



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.siox-city.org.

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held Monday, February 25, 2019, 4:00 p.m., local time, in the Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

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

1. Anyone may address the Council on any agenda item.
2. Speakers should approach the microphone one at a time and be recognized by the Mayor.
3. Speakers should give their name, spell their name, give their address, and then their statement.
4. Everyone should have an opportunity to speak. Therefore, please limit your remarks to **three minutes on any one item**.
5. At the beginning of the discussion on any item, the Mayor may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under 'Citizen Concerns'.
7. For the benefit of all in attendance, please turn off all cell 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
 2. Interviews for City Council appointed Boards, Commissions and Committees:
 - A. Environmental Advisory Board: Richard Wissing
 - B. Human Rights Commission: Chris Jensen, Billy Oyadare, and Robert Stewart

CONSENT AGENDA

Items 3 through 17H constitute a Consent Agenda. Items pass unanimously unless a separate roll call vote is requested by a Council Member.

3. Reading of the City Council minutes of February 11 ([CLOSED REG](#)) and 12, ([JOINT](#)) 2019.
4. [BOA - Motion acknowledging Board of Adjustment actions of February 12, 2019.](#)
5. [ADVERTISING FEES - Resolution approving a restated schedule of fees for advertising on city buses and rescinding Resolution No. 2017-0091.](#)
6. [PARKING AND SKYWALK - Motion appointing Jeff Lamoreux to the Parking and Skywalk System Board of Trustees for a partial term expiring December 31, 2020, replacing Matt Robins.](#)

7. KIDS SHOW - Resolution temporarily closing Pierce Street from 5th Street to 6th Street; the east through lane of Pierce Street from 6th Street to 7th Street; and the south through lane of 6th Street from Nebraska Street to Douglas Street beginning at 9:00 a.m. and ending at 12:00 p.m. March 4, 2019 and March 5, 2019 to allow for the loading/unloading of students attending the Symphony's Kids Show at the Orpheum Theatre.
8. POLICE - Resolution approving a Contract and Salary Schedule with the Sioux City Police Officers' Association for the period beginning July 1, 2019 and ending June 30, 2020.
9. DARLING AVE - Resolution proposing to sell certain real property. (the south one-half of vacated Darling Avenue abutting 3615 7th Street) (Petitioner: Darrell D. Knee and Karen S. Knee) (Purchase Price: \$1,755.60 plus costs)
10. CDW - Resolution awarding a purchase order to CDW Government of Chicago, Illinois in the amount of \$51,115.20 for the purchase of four (4) Fibre Channel Switches. (RFQ No. 255700)
11. ACTIONS RELATING TO GRANTS
 - A. ARRA - Resolution authorizing the Utilities Department to accept a ARRA (American Recovery & Reinvestment Act) Grant in the amount of \$200,000 to conduct an Energy Master Plan at the Sioux City Wastewater Treatment Plant.
 - B. HUD - Resolution approving and accepting a Grant Agreement from the U.S. Department of Housing and Urban Development for FY 2018 Family Self Sufficiency Program Funding in the amount of \$138,759 for two FSS Program Coordinator Positions. (Grant No. FSS18IA2559-01-00)
12. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS
 - A. CHEYENNE BLVD - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Cheyenne Boulevard Watermain Repair Project. (Project No. 7029-519-164)
 - B. S ALICE/LINDEN WAY - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the South Alice Street and Linden Way Watermain Repair Project. (Project No. 7019-519-164)
13. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS
 - A. BOMGAARS - Resolution Approving Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement (14-TJ-003) with the Iowa Economic Development Authority and Bomgaars Supply, Inc. and authorizing the execution thereof. (1805 Zenith Drive)
 - B. SEABOARD TRIUMPH - Resolution approving Amendment Number Two to Economic Development Assistance Contract Number 15-TC-051 with the Iowa Economic Development Authority and Seaboard Triumph Foods, LLC and authorizing the execution thereof. (5555 Seaboard Triumph Parkway)

- C. CALHOUN-BURNS - Resolution approving Amendment No. 1 to the Consulting Services Agreement with Calhoun-Burns and Associates, Inc. for additional inspection services in the lump sum amount of \$20,000 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)
- D. SNYDER - Resolution approving a Consulting Services Agreement with Snyder & Associates, Inc. for the Sioux City Traffic Study Project in an amount not to exceed \$32,954. (Project No. 7023-139-006)
- E. AGP INC - Resolution approving a Settlement Agreement with Ag Processing Inc.

14. ACTIONS AUTHORIZING THE ISSUANCE OF CHECKS

- A. MURPHY - Resolution approving settlement of a tort claim and authorizing payment thereof. (Murphy)
- B. SIMONS - Resolution approving settlement of a worker's compensation claim and authorizing payment thereof. (Simons)
- C. KINSETH - Resolution authorizing reimbursement to Kinseth Hospitality Companies in the amount of \$42,837.96 for Electrical Work Required for the Convention Center Parking Deck Project. (Project No. 6936-663-239)
- D. FRY - Resolution approving accrued permanent partial disability payments as partial settlement of a worker's compensation claim and authorizing payment thereof. (Fry)

15. APPLICATIONS FOR PROPERTY TAX EXEMPTION

- A. Resolution accepting an application for property tax exemption for improvements made during calendar year 2017 to property located within the City of Sioux City Urban Revitalization Area. (Schedule 1)
- B. Resolution accepting an application for property tax exemption for improvements made during calendar year 2016 to property located within the City of Sioux City Urban Revitalization Area. (Schedule 2)
- C. Resolution accepting an application for property tax exemption for improvements made during calendar year 2016 to property located within the City of Sioux City Urban Revitalization Area. (Schedule 3)
- D. Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area. (Schedule 1)
- E. Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area. (Schedule 2)
- F. Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area. (Schedule 3)

- G. Resolution accepting applications for property tax exemption for improvements made to properties located within the Hamilton-Wesley II Urban Revitalization Area. (Schedule 2)
- H. Resolution accepting an application for property tax exemption for improvements made to property located within the Hamilton-Wesley II Urban Revitalization Area. (Schedule 3)

16. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. ON-PREMISE SALES

- 1. CLASS A LIQUOR LICENSE (Private Club; liquor/wine/beer/wine coolers)
 - a. Elks Club, 1001 Tri-View Avenue
- 2. CLASS B BEER PERMIT (beer/carry-out beer/wine coolers)
 - a. Milwaukee Weiner Shop No. 1, 301 Douglas Street (Renewal)
- 3. CLASS C LIQUOR LICENSE (liquor/wine/beer/wine coolers/carry-out)
 - a. El Gato Negro, 24 West 3rd Street (Renewal)
 - b. Green Valley Golf Club, 4300 Donner Avenue (Renewal)
 - c. Prince's Tavern, 1920 Center Street (Renewal)
 - d. Whispering Creek Golf, 6500 Whispering Creek Drive (Renewal)
- 4. SPECIAL CLASS C LIQUOR license (wine/beer/wine coolers/carry-out)
 - a. 1000 Degrees, 1388 Hamilton Boulevard (Renewal)
 - b. Face Off for Charity, 401 Gordon Drive (New 5 Day for event hosted by the Boys and Girls Home of Sioux City, February 26 - March 2, 2019)

B. OFF PREMISE SALES

- 1. CLASS B WINE PERMIT (wine only)
 - a. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - b. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - c. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - d. Transit General Store, 2324 Transit Plaza (Renewal)
- 2. CLASS C BEER PERMIT (beer/wine coolers)
 - a. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - b. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - c. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - d. Tobacco Hut No. 11, 4523 Morningside Avenue (Renewal)
 - e. Transit General Store, 2324 Transit Plaza (Renewal)
- 3. CLASS E LIQUOR LICENSE (liquor only)
 - a. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - b. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - c. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - d. Tobacco Hut No. 11, 4523 Morningside Avenue (Renewal)
 - e. Transit General Store, 2324 Transit Plaza (Renewal)

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

- A. Airport Board of Trustees – January 10, 2019
- B. Board of Adjustment – December 11, 2018
- C. Effective Fiscal and Public Policy Committee – January 9, 2019
- D. Events Facilities and Tourism Advisory Board – February 1, 2019
- E. Human Rights Commission – November 7, 2018 and January 3, 2019
- F. Parks and Recreation Advisory Board – February 6, 2019
- G. Planning and Zoning Commission – December 11, 2018
- H. Woodbury County Information and Communication Commission – January 9, 2019

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING

- 18. Hearing and ordinance adopting a site plan for 2015 W. 6th Street. (area zoned PI (Public and Institutional)) (Petitioner: Joshua Watson – U.S. Cellular) The Planning and Zoning Commission recommends denial of this item. (File No. 2019-0009)
- 19. Hearing and Ordinance rezoning property commonly known as 325 West 45th Street from AG (Agricultural Zone) and NC.1 (Neighborhood Conservation Zone) to SR (Suburban Residence Zone). (Petitioner: David Paulsrud and Joan E. Paulsrud) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0011)
- 20. Resolution approving the Final Plat of Pine Acres 2nd Addition (Petitioner: David Paulsrud and Joan E. Paulsrud) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0012)
- 21. Hearing and Ordinance vacating the north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street. (Petitioner: Alma Lizarraga) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0010)
- 22. Hearing and Ordinance vacating a portion of Riverside Park located at 100 Riverside Boulevard. (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0001) (First Consideration passed February 4, 2019) (Second Consideration passed February 11, 2019)

HEARINGS

- 23. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2018 Annual Resurfacing Project – Phase II. (Project No. 7007-719-121)
- 24. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Annual Resurfacing Project – Phase I. (Project No. 7024-719-121)
- 25. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Annual Resurfacing Project Phase II. (Project No. 7028-719-121)

26. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for the proposed construction of the Lewis and Clark Parking Lot Project. (3400 Line Drive) (Project No. 6905-459-212)
27. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (the south one-half of the vacated north/south alley and the north one-half of vacated Darling Avenue abutting 901 Saint Mary's Street) (Petitioner: Allan E. Sewalson, Executor of the Lavina N. Sewalson Estate) (Purchase Price: \$2,283.60 plus costs)
28. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (the north one-half of the vacated north/south alley abutting 916 Martha Street) (Petitioner: Donald M. Sewalson) (Purchase Price: \$528 plus costs)

ORDINANCES

29. Ordinance amending Chapter 5.20 entitled "Solid Waste" of the Sioux City Municipal Code by increasing fees for solid waste collections. (First Consideration Passed February 11, 2019)
30. CITIZEN CONCERNS
31. COUNCIL CONCERNS
32. ADJOURNMENT

A Closed Session of the City Council was held at 3:30 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Scott, and Watters. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Heidi Farrens, Deputy City Clerk.

Motion by Scott, seconded by Moore, that Council enter closed session to discuss the purchase or sale of particular real estate where premature disclosure could be reasonably expected to increase the price the City would have to pay for that property or reduce the price the City would receive for that property; all voting aye.

Motion by Scott, seconded by Moore, that Council enter closed session to discuss strategy in matters relating to employment conditions of employees of the City covered by a collective bargaining agreement; all voting aye.

