SAEED AHMED  
**Case:** 03971 STA0133209 (WOODBURY)  
**Citation Number:** DO571173

**Defendant:** MIAN, SAEED AHMED

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**Sentence:** FINE
### Financials

Title: STATE vs. MIAN, SAEED AHMED  
Case: 03971 STA0133209 (WOODBURY)  
Citation Number: DO571173

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CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: ________________

ACTION ITEM # __________

FROM: Glenn Ellis, City Engineer
       Brittany Anderson, Senior Civil Engineer

SUBJECT: Resolution adopting construction documents for the proposed construction of the Dearborn Boulevard Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(680)--8J-97 (City Project No. 6634-719-350).

RECOMMENDATION:
Staff respectfully requests Council adopt construction documents for the Dearborn Boulevard Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(680)--8J-97 (City Project No. 6634-719-350).

DISCUSSION:
Calhoun-Burns and Associates, Inc. has completed construction documents for the Dearborn Boulevard Bridge over Perry Creek Project. This project includes the replacement of the Dearborn Boulevard Bridge over Perry Creek. The existing 60 foot x 31 foot 6 inch concrete girder bridge will be replaced with a 150 foot x 32 foot continuous concrete slab bridge with 10 foot sidewalks on the east side of the bridge. A realignment of West Clifton Avenue to the north will take place as the first phase of the bridge replacement project to allow for the longer bridge deck. Multiple public meetings were held with the neighborhood during the design process to determine aesthetic features of the new bridge. These features include a barrier rail completed with a colored concrete stone pattern and a black steel pedestrian rail.

Staff is ready to advertise the Notice of Public Hearing and Notice to Bidders on April 30, 2016 and May 7, 2016. A public hearing will be held on May 9, 2016. Bids will be received on May 17, 2016 through the Iowa Department of Transportation. The project contract will have 120 working days and a late start date of June 20, 2016.

FINANCIAL IMPACT:
This project is funded using Federal-aid funds which are an 80/20 match for federal participation up to $1,000,000. The 20 percent City match will be funded through a transfer in sales tax infrastructure dollars and general obligation bonds. This project is currently programmed in CIP No. 719-350, Dearborn Boulevard Bridge, which has an available balance of $387,963.35. A budget move from CIP No. 719-138 Annual Bridge Repairs, which has an available balance of $3,292,291.79, will be completed as needed.
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
Public Notice

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the Dearborn Boulevard Bridge over Perry Creek Project, in Sioux City, Iowa; and

WHEREAS, Calhoun-Burns and Associates, Inc. of West Des Moines, Iowa have prepared the construction documents.

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

A. The construction documents, as prepared by Calhoun-Burns and Associates, Inc., and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the Dearborn Boulevard Bridge over Perry Creek Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o’clock P.M., Local Time, May 9, 2016, 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 construction documents of contract for said improvements.

B. The bids will be received by the Iowa Department of Transportation at the Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, until 10:00 A.M., Local Time, May 17, 2016 for the proposed construction of said improvements. The Iowa DOT uses the Bid Express website – www.bidx.com – as an official depository for electronic bid submittal.

C. The time of 10:30 A.M., Local Time, May 17, 2016, at the Iowa Department of Transportation Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, 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 hearing and opening of bids to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, City Clerk
NOTICE OF PUBLIC HEARING ON CONSTRUCTION DOCUMENTS FOR THE
CONSTRUCTION OF THE DEARBORN BOULEVARD BRIDGE OVER PERRY
CREEK PROJECT, IN SIoux CITY, IOWA, AND TAKING BIDS THEREON

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 May 9, 2016, commencing at 4:00 P.M., Local Time, on the proposed construction documents for construction of the Dearborn Boulevard Bridge over Perry Creek Project in Sioux City, Iowa (the project). At said hearing, the City Council will receive and consider any objections made by any interested party to said construction documents.

The Iowa Department of Transportation will take bids on behalf of the City of Sioux City, Iowa, through the following process:

STATE OF IOWA - Sealed bids will be received by the Iowa Department of Transportation (DOT), Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010 on May 17, 2016 at 10:00 A.M. CDT for various items of construction and maintenance work.

Plans, specifications and proposal forms for the work may be seen at the Office of Contracts until noon on the day previous to the letting.

Proposal guaranties are to be sent to the Office of Contracts at the address above. Iowa DOT personnel will be available to accept proposal guaranties during regular business hours of 8:00 a.m. to 4:30 p.m.

The Iowa DOT uses the Bid Express website – www.bidx.com - as the official depository for bid submittal. The Iowa DOT will ensure this depository is available for a two-hour period prior to the deadline for submission of bids. If there is an interruption of communications or loss of service by Bid Express during this two-hour period, the Iowa DOT will delay the deadline for bid submissions to allow potential bidders to submit bids. Instructions will be communicated to potential bidders.

Opening and reading of the bids will be performed at the Office of Contracts after 10:30 A.M. on the day bids are to be received, unless otherwise specified by the Iowa DOT.

All proposals must be filed on the forms furnished by the Office of Contracts, sealed and plainly marked. Proposals containing any reservations not provided for in the forms furnished will be rejected. The Iowa DOT reserves the right to waive technicalities and reject any or all bids.

A proposal guarantee, not less than the amount as set forth in the proposal form, shall be filed with each proposal. The proposal guarantee shall be in the form of a certified check or credit union certified share draft, cashier's check, money order or bank draft drawn on a solvent bank or credit union. Certified checks or credit union certified share drafts shall bear an endorsement signed by a responsible official of such bank or credit union as to the amount certified. Cashier's checks, money orders or bank drafts shall be made payable either to the contracting authority or bidder; and, where made payable to the bidder, shall contain an unqualified endorsement to the contracting authority signed by the bidder or the bidder's authorized agent. A properly completed Proposal Guaranty/Bid Bond (form 131084) or a properly completed Contractor's Annual Bid Bond (form 650043) may be used in lieu of the monetary options specified above. Both forms are available from the Office of Contracts.

Per Iowa Code section 423.3 (80), the contracting authority will issue an exemption certificate for the purchase or use of building materials, supplies and equipment used in the performance of the construction contract.
Failure to execute a contract and file an acceptable performance bond and certificate of insurance within 30 days of the approval date for awarding the contract will be just and sufficient cause for the denial of the award and forfeiture of the proposal guarantee.

The Iowa DOT (or other approved contracting authority) hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

On federal-aid projects, where disadvantaged business enterprise (DBE) goals have been established, the bidder is required to complete and submit form 102115 with the bid documents. On all projects without DBE goals, the contractor must show that affirmative action has been made to seek out and consider DBEs as potential subcontractors.

Some projects may be listed in multiple proposals (as an individual project or part of a combined package of projects). The contracting authority will determine which combination of proposals produce the lowest bid for these projects.

A listing of projects open for bids and details for each project will be available to potential bidders and suppliers three weeks prior to the letting date at www.bidx.com/ia/main or www.iowadot.gov/contracts/index.htm or by calling the Office of Contracts at 515-239-1414.

Minimum wage rates for all federal-aid projects have been predetermined by the U.S. Secretary of Labor and are set forth in the specifications. However, this does not apply to projects off the federal-aid highway system. All federal-aid projects are subject to the Contract Work Hours Standards Act, as amended (title I of Pub. L. 87-581, Aug. 13, 1962, 75 Stat.357) and implementing regulations.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within Iowa, and also, a resident bidder shall be allowed a preference against a nonresident bidder from a state or foreign country which gives or requires a preference to bidders from that state or foreign country both on projects in which there are no federal funds involved.

/c/ LISA L. McCARDLE
City Clerk of the City of Sioux City, Iowa

CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016 ACTION ITEM # 7B

FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: Resolution adopting construction documents for the proposed construction of the 38th Street Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(682)--8J-97 (City Project No. 6346-719-352).

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

RECOMMENDATION:
Staff respectfully requests Council adopt construction documents for the 38th Street Bridge over Perry Creek Project, Iowa Department of Transportation Project No. BROS-7057(682)--8J-97 (City Project No. 6346-719-352).

DISCUSSION:
Calhoun-Burns and Associates, Inc. have completed construction documents for the 38th Street Bridge over Perry Creek Project. This project includes the replacement of the 38th Street Bridge over Perry Creek. The existing 54 foot x 26 foot concrete girder bridge will be replaced with a 140 foot x 32 foot continuous concrete slab bridge with 5 foot sidewalks on both sides of the bridge. Multiple public meetings were held with the neighborhood during the design process to determine aesthetic features of the new bridge. These features include new light features and brick veneer to mirror the existing structure, as well as, a black steel pedestrian rail.

Staff is ready to advertise the Notice of Public Hearing and Notice to Bidders on April 30, 2016 and May 7, 2016. A public hearing will be held on May 9, 2016. Bids will be received on May 17, 2016 through the Iowa Department of Transportation. The project contract will have 105 working days and a late start date of June 20, 2016.

FINANCIAL IMPACT:
This project is funded using Federal-aid funds which are an 80/20 match for federal participation up to $1,000,000. The 20 percent City match will be funded through a transfer in sales tax infrastructure dollars and general obligation bonds. This project is currently programmed in CIP No. 719-352, 38th Street Bridge, which has an available balance of $847,093.14. A budget move from CIP No. 719-138 Annual Bridge Repairs, which has an available balance of $3,292,291.79, will be completed as needed.

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
Public Notice
RESOLUTION NO. 2016 -

RESOLUTION ADOPTING CONSTRUCTION DOCUMENTS FOR THE PROPOSED CONSTRUCTION OF THE 38TH STREET BRIDGE OVER PERRY CREEK PROJECT, IOWA DEPARTMENT OF TRANSPORTATION PROJECT NO. BROS-7057(682)--8J-97 (CITY PROJECT NO. 6346-719-352).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the 38th Street Bridge over Perry Creek Project, in Sioux City, Iowa; and

WHEREAS, Calhoun-Burns and Associates, Inc. of West Des Moines, Iowa have prepared the construction documents.

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

A. The construction documents, as prepared by Calhoun-Burns and Associates, Inc., and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the 38th Street Bridge over Perry Creek Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, May 9, 2016, 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 construction documents of contract for said improvements.

B. The bids will be received by the Iowa Department of Transportation at the Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, until 10:00 A.M., Local Time, May 17, 2016 for the proposed construction of said improvements. The Iowa DOT uses the Bid Express website – www.bidx.com – as an official depository for electronic bid submittal.

C. The time of 10:30 A.M., Local Time, May 17, 2016, at the Iowa Department of Transportation Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, 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 hearing and opening of bids to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
NOTICE OF PUBLIC HEARING ON CONSTRUCTION DOCUMENTS FOR THE
CONSTRUCTION OF THE 38TH STREET BRIDGE OVER PERRY CREEK
PROJECT, IN SIOUX CITY, IOWA, AND TAKING BIDS THEREON

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 May 9, 2016, commencing at 4:00 P.M., Local Time, on the proposed construction documents for construction of the 38th Street Bridge over Perry Creek Project in Sioux City, Iowa (the project). At said hearing, the City Council will receive and consider any objections made by any interested party to said construction documents.

The Iowa Department of Transportation will take bids on behalf of the City of Sioux City, Iowa, through the following process:

STATE OF IOWA - Sealed bids will be received by the Iowa Department of Transportation (DOT), Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010 on May 17, 2016 at 10:00 A.M. CDT for various items of construction and maintenance work.

Plans, specifications and proposal forms for the work may be seen at the Office of Contracts until noon on the day previous to the letting.

Proposal guaranties are to be sent to the Office of Contracts at the address above. Iowa DOT personnel will be available to accept proposal guaranties during regular business hours of 8:00 a.m. to 4:30 p.m.

The Iowa DOT uses the Bid Express website – www.bidx.com - as the official depository for bid submittal. The Iowa DOT will ensure this depository is available for a two-hour period prior to the deadline for submission of bids. If there is an interruption of communications or loss of service by Bid Express during this two-hour period, the Iowa DOT will delay the deadline for bid submissions to allow potential bidders to submit bids. Instructions will be communicated to potential bidders.

Opening and reading of the bids will be performed at the Office of Contracts after 10:30 A.M. on the day bids are to be received, unless otherwise specified by the Iowa DOT.

All proposals must be filed on the forms furnished by the Office of Contracts, sealed and plainly marked. Proposals containing any reservations not provided for in the forms furnished will be rejected. The Iowa DOT reserves the right to waive technicalities and reject any or all bids.

A proposal guarantee, not less than the amount as set forth in the proposal form, shall be filed with each proposal. The proposal guarantee shall be in the form of a certified check or credit union certified share draft, cashier's check, money order or bank draft drawn on a solvent bank or credit union. Certified checks or credit union certified share drafts shall bear an endorsement signed by a responsible official of such bank or credit union as to the amount certified. Cashier's checks, money orders or bank drafts shall be made payable either to the contracting authority or bidder; and, where made payable to the bidder, shall contain an unqualified endorsement to the contracting authority signed by the bidder or the bidder's authorized agent. A properly completed Proposal Guaranty/Bid Bond (form 131084) or a properly completed Contractor's Annual Bid Bond (form 650043) may be used in lieu of the monetary options specified above. Both forms are available from the Office of Contracts.

Per Iowa Code section 423.3 (80), the contracting authority will issue an exemption certificate for the purchase or use of building materials, supplies and equipment used in the performance of the construction contract.
Failure to execute a contract and file an acceptable performance bond and certificate of insurance within 30 days of the approval date for awarding the contract will be just and sufficient cause for the denial of the award and forfeiture of the proposal guarantee.

The Iowa DOT (or other approved contracting authority) hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

On federal-aid projects, where disadvantaged business enterprise (DBE) goals have been established, the bidder is required to complete and submit form 102115 with the bid documents. On all projects without DBE goals, the contractor must show that affirmative action has been made to seek out and consider DBEs as potential subcontractors.

Some projects may be listed in multiple proposals (as an individual project or part of a combined package of projects). The contracting authority will determine which combination of proposals produce the lowest bid for these projects.

A listing of projects open for bids and details for each project will be available to potential bidders and suppliers three weeks prior to the letting date at www.bidx.com/ia/main or www.iowadot.gov/contracts/index.htm or by calling the Office of Contracts at 515-239-1414.

Minimum wage rates for all federal-aid projects have been predetermined by the U.S. Secretary of Labor and are set forth in the specifications. However, this does not apply to projects off the federal-aid highway system. All federal-aid projects are subject to the Contract Work Hours Standards Act, as amended (title I of Pub. L. 87-581, Aug. 13, 1962, 75 Stat.357) and implementing regulations.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within Iowa, and also, a resident bidder shall be allowed a preference against a nonresident bidder from a state or foreign country which gives or requires a preference to bidders from that state or foreign country both on projects in which there are no federal funds involved.

/c/ LISA L. McCARDLE
City Clerk of the City of Sioux City, Iowa

MEETING DATE: April 25, 2016  ACTION ITEM #: 7C
FROM: Glenn Ellis, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: Resolution adopting construction documents for the proposed construction of the 225th Street and Port Neal Road Project Iowa Department of Transportation Project Nos. STP-U-7057(681)--70-97/RM-7057(673)--90-97 (City Project No. 6377-719-343).

RECOMMENDATION:
Staff respectfully requests Council adopt construction documents for the 225th Street and Port Neal Road Project Iowa Department of Transportation Project Nos. STP-U-7057(681)--70-97/RM-7057(673)--90-97 (City Project No. 6377-719-343).

DISCUSSION:
HR Green, Inc. has completed construction documents for the 225th Street and Port Neal Road Project. This project includes the grading for the new alignment of 225th Street, the realignment of Port Neal Road, construction of new paving, and the relocation of the existing railroad crossing.

Staff is ready to advertise the Notice of Public Hearing and Notice to Bidders on April 30, 2016 and May 7, 2016. A public hearing will be held on May 9, 2016. Bids will be received on May 17, 2016 through the Iowa Department of Transportation. This project has 55 working days and a late start date of July 27, 2016.

FINANCIAL IMPACT:
This project is funded using STP funds in the amount of $1,427,000.00, RISE funds in the amount of 50% of the project costs, and Donner Abated GO Bonds. This CIP 719-343 225th Paving - Southbridge currently has an available balance of $2,073,508.58, which includes an amount of a request to move forward the FY17 719-343 CIP budget of $2,065,000.00

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
Public Notice
RESOLUTION ADOPTING CONSTRUCTION DOCUMENTS FOR THE PROPOSED CONSTRUCTION OF THE 225TH STREET AND PORT NEAL ROAD PROJECT (PROJECT NO. 6377-719-343).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the 225th Street and Port Neal Road Project, in Sioux City, Iowa; and

WHEREAS, HR Green, Inc. of Sioux Falls, South Dakota has 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 construction documents, as prepared by HR Green, Inc. and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the 225th Street and Port Neal Road Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, May 9, 2016, 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 construction documents of contract for said improvements.

B. The bids will be received by the Iowa Department of Transportation at the Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, until 10:00 A.M., Local Time, May 17, 2016 for the proposed construction of said improvements. The Iowa DOT uses the Bid Express website – www.bidx.com – as an official depository for electronic bid submittal.

C. The time of 10:30 A.M., Local Time, May 17, 2016, at the Iowa Department of Transportation Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010, 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 hearing and opening of bids to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
NOTICE OF PUBLIC HEARING ON CONSTRUCTION DOCUMENTS FOR THE
CONSTRUCTION OF THE 225TH STREET AND PORT NEAL ROAD PROJECT
(PROJECT NO. 6377-719-343) IN SIOUX CITY, IOWA, AND TAKING BIDS
THEREON.

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 May 9, 2016 commencing at 4:00 P.M., Local Time, on the proposed construction documents for construction of the 225th Street and Port Neal Road Project in Sioux City, Iowa (the project). At said hearing, the City Council will receive and consider any objections made by any interested party to said construction documents.

STATE OF IOWA - Sealed bids will be received by the Iowa Department of Transportation (DOT), Office of Contracts, 800 Lincoln Way, Ames, Iowa 50010 on May 17, 2016 at 10:00 A.M. CDT for various items of construction and maintenance work.

Plans, specifications and proposal forms for the work may be seen at the Office of Contracts until noon on the day previous to the letting.

Proposal guaranties are to be sent to the Office of Contracts at the address above. Iowa DOT personnel will be available to accept proposal guaranties during regular business hours of 8:00 a.m. to 4:30 p.m.

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Opening and reading of the bids will be performed at the Office of Contracts after 10:30 A.M. on the day bids are to be received, unless otherwise specified by the Iowa DOT.

All proposals must be filed on the forms furnished by the Office of Contracts, sealed and plainly marked. Proposals containing any reservations not provided for in the forms furnished will be rejected. The Iowa DOT reserves the right to waive technicalities and reject any or all bids.

A proposal guarantee, not less than the amount as set forth in the proposal form, shall be filed with each proposal. The proposal guarantee shall be in the form of a certified check or credit union certified share draft, cashier's check, money order or bank draft drawn on a solvent bank or credit union. Certified checks or credit union certified share drafts shall bear an endorsement signed by a responsible official of such bank or credit union as to the amount certified. Cashier's checks, money orders or bank drafts shall be made payable either to the contracting authority or bidder; and, where made payable to the bidder, shall contain an unqualified endorsement to the contracting authority signed by the bidder or the bidder's authorized agent. A properly completed Proposal Guaranty/Bid Bond (form 131084) or a properly completed Contractor's Annual Bid Bond (form 650043) may be used in lieu of the monetary options specified above. Both forms are available from the Office of Contracts.

Per Iowa Code section 423.3 (80), the contracting authority will issue an exemption certificate for the purchase or use of building materials, supplies and equipment used in the performance of the construction contract.
Failure to execute a contract and file an acceptable performance bond and certificate of insurance within 30 days of the approval date for awarding the contract will be just and sufficient cause for the denial of the award and forfeiture of the proposal guarantee.

The Iowa DOT (or other approved contracting authority) hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

On federal-aid projects, where disadvantaged business enterprise (DBE) goals have been established, the bidder is required to complete and submit form 102115 with the bid documents. On all projects without DBE goals, the contractor must show that affirmative action has been made to seek out and consider DBEs as potential subcontractors.

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A listing of projects open for bids and details for each project will be available to potential bidders and suppliers three weeks prior to the letting date at www.bidx.com/ia/main or www.iowadot.gov/contracts/index.htm or by calling the Office of Contracts at 515-239-1414.

Minimum wage rates for all federal-aid projects have been predetermined by the U.S. Secretary of Labor and are set forth in the specifications. However, this does not apply to projects off the federal-aid highway system. All federal-aid projects are subject to the Contract Work Hours Standards Act, as amended (title I of Pub. L. 87-581, Aug. 13, 1962, 75 Stat.357) and implementing regulations.

By virtue of statutory authority, a preference will be given to products and provisions grown and coal produced within Iowa, and also, a resident bidder shall be allowed a preference against a nonresident bidder from a state or foreign country which gives or requires a preference to bidders from that state or foreign country both on projects in which there are no federal funds involved.

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

CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016
ACTION ITEM #: 8A

FROM: Glenn Ellis, City Engineer
Brett Langley, Civil Engineer

SUBJECT: Resolution awarding a contract to SuBSurfco, LLC in the amount of $2,605,153.19 for the Jackson Street Reconstruction, 14th Street to 18th Street Project (Project No. 6647-719-133).

RECOMMENDATION:
Staff respectfully requests Council award a contract to SuBSurfco, LLC of South Sioux City, Nebraska in the amount of $2,605,153.19 for the Jackson Street Reconstruction, 14th Street to 18th Street Project (Project No. 6647-719-133).

DISCUSSION:
This project includes the removal and replacement of pavement including sanitary sewer, water main, and storm sewer utilities as well as new traffic signals at 14th Street and 18th Street. Notice of Public Hearing was advertised on March 26, 2016 and April 2, 2016. The public hearing was held on April 4, 2016. Construction completion shall be on or before November 1, 2016.

The project was bid on April 12, 2016. Four (4) bids were received for this project. The bids are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid + Concrete</th>
<th>Base Bid + Asphalt</th>
</tr>
</thead>
<tbody>
<tr>
<td>SuBSurfco, LLC</td>
<td>South Sioux City, Nebraska</td>
<td>$2,605,153.19</td>
<td>$3,114,444.78</td>
</tr>
<tr>
<td>Sioux City Engineering Co.</td>
<td>Sioux City, Iowa</td>
<td>$2,758,684.31</td>
<td>$6,216,187.21</td>
</tr>
<tr>
<td>Lessard Contracting, Inc.</td>
<td>Sergeant Bluff, Iowa</td>
<td>$2,831,150.04</td>
<td>$3,232,813.88</td>
</tr>
<tr>
<td>RP Constructors, LLC</td>
<td>Dakota Dunes, South Dakota</td>
<td>$2,986,542.12</td>
<td>$3,290,393.62</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td></td>
<td>$2,534,139.25</td>
<td>$2,792,990.90</td>
</tr>
</tbody>
</table>

The base bid with a concrete roadway, submitted by SuBSurfco, LLC of South Sioux City, Nebraska is 2.8% or $71,013.94 above the Engineer’s Estimate of $2,534,139.25.

FINANCIAL IMPACT:
This project is funded using transfer in water, sewer, sales tax, and GO Bonds under CIP 719-133 “Annual Infrastructure Reconstruction”. The project currently has an available balance of $7,353,472.08 and a request was entered to move forward the FY 2017 719-133 CIP budget of $5,000,000.00, for a total available budget of $12,353,472.08.
RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

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

ATTACHMENTS:
Resolution
Letter of Recommendation – DGR Engineering
Bid Tabulation Sheet (Hard Copy Attached)
RESOLUTION NO. 2016-_____
with attachments

RESOLUTION AWARDING A CONTRACT TO SUBSURFCO, LLC IN THE AMOUNT OF $2,605,153.19 FOR THE JACKSON STREET RECONSTRUCTION PROJECT, 14TH STREET TO 18TH STREET PROJECT (PROJECT NO. 6647-719-133).

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 April 12, 2016, for the Jackson Street Reconstruction, 14th Street to 18th Street Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by DGR 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.

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 SuBSurfco, LLC of South Sioux City, Nebraska, in the amount of $2,605,153.19 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 contractor is directed to execute the contract and submit the same to the City Engineering Division with all of the supporting documents within ten days for approval and signature by the City.

Section 5: The checks or bid bonds of all unsuccessful bidders, be, and the same are hereby ordered returned to such bidders.

PASSED AND APPROVED: April 25, 2016

______________________________
Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCadle, City Clerk
April 13, 2016

Mr. Brett Langely, P.E.
City of Sioux City
Engineering Department
P.O. Box 447
Sioux City, IA  51102-0447

Re:  Sioux City, Jackson Street Reconstruction, 14th to 18th Street
     DGR File 265064

Dear Brett:

Bids were opened for the project referenced above at 1:00 p.m. on Tuesday, April 12, 2016.

From the bid form we included three divisions:
Division I – Removals, Grading, Utilities, Driveways & Sidewalks
Division II – PCC Paving Option
Division III – HMA Paving Option

Four bids were received and read as follows:

Lessard Contracting Inc.
Division I & II  $2,829,950.04
Division I & III $3,231,613.88

SuBSurfco, LLC
Division I & II  $2,605,590.69
Division I & III $3,114,882.28

Sioux City Engineering Co.
Division I & II  $2,761,973.31
Division I & III $6,219,476.21

RP Constructors, LLC
Division I & II  $2,986,542.12
Division I & III $3,290,393.62

The low bid of $2,605,590.69 by SuBSurfco, LLC was $71,013.94, or 2.8 percent, over the engineer’s estimate of $2,534,139.25.
Based on our review of the bids and past experience with the contractor, we recommend award of the project to SubSurfco, LLC for Division I & II which includes PCC street paving in the amount of $2,605,590.69.

The original bids are enclosed for your files.

Sincerely,

DGR Engineering

Bryan Wells, P.E.

BNW:bav

Endoresses
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016 ACTION ITEM # 8B
FROM: Glenn Ellis, City Engineer
Brittany Anderson, Senior Civil Engineer

SUBJECT: Resolution awarding a contract to RP Constructors, LLC in the amount of $143,481.60 for the CBD Infrastructure Improvements Project (Project No. 6790-719-001).

RECOMMENDATION:
Staff respectfully requests Council award a contract to RP Constructors, LLC in the amount of $143,481.60 for the CBD Infrastructure Improvements Project (Project No. 6790-719-001).

DISCUSSION:
This project includes the removal and replacement of curb and gutter sections, along with colored concrete crosswalk repairs, in various locations within the Combined Central Sioux City - CBD Urban Renewal Area Downtown.

Notice of Public Hearing was advertised on March 26, 2016 and April 2, 2016. The public hearing was held on April 4, 2016. This project has a completion date of July 30, 2016.

The project was bid on April 12, 2016. Four (4) bids were received for this project. The bids are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>RP Constructors, LLC</td>
<td>North Sioux City, SD</td>
<td>$143,481.60</td>
</tr>
<tr>
<td>Bainbridge Construction, Inc.</td>
<td>Kingsley, IA</td>
<td>$174,117.30</td>
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<tr>
<td>Mark Albenesius, Inc.</td>
<td>South Sioux City, NE</td>
<td>$205,021.50</td>
</tr>
<tr>
<td>Sioux City Engineering Co.</td>
<td>Sioux City, IA</td>
<td>$223,367.14</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td></td>
<td>$165,560.25</td>
</tr>
</tbody>
</table>

The base bid, submitted by RP Constructors, LLC of North Sioux City, SD is 13.33% or $22,078.65 below the Engineer’s Estimate of $165,560.25.

FINANCIAL IMPACT:
This project is funded using General Obligation Bonds under CIP 719-001 Annual CBD Infrastructure Improvements. The Engineer’s opinion of probable construction cost for the work is $165,560.25. The project currently has an available balance of $243,566.33.
RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

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

ATTACHMENTS:
Resolution
Bid Tabulation Sheet
RESOLUTION NO. 2016-_____
with attachments

RESOLUTION AWARDING A CONTRACT TO RP CONSTRUCTORS, LLC IN THE AMOUNT OF $143,481.60 FOR THE CBD INFRASTRUCTURE IMPROVEMENTS PROJECT (PROJECT NO. 6790-719-001).

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 April 12, 2016, for the CBD Infrastructure Improvements Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by the City Engineering Department; 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.

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 RP Constructors, LLC of North Sioux City, South Dakota, in the amount of $143,481.60 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 contractor is directed to execute the contract and submit the same to the City Engineering Division with all of the supporting documents within ten days for approval and signature by the City.

Section 5: The checks or bid bonds of all unsuccessful bidders, be, and the same are hereby ordered returned to such bidders.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: _________________________________________
Lisa L. McCardle, City Clerk
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<th>Line #</th>
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**Schedule Total**

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<th>RP Constructors Kingsley, IA</th>
<th>Bainbridge Construction, Inc. South Sioux City, NE</th>
<th>Mark Albenesius, Inc. Sioux City, IA</th>
<th>Sioux City Engineering Co. Sioux City, IA</th>
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<tr>
<td>$ 165,560.25</td>
<td>$ 143,481.60</td>
<td>$ 174,117.30</td>
<td>$ 205,021.50</td>
<td>$ 223,367.14</td>
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</tbody>
</table>
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016  ACTION ITEM # 8C

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution approving a Skybox Sublease Agreement with Irving Jensen, Jr. and the Sioux City Explorers Baseball Club, LLC.

RECOMMENDATION:
Staff respectfully requests the City Council consider authorizing a Skybox Sublease by and between the City of Sioux City, the Sioux City Explorers Baseball Club, LLC, and Irving Jensen, Jr.

DISCUSSION:
Mr. Irving Jensen, Jr. respectfully requests the Skybox Sublease be renewed by the City of Sioux City. The proposed lease is being submitted for approval as follows:

The term of this Skybox Sublease shall be for one year commencing May 4, 2016 and ending May 4, 2017. The Sublessee agrees to pay the City the total sum of $5,000 as rent for the skybox payable on or before May 20, 2016. Sublessee shall only be entitled to use of the skybox for the year of the term of this Skybox Sublease if such rent has been timely paid as set forth herein.

FINANCIAL IMPACT:
Income of $5,000 made payable to the City of Sioux City, Iowa.

RELATIONSHIP TO STRATEGIC PLAN:
Explore Destination Sioux City
Grow Sioux City Pride

ALTERNATIVES:
Deny the sublease for the Skybox which would result in a loss of revenue.

ATTACHMENTS:
Resolution
Sublease Agreement
RESOLUTION NO. 2016- __________
with attachments

RESOLUTION APPROVING A SKYBOX SUBLEASE AGREEMENT WITH IRVING JENSEN, JR. AND THE SIOUX CITY EXPLORERS BASEBALL CLUB, LLC.

WHEREAS, pursuant to Resolution No. 2015-0307 passed and approved April 27, 2015, the Sioux City Explorers Baseball Club, L.L.C. entered into a Lease Agreement with the City of Sioux City, Iowa, for use of Lewis and Clark Park Stadium located at 3400 Line Drive, Sioux City, Iowa; and

WHEREAS, Sioux City Explorers Baseball Club, L.L.C. and the City of Sioux City desires to sublease one of the skyboxes to Irving Jensen, Jr., a copy of which Skybox Sublease is attached hereto and by this reference made a part hereof; and

WHEREAS, such Skybox Sublease should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the attached Skybox Sublease Agreement by and between Irving Jensen, Jr., the City of Sioux City, Iowa, and Sioux City Explorers Baseball Club, L.L.C., be and the same is hereby approved and the Mayor and City Clerk be and they are hereby authorized and directed to execute said Skybox Sublease Agreement for and on behalf of the City.

PASSED AND APPROVED: __April 25, 2016__________________________  Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, City Clerk
SKYBOX SUBLEASE

This Skybox Sublease is made and entered into on this _______ day of April, 2016 by and between Sioux City Explorers Baseball Club, L.L.C, (hereinafter referred to as the “Explorers”), the City of Sioux City, Iowa (hereinafter referred to as “City”) and Irving Jensen, Jr. (hereinafter referred to as “Sublessee”).