Motion by Scott, seconded by Moore, that Council return to open session at 3:52 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:53 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: _____
Heidi Farrens, Deputy City Clerk

Robert E. Scott, Mayor

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, Scott, and Watters. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole M. DuBois, City Attorney; and Heidi Farrens, Deputy City Clerk.

2. The Council interviewed Jeff Lamoreux for a position on the Parking and Skywalk System Board of Trustees.

3. PRESENTATIONS

- A. City of Sioux City Strategic Plan Quarterly Update.

Jessica Johnson, Projects Management Specialist, provided information on the item.

- B. Discussion of FY 2019 Quarterly Financial Reports for Quarter Ending December 31, 2018.

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

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 4 through 14D are approved unanimously unless specifically noted after the item.

4. Reading of the City Council minutes of January 30, 2019 and February 2 and 4, 2019.

Reading of the minutes of January 30, 2019 and February 2 and 4, 2019, was waived and as part of the consent agenda the minutes were approved as presented.

5. EAB - Motion appointing Carrie Radloff to the Environmental Advisory Board for a three-year term expiring December 31, 2021, upon due consideration of the circumstances the City Council waives the policy that no person shall serve more than two consecutive terms.

2019-0103

6. GOV - Resolution awarding a purchase order to Gov Connection of Dakota Dunes, South Dakota in the amount of \$63,191.50 for the purchase of five (5) Dell PowerEdge Servers. (RFQ No. 255522)

2019-0104

7. ACTIONS RELATING TO GRANTS

- A. HOUSING - Resolution approving and accepting a grant agreement between the City of Sioux City and the Federal Home Loan Bank of Des Moines for \$216,000 in 2018 Affordable Housing Program funds.

2019-0105

- B. HOUSING TRUST - Resolution accepting the State Housing Trust Fund Grant Agreement Number 19-LHTF-04 between the Sioux City Housing Trust Fund, Inc. and the Iowa Finance Authority in the amount of \$178,355.

2019-0106

- C. RIVERFRONT - Resolution authorizing the Parks and Recreation Department to apply for a Wellmark Foundation 2019 Large MATCH grant in the amount of \$100,000 to support the Chris Larsen Park - Riverfront Redevelopment Project. **2019-0107**

8. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

- A. LEWIS & CLARK - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Lewis and Clark Park Parking Lot Project. (3400 Line Drive) (Project No. 6905-459-212) **2019-0108**
- B. 2018 RESURFACING - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the 2018 Annual Resurfacing Project – Phase II. (Project No. 7007-719-121) **2019-0109**
- C. 2020 RESURFACING I - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the 2020 Annual Resurfacing Project – Phase I. (Project No. 7024-719-121) **2019-0110**
- D. 2020 RESURFACING II - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the 2020 Annual Resurfacing Project Phase II. (Project No. 7028-719-121) **2019-0111**

Gordon Phair, City Engineer, provided information on the item.

9. ACTIONS RELATING TO BONDS

- A. BOND PROCEDURES - Resolution electing classifications and procedures for proposed bond projects. **2019-0112**
- B. ECP-1 - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$11,100,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for essential corporate purposes), and providing for publication of notice thereof. **2019-0113**
- C. GCP-2 - 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. **2019-0114**
- D. GCP-3 - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$850,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for General Corporate Purposes), and providing for publication of notice thereof. **2019-0115**
- E. GCP-4 - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$550,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for General Corporate Purposes), and providing for publication of notice thereof. **2019-0116**

10. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

- A. GRUNDMAN-HICKS - Resolution awarding and approving a contract to Grundman-Hicks, LLC of Cherokee, Iowa in the amount of \$384,510 for the Zenith Water Treatment Plant Permanganate Improvements Project. (Project No. 519-256) **2019-0117**

Mark Simms, Utilities Director, provided information on the item.

- B. KP - Resolution awarding and approving a contract to KP Construction, Inc. in the amount of \$504,824.50 for the Martin Building Areaway Improvements Project. (Project No. 6823-663-040) **2019-0118**

Gordon Phair, City Engineer, provided information on the item.

- C. NYSTROM - Resolution awarding a Service Provider Agreement to Nystrom Electric, Inc. of Sioux City, Iowa in the amount of \$42,000 for the electrical upgrade project at the Riverside Family Aquatic Center. (RFB No. 254989) **2019-0119**

11. ACTIONS RELATING TO PROPERTY

- A. DARLING AVE - Resolution proposing to sell certain real property. (the south one-half of the vacated north/south alley and the north one-half of vacated Darling Avenue abutting 901 St. Mary's Street) (Petitioner: Allan E. Sewalson, executor of the Lavina N. Sewalson Estate) (purchase price: \$2,283.60 plus costs) **2019-0120**
- B. MARTHA ST - Resolution proposing to sell certain real property. (the north one-half of the vacated north/south alley abutting 916 Martha Street) (Petitioner: Donald M. Sewalson) (purchase price: \$528 plus costs) **2019-0121**
- C. LEWIS BLVD - Resolution inviting proposals for the granting of an Electric Transmission Line (Overhand and Access only) Easement in certain land in the Donner Park Urban Renewal Area, announcing the intent to accept the proposal of MidAmerican Energy Company, fixing the date for receipt of proposals, and for public hearing and providing for notice thereof. (property located at 3100 South Lewis Boulevard) **2019-0122**

Jeff Hanson, Community Development Operations Manager; and Mark Simms, Utilities Director, provided information on the item.

12. TOTAL CHECKS - Approve total checks issued for the reporting period of January 2019, in the amount of \$9,622,563.50.

13. APPLICATIONS FOR BEER AND LIQUOR LICENSES

- A. ON-PREMISE SALES
1. CLASS C LIQUOR LICENSE (liquor/wine/beer/wine coolers/carry-out)
 - a. Q & Feather Again, 1700 US Highway 75 North (Renewal)
 2. SPECIAL CLASS C LIQUOR LICENSE (wine/beer/wine coolers/carry-out)
 - a. Drop Zone Family Fun Center, 3840 Stadium Drive (New)

B. OFF PREMISE SALES

1. CLASS B WINE PERMIT (wine only)
 - a. Hy-Vee No. 2, 4500 Sergeant Road (Renewal)
 - b. Hy-Vee Mainstreet, 2611 Pierce Street (Renewal)
 - c. Sam's Mini Mart, 4218 Morningside Avenue (Renewal)
2. CLASS B NATIVE WINE PERMIT (Iowa wine only)
 - a. One Stop Meat Shop, 519 4th Street (Renewal)
3. CLASS C BEER PERMIT (beer/wine coolers)
 - a. Hy-Vee No. 2, 4500 Sergeant Road (Renewal)
 - b. Hy-Vee Mainstreet, 2611 Pierce Street (Renewal)
 - c. Sam's Mini Mart, 4218 Morningside Avenue (Renewal)
4. CLASS E LIQUOR LICENSE (liquor only)
 - a. Hy-Vee No. 2, 4500 Sergeant Road (Renewal)
 - b. Hy-Vee Mainstreet, 2611 Pierce Street (Renewal)
 - c. Sam's Mini Mart, 4218 Morningside Avenue (Renewal)

14. BOARD, COMMISSION, AND COMMITTEE MINUTES

- A. Civil Service Commission – December 19, 2018
- B. Historic Preservation Commission – January 8, 2019
- C. Human Rights Commission – October 4, 2018
- D. Museum Board of Trustees – December 11, 2018

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING

15. Hearing and Ordinance vacating a portion of Riverside Park located at 100 Riverside Boulevard. (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0001) **(First Consideration passed February 4, 2019)**

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

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

HEARINGS

16. Hearing and Resolution accepting the proposal of Nuno Real Estate LLC for the purchase of certain land in the Rose Hill Urban Renewal Area and authorizing sale of said property. (vacated east/west alley abutting 1312 Grandview Boulevard) **2019-0123**

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

ORDINANCES

17. Ordinance amending Chapter 5.20 entitled "Solid Waste" of the Sioux City Municipal Code by increasing fees for solid waste collections.

Melissa Campbell, Environmental Service Analyst, provided information on the item. Keith Baker, 2101 Nash St, spoke on the item.

The ordinance was considered on motion by Scott, seconded by Watters, to pass first consideration; all voting aye.

18. **CITIZEN CONCERNS**

Dustin Rule, 431 Victoria Ct, is seeking support for Marijuana production and sales in Sioux City. Capron suggested Rule speak with state officials regarding legalization.

19. **COUNCIL CONCERNS**

Watters provided a reminder about the Joint Meeting with Downtown Partners on Tuesday, February 12th, 12 p.m. at the IBC Training Center, 617 Water St., and the Council gathering at the NAACP Freedom Fund Banquet on Saturday, February 16th, 7 p.m. at the Convention Center, 801 4th St. Watters shared that the Sioux City Growth Organization will meet on Wednesday, February 13th, 12 p.m. in the United Way building, 701 Steuben St. Watters also provided a reminder about Steins and Vines on Saturday, February 16th, 12 p.m. at the Tyson Events Center, 401 Gordon Dr. Watters requested a review of the Municipal Code regarding sidewalks and exceptions for wheeled vehicles. Padmore stated he would review the issue with the Legal Department.

Moore state stated that all Council members will be attending the NAACP Freedom Fund Banquet signifying the importance of the organization and the event to Council.

20. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:58 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: _____
Heidi Farrens, Deputy City Clerk

Robert E. Scott, Mayor

**JOINT MEETING
OF THE CITY COUNCIL
AND
DOWNTOWN PARTNERS BOARD OF DIRECTORS**

A Joint Meeting of the City Council and Downtown Partners Board of Directors was held at 12:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Scott, and Watters. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole Dubois, City Attorney; Marty Dougherty, Economic and Community Development Director; Lisa McCardle, City Clerk; Jeff Hanson, Community Development Operations Manager; and Anne Westra, Communications Specialist.

Members of Downtown Partners Board of Directors present included: Jason Allen, Cripple Creek Investments; Ryan Avery, Avery Brothers; Board President, Jennifer Rose Bass, Century 21 Pro-link; Jim Franke, Hard Rock Hotel and Casino; Terry Glade, Cannon Moss Brygger Architects; Board Treasurer, Chris Jackson, Security National Bank; Dennis Johnson, Ho-Chunk Capital; Erin Kuehl, Evolve Yoga and Wellness Center; McKenzie Matasovsky, Siouxland Chamber of Commerce; Jenna Rehnstrom-Liberto, MercyOne Siouxland Medical Center; Angie Schneiderman, Moore, Heffernan, Moeller, Johnson and Meis; and Board Vice President, Julie Schoenherr, SoHo Kitchen and Bar.

Downtown Partners staff present included: Ragen Cote, Executive Director; and Kalynn Sortino, Business and Entrepreneur Support Coordinator.

Bass welcomed everyone and led introductions of the Downtown Partners Board of Directors new members.

Johnson provided information on SSMID year-to-date financials, and budget projections; Johnson also compared Sioux City's SSMID to other cities' SMMID in the areas of population, annual revenue, staff size, and service area size in city blocks. Cote concluded that Sioux City operates a larger SSMID area on a smaller budget than other cities in the comparison.