WHEREAS, the Explorers have entered into a Lease Agreement with the City of Sioux City, Iowa (hereinafter referred to as the “Lease”); and

WHEREAS, City and Explorers (hereinafter “the Parties”) desire to sublease to and Sublessee desires to sublease one of the skyboxes under the following terms and conditions and the City agrees to the relevant terms and conditions of this Skybox Sublease.

NOW, THEREFORE, the Parties agree to the following terms and conditions:

1. SUBLEASED PROPERTY: The Parties hereby leases to Sublessee, Skybox Number 1 located at the Stadium.

2. TERM: The term of this Skybox Sublease shall be for one year commencing May 4, 2016 and ending May 4, 2017. During the term of this lease, if the Subleasee becomes deceased the Skybox Sublease Agreement shall be transferred to the following organizations: Morningside College, Knife River Corporation, Standard Ready Mix, and Jebro Inc. The City of Sioux City will set forth terms of the lease if the organizations above wish to enter into future agreements.

3. RENT: Sublessee agrees to pay the City the total sum of $5,000 as rent for the skybox payable on or before May 20, 2016. Sublessee shall only be entitled to use of the skybox for the year of the term of this Skybox Sublease if such rent has been timely paid as set forth herein.

4. ACCESS: Provided that Sublessee has timely paid the rent specified herein, Sublessee shall have the rights of access to its skybox during any event held at the stadium; provided, however, that for non-League baseball games and events that are not promoted, sponsored or presented by the Explorers, Sublessee shall be required to purchase general admission tickets or the lowest priced tickets offered by the promoter, sponsor or presenter of any such event, for each person attending such event who is authorized by Sublessee to have access to the skybox for such event. Sublessee shall be entitled to ten tickets to any League baseball game at the Stadium at no additional cost.

5. FURNISHINGS: The skybox is leased to Sublessee without furnishings of any kind by the City or the Explorers. Sublessee may bring any personal property or furnishings (hereinafter “furnishings”) Sublessee desires to the skybox. However, no furnishings are permitted which must be permanently attached or the installation or removal of which may damage the skybox. Sublessee agrees to be solely responsible for any furnishings and for insuring such furnishings as Sublessee deems appropriate. Sublessee agrees to be solely responsible for any loss or damage to any furnishings.

6. DUTY OF CARE: Sublessee takes possession of the skybox “as is” and agrees to surrender the skybox upon termination of this Skybox Sublease in the same condition as when Sublessee assumed possession, except for normal wear and tear. Sublessee is responsible to reimburse the City or the Explorers for any reasonable repairs necessary to the skybox, except for normal wear and tear, made or incurred by the City or the Explorers upon termination of this Skybox Sublease and surrender of the skybox.

7. MAINTENANCE: Sublessee shall keep the skybox clean and free from litter at all times. The Explorers shall provide the necessary reasonable janitorial services for the skybox at no additional cost to Sublessee.

8. UTILITIES: The Explorers shall be responsible for all utilities consumed by the skybox at no additional cost to Sublessee.

9. OCCUPANCY: Occupancy or use of the skybox under this Skybox Sublease shall be limited to those times when events are scheduled and conducted at the Stadium.
10. **ASSIGNMENT:** Sublessee shall not assign this Skybox Sublease without the written consent of the Explorers and the City.

11. **FOOD AND BEVERAGES:** Neither City, the Explorers nor Sublessee will allow any person or patrons to bring cans, glass bottles, coolers or any food, drink or beverage items into the Stadium or the skybox without the written consent of the City and the Explorers. Sublessee may bring items of food and non-alcoholic beverages not available for sale at the Lewis and Clark Park concession stand.

12. **SIGNAGE:** Sublessee shall not be permitted to place any signage on the outside of the skybox, or on the inside skybox, which may be visible to patrons of the Stadium outside the skybox, without the written consent of the Explorers.

13. **AGREEMENT TO ABIDE BY THE LEASE:** The parties acknowledge the terms and conditions of the Lease and Sublessee shall have no greater rights than the Explorers have under the Lease and Sublessee agrees to abide by all applicable terms and conditions of the Lease which are not inconsistent with the terms and conditions of this Skybox Sublease. This Skybox Sublease shall automatically terminate if the Lease is terminated for any reason.

**IN WITNESS WHEREOF:** the parties have executed this Skybox Sublease at Sioux City, Iowa, the day and year first above written.

City of Sioux City, Iowa

By: ________________________________
    Robert E. Scott
    Mayor

Attest:

By: ________________________________
    Lisa L. McCordle
    City Clerk

Sioux City Explorers
Baseball Club, L.L.C.

By: ________________________________
    [Signature]
    Title: [Title]

Attest:

By: ________________________________
    [Signature]
    Title: [Title]

Irving Jensen, Jr.

By: ________________________________
    [Signature]
    Title: [Title]

Attest:

By: ________________________________
    [Signature]
    Title: [Title]
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: ___________ April 25, 2016 ___________ ACTION ITEM #: ___________ 8D ___________

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution awarding a Service Provider Agreement to Long Painting & Sandblasting, Inc. of Homer, Nebraska, in the amount of $30,900.00 for the Leif Erikson Pool Caulking Project. (Bid #234282)

RECOMMENDATION:
Staff respectfully requests City Council award a Service Provider Agreement to Long Painting & Sandblasting, Inc. of Homer, Nebraska in the amount of $30,900.00 for the Leif Erikson Pool Caulking Project.

DISCUSSION:
City staff recommends the Leif Erikson Pool Caulking project be approved due to the current condition of the pool. During the 2015 pool season, the Leif Erikson swimming pools lost between 2,000-3,000 gallons of water daily due to failing caulked joints. Replacement of the caulk in the swimming pools and the deck has been identified as a solution to the issue.

The Service Provider Agreement with Long Painting & Sandblasting, Inc. includes replacing all caulk inside the body of the main swimming pool and two baby pools, approximately 3,300 linear feet of caulk and foam backer. The Service Provider Agreement also includes replacing 1,500 linear feet of pool deck caulk.

The anticipated completion date is May 20, 2016 for the swimming pool caulking project and June 3, 2016 for the deck caulking project.

FINANCIAL IMPACT:
This project will be funded with General Obligation Bonds, CIP #459-179 – Annual Swimming Pool Improvements with a balance of $240,247.00.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City
ALTERNATIVES:
The City Council may choose to not award this agreement and direct staff to provide an alternative recommendation.

ATTACHMENTS:
Resolution
RFQ 234282 - **Hard Copy**
Service Provider Agreement - **Hard Copy**
RESOLUTION NO. 2016-_____

RESOLUTION AWARDING A SERVICE PROVIDER AGREEMENT TO LONG PAINTING & SANDBLASTING, INC. OF HOMER, NEBRASKA, IN THE AMOUNT OF $30,900.00 FOR THE LEIF ERIKSON POOL CAULKING PROJECT. (BID #234282)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a Service Provider Agreement, a copy of which is attached hereto and by this reference made a part hereof, be awarded to Long Painting & Sandblasting, Inc. of Homer, Nebraska in the amount of $30,900.00 for the Leif Erikson Pool Caulking Project.

BE IT FURTHER RESOLVED, that the City Manager and the City Clerk be and they are hereby authorized and directed to execute said Service Provider Agreement for and on behalf of the City of Sioux City.

PASSED AND APPROVED: April 25, 2016__________________________________

Robert E. Scott, Mayor

ATTEST: _________________________________

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

MEETING DATE:        April 25, 2016       ACTION ITEM #      8E
FROM:  Glenn Ellis, City Engineer
       Justin Pottorff, Civil Engineer
SUBJECT: Resolution awarding a contract to Lessard Contracting, Inc. in the amount of $1,853,427.00 for the Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street) Project (Project No. 6816-719-133).

Reviewed By:  Department Director
              Finance Department
              City Attorney
              City Manager

RECOMMENDATION:
Staff respectfully requests Council award a contract to Lessard Contracting, Inc. of Sergeant Bluff, Iowa in the amount of $1,853,427.00 for the Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street) Project (Project No. 6816-719-133).

DISCUSSION:
This project includes the reconstruction of a portion of the Morningside Avenue corridor pavement, sidewalks, driveways, street lights, replace 12 inch DIP water main, replace 12 inch VCP sanitary main, service connections, and cross street connections. Notice of Public Hearing was advertised on March 19, 2016 and March 26, 2016. The public hearing was held on March 28, 2016. Final construction completion shall be on or before November 8, 2016.

The project was bid on April 5, 2016. 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>
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<td>RP Constructors, LLC.</td>
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<td>SubSurfco, LLC</td>
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<td>Engineer’s Estimate</td>
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</tr>
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The base bid, submitted by Lessard Contracting, Inc. of Sergeant Bluff, Iowa is 16.9% or $240,427.00 above the Engineer’s Estimate of $1,613,000.
FINANCIAL IMPACT:
This project is funded using transfers in water funds, sewers funds, sales tax infrastructure, and GO bonds, under CIP 719-133 Annual Infrastructure Reconstruction. The project currently has an available balance of $12,353,472.08 and a request was entered to move forward the FY 2017 719-133 CIP budget of $5,000,000.00.

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

ALTERNATIVES:
1. The City Council may choose to not award 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 McClure Engineering
Bid Tabulation Sheet
RESOLUTION NO. 2016-_____
with attachments

RESOLUTION AWARDING A CONTRACT TO LESSARD CONTRACTING, INC. IN THE AMOUNT OF $1,853,427.00 FOR THE PROPOSED CONSTRUCTION OF THE MORNINGSIDE AVENUE RECONSTRUCTION (SOUTH ROYCE STREET TO SOUTH NICOLLET STREET) PROJECT (PROJECT NO. 6816-719-133).

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 April 5, 2016, for the Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street) Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by McClure 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.

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 Lessard Contracting, Inc. of Sergeant Bluff, Iowa, in the amount of $1,853,427.00 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 contractor is directed to execute the contract and submit the same to the City Engineering Division with all of the supporting documents within ten days for approval and signature by the City.

Section 5: The checks or bid bonds of all unsuccessful bidders, be, and the same are hereby ordered returned to such bidders.

PASSED AND APPROVED: April 25, 2016
Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
April 5, 2016

Mr. Justin Pottoff, Civil Engineer
City of Sioux City
Engineering Division
405 6th Street
Sioux City, IA 51102

RE: Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street)
City Project No. 6816-719-133
MEC No. 60615002

LETTER OF RECOMMENDATION AND AWARD

Dear Mr. Pottoff,

McClure Engineering Company has reviewed the bids received at 1:00 PM on April 5, 2016 for the Morningside Avenue Reconstruction (South Royce Street to South Nicollet Street) Project. Four (4) bids were received as follows:

Lessard Contracting Inc. $1,853,427.00
Sioux City Engineering Company $1,884,933.90
RP Constructors, LLC $2,171,813.00
SubSurfco, LLC $2,237,793.95

The Engineer’s Estimate on the project was $1,613,000. The lowest responsive, responsible Bidder on this project is Lessard Contracting Inc., of Sergeant Bluff, Iowa.

We therefore, recommend the City of Sioux City, Iowa, award the contract to the lowest responsive, responsible Bidder. Lessard Contracting Inc. of Sergeant Bluff, Iowa, for the TOTAL BID PRICE of $1,853,427.00.

Respectfully submitted,

McCLURE ENGINEERING COMPANY

Michael Washburn, P.E.
Project Manager

cc: Owner (original)
Engineer
<table>
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<tr>
<th>Item</th>
<th>Description</th>
<th>Unit Price</th>
<th>Total</th>
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<td>WATER CONTROL</td>
<td>$1,200.00</td>
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<tr>
<td>2</td>
<td>500-1' VGA LINE</td>
<td>$1,200.00</td>
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<tr>
<td>3</td>
<td>DRAIN PREVENTIVE FLOOR</td>
<td>$1,200.00</td>
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<td>4</td>
<td>DRAIN PREVENTIVE FLOOR</td>
<td>$1,200.00</td>
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<tr>
<td>5</td>
<td>500-1' VGA LINE</td>
<td>$1,200.00</td>
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<tr>
<td>6</td>
<td>DRAIN PREVENTIVE FLOOR</td>
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<td>7</td>
<td>500-1' VGA LINE.</td>
<td>$1,200.00</td>
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<td>8</td>
<td>DRAIN PREVENTIVE FLOOR</td>
<td>$1,200.00</td>
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<td>9</td>
<td>500-1' VGA LINE.</td>
<td>$1,200.00</td>
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<td>10</td>
<td>DRAIN PREVENTIVE FLOOR</td>
<td>$1,200.00</td>
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<td>11</td>
<td>500-1' VGA LINE.</td>
<td>$1,200.00</td>
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<tr>
<td>12</td>
<td>DRAIN PREVENTIVE FLOOR</td>
<td>$1,200.00</td>
<td></td>
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</table>

**Total**  |         | $12,000.00 |         |
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016

ACTION ITEM # 8F

FROM: Mike Collett, Asst. City Manager
      Monette Harbeck, Parking & Meter Operations Supervisor

SUBJECT: Resolution approving a contract with ABM Onsite Services-Midwest, Inc. d.b.a. ABM Parking Services for operation of the Sioux City Parking Ramp System.

RECOMMENDATION:
Staff respectfully requests Council approve the resolution.

DISCUSSION:
The current contract extension with ABM Parking Services for the management and operation of the four City owned parking facilities (Rivers Landing, Heritage, Discovery, and the Martin Luther King Jr. Transportation Center Ramps) expired March 31, 2015. ABM Parking Services has been continuing to operate on a month-to-month basis.

The City solicited RFP’s for the management and operation of the parking facilities. The proposal was sent out by the Purchasing Division to fourteen parking vendors. Four proposals were received: Impark, SP+ Municipal Services, Republic Parking System, and ABM Parking Services. Each vendor was given the opportunity to present their proposal to the Selection Committee (Ragen Cote, Mike Collett, Frank Forneris, and Monette Harbeck). While each vendor had great qualities, the Selection Committee negotiated with and chose ABM Parking Services.

Staff has been very satisfied with ABM Parking Services. They have proven to provide excellent customer service and continue to work with us to improve parking operations.

The cost for the first year of the contract for all four parking ramps will be $86,100 ($21,525 per ramp) versus our current cost of $95,666.40. The second and third years of the contract will increase to $87,822.25 ($21,955.56 per ramp).

FINANCIAL IMPACT:
Funds are available in the parking fund for these costs.

RELATIONSHIP TO STRATEGIC PLAN:
Stewardship – The City of Sioux City will be a responsible and fair steward of the public’s resources.
ALTERNATIVES:
The Council may choose to award the agreement to another company, but staff does not recommend.

ATTACHMENTS:
Resolution
Hard copy of the Management Agreement will be provided
RESOLUTION NO. 2016- __________
with attachments

RESOLUTION APPROVING A CONTRACT WITH ABM ONSITE SERVICES-
MIDWEST, INC. D.B.A. ABM PARKING SERVICES FOR OPERATION OF THE
SIOUX CITY PARKING RAMP SYSTEM.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Manag-
ment Agreement for operation of the Sioux City Parking Ramp System, a copy of which is at-
tached hereto and by this reference made a part hereof, with ABM Onsite Services-Midwest,
Inc. d.b.a. ABM Parking Services of Cleveland, Ohio, 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 Management Agreement for and on behalf of the City.

PASSED AND APPROVED:   April 25, 2016    ____________________________
                          Robert E. Scott, Mayor

ATTEST:    _________________________________
             Lisa L. McCardle, City Clerk

U:\City Legal\Secure\Res2016\Administrative Services\ABM Parking Services Contract For Parking Ramp System.Doc
MEETING DATE: April 25, 2016  ACTION ITEM #: 8G
FROM: Matt Salvatore, Parks and Recreation Director
SUBJECT: Resolution awarding and approving a contract to DNS Landscaping, Inc. of Dakota City, Nebraska in the amount of $34,092.00 for the Riverside Soccer Fields Reconstruction (Seeding and Sidewalk Backfill) Repairs Project. (1301 Riverside Boulevard)

RECOMMENDATION:
Staff respectfully requests City Council award and approve a contract to DNS Landscaping, Inc. of Dakota City, Nebraska in the amount of $34,092.00 for the Riverside Soccer Fields Reconstruction (Seeding and Sidewalk Backfill) Repairs Project.

DISCUSSION:
The Riverside Soccer Fields Reconstruction (Seeding and Sidewalk Backfill) Repairs Project includes the repair of existing seeding and hydro seed, fertilizer and mulch; black dirt for repair of existing seeding and ruts; overseeding the Soccer Fields mechanically drilled ½ rate seeding rate with fertilizer and mulch; repair/regrade backfill along existing 5 feet wide ADA concrete sidewalks (2 feet to 4 feet wide per side).

Bids were received on April 13, 2016. A total of two (2) bids were received.

<table>
<thead>
<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid</th>
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<tbody>
<tr>
<td>Sewalson Landscaping, Inc.</td>
<td>Sioux City, Iowa</td>
<td>$34,225.00</td>
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<tr>
<td>DNS Landscaping, Inc.</td>
<td>Dakota City, Nebraska</td>
<td>$34,092.00</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>Sioux City, Iowa</td>
<td>$30,980.00</td>
</tr>
</tbody>
</table>

The low bid of $34,092.00.00 submitted by DNS Landscaping, Inc. of Dakota City, Nebraska is 10.3% or $3,112.00 above the Engineer’s Estimate of $30,980.00.

The project has an anticipated completion date of June 3, 2016.

FINANCIAL IMPACT:
This project is funded using General Obligation Bonds under CIP #459-030 Riverside Park Improvements. The project currently has an available balance of $172,776.40.
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
Engineer’s Recommendation
Bid Tabulation Sheet
Contracts (Hard Copies)
RESOLUTION NO. 2016-_____

RESOLUTION AWARDING AND APPROVING A CONTRACT TO DNS LANDSCAPING, INC. OF DAKOTA CITY, NEBRASKA IN THE AMOUNT OF $34,092.00 FOR THE RIVERSIDE SOCCER FIELDS RECONSTRUCTION (SEEDING AND SIDEWALK BACKFILL) REPAIRS PROJECT. (1301 RIVERSIDE BOULEVARD.)

WHEREAS, bids and proposals were received by the City of Sioux City, Iowa, on April 13, 2016 for the Riverside Soccer Fields Reconstruction (Seeding and Sidewalk Backfill) Repairs Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by Bacon Creek Design, Inc. of Sioux City, Iowa; 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 DNS Landscaping, Inc. of Dakota City, Nebraska in the amount of $34,092.00 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 Engineer 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: __April 25, 2016__

______________________________
Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCordle, City Clerk
April 13, 2016

Matt Salvatore  
Parks and Recreation Director  
City of Sioux City  
P.O. Box 447  
Sioux City, IA 51102

Re: Bid Received on April 13, 2016 for Riverside Soccer Fields Reconstruction (Seeding & Sidewalk Backfill Repairs) Project

Dear Matt,

On Wednesday April 13, 2016 two bids were received for the Riverside Soccer Fields Reconstruction (Seeding & Sidewalk Backfill Repairs) Project

Sewalson Contracting – Sioux City, Iowa  
$34,225.00

DNS Landscaping-Dakota City, Nebraska  
$34,092.00

Engineer’s Estimate  
$30,980.00

The low bid is 10.3% over the Engineer’s Estimate.

The bids are within less than 0.1% of each other indicating that the prices are acceptable for the project.

The original overseeding item ($13,510.00) in the original construction contract bid in 2015 was not used. The overseeding bid price in this contract is $15,045.00 including a warranty on the seeding for the 10.2 acres in the bid.

The overseeding bid item is only 11% over the 2015 price/acre.

The original contract bid price was $2,600/acre. The bid price for repair seeding in this contract is $2,565.00/acre (including a warranty). The repair seeding bid item is 1.3% under the 2015 price/acre.
The bid items for repairs to the ADA sidewalk backfill ($7,500.00) and black dirt ($1,800.00) are necessary to prepare the fields for the reseeding and overseeding work in this contract.

In conclusion the bid price for this work is comparable to similar work and I recommend award of the contract.

Sincerely,

Paul V. Stensland, P.E.
Bacon Creek Design, Inc.

cc: Angel Wallace
    Doug Rose

PVS/ame
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<th>Unit</th>
<th>Price</th>
<th>Total</th>
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<tbody>
<tr>
<td>1</td>
<td>Repair existing seeding and hydro seed, fertilizer and mulch</td>
<td>3.8 AC</td>
<td>$2,700.00</td>
<td>$10,500.00</td>
<td>2.50</td>
<td>$7,475.00</td>
<td>$1,950.00</td>
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<tr>
<td>2</td>
<td>Black dirt for repair of existing seeding and cuts</td>
<td>60 CY</td>
<td>$50.00</td>
<td>$3,000.00</td>
<td>50.00</td>
<td>$1,800.00</td>
<td>$75.00</td>
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<tr>
<td>3</td>
<td>Overseeding the Soccer Fields (excluding the repair area) mechanically drilled 3/4 rate seeding rate with fertilizer</td>
<td>0.2 AC</td>
<td>$1,100.00</td>
<td>$11,200.00</td>
<td>1,450.00</td>
<td>$15,845.00</td>
<td>$175.00</td>
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<tr>
<td>4</td>
<td>Repair/freshen (add dirt along existing 6 ft wide ADA concrete sidewalks 2 ft to 4 ft wide per side)</td>
<td>2600 LF</td>
<td>$8.20</td>
<td>$21,320.00</td>
<td>3.00</td>
<td>$7,500.00</td>
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**Items Totals**

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<td>$1,950.00</td>
<td>$3,000.00</td>
<td>$1,800.00</td>
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<tbody>
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<td>TOTAL</td>
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<td>$34,225.00</td>
<td>$175.00</td>
<td>$15,845.00</td>
<td>$75.00</td>
<td>$15,845.00</td>
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CITY OF SIOUX CITY  
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016  
ACTION ITEM #: 9 A-C

FROM: Lisa L. McCardle, City Clerk  
Sarah Swearingen, Deputy City Clerk

SUBJECT: Motion appointing Azusa Allard to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

Motion appointing Randy Hansen to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

Motion appointing Gary Bennier to the Yamanashi City Sister City Committee to complete the balance of a three year term expiring December 31, 2018.

Reviewed By: Department Director  
Finance Department  
City Attorney  
City Manager

RECOMMENDATION: Staff respectfully requests that Council appoint the above applicant to the respective Board.

DISCUSSION: The above mentioned applicant has completed an application and appeared before the Council to interview for a position on a City Council appointed Board, Commission or Committee; the City Council has indicated their preference to appoint the aforementioned persons to their respective Boards, Commissions, and Committees.

FINANCIAL IMPACT: None.

RELATIONSHIP TO STRATEGIC PLAN: Interviewing and appointing citizens to various Boards, Commissions, and Committees shows our effort to incorporate citizen input in municipal government. Relates to Progressive Leadership Vision - We will use formal and informal methods to engage the Council, our employees, and our customers to promote enhanced organizational engagement and commitment to our shared vision; and the Strategy - Develop strong partnerships with our residents, visitor’s and business community.
ALTERNATIVES:
Council may approve the appointment as listed or withdraw their preferences for the above selected interviewee and wait for additional applications to be submitted for the various Boards, Commissions, and Committees involved.

ATTACHMENTS:
None
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25 2016 ACTION ITEM # 10

FROM: Lisa McCardle, City Clerk
Sarah Swearingen, Deputy City Clerk

SUBJECT: Application For Cigarette, Tobacco, Nicotine, Vapor Permit:

A. OVER-THE-COUNTER
1. La Plazita Latina, 1300 West 4th Street (Renewal)
2. Floyd Food N Fuel, 3241 Floyd Boulevard (Renewal)
3. Circle S Gordon Drive, 2520 Gordon Drive (Renewal)
4. Leeds Food N Fuel, 4004 Floyd Boulevard (Renewal)
5. Circle S Riverside, 2404 Riverside Boulevard (Renewal)
6. Tobacco Hut, 4523 Morningside Avenue (Renewal)
7. Sarg’s Mini Mart, 3407 Glenn Avenue (Renewal)
8. Sarg’s Mini Mart, 2329 West 2nd Street (Renewal)
9. Blue Ribbon Tap, 413 Pearl Street (Renewal)
10. Central Mart, 1000 Morningside Avenue (Renewal)

RECOMMENDATION:
Staff respectfully requests and recommends approval of the above Cigarette, Tobacco, Nicotine, and/or Vapor Permit.

DISCUSSION:
The City Clerk’s Office is required by the Iowa Department of Revenue to assist them by processing applications for Cigarette, Tobacco, Nicotine, Vapor Permits from businesses within the Sioux City limits. City Clerk’s Office receives the application and collects the annual $100 permit fee; the application is emailed to the Iowa Alcoholic Beverage Division and we then issue a permit to the business. The retailer is required to post the permit in their establishment where the sale is to be made in plain view of the public.

Zoning has been verified for any new applicants above, no violations were found unless otherwise noted.

FINANCIAL IMPACT:
All fees collected stay with the issuing authority; revenue collected in FY2015 totaled $12,350.
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 the application for a Cigarette, Tobacco, Nicotine, Vapor Permit, however, if the permits is denied the Iowa Alcoholic Beverage Division has the authority to override the Council decision and issue the permit.

ATTACHMENTS:
None
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016
ACTION ITEM # 11

FROM: Lisa McCardle, City Clerk
Sarah Swearingen, Deputy City Clerk

SUBJECT: Applications For Beer and Liquor Licenses

A. CLASS “C” BEER PERMIT
   1. MLRTYM C-Store, 1100 Larsen Park Road (Renewal)

B. CLASS “C” LIQUOR LICENSE
   1. Castle Pub & Grill, 4400 Singing Hills Boulevard (Renewal)
   2. Mavericks, 416 Cunningham Drive (Renewal)
   3. Bill's Bar, 2110 Court Street (Renewal)
   4. Marty's Tap, 1306 Court Street (New)
   5. La Fiesta Charra, 3079 Floyd Boulevard (Renewal)

C. SPECIAL CLASS “C” LIQUOR LICENSE
   1. Bob Roe’s Point After, 3608 Peters Avenue
      (05/13/16-05/18/16 New 5 Day)

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:
None.
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
Sioux City Mayor’s Youth Commission Minutes
Executive Council
Monday, February 1, 2016, 7:00 p.m.
Chamber of Commerce Building

MYC MEMBERS PRESENT: Payton Beaumier, Madeline Bertram, Kiley Boeshart, Thomas Burkhart, Marah Burkhart, Kyleigh Davis, Emmalee Fannon, Ciara Hess, Calvin Keller, Kim Knuth, Andrew Linden, Libby Markham, Abby McCarthy, Aleia Nelson, Mercy Oyadare, Myerra Parker, Emma Paskey, Tayvin Schmoll, Emily Volz, Mary Volz

MYC MEMBERS ABSENT: Madison Brown, Hanna Riley

ADULT SPONSORS PRESENT: Linda Phillips, Linda O’Rear, Brad Bollinger, Britney Sininger, Mary Koster, Davidson Wissing

Mayor Madeline Bertram called the meeting to order at 7:07 p.m.

Minutes of the previous Executive Council meeting of January 4, 2016 were accepted as submitted.

Finance report shows that $2074.45 has been spent to date, leaving a balance of $1552.55. Total budget is $3627.00; fiscal year is from July 1 through June 30.

Little Free Library project update:
Libraries will be placed at the following places by:
   1. Sioux City Journal – Calvin Keller
   2. Bishop Heelan Preschool – Linda Phillips/Chris Bork
   3. Book People – Mary Volz
   4. Launch PAD Children’s Museum – Marah Burkhart
   5. Jitters – Mercy Oyadare and Kyleigh Davis
   6. Sioux City Art Center – Erin Webber-Dreezen
   7. Sioux City Police Department – Brad Bollinger
   8. Sioux City Community School District downtown – Araceli Lopez
   9. Mercy Medical Center – Emily Volz

In cooperation with the Sioux City Art Center, MYC will hold a press conference to roll out the Little Free Libraries at a date to be determined. This will probably be held in conjunction with the City Manager’s Press Conference.

Disc Golf Course Project update: MYC has secured all nine sponsors for the disc golf course at the north end of Grandview Park. The money will be presented to the City Council at a February council meeting.

Mary Koster reported that the Daddy Daughter Date Night for tomorrow night, February 2, has been cancelled because of the impending snow storm. As of right now the February 3 activity will still be held. (This was later cancelled because of the snow.)

Activity planning for 2016: Suggestions were made as follows:
   • Princess Ball
   • Cocoa and Cram – received 14 votes
Disc Golf tournament in Grandview Park possibly at Saturday in the Park
Little Free Library – project complete
Dance marathon – received 18 votes
Tournaments
Help out mental health
Dog Park
Election Forum

At the next full MYC Meeting on February 22 with beSomebody Groups/Briar Cliff Enactus. The next Executive Council meeting will be March 7 at the Chamber building.

On a motion by Kiley Boeshart, and a second by Andrew Linden, the meeting was adjourned at 8:01 p.m.

Respectfully submitted,
Mary Volz, Administrative Service Director
Sioux City Mayor’s Youth Commission
Full MYC Minutes
Monday, February 22, 2016
Sioux City Council Chambers
Sioux City, Iowa

Present: 94 MYC and YA Members, 6 parents, 5 adult advisors including Linda Phillips, Linda O’Rear, Davidson Wissing, Brad Bollinger, and Mary Koster

The meeting was called to order at 7:10 p.m. by Mayor Pro Tem Tayvin Schmoll.

The Pledge of Allegiance was led by Emily Volz, Legal Director.

The minutes of the January 18, 2016 were reviewed by Mercy Oyadare and accepted as presented.

Finance report by Andrew Linden, Finance Director, shows that $2,074.45 has been spent to date, leaving a balance of $1,552.55. The bill for the Executive Council sweatshirts has not been received. Total budget is $3627.00; fiscal year is from July 1 through June 30.

Mary Koster updated the members on upcoming volunteer opportunities.

Tayvin Schmoll updated the group on the Little Free Library project. Today MYC presented a check for $4,500 to the City Council for the Disc Golf Course.

Icebreakers for the new members were led by the Leadership Department, Executive Council, and adult advisor Linda O’Rear.

Davidson Wissing, Jackson Recovery Centers, and former MYC member, shared information on his underage drinking prevention grant and asked for volunteers to serve on a youth underage drinking prevention committee.

Emily Vondrak, Briar Cliff University Enactus Team and former MYC member, two Briar Cliff University Enactus Team members, and adult advisors, led small group discussions with each school on issues of concern in the school. Each group will receive a $250 grant to help implement activities that the group decided upon for their school. Follow up will be done at the next Executive Council meeting.

The next full MYC meeting will be Monday, March 21, 2016 at 7:00 pm in Council Chambers.

The business meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Mercy Oyadare, Acting Administrative Services Director
Sioux City Mayor’s Youth Commission Minutes  
Executive Council  
Monday, March 7, 2016, 7:00 p.m.  
Chamber of Commerce Building

MYC MEMBERS PRESENT: Payton Beaumier, Madeline Bertram, Kiley Boeshart, Thomas Burkhart, Emmalee Fannon, Ciara Hess, Calvin Keller, Libby Markham, Aleia Nelson, Mercy Oyadare, Emma Paskey, Tayvin Schmoll, Emily Volz, Mary Volz

MYC MEMBERS ABSENT: Madison Brown, Marah Burkhart, Kyleigh Davis, Kim Knuth, Andrew Linden, Abby McCarthy, Myerra Parker, Hanna Riley

ADULT SPONSORS PRESENT: Linda Phillips, Linda O’Rear, Brad Bollinger, Becky Carlson, Mary Koster

Mayor Madeline Bertram called the meeting to order at 7:05 p.m.

Minutes of the previous Executive Council meeting of February 1, 2016 were accepted as submitted.

Finance report shows that $2481.20 has been spent to date, leaving a balance of $1145.80. Total budget is $3627.00; fiscal year is from July 1 through June 30.

beSomebody groups follow up: beSomebody projects will be discussed at the full MYC meeting on March 21. Projects include:
- West – poster contest and various school competitions
- North – Recycling contest
- East – PDA
- Bishop Heelan – Anti Teen Drinking Party

Dance Marathon – project is on hold

Mary Koster reported the following volunteer opportunities:
- Multicultural Fair, Sunday, March 20, from 11am-1pm or 3-4:30 pm
- Mercy Child Advocacy, hanging of blue ribbons, March 30, 3:30 – 4:00 p.m. Will take down first week of May.
- Fire Department – help install fire extinguishers on April 30 8am – 1pm

Discussed the Young Ambassador ceremony which will take place on Monday, May 2, at 7:00 pm at City Hall. This will be held instead of the MYC Executive Council meeting.