Schoenherr, Cote, and Sortino provided information on the Downtown Work Groups: Community group to unify and strengthen downtown's stakeholders; and Economy group to attract new investment to downtown.

Cote stated Midtown Furniture and Mattress, Jackson Brewery, Brightside Café, Rebos, and the Diving Elk have all taken advantage of the Storefronts and Start-Ups Grant Program which is included in the Economy Work Group, by replacing the signs or doors on their businesses to improve their storefront appearance. Downtown Partners offers a 50% match on their investment up to \$2,500.

Glade provided information on the Environment group which strives to make improvements to public spaces, roadways, and streetscapes to make downtown more walkable, bikeable, and livable. Glade provided a brief overview of wayfinding and lighting enhancements, a litter campaign, placing recycling units, and developing murals and street art.

Group discussion was held pertaining to the plan for wayfinding signage, how it will be funded, and who will be responsible for maintaining it after it is installed.

ADJOURNMENT

There being no further business, the meeting was adjourned at 12:57 p.m., on motion by Watters, seconded by Moore; all voting aye.

ATTEST: _____
Heidi Farrens, Deputy City Clerk

Robert E. Scott, Mayor

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 2

FROM: Lisa L. McCardle, City Clerk
Heidi Farrens, Deputy City Clerk

SUBJECT: Interviews for City Council appointed Boards, Commissions and Committees:
Environmental Advisory Board: Richard Wissing
Human Rights Commission: Chris Jensen; Billy Oyadare; and Robert Stewart

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

RECOMMENDATION:

Staff respectfully requests that Council interview the applicant listed for vacant positions on the applicable Board, Commission or Committee.

DISCUSSION:

Environmental Advisory Board - there are 2 positions vacant as of December 31, 2018.

Richard Wissing is reapplying for a position and has served the following term on the **Environmental Advisory Board:**

1st Term - 02/01/16 - 12/31/18

Below is a portion of the Vacancy Report pertinent to the **Environmental Advisory Board:**

Environmental Advisory Board				
Check Membership Requirements				
2 Vacancies:	NAME	Vacancy Information		EXPIRES
	Richard Wissing	Expired		12/31/18
	Craig Keiser	Resigned 07/09/18		12/31/19
9 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
	Richard Wissing	1st	02/01/16	12/31/18
	Brooke Muhlack	1st	02/27/17	12/31/19
	Craig Keiser	1st	02/27/17	12/31/19
	John R Helms	1st	03/20/17	12/31/19
	Adam Wheelock	2nd	01/29/18	12/31/20
	Dr. Brooke Gilbert	2nd	01/29/18	12/31/20
	David Hoferer	1st	04/23/18	12/31/20
	Sara Steussy	2nd	01/14/19	12/31/21
	Carrie Radloff	3rd	02/11/19	12/31/21

2 Application:	NAME	Application Received	Interview date/Notes	App Expires
	Chad Rea	03/29/18	04/09/18 attempted to contact; no response	09/29/19
	Richard Wissing	02/15/19	02/25/19	08/15/20

Human Rights Commission - there is 1 vacant position as of December 31, 2019.

Chris Jensen has previously served the following term on the **Parks and Recreation Advisory Board:**

Partial - 09/11/06 - 12/31/07

Billy Oyadare has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Robert Stewart has not previously served on any of the City Council appointed Boards, Commissions or Committees.

Below is a portion of the Vacancy Report pertinent to the **Human Rights Commission**

Human Rights Commission				
Human Rights Commission must be Gender Balanced 1 male required to balance				
1 Vacancy:	NAME	Vacancy Information		EXPIRES
	Scott Raasch	Resigned 10/19/18		06/30/19
11 Members:	NAME	TERM (3 Year)	APPOINTMENT	EXPIRES
(6 women/4 men)				
Nia Key was appointed after 9 mos w/o male applicants, should have been a male to balance	Scott Raasch	2nd	07/18/16	06/30/19
	James Anderson	2nd	07/18/16	06/30/19
	Tracy Everett	1st	07/18/16	06/30/19
	Patricia "Sue" Hartwell	1st	07/18/16	06/30/19
	Richard Moore	1st	04/17/17	06/30/20
	Steele Welcher	2nd	07/17/17	06/30/20
	Mary Day	1st	07/17/17	06/30/20
	Tracy Winters	1st	07/17/17	06/30/20
	Nia Key	Partial/1st	02/05/18	06/30/21
	Julie Berens	2nd	07/09/18	06/30/21
	Donald Scarlett	Partial	01/14/19	06/31/21
4 Applications:	NAME	Application Received	Interview date/Notes	App Expires
	Charlotte Gorter	07/19/18	11/19/18	01/19/20
	Robert Stewart	02/07/19	02/25/19	08/07/20
	Billy Oyadare	02/14/19	02/25/19	08/14/20
	Chris Jensen	02/19/19	02/25/19	08/19/20

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; also relates to **Strategy** - Develop strong partnerships with our residents, visitor's and business community.

As stewards of the City of Sioux City we will strive to enhance connectivity with citizens and businesses – Encourage resident engagement within the community.

ALTERNATIVES:

Staff respectfully requests Council interview all Board, Commission and Committee applicants; Council may then choose to appoint or not to appoint each interviewee per their individual preference.

City Clerk's staff will collect preferences from Council after all applicants for each Board, Commission and Committee have interviewed and the expiration dates of the terms to be filled have passed.

ATTACHMENTS:

Applications



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date Feb. 28, 2019

BOARD, COMMISSION or COMMITTEE: ENVIRONMENTAL ADVISORY BOARD

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name RICHARD ERIC WISSING Phone Residence 712-898-0271

Home Address 3303 DOUGLAS ST. Sioux City, IA 51104
Street City/State Zip

E-Mail Address rewissing@gmail.com

Employer self Phone Business 712-898-0271

Business Address SAME AS ABOVE
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? Yes ☒ No ☐ How many years have you been a resident? 30

Are you a registered voter? Yes ☒ No ☐

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☒ No ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☐ No ☒ If yes list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered **yes**, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☒ No ☐ If yes list here: ENVIRONMENTAL ADVISORY BOARD

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

ENVIRONMENTAL ADVISORY BOARD

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

SPECIAL? - NOT SURE, WHO IS TO SAY.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

WANT TO MAKE SIOUX CITY CLEANER

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Jim Redmond

Name: Rex Runquist

Address: 1400 Indian Hills Dr.

Address: 3131 Norman Dr.

Sioux City, IA 51104

Sioux City, IA 51104

Phone: 712-389-0841

Phone: 712-389-5280

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. Yes ☒ No ☐

Richard E. Wilson
Signature

Date 2-14-2019

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



City of Sioux City
ENVIRONMENTAL ADVISORY BOARD
(Advisory Board)

MISSION STATEMENT

The Environmental Advisory Board's mission is to support the City in the recycling efforts and solid waste management through education and outreach.

MEMBER ROLE

The Environmental Advisory Board recommends policies and regulations for the development of future solid waste reduction and recycling programs; identifies problems associated with future recycling efforts and provides recommendations for implementation; works closely with City staff to implement programs and assists in developing educational materials to explain and promote the overall reduction of the City's solid waste stream; and addresses environmental issues as requested by the City Council.

Members will participate in an advisory capacity regarding the mission of solid waste management and reduction. The group will assist staff in the development and implementation of programs designed to enhance waste reduction and recycling. One of the board's main functions will be assisting with the development of educational programs aimed at informing the public of program benefits, activities and changes. The board may also be requested to review other environmental issues and provide staff with guidance and support concerning these issues.

Nominee's Questionnaire

1. Describe your interest in environmental issues? *Long time nature lover*
2. Are you involved in the environmental issues or projects in our community? (Please provide detail) *SIERRA CLUB*
3. The Environmental Advisory Board is advisory in nature, what do you see your role as being if appointed? *SUPPORTING,*
4. The main focus of the Environmental Advisory Board is recycling and education, are there any other issues that you think the board should address? *Reducing*
5. Are you able to commit time to the monthly board meeting held on the 2nd Thursday at 4:00 p.m.? (Please provide detail) *YES*

Richard E. W...

Signature

Feb. 14, 2019

Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date Feb 15, 2019

BOARD, COMMISSION or COMMITTEE: HUMAN RIGHTS COMMISSION

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Chris Jensen Phone Residence 712-251-1988

Home Address 510 Briar Path Sioux City IA 51104
Street City/State Zip

E-Mail Address chrisnbeth@cableone.net

Employer Retired from WITCC Phone Business n/a

Business Address
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? Yes ☒ No ☐ How many years have you been a resident? 71

Are you a registered voter? Yes ☒ No ☐

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☒ No ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☐ No ☒ If yes list here:

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered yes, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☒ No ☐ If yes list here: Parks and Recreation

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

I have worked to preserve Grandview Park twice from private companies wishing to place private cell towers in the middle of Grandview Park, destroying the aesthetics of a beautiful public park. I am a member of the Sioux City Art Center and the Public Museum contributing the mission of these two organizations.

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

N/A

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

I have Masters Degree in Public Administration from the University of South Dakota. Many of the issues faced by the commission are part of Public Administration

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

I have worked for years with members of protected classes seeking employment and training services to advance their socio-economic status. I am aware of structural barriers that exist, and that hinder advancement of members of our minority and protected classes in our community

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

N/A

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Emma Hewitt

Address: 4800 Bradford Lane

Sioux City, IA 51106

Phone: 712-271-6423

Name: Jim Jung

Address: 2222 Jackson St

Sioux City, IA 51104

Phone: 712-294-4670

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. **Yes ☒ No ☐**

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Chris Jensen
Signature

Date 2-15-19

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



City of Sioux City
HUMAN RIGHTS COMMISSION
(Quasi-Judicial)

MISSION STATEMENT

To ensure a fair and equitable community for all. In compliance with Iowa Law the Human Rights Commission mission is to eliminate discrimination in housing, employment, public accommodations, education and credit. To eliminate discrimination based on age, race, creed, color, sex, national origin, religion, mental or physical disability, familial status, marital status, sexual orientation and gender identity. Sponsor programs promoting goodwill among the various racial, religious and ethnic groups in Siouxland.

MEMBER ROLE

The role of Human Rights Commission is to: 1) effectively enforce local, state and federal laws; 2) serve as an information source about civil rights laws and regulations; and 3) actively assist in the prevention and elimination of the effects of discriminatory acts and/or discriminatory practices in the community. Our goal is to secure for everyone in our city freedom from discrimination due to their race, color, national origin, sex, age, mental or physical disability, religion, creed, sexual orientation, gender identity, marital status (credit only), or presence of children in their home. The role of commissioners is to 1) advocate for the prevention and elimination of discrimination against members of any protected classes; 2) review and determine the merits of allegations of discrimination; 3) hold public hearings on individual allegations of discrimination; and 4) educate the community about the existence and effects of discrimination.

Nominee's Questionnaire

1. Do you understand qualifications for appointment to the Human Rights Commission require compliance with the laws protecting the above named classes and that an unwillingness or inability to comply disqualifies your application? **Yes** ☒ **No** ☐

2. Describe how you see yourself complying the Human Rights Law.

I would work to assure fair housing, and equal treatment before the commission

3. Do you understand qualifications call for a general knowledge of human and civil rights laws and regulations? **Yes** ☒ **No** ☐ Please explain your knowledge in these areas.