Discussed starting a “100 Plus Children Who Care” group similar to the “100 Plus Men Who Care” and the “100 Plus Women Who Care” groups. We will hold off on this for awhile.

As we have done for the past few years, we will again this year collect monetary donations for Bibi’s Hope Orphanage in Africa. Donations will be accepted at the March and April MYC full meetings.
The next Executive Council meeting will be May 2, 2016 at 7:00 p.m. at the Chamber building.

On a motion by Emma Paskey, and a second by Calvin Keller, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Mary Volz, Administrative Service Director
Sioux City Mayor’s Youth Commission
Full MYC Minutes
Monday, March 21, 2016
Sioux City Council Chambers
Sioux City, Iowa

Present:  93 MYC and YA Members, 5 parents, 2 BCU Enactus Team Members, and 5 adult advisors including Linda Phillips, Linda O’Rear, Davidson Wissing, Brad Bollinger, Ryan Taylor, and Mary Koster

The meeting was called to order at 7:10 p.m. by Mayor Madeline Bertram.

The Pledge of Allegiance was led by Emily Volz, Legal Director.

The minutes of the February 22, 2016 were reviewed by Administrative Service Director Mary Volz and accepted as presented.

Finance report by Andrew Linden, Finance Director, shows that $2,481.20 has been spent to date, leaving a balance of $1,145.80. Total budget is $3627.00; fiscal year is from July 1 through June 30.

Mary Koster updated the members on upcoming volunteer opportunities.

Emily Vondrak, Briar Cliff University Enactus Team and former MYC member, and a Briar Cliff University Enactus Team member assisted with small group discussions with each school on issues of concern in the school. School projects include: West – poster contest and various school competitions; North – recycling contest; East – PDA; Bishop Heelan – Anti Teen Drinking Party. Each group will receive a $250 grant to help implement these activities. Reports will be made at the next meetings.

The next full MYC meeting will be Monday, April 18, 2016 at 7:00 pm in Council Chambers.

The business meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Mary Volz, Administrative Services Director
A regular meeting of the City Planning and Zoning Commission was held this date at 4:00 p.m. in the City Council Chambers, 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were considered.

**MEMBERS PRESENT**
Jason Geary, Chair  
Lee Beukelman, Vice Chair  
Joe Krage  
Suzan Stewart  
Ryan Ross  
Jean Calligan

**MEMBERS ABSENT**
Cindy O’Neill

**STAFF PRESENT**
Chris Madsen, Senior Planner  
Charlie Cowell, Planner  
Ron Kueny, Zoning Enforcement Officer  
Kelly Leigh, Administrative Secretary  
Glenn Ellis, City Engineer  
Justin Vondrak, Assistant City Attorney

Geary called the meeting to order at 4:00 p.m., and read the opening statement explaining the procedures. He then introduced the Commission Members and City staff to the audience. The Commission was asked if any had contact with the owner, petitioner, agent, or anyone listed on the notification list regarding the agenda items. Lee Beukelman mentioned he had not spoken to any petitioners or owners, however due to a conflict of interest he will be abstaining from all 3 items.

**Agenda Item 2016-0016:** Requested vacation of the north south alley adjacent to 821 30th Street, the north south alley adjacent to 2934 Jones Street, and 30th Street lying between Jones Street and Jennings Street. (Petitioner: Sioux City Community School District)

Bryan Wells (DGR Engineering) (6115 Whispering Creek Dr.) and Brian Fahrendholz (Sioux City Community School District) (2620 28th St) spoke on the item asking the commission to consider approving these items so the school district can continue their proposed project.

Ross (Geary) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman)

**Agenda Item 2016-0017:** Requested dedication of the property located at 2928 Jones Street as alley right of way. (Petitioner: Sioux City Community School District)

Stewart (Calligan) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman) Voice Vote

**Agenda Item 2016-0018:** Requested rezoning of properties located at 2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street from NC.4 to PI. (Petitioner: Sioux City Community School District)

Calligan (Ross) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman) Voice Vote

**Other Business**

  a. Report by Staff regarding Planning and Zoning items at the City Council meeting.
b. Other items brought forward by the Commission and / or staff.

   i. Ryan Ross mentioned that based off of a citizen complaint, he had asked Chris Madsen to reach out to the owner of the new Casey’s (located at the southwest corner of Hamilton Boulevard and 38th Street) and ask that they add a bike rack to their site plan. The owner did add that to their site plan without a problem.

c. Approval of the minutes of the March 22, 2016 Planning and Zoning meeting.
   Calligan (Ross) moved to recommend to the City Council approval of the March 22, 2016 Planning and Zoning meeting minutes. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Beukelman, Geary/ No:0 / Abstained: Stewart) Voice Vote

There being no further business, the meeting was adjourned at 4:28 p.m.

Submitted by
Kelly Leigh

__________________________________  ______________________________
CHAIR                    PLANNING DIRECTOR
On this date 4:04 p.m., at 509 Nebraska Street, Sioux City, Iowa, was held a regular meeting of the Sioux City Transit Advisory Board for the purpose of discussing items of interest and concern to the Sioux City Transit System, the City of Sioux City, and the citizens thereof, matters to be brought to the attention of the Advisory Board by the Transit Manager; and such other business that might properly come before the Board at this time.

MEMBERS PRESENT
Mary Elder
Tom Venesky
Joan Bruhn
Richard Owens

MEMBERS ABSENT
Mary Martin

OTHERS
Brenda Berens, SRTS
Dawn Kimmel, SRTS
Maureen Timblin, Admin. Assistant
Justin Johnston, Disability Advocate
Jeff Harcum, Transit Supervisor
Mike Collett, Assistant City Manager for Administration

ITEM NO. 1 CALL OF ROLL AND INTRODUCTIONS
Roll was called, and introductions were not necessary.

ITEM NO. 2 APPROVAL OF MARCH MINUTES
Venesky made a motion, Elder seconded the motion, to approve the minutes from the March meeting. All members present voted aye to approve the minutes.

ITEM NO. 3 OPERATING AND PARATRANSPORT REPORTS
Collett stated we are on budget for revenue and expenses. Transit and paratransit ridership is down compared to the same time last year; Collett explained that Transit buses did not operate on March 24th, due to a snow storm.

ITEM NO. 4 OTHER BUSINESS
A. Grant Updates

Harcum stated a solicitation for bid was let for the passenger shelter repair project. Bids were not received; so the scope of the project was revised for another solicitation for bids.

There will be a bid solicitation for concrete repairs at the bus stop locations.

Window treatments in the MLK building and carpet replacement will be done in the near future.

Collett explained, in the past, nights and weekends transportation service project was funded 50% by a state grant and 50% from private donations. The New Freedom grant funds will expire on June 30th. Owens stated he met with Mary Elder and Dawn Kimmel regarding funding needs for nights and weekends transportation. Owens explained the plan is to consider requesting financial donations from service clubs, churches, and community organizations. Owens stated the Arc of Woodbury County will be solicited for a financial donation at a future Arc board meeting. Johnston asked about contacting the Brain Injury Alliance and the State of Iowa.
Epilepsy Foundation of Iowa. Owens stated those organizations can be contacted. Collett stated the Missouri River Historical Development (MRHD) might also be a good organization to include. Owens stated the deadline for submitting an application for MRHD funds recently closed; but that is a consideration for future funding. If approved, a letter would be written and a 501(c)(3) agency would be contacted to manage the project. Hopefully, this will be done in May in order to receive contributions to use for nights and weekends service beginning July 1st.

*Bruhn made a motion to proceed with the New Freedom Transit Plan; Venesky seconded. All members present voted aye.*

Venesky will contact the National Federation of the Blind (NFB) organization; and Owens will contact other groups to request financial donations for nights and weekends transportation service. Elder asked if Johnston can put information on his blog. Johnston stated he will talk to Kimmel about this.

**ITEM NO. 5 OTHER DISCUSSION**

Collett stated the Triennial Review will be conducted next month, by a company that has been contracted through FTA.

Collett stated additional security measures have been implemented at the MLK Transportation Center.

Venesky left at 4:26 p.m.

**ITEM NO. 6 NEXT MEETING**

The next meeting is scheduled for Wednesday, May 18, 2016, at 3:30 p.m.

*Bruhn made a motion, Elder seconded the motion, to adjourn; all members present voted aye. Meeting adjourned at 4:28 p.m.*
A meeting of the Yamanashi City Sister City Committee was held at 11:30 a.m., in Long Lines Family Recreation Center, 401 Gordon Drive, Sioux City, IA.

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<tr>
<th>BOARD PRESENT</th>
<th>STAFF PRESENT</th>
<th>OTHERS</th>
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<tbody>
<tr>
<td>Davison Wissing</td>
<td>Angel Wallace</td>
<td>Azusa Allard</td>
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<td>Amanda Beller</td>
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<td>Chad Robinson</td>
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<th>BOARD ABSENT</th>
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<td>Grace Linden</td>
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1. **CALL OF THE ROLL**

Meeting was called to order by Angel Wallace at 11:30 a.m.

2. **APPROVAL OF MINUES**

On motion by Beller, second by Wissing, the January 21, 2016 minutes were approved. All ayes.

3. **YAMANASHI CITY VISIT – AUGUST, 2016**

Wallace provided an update from an email received from Ms. Furuya of Yamanashi City regarding questions committee members had regarding the upcoming visit. Members requested the following information:

1. **How the adults would be chosen?** Ms. Furuya reported that the adults would be citizens of Yamanashi City. Anyone living in Yamanashi City and interested in Sioux City would be eligible to apply. No citizens had been selected at that time – recruitment will take place April 1st through May 13th.

2. **Will any of the adults have a hotel stay?** Ms. Furuya reported that they are hoping the 10 adult citizens (as well as the 10 students) would have a home stay. However, the Mayor and other City officials will have a hotel stay.

3. **Will the Mayor and other City Officials be a part of the delegation?** Ms. Furuya reported that yes, the Mayor would be visiting.

4. **Confirmation that the visit will be held August 4 – August 7?** Ms. Furuya reported the delegation would schedule their visit for August 4 – August 7, 2016.

5. **What will be the goal of this year’s visit?** Ms. Furuya reported the goal is to deepen the Sister City friendship and gain an international understanding through homestay and civic exchange.
The committee discussed potential sightseeing opportunities for the itinerary:

- Robinson reported he would contact Chesterman as a tour option.
- Wissing reported he would contact InterBake as a tour option.
- Wallace reported she would contact Water Treatment Plant as a tour option.
- Allard reported she would contact the Orpheum Theatre as a tour option.

Committee members discussion obtaining more community involvement. Wissing reported he would discuss the visit with Sioux City Go membership and Beller reported she would discuss the visit with the Chamber of Commerce and Briar Cliff University. Wallace reported she would reach out to Morningside College since historically they have been very involved during previous visit by providing a tour and luncheon for the delegation.

4. COMMITTEE CONCERNS
   None

5. ADJOURNMENT

The meeting was adjourned at 12:30 p.m.

The next committee meeting will be held March 17th at 11:30 p.m. at Long Lines Family Recreation Center.

Respectfully submitted,

Angel Wallace
Parks and Recreation Manager
Hearing and ordinance vacating the north/south alley adjacent to 821 30th Street, the north/south alley adjacent to 2934 Jones Street, and 30th Street lying between Jones Street and Jennings Street. (Petitioner: Sioux City Community School District). The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0016).

Resolution approving and accepting a quit claim deed from Sioux City Community School District in counties of Woodbury and Plymouth to the City in consideration of mutual benefits and dedicating said property as alley right-of-way (2928 Jones Street). (Petitioner: Sioux City Community School District). The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0017).

Hearing and ordinance rezoning 2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street from Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification PI (Public and Institutional). (Petitioner: Sioux City Community School District). The Planning and Zoning Commission recommends approval of this item. (File No. 2016-0018).

RECOMMENDATION:
Staff respectfully requests City Council approve the requested vacations, dedication, and rezoning, subject to the following findings.

Planning Commission:
Agenda Item 2016-0016: Requested vacation of the north-south alley adjacent to 821 30th Street, the north-south alley adjacent to 2934 Jones Street, and 30th Street lying between Jones Street and Jennings Street. (Petitioner: Sioux City Community School District)

Bryan Wells (DGR Engineering) (6115 Whispering Creek Drive) and Brian Fahrendholz (Sioux City Community School District) (2620 28th Street) spoke on the item asking the Commission to consider approving these items so the School District can continue their proposed project.

Ross (Geary) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman)
**Agenda Item 2016-0017:** Requested dedication of the property located at 2928 Jones Street as alley right of way. (Petitioner: Sioux City Community School District)

Stewart (Calligan) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman) Voice Vote

**Agenda Item 2016-0018:** Requested rezoning of properties located at 2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street from NC.4 to PI. (Petitioner: Sioux City Community School District)

Calligan (Ross) moved to recommend to the City Council approval of this item. Motion Carried. 5-0-1 (Yes: Ross, Krage, Calligan, Stewart, Geary/ No:0/ Abstained: Beukelman) Voice Vote

**Findings of Fact:**
1) The three requests are to allow for the redevelopment of the Bryant School site.
2) The vacation requests will not deny access to any residential properties.
3) The dedication will allow continued access of the existing north-south alley.
4) The rezoning will allow for a school use and match the zoning of the existing Bryant School properties.
5) The applicant’s proposals 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.
#8 Partner with the Sioux City School District to identify re-use of former school sites.

**ALTERNATIVES:**
None.

**ATTACHMENTS:**
Attachment A: Ordinance – Vacations
Attachment B: Ordinance – Accept Deed and Dedicate
Attachment C: Ordinance – Rezoning
Attachment D: General Area Map – Vacation
Attachment E: General Area Map - Dedication
Attachment F: General Area Map - Rezoning
Attachment G: Notification Map
Attachment H: Site Plan
Attachment I: Application
BACKGROUND REPORT:
The City has received a request from the Sioux City Community School District, petitioner, to vacate various alley and street right of ways, dedicate a realigned alley, and rezone four properties as part of the Bryant School redevelopment. General area maps are enclosed for your review on these three items.

ANALYSIS:
As stated, the petitioner is requesting vacation of public right of way, dedicating a relocated alley, and rezoning four former single family lots as part of the Bryant School redevelopment. An analysis of these three requests can be found below.

Vacation
The petitioner is requesting the vacation of two portions of alleys and a portion of 30th Street. The general area map for the alley vacations can be found in Attachment A. The first north–south alley is on the site of the existing Bryant School. This alley has remained to allow access to the four residential lots in the northwest corner of the Bryant School block. The School District has purchased these four homes to be included in the new school site, so the alley access is no longer needed and no access will be denied by closing the alley.

The second alley is south of 30th Street. The School District has purchased the four north properties in the block and plan to realign the alley to the west with an access point on Jones Street. The realigned alley will need to be deeded to the City and dedicated. The design of the realigned alley can be found on the site plan in Attachment H.

The final vacation request is for 30th Street lying between Jones Street and Jackson Street. This portion of the school site will consist of Staff parking on the west and a geothermal well field and playground on the east. The closing of 30th Street should not cause major transportation issues, as 30th Street currently ends one block west at Lief Erikson Park, and 29th Street and 31st Street are both through streets to Cheyenne Boulevard. The right of ways for Jones Street and Jennings Street will not be impacted.

Dedication
The School District purchased the property at 2928 Jones Street with the intent of relocating the north access point of the north–south alley. With the requested closure of 30th Street, as described above, and the redevelopment of the site, the north–south alley would essentially dead end, which is not desirable in an alley with no turn around. The alley is in use by the neighbors to the south, and access to the alley needs to be maintained. The realignment and dedication will provide that second access and ensure that the alley is still accessible to the residential properties.

Rezoning
The final request is to rezone four properties that the School District has purchased. During the Zoning Ordinance Rewrite in 2015, City Staff identified properties that the School District owned and rezoned from residential to Public Institutional. Staff did not rezone properties that had not been purchased by the School District at that point. The four remaining properties are: 2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street. A rezoning general area map can be found in Attachment F. These properties are requested to be rezoned from NC.4 (Neighborhood Conservation) to PI (Public and Institutional). The rezoning will allow for a school use and will be consistent with the abutting school owned properties.

EXISTING ZONING AND LAND USE:
NC.4 ; Single Family Residential
PI ; Existing Bryant School
EXISTING ZONING REQUIREMENTS:
The NC.4 district is meant for a variety of housing types in a mixed housing neighborhood.

PROPOSED 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.

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

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.

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:
Sixty four notices were sent within the required timeframe. No responses were received.
ORDINANCE NO. 2016-______

ORDINANCE VACATING THE NORTH/SOUTH ALLEY ADJACENT TO 821 30TH STREET, THE NORTH/SOUTH ALLEY ADJACENT TO 2934 JONES STREET, AND 30TH STREET LYING BETWEEN JONES STREET AND JENNINGS 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 north/south alley lying adjacent to Lots 1-4 and 15-18, and that part of said north/south alley abutting the north 16 feet of Lots 6 and 13, all in Block 36, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 3456 square feet more or less.

AND

All that part of the north/south alley lying adjacent to Lots 1 and 18 and the north 25' of Lots 2 and 17, all in Block 23, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 1200 square feet more or less.

AND

All that part of 30th Street abutting Block 23 and Block 36 in Peirce's Addition to Sioux City, in the County of Woodbury and the State of Iowa, being all said 30th Street lying between Jones Street and Jennings Street. Containing 18960 square feet more or less; 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: ___________________________  

___________________________  
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. 2016-_______ adopted by the City Council of Sioux City on ________________, 2016. Signed this _____ day of ________________, 2016.

___________________________  
Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on _________________.

___________________________  
Lisa L. McCardle, City Clerk
ORDINANCE VACATING THE NORTH/SOUTH ALLEY ADJACENT TO 821 30TH STREET, THE NORTH/SOUTH ALLEY ADJACENT TO 2934 JONES STREET, AND 30TH STREET LYING BETWEEN JONES STREET AND JENNINGS STREET.

This is a summary of Ordinance Number 2016-________ passed by the Sioux City City Council on ________________, 2016 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 north/south alley lying adjacent to Lots 1-4 and 15-18, and that part of said north/south alley abutting the north 16 feet of Lots 6 and 13, all in Block 36, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 3456 square feet more or less.

AND

All that part of the north/south alley lying adjacent to Lots 1 and 18 and the north 25' of Lots 2 and 17, all in Block 23, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 1200 square feet more or less.

AND

All that part of 30th Street abutting Block 23 and Block 36 in Peirce's Addition to Sioux City, in the County of Woodbury and the State of Iowa, being all said 30th Street lying between Jones Street and Jennings Street. Containing 18960 square feet more or less.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal ____________________, 2016.
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 Ordinance 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 north/south alley lying adjacent to Lots 1-4 and 15-18, and that part of said north/south alley abutting the north 16 feet of Lots 6 and 13, all in Block 36, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 3456 square feet more or less.

AND

All that part of the north/south alley lying adjacent to Lots 1 and 18 and the north 25’ of Lots 2 and 17, all in Block 23, Pierces Addition to Sioux City, County of Woodbury, State of Iowa. Containing 1200 square feet more or less.

AND

All that part of 30th Street abutting Block 23 and Block 36 in Peirce’s Addition to Sioux City, in the County of Woodbury and the State of Iowa, being all said 30th Street lying between Jones Street and Jennings Street. Containing 18960 square feet more or less.

(The north/south alley adjacent to 821 30th Street, the north/south alley adjacent to 2934 Jones Street, and 30th Street lying between Jones Street and Jennings Street) (2016-0016)

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 April 25, 2016, at the council meeting commencing at 4:00 P.M., Local 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 April 18, 2016
ATTACHMENT B

RESOLUTION NO. 2016-__________
with attachments

RESOLUTION APPROVING AND ACCEPTING A QUIT CLAIM DEED FROM SIOUX CITY COMMUNITY SCHOOL DISTRICT IN COUNTIES OF WOODBURY AND PLYMOUTH TO THE CITY IN CONSIDERATION OF MUTUAL BENEFITS AND DEDICATING SAID PROPERTY AS ALLEY RIGHT-OF-WAY (2928 JONES STREET).

WHEREAS, Sioux City Community School District in Counties of Woodbury and Plymouth is the owner and title holder of certain real estate located in Sioux City, Woodbury County, Iowa, legally described as follows:

The North Twenty-five (25) Feet of Lot Sixteen (16) and the South Twenty-five (25) Feet of Lot Seventeen (17) in Block Twenty-three (23), Peirce's Addition to Sioux City, in the County of Woodbury and the State of Iowa. Containing 7500 square feet more or less; and

WHEREAS, the above-described property is to be conveyed by the above named grantor to the City of Sioux City, Iowa, by quit claim deed, a copy of which is attached hereto and by this reference made a part hereof, which quit claim deed should be approved as to form and content; and

WHEREAS, the City Council is advised and does believe that it is in the best interest of the City of Sioux City that the quit claim deed executed by the Sioux City Community School District in Counties of Woodbury and Plymouth, should be accepted by and on behalf of the City; and

WHEREAS, the Sioux City Community School District in Counties of Woodbury and Plymouth has agreed to and has executed said quit claim deed for the above described property in exchange for mutual benefits.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the quit claim deed executed by the Sioux City Community School District in Counties of Woodbury and Plymouth, 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 said quit claim deed, be and is hereby accepted for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that the City Clerk shall cause said quit claim deed to be filed with the Woodbury County Recorder and thereafter deposit said recorded deed with the Property Office of the City of Sioux City.

BE IT FURTHER RESOLVED that said property be and is hereby dedicated as alley right-of-way.

PASSED AND APPROVED: __________________________  Robert E. Scott, Mayor

ATTEST: __________________________

Lisa L. McCordle, City Clerk
QUIT CLAIM DEED
THE IOWA STATE BAR ASSOCIATION
Official Form No. 106
Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)
Dan A. Moore, 501 Pierce Street, #300, P.O. Box 3207, Sioux City, Iowa 51102-3207
(712) 252-0020

Taxpayer Information: (Name and complete address)
City of Sioux City, Iowa, 405 Sixth Street, Sioux City, Iowa 51102

Return Document To: (Name and complete address)
Dan A. Moore, P.O. Box 3207, Sioux City, Iowa 51102-3207

Grants:
The Sioux City Community School
District in the Counties of Woodbury
and Plymouth, State of Iowa

Grantees:
City of Sioux City, Iowa,
a municipal corporation

Legal description: See Page 2
Document or instrument number of previously recorded documents:
QUIT CLAIM DEED

For the consideration of $1.00 and other valuable consideration, THE SIOUX CITY COMMUNITY SCHOOL DISTRICT IN THE COUNTIES OF WOODBURY AND PLYMOUTH, STATE OF IOWA do hereby Quit Claim to CITY OF SIOUX CITY, IOWA, a municipal corporation, all our right, title, interest, estate, claim and demand in the following described real estate in Woodbury County, Iowa:

The North Twenty-five (25) Feet of Lot Sixteen (16) and the South Twenty-five (25) Feet of Lot Seventeen (17) in Block Twenty-three (23), Peirce’s Addition to Sioux City, in the County of Woodbury and State of Iowa.

Exempt from Declaration of Value per Iowa Code Chapter 428A.2(6).

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate. Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: April 1, 2016

By:

Michael J. Krysl, Board President (Grantor)

By:

Cynthia A. Lloyd, Board Secretary (Grantor)

This reed was acknowledged before me on ____________, by ____________.

Signature of Notary Public

© The Iowa State Bar Association 2016
Form No. 106, Quit Claim Deed
IowaModern®
Revised January 2011
STATE OF IOWA

COUNTY OF WOODBURY:

On this _____ day of April, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael J. Krysli and Cynthia A. Lloyd, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary of said corporation executing the within and foregoing instrument, that the seal affixed thereto is the seal of the said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and that the said Michael J. Krysli and Cynthia A. Lloyd, as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Sioux City, Iowa, the day and year last above written.

(SEAL) Notary Public in and for the State of Iowa
ATTACHMENT C

ORDINANCE NO. 2016-_______

ORDINANCE REZONING 2928 JONES STREET, 2934 JONES STREET, 3021 JENNINGS STREET, AND 3025 JENNINGS STREET FROM ZONE CLASSIFICATION NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLASSIFICATION PI (PUBLIC AND INSTITUTIONAL)

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 25.02.030.1291 of said Ordinance No. 2015-0215 as amended:

25.02.030.1291: The following described real property shall be changed FROM Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) TO Zone Classification PI (Public and Institutional):

Lots 3 and 4, Block 36, and Lots 17, 18, and the north ½ of Lot 16, Block 23, all in Pierces Addition to Sioux City, County of Woodbury, 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: _____________________________

__________________________________
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. 2016-_______ adopted by the City Council of Sioux City on ______________________, 2016. Signed this ____ day of _________________, 2016.

__________________________________
Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on ______________________.

__________________________________
Lisa L. McCardle, City Clerk

U:\City Legal\Secure\P & Z Ordinances\PZ 2016-0018.Doc
ORDINANCE REZONING 2928 JONES STREET, 2934 JONES STREET, 3021 JENNINGS STREET, AND 3025 JENNINGS STREET FROM ZONE CLASSIFICATION NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLASSIFICATION PI (PUBLIC AND INSTITUTIONAL)

This is a summary of Ordinance Number 2016-_________ passed by the Sioux City City Council on ______________, 2016 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 NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification PI (Public and Institutional):

Lots 3 and 4, Block 36, and Lots 17, 18, and the north ½ of Lot 16, Block 23, all in Pierces Addition to Sioux City, County of Woodbury, 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 _________________, 2016.
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 April 25, 2016, 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:

25.02.030.1291: The following described real property shall be changed FROM Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) TO Zone Classification PI (Public and Institutional):

Lots 3 and 4, Block 36, and Lots 17, 18, and the north ½ of Lot 16, Block 23, all in Pierces Addition to Sioux City, County of Woodbury, State of Iowa and extending to the center line of abutting right-of-way.

(2928 Jones Street, 2934 Jones Street, 3021 Jennings Street, and 3025 Jennings Street) (2016-0018)

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 April 18, 2016.
GENERAL AREA MAP – DEDICATION
CITY OF SIOUX CITY
Applicant Profile Form
(Complete along with the appropriate application form. 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>Sioux City Community School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td>2620 28th Street</td>
</tr>
<tr>
<td>City</td>
<td>Sioux City</td>
</tr>
<tr>
<td>State</td>
<td>IA</td>
</tr>
<tr>
<td>ZIP</td>
<td>51105</td>
</tr>
<tr>
<td>Phone</td>
<td>712-279-6652</td>
</tr>
<tr>
<td>Email Address</td>
<td><a href="mailto:fahrendl1@livesiouxcityschools.com">fahrendl1@livesiouxcityschools.com</a></td>
</tr>
</tbody>
</table>

PROPERTY OWNER (IF DIFFERENT)

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td></td>
</tr>
<tr>
<td>ZIP</td>
<td></td>
</tr>
<tr>
<td>Phone</td>
<td></td>
</tr>
<tr>
<td>Email Address</td>
<td></td>
</tr>
</tbody>
</table>

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Property south & north of Bryant School located at 821 30th St.

PLANNING AND ZONING 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, Boards, or Commissions. A full list of permits and approval procedures are listed in Subchapter 25.06-8 Permits and Procedures of the Code.

- Vacate
- Site Plan / Development Concept Plan
- Conditional/Temporary Use Permit
- Certificate of Appropriateness
- Major changes to a Site/Concept Plan
- Temporary Use Permit
- Designation of Historic Site/Landmark
- Minor Changes to a Site/Concept Plan
- Appeal
- Accessory Dwelling Unit
- Minor Modification
- Variance
- Alteration Permit
- Right-of-Way Encroachment
- Zoning Compliance Certificate
- Interpretation
- Sign Design Program
- Interchange Development
- Text Amendment
- Preliminary/Final Plat

SIGNATURE

Property Owner's Signature: Application Date:

*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: https://online.encyclopedia.com/regs/siouxcity-i/index.aspx. See Subsection 25.06.070 for the complete review procedures.

For Office Use Only

File Number: 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

<table>
<thead>
<tr>
<th>Owner</th>
<th>City of Sioux City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address</td>
<td>See Exhibit A</td>
</tr>
<tr>
<td>Zoning District</td>
<td>PI &amp; NC.4</td>
</tr>
<tr>
<td>Lot Area</td>
<td></td>
</tr>
<tr>
<td>Existing Use</td>
<td>30th St. between Jones &amp; Jennings as well as nearby Alley’s.</td>
</tr>
</tbody>
</table>

### REQUEST

- **Requested Approval**: Vacation of public ground ($275 filing fee)
- **Existing Use**: Public street
- **Public alley**

### WRITTEN STATEMENT OF REQUEST

Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public.

Construction of new elementary school at current Bryant Elementary School site (expanded). See Exhibit A as part of 28E agreement.

The School District will construct and deed to the City an east-west alley located between and joining Jones Street and the north-south alley in Block 23 of Prince’s Addition, to relocate and replace that part of the north-south alley being vacated north of the N 1/2 Lot 16 and S 1/2 Lot 17 within said Block 23.

### INFORMATION CHECKLIST

- **Certified Surveyor’s Signature**: A survey by a certified land surveyor licensed in the state of Iowa if necessary to describe the property.
- **Contract Information**: A completed offer to purchase and contact information of purchaser if requesting vacation.
- **Area Map**: A general area map showing the subject area and request.
- **Completion of Applicant Profile Form**: Completed Applicant Profile Form
- **Filing Fee**: Filing fee of $275 for vacations and easements, $300 for an easement clearing title.

### SIGNATURE

Owner/Petitioner’s Signature:  
Application Date:

---

*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: https://sioxcity-iagov/regs/siouxcity-iagov/.

For Office Use Only:  
File Number:  
Staff Reviewer:
CITY OF SIOUX CITY
Application for a Zone Change (Includes Restricted Use Overlay Districts) (Complete along with the Applicant Profile Form)

<table>
<thead>
<tr>
<th>SUBJECT PROPERTY INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Owner</td>
</tr>
<tr>
<td>Street Address</td>
</tr>
<tr>
<td>Current Zoning District</td>
</tr>
<tr>
<td>Proposed Zoning District</td>
</tr>
<tr>
<td>Existing Use</td>
</tr>
<tr>
<td>Proposed Use</td>
</tr>
</tbody>
</table>

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 25.06.090.15 ZONE CHANGE (Major Amendment, including Restricted Use Planned Developments) of the Sioux City Zoning and Sign Code.)

PI Zone needed for use as a new elementary school. Includes 3025 Jennings St., 3021 Jennings St., 2934 Jones St., 2928 Jones St.

INFORMATION CHECKLIST
- ✓ N/A A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.
- ✓ A general area map or site plan showing the area requested to be rezoned.
- ✓ Completed Applicant Profile Form.
- ✓ N/A A filing fee of $250.
- ✓ 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.
- ✓ N/A Other information as required by the Administrator prior to submission of the application, including whether a Restricted Use Overlay District is required (Subsection 25.06.090.13 Restricted Use Overlay District).

SIGNATURE
Owner/Petitioner’s Signature: 
Application Date: 

*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 online at: http://www.siu.x.gov/Planni/index.aspx*
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016
ACTION ITEM #: 16

FROM: Bob Padmore, City Manager
Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution approving a License and Naming Agreement between the City of Sioux City and Mercy Medical Center – Sioux City for the naming rights of the Baseball Playing Surface at Lewis and Clark Park. (3400 Line Drive)

RECOMMENDATION:
Staff respectfully requests City Council approve the attached resolution approving an agreement with Mercy Medical Center – Sioux City, for the naming rights of the baseball playing surface at Lewis and Clark Park located at 3400 Line Drive.

DISCUSSION:
The City of Sioux City and Mercy Medical Center – Sioux City, an operating division of Mercy Health Services – Iowa, Corp., requests to enter into an agreement whereas the City will utilize a “Name,” designated by Mercy at a later date, for the Baseball Playing Surface at Lewis and Clark Park.