I have Master Degree in Public Administration from the University of South Dakota and I have taught these public policy issues at the undergraduate and graduate college level

4. What attracted you to apply for the Human Rights Commission?

Sioux City has had a mixed relationship with minority members of our community in the past and I hope use the position to work toward to open access to public accommodations in our city by all residents of the community

5. All agency records including closed sessions (in compliance with the law) relating to clients are confidential, will you observe and maintain this policy of confidentiality? **Yes** ☒ **No** ☐

6. Are there any further questions or comments that you wish to express at this time?

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Chris Jensen
Signature

2/15/19
Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date 02/12/2019

BOARD, COMMISSION or COMMITTEE: HUMAN RIGHTS COMMISSION

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Billy Oyadare Phone Residence (712) 239-9066

Home Address 4011 Glen Oaks Blvd., Sioux City IA 51104
Street City/State Zip

E-Mail Address oyadare@cableone.net

Employer State of Iowa Phone Business (712) 279-0202

Business Address 507 7th Street #300, Sioux City IA 51101
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? **Yes** ☒ **No** ☐ How many years have you been a resident? 15 years

Are you a registered voter? **Yes** ☒ **No** ☐

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? **Yes** ☒ **No** ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? **Yes** ☐ **No** ☒ If **yes** list here: _____

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered **yes**, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☐ **No** ☒ If **yes** list here: _____

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

Member, Central Baptist Church, Sioux City
Board Member and Secretary to the Executive Board, Sioux City

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:
NA

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

Licensed Attorney

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

To use my experience and talents to serve the community

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

NO

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: Jennifer Solberg

Address: 507 7th Street #300, Sioux City IA 51101.

Phone: (712) 279-0202

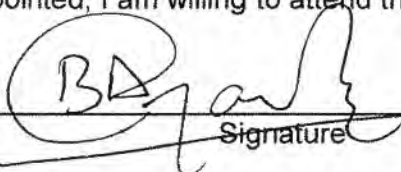
Name: Patrick (PJ) Jennings

Address: 620 Douglas Street #300

Phone: (712) 279-6516

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. Yes ☒ No ☐


Signature

Date 02-13-19

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



**City of Sioux City
HUMAN RIGHTS COMMISSION
(Quasi-Judicial)**

MISSION STATEMENT

To ensure a fair and equitable community for all. In compliance with Iowa Law the Human Rights Commission mission is to eliminate discrimination in housing, employment, public accommodations, education and credit. To eliminate discrimination based on age, race, creed, color, sex, national origin, religion, mental or physical disability, familial status, marital status, sexual orientation and gender identity. Sponsor programs promoting goodwill among the various racial, religious and ethnic groups in Siouxland.

MEMBER ROLE

The role of Human Rights Commission is to: 1) effectively enforce local, state and federal laws; 2) serve as an information source about civil rights laws and regulations; and 3) actively assist in the prevention and elimination of the effects of discriminatory acts and/or discriminatory practices in the community. Our goal is to secure for everyone in our city freedom from discrimination due to their race, color, national origin, sex, age, mental or physical disability, religion, creed, sexual orientation, gender identity, marital status (credit only), or presence of children in their home. The role of commissioners is to 1) advocate for the prevention and elimination of discrimination against members of any protected classes; 2) review and determine the merits of allegations of discrimination; 3) hold public hearings on individual allegations of discrimination; and 4) educate the community about the existence and effects of discrimination.

Nominee's Questionnaire

1. Do you understand qualifications for appointment to the Human Rights Commission require compliance with the laws protecting the above named classes and that an unwillingness or inability to comply disqualifies your application? **Yes** ☒ **No** ☐
2. Describe how you see yourself complying the Human Rights Law.
Carefully studying facts and fairly applying the law
3. Do you understand qualifications call for a general knowledge of human and civil rights laws and regulations? **Yes** ☒ **No** ☐ Please explain your knowledge in these areas.
4. What attracted you to apply for the Human Rights Commission?
The desire to give all and sundry a fair shake
5. All agency records including closed sessions (in compliance with the law) relating to clients are confidential, will you observe and maintain this policy of confidentiality? **Yes** ☒ **No** ☐
6. Are there any further questions or comments that you wish to express at this time?

NO


Signature

02-13-19
Date



CITY OF SIOUX CITY, IOWA
APPLICATION FOR APPOINTMENT TO A CITY COUNCIL
APPOINTED BOARD, COMMISSION OR COMMITTEE

Date February 6, 2019

BOARD, COMMISSION or COMMITTEE: HUMAN RIGHTS COMMISSION

GENDER BALANCE - Section 69.16A of the Iowa Code requires gender balance on those City Boards and Commissions required or governed by state law unless the City has made a good faith effort for a period of three months to appoint a qualified person. This affects and includes: Airport Board of Trustees; Civil Service Commission; Human Rights Commission; Library Board of Trustees; and Planning and Zoning Commission.

GENERAL INFORMATION

Name Robert N. Stewart Phone Residence 515.343.7278

Home Address 4101 Country Club, Sioux City, IA 51104
Street City/State Zip

E-Mail Address stewartrn@gmail.com

Employer Great West Casualty Company Phone Business 402.494.7876

Business Address 1100 W. 29th St., South Sioux City, NE 68776
Street City/State Zip Code

PLEASE ANSWER ALL OF THE FOLLOWING QUESTIONS:

Are you a Sioux City resident? Yes ☒ No ☐ How many years have you been a resident? 27

Are you a registered voter? Yes ☒ No ☐

Have you reviewed the Ordinance or Resolution establishing the Board, Commission or Committee you are applying for? Yes ☒ No ☐ (If no, please contact the City Clerk's Office at 712.279.6313 to obtain a copy.)

SERVING ON A BOARD - Are you currently serving on any other City Council appointed Board, Commission or Committee? Yes ☐ No ☒ If yes list here:

It is the general policy of the City to allow a person to serve on only one City Council appointed Board, Commission or Committee at any given time. If you answered yes, please explain why Council should make an exception to the general policy and allow you to serve on multiple Boards, Commissions or Committees:

Have you previously served on any other City Council appointed Board, Commission or Committee?

Yes ☐ No ☒ If yes list here:

COMMUNITY INVOLVEMENT - Please describe your past and present community involvement including voluntary, social, city, church, school, business, and/or professional associations you have been involved in and are applicable to this application. (Include dates of involvement and any offices or leadership positions held.)

Regarding charitable involvement, I served on the Board of Directors for the Norm Wait Sr YMCA from 2012 to 2018. I currently serve on the Board of Directors for the Augustana Lutheran Church Foundation. Professionally, I am a member of the Iowa State Bar Association and the Woodbury County Bar Association, where I serve as Vice President. Finally, I am a past member of the Sioux City Noon Sertoma Club.

STATE, COUNTY, or MUNICIPAL BOARDS or COMMISSIONS - List any you are presently serving on:

None

SPECIAL QUALIFICATIONS - Please list any special qualifications for serving on a City Council appointed Board, Commission or Committee including skills, training, licenses and certificates that are applicable:

I am an attorney and have experience representing individuals and businesses in employment discrimination cases.

INTEREST - State why you would like to volunteer to serve and what contributions you believe you can make:

I am passionate about civil rights. I want to utilize my training and experience in this area for the benefit of the community.

CONFLICT OF INTEREST - Chapters 362.5, 362.6, 403.16 and 403A.22 of the Code of Iowa describe potential conflicts of interest for City officials. A Disclosure of Interest Statement as well as the aforementioned Iowa Code has been attached to this application for your review. **If you have any questions regarding this issue please contact the City Attorney's Office at 712-279-6318.** Are you aware of any conflict of interest or potential conflict of interest that may prevent you from carrying out your responsibilities on this Board, Commission or Committee in the best interest of the City of Sioux City? If so, please describe:

None

PERSONAL REFERENCES - Please list 2 references, the City Council may contact your references:

Name: <u>Ryan Ross, Esq.</u>	Name: <u>Dan Moore, Esq.</u>
Address: <u>613 Pierce St.</u>	Address: <u>501 Pierce St., Suite 300</u>
<u>Sioux City, IA 51101</u>	<u>Sioux City, IA 51101</u>
Phone: <u>(712) 252-3226</u>	Phone: <u>(712) 252-0020</u>

I understand the role and responsibilities of membership on this City Council appointed Board, Commission or Committee and I am willing to serve. In applying for appointment I understand the City Council may make inquiries in the community pertinent to my appointment. I also understand that as a member of any Board, Commission or Committee I may be dismissed from the Board, Commission or Committee and or disqualified by the City Council as a candidate for the Board, Commission or Committee membership for making untrue or discriminatory statements about others, including members of protected classes.

If appointed, I am willing to attend the designated Board, Commission or Committee training. Yes ☒ No ☐

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Robert N. Stewart
Signature

Date 2/6/2019

Applications are kept on file and active for 18 months from the date you file. A separate application must be completed for each Board, Commission or Committee on which you would consider serving. File applications with the City Clerk's Office, 1st floor, City Hall, 405 6th Street, Sioux City, Iowa, 51101; or mail to City Clerk's Office, P.O. Box 447, Sioux City, Iowa, 51102-0447; or email CityBoardsandCommissions@sioux-city.org. Thank you!



City of Sioux City
HUMAN RIGHTS COMMISSION
(Quasi-Judicial)

MISSION STATEMENT

To ensure a fair and equitable community for all. In compliance with Iowa Law the Human Rights Commission mission is to eliminate discrimination in housing, employment, public accommodations, education and credit. To eliminate discrimination based on age, race, creed, color, sex, national origin, religion, mental or physical disability, familial status, marital status, sexual orientation and gender identity. Sponsor programs promoting goodwill among the various racial, religious and ethnic groups in Siouxland.

MEMBER ROLE

The role of Human Rights Commission is to: 1) effectively enforce local, state and federal laws; 2) serve as an information source about civil rights laws and regulations; and 3) actively assist in the prevention and elimination of the effects of discriminatory acts and/or discriminatory practices in the community. Our goal is to secure for everyone in our city freedom from discrimination due to their race, color, national origin, sex, age, mental or physical disability, religion, creed, sexual orientation, gender identity, marital status (credit only), or presence of children in their home. The role of commissioners is to 1) advocate for the prevention and elimination of discrimination against members of any protected classes; 2) review and determine the merits of allegations of discrimination; 3) hold public hearings on individual allegations of discrimination; and 4) educate the community about the existence and effects of discrimination.

Nominee's Questionnaire

1. Do you understand qualifications for appointment to the Human Rights Commission require compliance with the laws protecting the above named classes and that an unwillingness or inability to comply disqualifies your application? **Yes** ☒ **No** ☐

2. Describe how you see yourself complying the Human Rights Law.

I will listen to all parties involved in discrimination matters, treat each person with respect and dignity, and look to the applicable laws to provide the resolutions.

3. Do you understand qualifications call for a general knowledge of human and civil rights laws and regulations? **Yes** ☒ **No** ☐ Please explain your knowledge in these areas.