As a term of this agreement, a scoreboard displaying the designated “Name” mutually agreed upon by the City and Mercy will be installed. The placement of the “Name” will be easily visible east and west bound lanes of State Highway 20. All such placement of the “Name” shall be in accordance with IDOT regulations and requirements.

Other Applications of the Agreement:

- **Sports and Other Events** The City agrees to provide the following items related to sports and other events and programs at the Baseball Playing Surface at Lewis and Clark Park: at least once prior to the beginning of each game or other event and program, a public address announcement will be given that welcomes attendees to the Baseball Playing Surface at Lewis and Clark Park by referencing the designated “Name” while said “Name” is displayed on the matrix portion of each scoreboard.

- **Competitor Signage** The City will not grant any company that offers products comparable to the products offered by Mercy (including parents, subsidiaries, and other affiliates) the right to display any sign in the Baseball Playing Surface at Lewis and Clark Park; except that, in the case Mercy enters any business in
addition to or different from the businesses in which Mercy is engaged on the date of this Agreement, the City shall not be obligated to terminate a signage arrangement with any company then engaged in any such additional or different business until the expiration of the term of that agreement.

- **Electronic Messages** At any event at which various electronic messages are periodically displayed on the scoreboard, Mercy will receive at least two electronic messages to be displayed during the event. At least one of these messages would be at the beginning of such event.

- **Field Naming Sponsor Tickets** During the term of this agreement, Mercy will be provided 800 complimentary tickets for baseball games during each year of the lease. Additionally, two nights will be designated as “Mercy Night.” The allocation of tickets and designation of dates for “Mercy Night” will be mutually acceptable to both the minor league baseball team and Mercy.

Terms of this agreement shall commence on April 25, 2016 and shall run for a period of ten (10) years ending April 24, 2026, unless an earlier termination is requested. As consideration for the rights and benefits granted in the Agreement, Mercy agrees to pay a Rights Fee in the aggregate amount of Three Hundred Thousand Dollars ($300,000.00) payable in ten (10) annual installments of Thirty Thousand Dollars ($30,000.00). Each payment will be due on June 1st of each year, commencing in 2016 (except if the City has not performed all the obligations as required under the Agreement). If the City fails to perform its obligations in any given year, the City agrees to refund any portion of the foregoing Rights Fee that has been paid by Mercy in the year of nonperformance in full.

**FINANCIAL IMPACT:**
Mercy Medical Center – Sioux City shall pay the City of Sioux City Three Hundred Thousand Dollars ($300,000.00) payable in ten (10) annual installments of Thirty Dollars ($30,000.00) each year commencing June 1, 2016.

**RELATIONSHIP TO STRATEGIC PLAN:**
Explore Destination Sioux City
Grow Sioux City Pride

**ALTERNATIVES:**
Deny this agreement and direct staff to negotiate alternative terms.

**ATTACHMENTS:**
Resolution
License and Naming Agreement
RESOLUTION NO. 2016-________
with attachments

RESOLUTION APPROVING A LICENSE AND NAMING AGREEMENT BETWEEN
THE CITY OF SIOUX CITY AND MERCY MEDICAL CENTER – SIOUX CITY FOR
THE NAMING RIGHTS OF THE BASEBALL PLAYING SURFACE AT LEWIS AND
CLARK PARK. (3400 LINE DRIVE)

WHEREAS, the Lewis and Clark Park Renovation Project includes the rehabilitation of the Lew-
is and Clark Park located at 3400 Line Drive; and

WHEREAS, Mercy Medical Center – Sioux City agrees to pledge Three Hundred Thousand
Dollars ($300,000.00) for the naming rights of the Baseball Playing Surface at Lewis and Clark
Park; and

WHEREAS, there is attached hereto and by this reference made a part hereof, a License and
Naming Agreement between Mercy Medical Center – Sioux City and the City of Sioux City set-
ting forth the rights and responsibilities of the parties in connection with said License and Nam-
ing Agreement, which License and Naming Agreement should be approved as to form and con-
tent.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX
CITY, IOWA that the License and Naming Agreement, as referred to in the preamble hereof,
between Mercy Medical Center – Sioux City and the City of Sioux City for naming rights to the
Baseball Playing Surface at Lewis and Clark Park commencing April 25, 2016 and ending April
24, 2026 be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized
and directed to execute said License and Naming Agreement for and on behalf of the City.

PASSED AND APPROVED: April 25, 2016

Robert E. Scott, Mayor

ATTEST: Lisa L. McCardle, City Clerk
LICENSE AND NAMING AGREEMENT FOR THE
BASEBALL PLAYING SURFACE AT LEWIS AND CLARK PARK

This License and Naming Agreement ("Agreement"), made as of the ___ day of April 2015, between The City of Sioux City, Iowa ("City"), and Mercy Medical Center – Sioux City, an operating division of Mercy Health Services – Iowa, Corp., a Delaware non-stock, nonprofit corporation ("Mercy")

RECITALS:

WHEREAS, the Lewis and Clark Park Renovation Project (herein the "Project") includes the rehabilitation of the Lewis and Clark Park; and

WHEREAS, Mercy agrees to pledge Three Hundred Thousand Dollars ($300,000.00), pursuant to the terms of this Agreement, for the naming rights of the Baseball Playing Surface at Lewis and Clark Park located at 3400 Line Drive, Sioux City, Iowa 51105 and such other rights and privileges set forth in this Agreement; and

WHEREAS, Mercy and City are entering into this Agreement under which City will be required to utilize the name designated by Mercy at a later date ("Name") wherever possible as the name of the Baseball Playing Surface at Lewis and Clark Park in accordance with the terms and conditions set forth herein, and, if the Name utilizes any trademark, trade name or logo of Mercy or one of its affiliates, Mercy will grant to the City certain rights in Mercy's intellectual property for use in connection with the operation of the Baseball Playing Surface at Lewis and Clark Park, but only in accordance with the terms and conditions specified in this Agreement.

NOW, THEREFORE, the parties agree as follows.

1. DEFINITIONS

   a. "The Mark" or "the Name" means such name as subsequently chosen by Mercy for the name of the Baseball Playing Surface at Lewis and Clark Park

   b. The "Intellectual Property" means, collectively, any trade name, trademark or logo of Mercy or its affiliates used in the Name, and any Domain Name described in Paragraph 9 of this Agreement

2. GRANT OF LICENSE

   Subject to the terms of this Agreement, Mercy will grant the City the right to use the Intellectual Property if so required, and the right to sublicense the use of the Intellectual Property in accordance with Paragraph 12. The foregoing grants are non-exclusive and non-assignable, except as otherwise expressly specified in this Agreement. City agrees that the exercise of the rights granted hereunder will always relate to the Baseball Playing Surface at Lewis and Clark Park, its events, operations, and activities.

3. NAME OF BASEBALL PLAYING SURFACE AT LEWIS AND CLARK PARK

   At a date subsequent to this Agreement, Mercy shall select the Name which will be used for
the Baseball Playing Surface at Lewis and Clark Park. All announcements relating to the Baseball Playing Surface at Lewis and Clark Park or print or broadcast media advertising for the Baseball Playing Surface at Lewis and Clark Park or any activity or event at the Baseball Playing Surface at Lewis and Clark Park shall refer to the Baseball Playing Surface at Lewis and Clark Park using the Name. City agrees to use its reasonable best efforts to identify the Baseball Playing Surface at Lewis and Clark Park by the Name in all official documents, press releases, and promotional materials produced or disseminated by or for the account of City.

4. SIGNAGE

In connection with the requirements specified in Paragraph 3, City agrees to install and maintain, at no cost to Mercy, at a prominent location at Lewis and Clark Park, a scoreboard displaying the Name, as specified in the plans and specifications which shall be mutually agreed upon by City and Mercy. The scoreboard displaying the Name at Lewis and Clark Park will be visible from a distance. The Name will also be prominently placed on the back of the scoreboard for Lewis and Clark Park, in a location that is easily visible from east and west bound lanes of State of Iowa Highway 20. All such placement of the Name shall be in accordance with IDOT regulations and requirements.

5. OTHER APPLICATIONS

City and Mercy hereby agree that:

a. Sports and Other Events. City agrees to provide the following items related to sports and other events and programs at the Baseball Playing Surface at Lewis and Clark Park, in each case at no cost to Mercy, subject, in the case of sporting events, to applicable league requirements or restrictions to the contrary.

   At least once prior to the beginning of each game or other event, a public address announcement that welcomes the attendees to the Baseball Playing Surface at Lewis and Clark Park by referencing the Name while the Name is exclusively displayed on the matrix portion of each scoreboard.

6. ADDITIONAL RIGHTS TO FIELD NAMING SPONSOR

In addition to the matters listed in Paragraph 5, City and Mercy hereby agree that for the period commencing on the Opening Date and thereafter during the Term:

a. Competitor Signage. City will not grant to any company that offers products comparable to the products offered by Mercy (which for purposes of this provision includes Mercy’s parents, subsidiaries and other affiliates) the right to display any sign in the Baseball Playing Surface at Lewis and Clark Park, except that, in the case Mercy enters any business in addition to or different from the businesses in which Mercy is engaged on the date of this Agreement, City shall not be obligated to terminate a signage arrangement with any company then engaged in any such additional or different business until the expiration of the term of that arrangement.

b. Electronic Messages. At any event at which various electronic messages are periodically displayed on the scoreboard, Mercy will receive at least two electronic
messages, either for promotion or identification of the **Baseball Playing Surface at Lewis and Clark Park**, or advertising Mercy’s goods and services, to be displayed during the event. At least one of these messages would be at the beginning of each event.

c. **FIELD NAMING SPONSOR TICKETS.** During the term of the agreement, Mercy will be provided with eight hundred (800) complimentary tickets for baseball games during each year of the lease. In addition, two nights will be designated as the Mercy Night. The allocation of tickets and designation of dates for Mercy Night will be mutually acceptable to both the minor league baseball team and Mercy.

7. **TERM**

The Term of this Agreement shall commence on April 25, 2016 hereof and shall run for a period of ten (10) years ending April 24, 2026, unless earlier terminated in accordance with Paragraph 16.

8. **RIGHTS FEE**

As consideration for the rights and benefits granted in this Agreement, Mercy hereby agrees to pay a Rights Fee in the aggregate amount of Three Hundred Thousand Dollars ($300,000.00) payable in ten (10) annual installments of Thirty Thousand Dollars ($30,000.00) each due on June 1st of each year, commencing in 2016, except that such amounts will not be due if City has not performed all of its obligations under this Agreement and Mercy has provided at least thirty (30) days advance notice of nonperformance and City has failed to remedy that nonperformance in full. If the City fails to perform its obligations under this Agreement in a given year, the City agrees to refund any portion of the foregoing Rights Fee that has been paid by Mercy in the year of nonperformance in full within ninety (90) days following written request by Mercy.

9. **OWNERSHIP OF THE INTELLECTUAL PROPERTY**

If any Intellectual Property is used in the Name chosen by Mercy, City acknowledges that Mercy is the sole owner of the Intellectual Property and that all goodwill relating to the Intellectual Property shall be and remains the sole and exclusive property of Mercy. City does not, and will not have any right, title, interest, or claim of ownership in the Intellectual Property, except for any license granted pursuant to the terms of this Agreement. During the Term of this Agreement, the City will execute all documents and licensing agreements requested by Mercy in regards to the Name or Intellectual Property to protect Mercy’s ownership and rights in the Name and Intellectual Property. In addition, the City agrees that all uses of the Name and any other Intellectual Property pursuant to this Agreement will be subject to Mercy’s prior approval (including without limitation, all signs and other marketing and promotional material using the Name or other Intellectual Property).

10. **MANDATORY PLACEMENT AND USE OF MARK**

During the Term, City agrees to display the Name and the Intellectual Property in accordance with the provisions of this Agreement, and any subsequent documents or licensing agreements requested by Mercy pursuant to Paragraph 9.
11. Display

City agrees that it will use the Name only in accordance with standards and policies provided by the City by Mercy prior to implementation. The City will use reasonable best efforts to preclude itself and others from permitting or allowing any display of the Name, or any display of Mercy advertising within, on or about the Baseball Playing Surface at Lewis and Clark Park, to be intentionally altered, obliterated, blurred, distorted, used as part of any optical illusion or in composite from or as the subject of blocking or insertion technology, for any television broadcast, video tape, photographic, electronic or digital reproduction or recording ("Graphic Tampering") unless approved by Mercy. The City shall prohibit Graphic Tampering in any agreements or releases with others for television broadcast, movies, video or similar technology.

12. Sublicensing

a. Right to Sublicense. The City’s right to sublicense under this Agreement, and any subsequent document or licensing agreement requested by Mercy pursuant to Paragraph 9, shall be limited to concessionaires of the City who may, in turn, subcontract the manufacture of products consisting of food service, related supplies and novelties or souvenirs, and any other goods or items used, consumed, or given away by the City in connection with its operation of the Baseball Playing Surface at Lewis and Clark Park bearing the Name (herein "Sublicensees"). The City warrants that each such Sublicensee (i) will comply with the requirements of Paragraph 13, including the discontinuance of sale or distribution of non-complying goods or services within ten (10) days after written notification of noncompliance by Mercy determined reasonably and in good faith; (ii) will not use the Name or any of the Intellectual Property other than in connection with those products, and (iii) will follow in all material respects Mercy’s guidelines.

b. Other Rights. Notwithstanding the provisions of Paragraph 13(a), the City shall be entitled to authorize the use of the Name and the Intellectual Property by promoters, and other users of the Baseball Playing Surface at Lewis and Clark Park, on tickets and in advertising and promotional materials, to refer to the location of an event and such authorization shall not be deemed to be a sublicense to which Paragraph 13(a) applies.

13. Quality Control

a. Goods and Services Standards. The City agrees that the licensed goods and services covered by this Agreement shall be of a quality and of such style and appearance as are comparable to the quality and style of first-class sports and entertainment facilities and suited to their exploitation to the best advantage and to the protection and enhancement of the Name and of the Intellectual Property and the goodwill related to it. In using the Name and/or the Intellectual Property in advertising or promoting the licensed goods and services, the City will utilize only advertising and promotion that do not disparage or place in disrepute Mercy, its businesses, or its business reputation, and that do not adversely affect or detract from Mercy or from Mercy’s goodwill. The City recognizes that maintaining high quality in the licensed goods and services is of the essence of this Agreement. The City will utilize and cause its Sublicensees to utilize purchase order forms containing the language reasonably required in any subsequent document or licensing agreement requested by Mercy pursuant to Paragraph 9.
b. Operating Standards. The City agrees, in order to enhance and protect Mercy's goodwill embodied in the Name and the Intellectual Property, to operate the Baseball Playing Surface at Lewis and Clark Park in a manner consistent with the operation of first-class Baseball Playing Surface at Lewis and Clark Park similarly situated to the Baseball Playing Surface at Lewis and Clark Park and containing similar amenities. The City shall have the exclusive right reasonably to designate qualified third parties as Baseball Playing Surface at Lewis and Clark Park sponsors or advertisers. The City agrees to use its reasonable best efforts to ensure that any such designations will not disparage or place in disrepute Mercy, its businesses, or its business reputation and will not adversely affect or detract from Mercy's goodwill.

14. CHANGE OF NAME

In the event that Mercy selects a name different from the Name originally selected by Mercy and used for the Baseball Playing Surface at Lewis and Clark Park during the Term, the City agrees to the substitution of the alternative name. If (a) Mercy grants to the City reasonable licenses to use such different name; and (b) Mercy pays the reasonable cost incurred by the City in discontinuing the use of the Name and the substitution of an alternative name. Subject to the terms of this Paragraph 14 the terms of this Agreement will be amended to cover such different Name chosen by Mercy.

15. ACTIONS AT END OF TERM

At the end of the Term or upon earlier termination of this Agreement in accordance with Paragraph 16, the license granted under this Agreement, or any subsequent document or licensing agreement requested by Mercy pursuant to Paragraph 9 shall immediately terminate, and the City and Sublicensees shall cease the use of the Name and the Intellectual Property in connection with any previously licensed goods and services, except that the City shall have a period of time after the end of the Term, not to exceed ninety (90) days to terminate the use of the Name and the Intellectual Property, including but not limited to, the making of necessary physical changes to the Baseball Playing Surface at Lewis and Clark Park and its components and the phasing out of the use of advertising and promotional materials then on hand. During the period prior to termination or expiration of this Agreement, and during that ninety (90) day period, the City will comply with all of the requirements of this Agreement, and in removing the Name, the City shall not disparage or place in disrepute Mercy, its businesses, or its business relationships and will not detract from Mercy's goodwill.

16. DEFAULT REMEDIES

a. Default by Mercy. In the event that Mercy shall repeatedly fail to comply with any obligation of Mercy in this Agreement, and such failure shall continue for a period of thirty (30) days, or such longer period as reasonably necessary to cure such failure, after written notice to Mercy, the City shall be entitled to exercise any or all of the following remedies:

1. If such failure is material, to cause the Term to end on a date designated in such notice, which date may not be less than six (6) months after the date of such notice; or
ii. To seek any appropriate legal or equitable remedy from a court or competent jurisdiction.

In the event that the Term ends by reason of Mercy's default, Mercy shall pay all reasonable costs, losses, and expenses incurred by the City in complying with the provisions of Paragraph 16, including but not limited to the cost of removing all signs, floor Letting and other writings containing the Mark and Logo and the cost of any materials containing the Mark and Logo that must be discarded as a result of the termination.

b. Default by Owner. The following shall constitute "City Defaults" hereunder:

i. If the City shall fail to comply with any of its material obligations under this Agreement, which failure shall continue for a period of 30 days, or such longer period as reasonably necessary to cure such failure, after notice to City from Mercy;

ii. If the City shall utilize as the name of the Baseball Playing Surface at Lewis and Clark Park any name other than the Name or if the City repeatedly fails to comply with standards for use of the Intellectual Property or repeatedly violates the terms of Paragraphs 11, 12, or 14, its warranties in Paragraph 13 of this Agreement or any subsequent document or licensing agreement requested by Mercy pursuant to Paragraph 9;

iii. If the City shall, without the occurrence of a Force Majeure (as hereinafter defined), cease normal operation of the Baseball Playing Surface at Lewis and Clark Park for a period of time longer than sixty (60) consecutive days; "Force Majeure" means a fire or other casualty, act of God, strike, lockout, war, or civil disturbance, or other cause beyond the control of Owner; or

iv. If, following a Force Majeure that results in a cessation of the operation of the Baseball Playing Surface at Lewis and Clark Park (a) the City notifies Mercy that the City intends not to resume operation of the Baseball Playing Surface at Lewis and Clark Park or (b) the Baseball Playing Surface at Lewis and Clark Park fails to re-open for normal operations within twelve (12) months following a Force Majeure. Upon the occurrence of a City Default, Mercy shall have the right to terminate this Agreement, and discontinue the payment of any remaining Rights Fees. Mercy shall be entitled to any other remedy at law or equity to which, under the laws of the State of Iowa, Mercy would be entitled.

c. Costs. In the event that either party is successful in a court of competent jurisdiction in obtaining legal or equitable relief from a default by the other party, the successful party shall be entitled to recover the fees and expenses of its counsel in such proceedings.
17. INDEMNIFICATION

The City shall hold Mercy harmless from and indemnify and defend Mercy and Mercy's parent, subsidiaries, affiliates, officers, directors, employees, agents, and assigns against any and all suits, actions, claims, losses, demands, damages, liabilities, costs, and expenses of every kind, including costs and attorney's fees, that relate to or arise or result from the City's breach of or default under any provision of this Agreement or City's or any lessee's, manager's, or operator's operation of the Baseball Playing Surface at Lewis and Clark Park, including, but not limited to, the exercise by the City of the rights granted to it under this Agreement, but not including any matter as to which Mercy is obligated to indemnify the City by reason of the next sentence. Mercy shall hold the City harmless from and indemnify and defend the City and the City's employees, elected officials, agents or assigns (collectively, "City's Indemnitees") against any and all suits, actions, claims, losses, demands, damages, liabilities, costs, and expenses of every kind, including costs and attorney's fees, that result from a breach or default under any provision of this Agreement or that relates to or results from infringement or unfair competition claims against City or City's Indemnitees arising out of or related to the City's use of the Intellectual Property as specifically permitted by this Agreement.

18. ASSIGNMENT, DELEGATION

To be effective, any proposed assignment or transfer by the City of any rights or obligations under this Agreement must be approved in advance by Mercy in writing. Subject to the foregoing, this Agreement shall be enforceable against and inure to the benefit of the successors and assigns of the parties hereto and of any holder of record or beneficial ownership of or any leasehold interest in the Baseball Playing Surface at Lewis and Clark Park during the Term. The foregoing provisions of this Paragraph 19 shall not preclude the City from entering into a lease or operating or management agreement with one or more third parties covering the operation or the Baseball Playing Surface at Lewis and Clark Park if any such lease or operating or management agreement is consistent with the provisions of this Agreement and specifically obligates the lessee, operator, or manager thereunder to observe and comply with the provisions of this Agreement and specifically identifies Mercy as an intended beneficiary thereof with the full and unqualified right to enforce the provisions of this Agreement against such lessee, operator, or manager (in addition to the City) and to obtain any legal and equitable remedies to which Mercy may be entitled.

19. MISCELLANEOUS PROVISIONS

a. Notices. All notices, offers, consents, or other communications required or permitted to be given pursuant to this Agreement shall be in writing and shall be considered as properly given or made if delivered personally or by messenger or delivered by mail, and addressed to the address of the intended recipient at the following addresses.

To City: City Clerk
P.O. Box 447
Sioux City, Iowa 51102
To Mercy  
Mercy Medical Center  
Attention: Dave Smelter  
801 5th Street  
Sioux City, Iowa 51101

A party may change its address by giving notice in writing stating its new address to the other party.

b. **Interpretation and Effect.** This Agreement shall be construed in conformity with the laws of the State of Iowa and the Trademark (Lanham) Act of 1946 as amended.

c. **Severability.** Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law, but if any provision of this Agreement or the application thereof to any party or circumstance is prohibited by or invalid under applicable law, that provision shall be effective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement or the application of such provision to other parties or circumstances.

d. **Non-Waiver.** No delay or omission of any party to exercise rights or powers under this Agreement shall impair any such right or power or shall be construed to be a waiver of any default or acquiescence therein. No waiver of any default shall be construed, taken, or held to be a waiver of any other default, or waiver, acquiescence in, or consent to any further or succeeding default of the same nature.

e. **Successors.** This Agreement and all of the terms and provision hereof shall be binding upon and inure to the benefit of each of the parties and of any holder of records or beneficial ownership of, leasehold interest in, or right or obligation to operate or manage the Baseball Playing Surface at Lewis and Clark Park and their respective legal representatives, heirs, successors, and assigns, except as expressly provided in Paragraph 19.

f. **Memorandum.** Either party shall have a right to prepare a short form memorandum of this Agreement, setting forth the names of the parties, the Term and the general nature of this Agreement, in recordable form, and the other party shall be required to execute the same, provide such acknowledgment of such execution as is required in order for such memorandum to be recordable in the county in which the Baseball Playing Surface at Lewis and Clark Park is located, and deliver it to the party that prepared it, which may then cause such memorandum to be executed and acknowledged by it and recorded.

g. **Entire Agreement.** This Agreement contains the entire understanding between the parties and supersedes any prior understandings and written or oral agreements between them respecting this subject matter. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties relating to the subject matter of this Agreement that are not expressed in the Agreement.
IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

Attest:
By: Lisa L. McCardle
   City Clerk

City of Sioux City Iowa
By: Robert E. Scott
   Mayor

Mercy Medical Center
By: Dave Smetter
   Vice-President Communications & Community Relations
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 25, 2016
ACTION ITEM # 17 & 18

FROM: Mark Simms, Utilities Director
Jim Maynes, Wastewater Treatment Plant Superintendent

SUBJECT: Resolution approving Addendum No. 1 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia for increased flow volume, additional dosing efforts during special events, response to citizen complaints, and for expanded services running from May 1, 2015 through April 30, 2016 in an amount not to exceed $78,254.10.

Resolution approving Amendment No. 1 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia to realign the final renewal term from May 1, 2016 through June 30, 2017 and in an amount not to exceed $370,000.00

RECOMMENDATION:
Staff respectfully requests Council approve Addendum No. 1 to the Collection System Odor Control Services Agreement with US Peroxide, LLC dba USP Technologies for increased flow volume, additional dosing efforts during special events, response to citizen complaints, and for expanded services running from May 1, 2015 through April 30, 2016 in an amount not to exceed $78,254.10.

Staff respectfully requests Council approve Amendment No. 1 to the Collection System Odor Control Services Agreement with US Peroxide, LLC dba USP Technologies to realign the final renewal term from May 1, 2016 through June 30, 2017 and in an amount not to exceed $370,000.00.

DISCUSSION:
The City Council approved a contract with US Peroxide, LLC dba USP Technologies on April 2, 2012 for Collection System Odor Control Services pursuant to Resolution No. 2012-0217. The initial term of the contract was from May 1, 2012 through April 30, 2013 with the contract being extended for up to a total of four (4) renewals, each for a period of one (1) year upon mutual agreement of the parties. The final year of renewal will be May 1, 2016 to April 30, 2017. The contract price for the current fiscal year is $228,233.00.

Staff requests the City Council authorize execution of Addendum No. 1 to the contract in an amount not to exceed $78,254.10 for the contract period running from May 1, 2015 through April 30, 2016. This additional amount should be allowed beyond the original agreed upon contract price of $228,233.00 for this period. The additional amount is due to increased flow...
Staff also requests the City Council amend the contract’s final renewal term. Currently, the contract runs on a May to April term. The final renewal term would be changed to realign with the City’s fiscal calendar and would run from May 1, 2016 through June 30, 2017 and would be in an amount not to exceed $370,000.00. Over this fourteen (14) month period, the odor control program will cover the existing portions (Riverside, Tri-View, Perry Lift Station, downtown, I-29/Missouri River corridor, Floyd Channel, and the Floyd Lift Station) and expand to the new area (York Lift Station collection system, Highway 75/Lewis and Clark Park, Waste Water Treatment Plant influent, Waste Water Treatment Plant headworks, Waste Water Treatment Plant primary basins, and Waste Water Treatment Plant solids dewatering). Supplier will evaluate options that may improve the cost-effectiveness of odor control, including automation of chemical dosing and additional dosing points.

**FINANCIAL IMPACT:**

These charges will be paid for out of the Sewer fund # 520-6301-452.30-12.

**RELATIONSHIP TO STRATEGIC PLAN:**

Municipal Responsibility – Infrastructure  
Focus Area – Grow Sioux City

**ALTERNATIVES:**

City Council can choose not to approve this Addendum.

**ATTACHMENTS:**

Resolutions
RESOLUTION APPROVING ADDENDUM NO. 1 TO THE COLLECTION SYSTEM ODOR CONTROL SERVICES CONTRACT WITH US PEROXIDE, LLC D.B.A. USP TECHNOLOGIES OF ATLANTA, GEORGIA FOR INCREASED FLOW VOLUME, ADDITIONAL DOSING EFFORTS DURING SPECIAL EVENTS, RESPONSE TO CITIZEN COMPLAINTS, AND FOR EXPANDED SERVICES RUNNING FROM MAY 1, 2015 THROUGH APRIL 30, 2016 IN AN AMOUNT NOT TO EXCEED $78,254.10

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Addendum No. 1, a copy of which is attached hereto and by this reference made a part hereof, to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia for increased flow volume, additional dosing efforts during special events, response to citizen complaints, and for expanded services running from May 1, 2015 through April 30, 2016, be and the same is hereby approved in an amount not to exceed $78,254.10.

BE IT FURTHER RESOLVED that the Utilities Director, be and he is hereby authorized and directed to execute said addendum for and on behalf of the City.

PASSED AND APPROVED: April 18, 2016 ____________________________
Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, City Clerk
ADDENDUM NO. 1

To

SIOUX CITY ODOR CONTROL CONTRACT

Between

CITY OF SIOUX CITY, IOWA and

US PEROXIDE LLC dba USP TECHNOLOGIES

This contract addendum is made by and between the City of Sioux City, Iowa and US Peroxide, LLC dba USP Technologies on April _____, 2016. It is the mutually agreed that both parties desire to amend the SIOUX CITY ODOR CONTROL CONTRACT entered into between the parties on April 2, 2012 pursuant to Resolution # 2012-0217 of the City Council for Sioux City, Iowa.

For the contract period running from May 1, 2015 through April 30, 2016, the parties hereby agree that an additional amount not to exceed $78,254.10 should be allowed beyond the original agreed upon contract price of $228,233. The additional amount is due to increased flow volume, additional dosing efforts during special events, response to citizen complaints, and for expanded services beyond the current contract to cover the additional costs associated with increasing the current odor control program.

This addendum will be deemed a part of, and subject to, all terms and conditions of the existing Agreement. Except as modified above, the Existing Agreement will remain in full force and effect.

US PEROXIDE, LLC dba USP TECHNOLOGIES          CITY OF SIOUX CITY, IOWA

By_______________________________          By_______________________________
Michael Nelson     Mark Simms
Program Manager    Utilities Director
RESOLUTION NO. 2016- __________
with attachments

RESOLUTION APPROVING AMENDMENT NO. 1 TO THE COLLECTION SYSTEM ODOR CONTROL SERVICES CONTRACT WITH US PEROXIDE, LLC D.B.A. USP TECHNOLOGIES OF ATLANTA, GEORGIA TO REALIGN THE FINAL RENEWAL TERM FROM MAY 1, 2016 THROUGH JUNE 30, 2017 AND IN AN AMOUNT NOT TO EXCEED $370,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Amendment No. 1, a copy of which is attached hereto and by this reference made a part hereof, to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia to realign the final renewal term from May 1, 2016 through June 30, 2017, be and the same is hereby approved in an amount not to exceed $370,000.00.

BE IT FURTHER RESOLVED that the Utilities Director, be and he is hereby authorized and directed to execute said addendum for and on behalf of the City.

PASSED AND APPROVED: April 18, 2016

Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, City Clerk
AMENDMENT NO. 1
to
SIOUX CITY ODOR CONTROL CONTRACT
Between
CITY OF SIOUX CITY, IOWA and
US PEROXIDE LLC d/b/a USP TECHNOLOGIES

This contract amendment is made by and between the City of Sioux City, Iowa and US Peroxide, LLC d/b/a USP Technologies on April ________, 2016. It is the mutually agreed that both parties desire to amend the SIOUX CITY ODOR CONTROL CONTRACT entered into between the parties on April 2, 2012 pursuant to Resolution # 2012-0217 of the City Council for Sioux City, Iowa.

It is hereby agreed that the SIOUX CITY ODOR CONTROL CONTRACT be amended as follows:

Additional language shall be added as follows and denoted as underlined text:

DIVISION III – OPERATIONAL PHASE

1. Term of Contract:

   a. The initial term of the operational phase of this contract shall be from May 1, 2012 until April 30, 2013 unless terminated pursuant to Division V.

   b. The term of the contract may be extended for up to a total of four (4) renewals, each for a period of one (1) year upon mutual agreement of the parties in writing and executed ninety (90) days prior to the expiration of the initial or any successive year. The final renewal term shall be realigned with the City’s fiscal calendar and will run from May 1, 2016 through June 30, 2017 and will be in an amount not to exceed $370,000.00. Over this fourteen (14) month period, the odor control program will cover the existing portions (Riverside, Tri-View, Perry Lift Station, downtown, I-29/Missouri River corridor, Floyd Channel, and the Floyd Lift Station) and expand to the new area (York Lift Station collection system, Highway 75/Lewis and Clark park, WWTP influent, WWTP headworks, WWTP primary basins, and WWTP solids dewatering). Supplier will evaluate options that may improve the cost-effectiveness of odor control, including automation of chemical dosing and additional dosing points.

This amendment will be deemed a part of, and subject to, all terms and conditions of the existing Agreement. Except as modified above, the Existing Agreement will remain in full force and effect.

US PEROXIDE, LLC dba USP TECHNOLOGIES

By___________________________________
Michael Nelson
Program Manager

CITY OF SIOUX CITY, IOWA

By___________________________________
Mark Simms
Utilities Director