I understand that federal and state human and civil rights laws prohibit discrimination against protected groups in the areas of employment, housing, lending and education. I also understand that those laws prohibit retaliation against complaining parties.

4. What attracted you to apply for the Human Rights Commission?

I am interested in civil rights law and want to utilize my training for the benefit of the community.

5. All agency records including closed sessions (in compliance with the law) relating to clients are confidential, will you observe and maintain this policy of confidentiality? **Yes** ☒ **No** ☐

6. Are there any further questions or comments that you wish to express at this time?

I would be honored to serve the citizens of Sioux City on this committee.

By typing my name in the box below I am offering my digital signature in lieu of my handwritten signature. I understand that my digital signature carries the same legal bindings as my handwritten signature.

/s/ Robert N. Stewart
Signature

2/6/19
Date

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 4

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

SUBJECT: Motion acknowledging Board of Adjustment actions of February 12, 2019.

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

RECOMMENDATION:

Staff respectfully requests that Council approve a motion approving Board of Adjustment actions from the February 12, 2019 meeting, based on the following findings:

Board of Adjustment:

Agenda Item 2019-0007: Requested conditional use permit pursuant to Municipal Code Section 25.02.110 for the property located at 1511 Pierce Street.

Chris Madsen presented the item stating the petitioner would like to open a coffee shop and pool hall. The coffee shop would be allowed in the Mixed-Use zoning district; however a pool hall would be classified as Indoor Commercial Amusement and requires a conditional use permit. The use would meet all the standards for the zoning district.

Geary asked about the adequate parking. Madsen replied that they would need to use street parking.

Staff recommends approval of this item.

Calligan (Geary) moved to approve the item: Motion carried. 5-0-0 (Yes: Geary, Calligan, Stewart, Ross, Silverberg /No: 0/Abstain:0).

DISCUSSION:

File No. 2019-0007

The City has received a request from Bedaso Bulo, petitioner, for a conditional use permit from Municipal Code Section 25.02.110 to allow for the operation of a pool hall and coffee shop on the property located at 1511 Pierce Street. The coffee shop would be allowed in the Mixed Use zoning district, however a pool hall would be classified as Indoor Commercial Amusement and requires a Conditional Use Permit in the MU zone.

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

None.

ATTACHMENTS:

None

☒	Regular Session
☐	Study Session
☐	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019

ACTION ITEM # 5

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution approving a restated schedule of fees for advertising on city buses and rescinding Resolution No. 2017-0091.

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

RECOMMENDATION:

Staff respectfully requests the City Council approve a resolution for a restated schedule of fees for advertising on city buses and rescind Resolution No. 2017-0091.

DISCUSSION:

City staff would like to propose additional rates be added to the Transit advertising fee schedule. Additional rates will be added for bus wrap options. Sioux City Transit staff will administer the program internally. Rates will be dependent on length of contract and type of wrap installed. We have developed an order form for bus wrap advertising. Current rates for bus signs were approved on February 6, 2017 and will remain unchanged. The attached order forms display the rates proposed for the new wrap structure and the current sign rates.

SIOUX CITY TRANSIT SYSTEM BUS ADVERTISING FEES			
MONTHLY ADVERTISING BUS WRAP RATES			
BUS WRAP OPTIONS:	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Full Bus Wrap-View Thru Windows	\$900.00	\$800.00	\$700.00
Full Bus Wrap-No Windows	\$900.00	\$800.00	\$700.00
Full Sides-View Thru Windows	\$650.00	\$550.00	\$450.00
Full Sides-No Windows	\$650.00	\$550.00	\$450.00
Short Columns-Both Sides	\$450.00	\$350.00	\$250.00
Full Columns-Both Sides	\$550.00	\$450.00	\$350.00
Rear Column-Passenger Side	\$300.00	\$250.00	\$200.00
Tops Only-Both Sides	\$300.00	\$250.00	\$200.00
Bottom Rear	\$250.00	\$200.00	\$150.00
Full Rear	\$400.00	\$300.00	\$200.00
Bottom Front	\$200.00	\$150.00	\$100.00
Full Front	\$350.00	\$300.00	\$250.00
Damaged or vandalized wraps will be the responsibility of the customer to pay for replacement wraps. Discount of 10% on ad rate total order when contracting 2 (two) or more separate bus wraps. No guarantee of route exposure during the contracted period. All			

production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.

SIoux CITY TRANSIT SYSTEM BUS ADVERTISING FEES				
MONTHLY ADVERTISING SIGN DISPLAY RATES				
EXTERIOR BUS SIGNS:	<u>Sign Sizes</u>	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Road Side per sign	30" x 144"	\$200.00	\$150.00	\$100.00
Curb Side per sign	30" x 88" or 30" x 108"	\$200.00	\$150.00	\$100.00
Front Side per sign	18" x 40"	\$150.00	\$100.00	\$50.00
Rear Side per sign	21" x 72" or 21.25" x 45.5"	\$200.00	\$150.00	\$100.00
Interior Sign per sign	11" x 28"	\$40.00	\$30.00	\$20.00
Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs. Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs. No guarantee of route exposure during the contracted period. All production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.				

FOR GOVERNMENT AND NON-PROFIT AGENCIES 501 (c) (3) ONLY				
BUS ADVERTISING FEES				
MONTHLY ADVERTISING SIGN DISPLAY RATES				
EXTERIOR BUS SIGNS:	<u>Sign Sizes</u>	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Road Side per sign	30" x 144"	\$100.00	\$75.00	\$50.00
Curb Side per sign	30" x 88" or 30" x 108"	\$100.00	\$75.00	\$50.00
Front Side per sign	18" x 40"	\$75.00	\$50.00	\$25.00
Rear Side per sign	21" x 72" or 21.25" x 45.5"	\$100.00	\$75.00	\$50.00
Interior Sign per sign	11" x 28"	\$20.00	\$15.00	\$10.00
Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs. Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs. No guarantee of route exposure during the contracted period. All production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.				

FINANCIAL IMPACT:

The proposed advertising rates will generate additional revenue for the Sioux City Transit System to support the operational budget.

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:

City Council can deny the proposed advertising fee structure and direct City staff to propose an alternate structure.

ATTACHMENTS:

Bus Advertising Order Form with Bus Wrap Rates

Bus Advertising Order Form with Bus Sign Rates

Bus Advertising Order Form with Bus Sign Rates for Government and Non-Profit Agencies
Resolution

**SIOUX CITY TRANSIT SYSTEM
BUS ADVERTISING ORDER FORM**

MONTHLY ADVERTISING BUS WRAP RATES

BUS WRAP OPTIONS:	1 MONTH	6 MO.	12 MO.
Full Bus Wrap-View Thru Windows	\$400.00	\$800.00	\$700.00
Full Bus Wrap-No Windows	\$300.00	\$600.00	\$400.00
Full Sides-View Thru Windows	\$250.00	\$500.00	\$400.00
Full Sides-No Windows	\$150.00	\$300.00	\$150.00
Short Columns-Both Sides	\$450.00	\$900.00	\$250.00
Full Columns-Both Sides	\$550.00	\$1100.00	\$350.00
Rear Columns-Passenger Side	\$300.00	\$600.00	\$200.00
Top Only-Both Sides	\$300.00	\$600.00	\$200.00
Bottom Rear	\$250.00	\$500.00	\$150.00
Full Rear	\$400.00	\$800.00	\$200.00
Bottom Front	\$200.00	\$400.00	\$100.00
Full Front	\$350.00	\$700.00	\$250.00

Damage to or vandalism to wraps will be the responsibility of the customer to pay for replacement wraps.
 Discount of 10% on ad rate total order when contracting 2 (two) or more separate bus wraps.
 No guarantee of route exposure during the contracted period.
 All production costs will be passed through per the actual invoice.
 A processing fee of \$25.00 will be added to each contract.
 Rates effective March 1, 2011

Quantity of Signs	Sign Description and Size	Production Cost per Sign	Production Cost	Monthly Display Rate	Number of Months	Sign Display Cost	Extended
	Full Bus Wrap-View Thru Windows	\$4,298.00		\$0.00		\$0.00	\$0.00
	Full Bus Wrap-No Windows	\$2,364.00		\$0.00		\$0.00	\$0.00
	Full Sides-View Thru Windows	\$3,192.00		\$0.00		\$0.00	\$0.00
	Full Sides-No Windows	\$1,766.00		\$0.00		\$0.00	\$0.00
	Short Columns-Both Sides	\$62.00		\$0.00		\$0.00	\$0.00
	Full Columns-Both Sides	\$1,321.00		\$0.00		\$0.00	\$0.00
	Rear Columns-Passenger Side	\$312.00		\$0.00		\$0.00	\$0.00
	Top Only-Both Sides	\$420.00		\$0.00		\$0.00	\$0.00
	Bottom Rear	\$136.00		\$0.00		\$0.00	\$0.00
	Full Rear	\$376.00		\$0.00		\$0.00	\$0.00
	Bottom Front	\$185.00		\$0.00		\$0.00	\$0.00
	Full Front	\$380.00		\$0.00		\$0.00	\$0.00
	Processing Fee						\$25.00
	10% discount for 2 or more separate wraps						
TOTAL AMOUNT DUE:							

Name of Business _____

Address _____

Payment Options:

☐ Check - paid in full prior to start date

☐ Credit Card Charge each month

Description of Advertising/ Promotion: _____

Start Date for Wrap Display: _____

End Date: _____

Signature Authorized By: _____

Date: _____

Printed Name: _____

Phone: _____

Contact Name: _____

E-Mail: _____

**SIOUX CITY TRANSIT SYSTEM
BUS ADVERTISING ORDER FORM**
MONTHLY ADVERTISING SIGN DISPLAY RATES

	1 MONTH	6 MO.	12 MO.
EXTERIOR BUS SIGNS:			
Road Side per sign	\$200.00	\$150.00	\$100.00
Curb Side per sign	\$200.00	\$150.00	\$100.00
Front Side per sign	\$150.00	\$100.00	\$50.00
Rear Side per sign	\$200.00	\$150.00	\$100.00
INTERIOR -- 21 SIGNS	\$40.00	\$30.00	\$20.00

Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs.
Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs.
No guarantee of route exposure during the contracted period.
All production costs will be passed through per the actual invoice.
A processing fee of \$25.00 will be added to each contract.
Rates effective March 1, 2019

Quantity of Signs	Sign Description and Size	Production Cost per Sign	Production Cost	Monthly Display Rate	Number of Months	Sign Display Cost	Extension
	Interior Sign 11" X 28"	\$10.00	\$0.00			\$0.00	\$0.00
	Road Side 30" X 144"	\$110.00	\$0.00			\$0.00	\$0.00
	Curb Side 30" X 80"	\$72.00	\$0.00			\$0.00	\$0.00
	Curb Side 30" X 108"	\$88.00	\$0.00			\$0.00	\$0.00
	Rear Side 21" X 72"	\$46.00	\$0.00			\$0.00	\$0.00
	Rear Side 21.25" X 45.5"	\$30.00	\$0.00			\$0.00	\$0.00
	Front Side 18" X 40"	\$24.00	\$0.00			\$0.00	\$0.00
	Processing Fee						\$25.00
	Subtotal						\$25.00
	Less 10% discount for 4 or more signs						
				TOTAL AMOUNT DUE			\$25.00

Name of Business: _____

Address: _____

Payment Options: ☐ Check - paid in full prior to start date ☐ Credit Card Charge each month

Description of Advertising/Promotion: _____

Start Date for Sign Display: _____ End Date: _____

Signature Authorized By: _____ Date: _____

Printed Name: _____ Phone Number: _____

Contact Name: _____ E-Mail: _____

FOR GOVERNMENT AND NON-PROFIT AGENCIES 501 (c) (3) ONLY

SIOUX CITY TRANSIT SYSTEM
BUS ADVERTISING ORDER FORM

MONTHLY ADVERTISING SIGN DISPLAY RATES

	1 MONTH	6 MO.	12 MO.
EXTERIOR BUS SIGNS:			
Road Side per sign	\$100.00	\$75.00	\$50.00
Curb Side per sign	\$100.00	\$75.00	\$50.00
Front Side per sign	\$75.00	\$50.00	\$25.00
Rear Side per sign	\$100.00	\$75.00	\$50.00
INTERIOR - 21 SIGNS	\$20.00	\$15.00	\$10.00

Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs.
Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs.
No guarantee of route exposure during the contracted period.
All production Costs will be passed through per the actual invoice.
A processing fee of \$25.00 will be added to each contract.
Rates effective March 1, 2019

Quantity of Signs	Sign Description and Size	Production Cost per Sign	Production Cost	Monthly Display Rate	Number of Months	Sign Display Cost	Extension
	Interior Sign 11" X 28"	\$10.00	\$0.00			\$0.00	\$0.00
	Road Side 0" X 144"	\$110.00	\$0.00			\$0.00	\$0.00
	Curb Side 30" X 88"	\$72.00	\$0.00			\$0.00	\$0.00
	Curb Side 0" X 108"	\$88.00	\$0.00			\$0.00	\$0.00
	Rear Side 21" X 72"	\$46.00	\$0.00			\$0.00	\$0.00
	Rear Side 3" X 45.5"	\$33.00	\$0.00			\$0.00	\$0.00
	Front Side 18" X 40"	\$24.00	\$0.00			\$0.00	\$0.00
	Processing Fee						\$25.00
	10% discount for 4 or more signs						
				TOTAL AMOUNT DUE		\$25.00	

We wish to have Sioux City Transit pay the costs associated with sign production, and we will reimburse Sioux City Transit for the sign production costs.

Please Use: Account # _____ Project # _____

Name of Business: _____

Address: _____

Payment Options: ☒ Check - paid in full prior to start date. ☐ Credit Card Charge each month

Description of Advertising/Promotion: _____

Start Date for Sign Display: _____ End Date: _____

Authorized By: _____ Date: _____

Contact Name: _____ E-Mail: _____

Department: _____ Phone: _____

Internal non-profit 2.5. 2017

RESOLUTION NO. 2019 - _____

RESOLUTION APPROVING A RESTATED SCHEDULE OF FEES FOR ADVERTISING ON CITY BUSES AND RESCINDING RESOLUTION NO. 2017-0091.

WHEREAS, the City of Sioux City owns and operates a fleet of buses; and

WHEREAS, on February 6, 2017, pursuant to Resolution No. 2017-0091, the City Council established a Schedule of Fees for advertising on City buses; and

WHEREAS, City staff is proposing additional rates be added for bus wrap options; and

WHEREAS, the City Council is advised and does believe that a restated Schedule of Fees should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the following restated Schedule of Fees for advertising on City buses shall be in effect March 1, 2019:

SIOUX CITY TRANSIT SYSTEM BUS ADVERTISING FEES			
MONTHLY ADVERTISING BUS WRAP RATES			
BUS WRAP OPTIONS:	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Full Bus Wrap-View Thru Windows	\$900.00	\$800.00	\$700.00
Full Bus Wrap-No Windows	\$900.00	\$800.00	\$700.00
Full Sides-View Thru Windows	\$650.00	\$550.00	\$450.00
Full Sides-No Windows	\$650.00	\$550.00	\$450.00
Short Columns-Both Sides	\$450.00	\$350.00	\$250.00
Full Columns-Both Sides	\$550.00	\$450.00	\$350.00
Rear Column-Passenger Side	\$300.00	\$250.00	\$200.00
Tops Only-Both Sides	\$300.00	\$250.00	\$200.00
Bottom Rear	\$250.00	\$200.00	\$150.00
Full Rear	\$400.00	\$300.00	\$200.00
Bottom Front	\$200.00	\$150.00	\$100.00
Full Front	\$350.00	\$300.00	\$250.00
Damaged or vandalized wraps will be the responsibility of the customer to pay for replacement wraps. Discount of 10% on ad rate total order when contracting 2 (two) or more separate bus wraps. No guarantee of route exposure during the contracted period. All production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.			

SIOUX CITY TRANSIT SYSTEM BUS ADVERTISING FEES MONTHLY ADVERTISING SIGN DISPLAY RATES				
EXTERIOR BUS SIGNS:	<u>Sign Sizes</u>	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Road Side per sign	30" x 144"	\$200.00	\$150.00	\$100.00
Curb Side per sign	30" x 88" or 30" x 108"	\$200.00	\$150.00	\$100.00
Front Side per sign	18" x 40"	\$150.00	\$100.00	\$50.00
Rear Side per sign	21" x 72" or 21.25" x 45.5"	\$200.00	\$150.00	\$100.00
Interior Sign per sign	11" x 28"	\$40.00	\$30.00	\$20.00
Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs. Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs. No guarantee of route exposure during the contracted period. All production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.				

FOR GOVERNMENT AND NON-PROFIT AGENCIES 501 (c) (3) ONLY BUS ADVERTISING FEES MONTHLY ADVERTISING SIGN DISPLAY RATES				
EXTERIOR BUS SIGNS:	<u>Sign Sizes</u>	<u>1 Month</u>	<u>6 Months</u>	<u>12 Months</u>
Road Side per sign	30" x 144"	\$100.00	\$75.00	\$50.00
Curb Side per sign	30" x 88" or 30" x 108"	\$100.00	\$75.00	\$50.00
Front Side per sign	18" x 40"	\$75.00	\$50.00	\$25.00
Rear Side per sign	21" x 72" or 21.25" x 45.5"	\$100.00	\$75.00	\$50.00
Interior Sign per sign	11" x 28"	\$20.00	\$15.00	\$10.00
Damaged or vandalized signs will be the responsibility of the customer to pay for replacement signs. Discount of 10% on ad rate total order when contracting more than 4 (four) bus signs. No guarantee of route exposure during the contracted period. All production costs will be passed through per the actual invoice. A processing fee of \$25.00 will be added to each contract. Rates effective March 1, 2019.				

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 6

FROM: Lisa L. McCardle, City Clerk
Heidi Farrens, Deputy City Clerk

SUBJECT: **Motion appointing Jeff Lamoreux to the Parking and Skywalk System Board of Trustees for a partial term expiring December 31, 2020, replacing Matt Robins.**

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

RECOMMENDATION:

Staff respectfully requests that City Council appoint the above applicant to the **Parking and Skywalk System Board of Trustees**.

DISCUSSION:

The above-mentioned individual completed an application and appeared before the Council to interview for a position on the **Parking and Skywalk System Board of Trustees**; the Council has indicated their preference to appoint him.

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, visitors, and business community.

ALTERNATIVES:

Council may approve the appointment as listed or withdraw their preference and wait for additional applications to be submitted for the open position.

ATTACHMENTS:

None

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 7

FROM: Angel Wallace, Parks and Recreation Manager

SUBJECT: Resolution temporarily closing Pierce Street from 5th Street to 6th Street; the east through lane of Pierce Street from 6th Street to 7th Street; and the south through lane of 6th Street from Nebraska Street to Douglas Street beginning at 9:00 a.m. and ending at 12:00 p.m. March 4, 2019 and March 5, 2019 to allow for the loading/unloading of students attending the Symphony's Kids Show at the Orpheum Theatre.

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

RECOMMENDATION:

Staff respectfully requests the City Council approve the resolution requesting temporary street closures for the loading/unloading of students at the Orpheum Theatre.

DISCUSSION:

The Orpheum Theatre is requesting the temporary street closures of Pierce Street from 5th Street to 6th Street; the east through lane of Pierce Street from 6th Street to 7th Street; and the south through lane of 6th Street from Nebraska Street to Douglas Street beginning at 9:00 a.m. and ending at 12:00 p.m. March 4, 2019 and March 5, 2019 for a Sioux City Schools Symphony Concert.

Approximately 60 school busses carrying students from Sioux City and surrounding area schools will be loading/unloading in the area in front of the Orpheum Theatre and designated areas on 6th Street and Pierce Street. Busses will remain parked in these areas during the scheduled performance.

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 temporary street closures and direct the event coordinator to seek an alternative location.

ATTACHMENTS:

Resolution

Map

RESOLUTION NO. 2019 - _____

RESOLUTION TEMPORARILY CLOSING PIERCE STREET FROM 5TH STREET TO 6TH STREET; THE EAST THROUGH LANE OF PIERCE STREET FROM 6TH STREET TO 7TH STREET; AND THE SOUTH THROUGH LANE OF 6TH STREET FROM NEBRASKA STREET TO DOUGLAS STREET BEGINNING AT 9:00 A.M. AND ENDING AT 12:00 P.M. MARCH 4, 2019 AND MARCH 5, 2019 TO ALLOW FOR THE LOADING/UNLOADING OF STUDENTS ATTENDING THE SYMPHONY'S KIDS SHOW CONCERT AT THE ORPHEUM THEATRE.

WHEREAS, the Orpheum Theatre of Sioux City, Iowa desires to host the Symphony's Kids Show Concert; and

WHEREAS, the event involves the temporary street closures of Pierce Street from 5th Street to 6th Street; the east through lane of Pierce Street from 6th Street to 7th Street; and the south through lane of 6th Street from Nebraska Street to Douglas Street beginning at 9:00 a.m. and ending at 12:00 p.m. on March 4, 2019 and March 5, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Pierce Street from 5th Street to 6th Street; the east through lane of Pierce Street from 6th Street to 7th Street; and the south through lane of 6th Street from Nebraska Street to Douglas Street, be and the same are hereby temporarily closed beginning at 9:00 a.m. and ending at 12:00 p.m. on March 4, 2019 and March 5, 2019 to allow for the loading/unloading of students attending the Symphony's Kids Show Concert at the Orpheum Theatre.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk



x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 8

FROM: Bob Padmore, City Manager
Janelle M. Bertrand, Human Resources Director

SUBJECT: Resolution approving a Contract and Salary Schedule with the Sioux City Police Officers' Association for the period beginning July 1, 2019 and ending June 30, 2020.

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

RECOMMENDATION:

Staff respectfully requests Council approval of the labor agreement between the City and the Sioux City Police Officers' Association representing police employees.

DISCUSSION:

The negotiation team has reached agreement with the Sioux City Police Officers' Association for a one-year contract. This agreement is the result of collaborative efforts on the part of all parties and all believe this agreement is fair and are contained within the spirit of the resolution of support for City employees and the collective bargaining unit.

The agreement with the Sioux City Police Officers' Association provides for:

- A 3.00% wage adjustment for one year.
- An increase in the amount of base life insurance policy to \$25,000 and the opportunity to purchase an additional \$200,000 in supplemental life insurance.
- An increase in the orthodontia maximum increase \$1,000 to \$2,000.
- A small increase in replacement costs for cell phones damaged in the course of duty.

FINANCIAL IMPACT:

The budget provides the necessary funding for these recommendations.

RELATIONSHIP TO STRATEGIC PLAN:

These items address the following in relationship to the Strategic Plan:

Progressive Leadership Vision. We will use formal and informal methods to engage the Council, our employees and our customers to enhance organizational engagement and commitment to our shared vision.

ALTERNATIVES:

Defer approval.

ATTACHMENTS:

Resolution

Sioux City Police Officers' Association tentative agreement.

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING A CONTRACT AND SALARY SCHEDULE WITH THE
SIOUX CITY POLICE OFFICERS' ASSOCIATION FOR THE PERIOD BEGINNING
JULY 1, 2019 AND ENDING JUNE 30, 2020.

WHEREAS, the City Council of the City of Sioux City, Iowa, authorized and directed the City negotiating team to negotiate a collective bargaining contract establishing the wages and fringe benefits with the Sioux City Police Officers' Association; and

WHEREAS, the parties have negotiated a tentative agreement listing the amendments and additions to the 2019-2020 contract which has been prepared covering the period from July 1, 2019 through June 30, 2020, which is attached hereto and by this reference incorporated herein; and

WHEREAS, the 2019-2020 salary schedule for the Sioux City Police Officers' Association has been amended to reflect the same wage increase covering the period from July 1, 2019 through June 30, 2020.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the amendments and additions to the collective bargaining contract and salary schedule with the Sioux City Police Officers' Association, referred to in the preamble hereof, be and the same are hereby approved.

BE IT FURTHER RESOLVED that upon preparation of the 2019-2020 contract setting forth said modifications, the City Manager and City Clerk be and they are hereby authorized and directed to execute said collective bargaining contract and salary schedule with the Sioux City Police Officers' Association for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

**TENTATIVE AGREEMENT
BETWEEN
CITY OF SIOUX CITY
AND
THE SIOUX CITY POLICE OFFICERS' ASSOCIATION
FOR 2019-2020**

Notes: Unless otherwise noted, the parties agree that current contract language will be maintained for all articles and provisions of the Agreement.

Wherever the term "Chief of Police" appears, it will be changed to "Police Chief".

This tentative agreement is a package must either be accepted or rejected in its entirety.

As of the effective date of the collective bargaining agreement which is the subject of these negotiations, the provisions of the existing collective bargaining agreement identified below will be deleted from the agreement because they are excluded subjects of bargaining:

Article XV Payroll Deductions: Sections 15.01 and 15.02

**ARTICLE III
ASSOCIATION REPRESENTATION**

Amend Article III by adding the following to Section 3.01:

3.01 Appointed representatives that are not scheduled to work during contract negotiations shall be allowed to move their work hours, provided they give reasonable advance notice to their supervisor.

**ARTICLE VI
OVERTIME**

Amend Article VI as follows:

6.01 All employees who are required to work in excess of their workday, shall be eligible for overtime pay and shall be compensated for hours worked in excess of their workday at the rate of one and one-half (1 ½) the hourly equivalent of their base pay rate for all hours worked in excess of the workday. When employees are required to work a scheduled day off, the employees shall be paid at the rate of one and one-half (1 ½) the hourly equivalent of their base pay rate for all hours worked.

When an employee is scheduled to work on one (1) of the nine (9) holidays specified in Section 11.02, employees shall be paid for all hours worked on the holiday at one and one-half (1 ½) times the hourly equivalent of their base pay rate. ~~Employees who are called in to work on a recognized holiday shall be paid two and one-half times their regular rate of pay for all hours worked on the holiday.~~ **Employees who are called in to work or who are not scheduled to work but agree to work on a recognized holiday, shall be paid two and one-half times their regular rate of pay for all hours worked on the holiday.**

6.03 ~~The following provision will be in effect from July 1, 2016 through June 30, 2019, and thereafter will revert to the previous provision unless extended by written mutual agreement of the parties.~~

When requested by an employee and when authorized by the Police Chief or his designated representative, time off at the rate of one and one-half (1½) the over-time hours worked by an employee may be granted in order to compensate for and in lieu of overtime payment. An employee shall be permitted to accrue ~~and carry over~~ up to ninety (90) hours of compensatory time. Upon authorization of the Police Chief, an employee shall be permitted to accrue and carry over compensatory time in excess of sixty (60) hours. Use of time shall be subject to the authorization of the Police Chief, but shall not be arbitrarily or capriciously denied. An employee may convert any unused accrued compensatory time to paid overtime for the pay period in which December 1 falls of each calendar year and the pay period in which June 1 falls of each calendar year. An employee shall be required to convert any compensatory time in excess of sixty (60) hours to overtime pay during the pay period of June 1 and December 1 each calendar year.

ARTICLE VII **COMPENSATION**

Amend Article VII as follows:

7.06 **Temporary Assignment:**

- a. Where a vacancy exists, any employee temporarily filling said vacancy in a position of higher grade for five (5) days or more, excluding days off and holidays, shall receive five (5%) percent above their regular hourly rate of pay retroactive to the first day **for assigned duty time and for overtime and call-in time.**
- b. For purposes of this section, the term "vacancy" shall mean an absence created by death, termination of employment, resignation, or leave of absence recognized under the provisions of the contract (sick leave, injury leave, vacation leave, military leave, jury leave, compensatory time leave, and holiday time). The term "vacancy" shall also include absences of five days or more due to training, and temporary assignments which result in a shift change for the officer assigned. Temporary vacancies (other than a Lieutenant vacancy assigned as Accreditation Manager) will be filled and will be filled by an employee selected at the discretion of the Chief of Police. Nothing in this provision is intended to alter the terms or present application of the temporary assignment provision as interpreted by Arbitrator Ron Hoh in Case No. 82-GA-136. The filling of a position in accordance with this temporary assignment provision shall not create a vacancy unless provided above.

7.09 **Longevity Pay:** Longevity pay shall be \$42.00 per month (\$19.38 per biweekly pay period) for every five (5) years of service. Employees who have performed satisfactory continuous service for five (5) years shall be eligible for longevity pay at the beginning of the next biweekly pay period immediately following the completion of the required five (5) years of service.

Continuous service shall be terminated by resignation, dismissal, **layoff** or retirement. Former employees subsequently reappointed shall not be given longevity pay for service prior to said termination.

ARTICLE VIII **INSURANCE**

Amend Article VIII as follows:

8.01 ~~**Hospital-Medical/Surgical Health and Dental Insurance:**~~ The City will make available a health insurance plan agreed upon by the Association and the City for employees covered by this contract, modified as follows:

- q. ~~Effective July 1, 2016,~~ [P]ayment obligations will **not no longer** be waived for the following benefits or services:
 - Ambulance Services for MHCD
 - Bereavement Counseling
 - Contraception – Devices, Implanted, Injected
 - Hospice
 - Office Services for MHCD
 - Outpatient Services for MHCD
 - Home Health Services for MHCD
 - Newborn Services
 - Supplemental Accident
 - Surgery – Office or Outpatient Impacted Teeth
 - Voluntary Sterilization
- r. ~~Effective July 1, 2016,~~ [D]ental insurance will be provided under a plan that is separate from the health insurance plant with premiums to be paid in full by the City. **The orthodontia lifetime maximum will be increased from \$1,000 to \$2,000.**
- u. Termination of Insurance: Whenever a covered employee ceases employment with the City or when the Group Insurance Plan is discontinued or whenever the employee enters military service, his/her Group Insurance Plan terminates **unless the employee affirmatively elects continued coverage under COBRA.** The insurance for dependents also terminates when the employee ceases to be eligible for coverage or when that dependent ceases to be eligible as a dependent or when said employee withdraws the authorization for insurance deduction **subject to applicable Federal Law.** Employees who retire in accordance with the provisions of Chapter 411 of the Code of Iowa shall have the right to convert to a group plan for retirees in accordance with the terms of the policy between the group and its insurance carrier.
- w. Coverage on Leave of Absence Without Pay: An employee can elect to continue coverage while on leave of absence without pay. However, when the leave is in excess of thirty (30) consecutive calendar days, the employee shall pay **102% of** the total premium cost for the remainder of the period or as otherwise specified in the Group Insurance Plan which is in effect.

8.02 **Life Insurance:** The City of Sioux City will provide all employees with coverage of a \$25,000 individual group life insurance policy with an accidental death double indemnity feature with the City paying the full 100% of the premium.

~~The employee has the option to purchase an additional like amount of insurance coverage with an accidental death double indemnity feature through payroll deduction.~~

The employee has the option to purchase supplemental life insurance in increments of \$10,000 up to a total of an additional \$200,000. Guarantee issue up to and including \$100,000 for supplemental life insurance.

ARTICLE IX **PERSONNEL RECORDS**

Amend Article IX as follows:

9.04 **Information Contained in File:**

- a. Dispositions Not in File: Personnel investigations that result in "exonerated," "unfounded" or "not sustained" dispositions shall not be made a part of the employee's personnel file.
- b. Oral Reprimands: ~~Upon the request of the employee, an oral reprimand which is reduced to writing shall be removed from the employee's personnel file upon the expiration of three (3) years from the date of issuance, provided there has been no reoccurrence of the problem which was the basis for the reprimand.~~ **All oral reprimands reduced to writing shall be removed from the employee's personnel file upon the expiration of two (2) years from the date of issuance, provided there has been no reoccurrence of the problem which was the basis for the reprimand.** A copy of the oral reprimand will be maintained by the Human Resources Department, but it shall not constitute an official record in the employee's file, and can only be released or reviewed in cases involving claims or complaints against the City or the affected employee.

ARTICLE X **GRIEVANCE PROCEDURE**

Amend Article X as follows:

10.04

- Step 5. 2. The arbitrator shall submit his/her decision, in writing within thirty (30) days after the conclusion of the hearing or hearings, as the case may be, and the decision of the arbitrator so rendered shall be final and binding upon the employee involved and upon the parties to this contract. Where a dispute relates to the scale of wages or benefits in any way, any decision rendered shall not be retroactive more than twenty-four (24) days beyond the date on which the dispute was first presented as a grievance in writing. The fees of the arbitrator and expense of arbitration shall be borne in equal shares by the City and Association. Each party shall be responsible for expenses they incur in the presentation of their case.

The arbitrator shall neither add to nor detract from nor modify the language of this Agreement in arriving at a determination of any issue that is presented that is proper for arbitration within the limitations expressed herein. The arbitrator shall have no authority to change wage rates or salaries. The arbitrator shall expressly confine himself/**herself** to the precise issues submitted for arbitration and shall have no authority to determine any other issue not so submitted to him/her or to submit observations or declarations of opinion, which are not directly essential in reaching the determination of issue submitted for decision.

No issue whatsoever shall be arbitrated or subject to arbitration unless such issue results from an action or occurrence which takes place following the effective date of this Agreement, and no arbitration determination or award shall be made by an arbitrator which grants any right or relief for any period of time whatsoever prior to the effective date of this Agreement or following the termination of this Agreement. The above shall not apply to arbitration in process at the termination of this Agreement.

ARTICLE XI **AUTHORIZED LEAVE**

Amend Article XI as follows:

11.01 **Vacation**: All employees shall be entitled to leaves of absence with full pay for vacation periods. In the event that full vacation leave is not taken, unused vacation leave not to exceed six (6) working days may be carried over from one (1) calendar year to the next.

In the event that an employee is required to forego his/her scheduled vacation for the convenience of the City and his/her vacation period cannot be conveniently rescheduled within that calendar year, the employee so affected shall be authorized to carry over his/her vacation period from one (1) calendar year to the next with the written approval of the City Manager.

- a. **Accrual**: Employees shall be granted vacation periods in accordance with the following schedule:

<u>Years of Continuous Service</u>	<u>Weeks Allowed</u>
After one year and for each year thereafter, up to and including the sixth year	Two Weeks
After seven years At the start of the seventh year and for each year thereafter, up to and including the 11 th year	Three Weeks

After twelve years At the start of the twelfth year and for each year thereafter, up to and including the 19th year	Four Weeks
After the 20th year At the start of the twentieth year and for each year thereafter	Five Weeks

- b. Grant: Vacation periods are to be granted and scheduled by the Police Chief taking into consideration the departmental work unit, workload, the employee's requests and seniority.

The Police Chief will cause to be posted for each work unit a form denoting the dates available for employee vacations, any departmental restrictions regarding those dates, a list of employees in the work unit in order of seniority based upon their last date of hire, and the date by which employees must have denoted their choice for vacation period.

Each employee in order of seniority shall denote his/her choice of vacation periods by filling in the appropriate blank and then cross his/her name off the top of the seniority list. The next ranking employee by seniority shall do likewise until all have denoted their choice. All employees must have made their choice by the date indicated or forfeit their seniority rights for the purpose of choosing vacation periods.

The Police Chief shall remove these forms on the date indicated, check these lists for compliance with the seniority rights and departmental restrictions and post by April 15, the vacation schedule for the upcoming vacation period for each work unit.

- c. A legally designated holiday that falls during an employee's vacation shall not be charged against the employee's vacation.
- d. An employee who leaves the employment of the City in good standing and after giving two weeks' notice of such termination of employment shall be compensated for vacation leave earned and accrued to the date of separation. An employee who is discharged for cause shall be entitled to the amount of annual vacation leave earned at the time of their discharge.
- e. **Upon request of the employee,** all earned and accrued vacation leave shall be paid to an employee granted military leave.

11.09 Sick Leave: Each employee shall be granted sick leave with pay to be used only with the approval of the Police Chief concerned for absence due to illness, quarantines or injury, of the police officer or of the police officer's mother, father, spouse, son, daughter, step-parents, and step-children. Requests to use sick leave shall not be arbitrarily denied.

In the event there is someone else living in the police officer's household who is dependent on the police officer for support, that person shall be considered part of the family of the police officer when granting sick leave if dependent status is documented by any relevant state or federal laws or regulations, or by a method satisfactory to the Police Chief.

In addition, upon the approval of the Police Chief, an employee may be granted the use of earned vacation or compensatory time for absences due to documented medical emergency of the employee's sister, brother, half-sister, half-brother, grandparents, or grandchildren. Requests to use vacation or compensatory time shall not be arbitrarily denied.

- a. Accrual: For each completed biweekly period of service, all employees shall accrue 4.62 hours of sick leave with pay per pay period. Such leave is earned as long as an employee is not on a leave without pay basis.

Sick leave shall accrue during the period of sick leave with pay.

- b. Charge: Paid sick leave shall be charged on an as used basis. Requests for sick leave shall be made in accordance with rules and regulations established by the department; however, in any event the request for sick leave shall be made no later than the time the employee is regularly scheduled to report for duty unless the employee is unable to file said request because of an emergency.

- c. Certification: No employee shall receive compensation by reason of sick leave benefits until the Police Chief has certified the cause of the absence for which sick leave benefits are requested; provided, the City Manager hereby is authorized to adopt rules and regulations concerning the method of recording the cause of absence, verification thereof, and the method of reporting and recording sick leave by the various departments.

Employees claiming sick leave ~~over two~~ **for three days or more** may be required by the Police Chief to file a certificate signed by a physician, which states the extent and nature of the sickness or injury and states that the employee was incapacitated for work for the period of his/her absence. The statement is also to indicate that the employee is physically able to resume his/her work duties. If the Police Chief suspects that an employee may be abusing sick leave, the employee will be required to report to a physician designated by the City to secure a certificate for any absence under this provision. The City will pay the cost of this examination unless during the last 12 months the Officer has been put on notice, by the Police Chief, of his/her suspected abuse. If he/she has been advised of his/her suspected abuse, the Officer shall pay the cost of the examination.

- d. Accumulation: Unused sick leave shall be cumulative without limit and may be used at any time as earned for absence due to any of the causes set forth.
- e. Compensation For Unused Leave: Police Officers shall be compensated for unused sick leave within the fiscal year on the following basis:

July 1, 2016 - June 30, 2019

0 - 8 hours used	\$375
9 - 16 hours used	\$300
17 - 24 hours used	\$225

This additional compensation for unused sick leave shall be paid on or before the 15th day of August and shall be a separate check from the normal paycheck. For purposes of this subsection, sick leave deducted for purposes of funeral leave shall not be counted against the employee.

ARTICLE XIII
UNIFORM AND CLOTHING PROVISIONS

Amend Article XIII as follows:

13.03 The City shall replace, at replacement cost, outside if the uniform allowance, any uniform or other clothing damaged or destroyed in the line of duty, **provided the damage or destruction is not the result of negligence or carelessness on the part of the employee.** This shall include glasses, wristwatches, ~~and~~ wristwatch bands, **and cell phones.** Replacement costs for watches shall be limited to actual value but not to exceed \$100.00. **Replacement costs for cell phones shall be limited to actual value but not to exceed \$300.00.**

ARTICLE XV PAYROLL DEDUCTIONS

Amend Article XV as follows:

15.01 ~~**Dues Checkoff and Indemnification:** Upon receipt of a lawfully executed written authorization from an employee which may be revoked by the employee in writing at any time, the City agrees to deduct the regular Association dues of such employee from his/her last paycheck of each month and remit such deduction within ten (10) days to the official designated by the Association in writing to receive such deductions. The Association will notify the City in writing of the exact amount of such regular membership dues to be deducted.~~

15.02 ~~The Association agrees to indemnify and hold the City harmless against any and all claims, suits, orders or judgments brought or issued against the City as a result of any action taken or not taken by the City under the provisions of Section 15.01 of this Article.~~

15.03 Eligible employees may authorize deductions from their pay for the following purposes:

- a. ~~U. S. Savings Bonds~~ **Health and Dental Group Insurance to an approved company**
- b. United Way
- c. Credit Union
- d. **Section 125 Program**
- e. Group Life Insurance to an Approved Company
- f. Deferred Compensation
- g. **Parking**
- h. **City Manager Authorized Deductions**

ARTICLE XIX DURATION OF AGREEMENT

Amend Article XIX as follows:

19.01 **Term:** This Agreement and any written amendment made and annexed hereto shall become effective on July 1, ~~2016~~ **2019**, and shall continue in full force and effect until midnight, June 30, ~~2019~~ **2020**, and unless written notice is given between August 1, ~~2018~~ **2019**, and September 1, ~~2018~~ **2019**, by either party requesting a change or termination of the same and the party requesting a change or termination shall, no later than September 10, ~~2018~~ **2019**, serve upon the other party clear and specific demands relating to changes requested. Negotiations on impasse procedures shall commence no later than September 15, ~~2018~~ **2019**.

APPENDIX "A" POLICE SALARY SCHEDULE

The parties agree that the current rates of pay will be increased by three percent (3.00%) effective July 1, 2019.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 9

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

SUBJECT: Resolution proposing to sell certain real property. (the south one-half of vacated Darling Avenue abutting 3615 7th Street) (Petitioner: Darrell D. Knee and Karen S. Knee) (purchase price: \$1,755.60 plus costs).

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

RECOMMENDATION:

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday is a resolution proposing to sell the south one-half of vacated Darling Avenue abutting 3615 7th Street to Darrell D. Knee and Karen S. Knee. This portion of street was vacated by Ordinance No. 2019-0100 on February 4, 2019. The Knees own the abutting property and would like to add the vacated right of way to the property that they own.

The resolution on Monday's agenda schedules a public hearing for March 11, 2019 for the issuance of a city deed.

FINANCIAL IMPACT:

The amount of \$1,755.60 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility - Infrastructure
Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

Do not approve the resolution

ATTACHMENTS:

Proposed Resolution
Offer to Purchase
Aerial

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION PROPOSING TO SELL CERTAIN REAL PROPERTY. (THE SOUTH ONE-HALF OF VACATED DARLING AVENUE ABUTTING 3615 7TH STREET) (PETITIONER: DARRELL D. KNEE AND KAREN S. KNEE) (PURCHASE PRICE: \$1,755.60 PLUS COSTS).

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

The south one-half of vacated Darling Avenue abutting Lots 6 and 7, Block 9, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, said property was vacated pursuant to Ordinance No. 2019-0100 passed and approved February 4, 2019; and

WHEREAS, the City Council believes that the above described real property has no present use or anticipated future use by the City of Sioux City, Iowa, and that a sale thereof would be for the general good of the City of Sioux City, Iowa; and

WHEREAS, the City Council desires to sell the above described real property pursuant to the terms and conditions set forth in the "Offer To Purchase" attached hereto and by this reference made a part hereof; and

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

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

BE IT FURTHER RESOLVED, that the City of Sioux City, Iowa, does hereby propose to sell the real property described in the preamble hereof pursuant to the terms and conditions set forth in the "Offer To Purchase" attached hereto.

BE IT FURTHER RESOLVED, that the City Council hold and conduct a public hearing on this proposal on March 11, 2019 at 4:00 P.M., Local Time, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, and the City Clerk give notice of said hearing in the form of notice attached hereto, which notice is hereby approved as to form and content.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

NOTICE OF HEARING ON PROPOSAL TO
DISPOSE OF REAL PROPERTY OWNED BY
SIOUX CITY, IOWA

NOTICE is hereby given that there is now on file in the office of the City Clerk located at the Customer Service Center on First Floor of City Hall, 405 6th Street, Sioux City, Iowa, a resolution proposing to sell certain real property under and by virtue of which the City of Sioux City, Iowa, has set forth a proposal to sell the following described real property in Sioux City, Woodbury County, Iowa:

The south one-half of vacated Darling Avenue abutting Lots 6 and 7, Block 9, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa.

(The south one-half of vacated Darling Avenue abutting 3615 7th Street)

That the proposal to sell said real property 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 March 11, 2019, 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 proposal.

CITY OF SIOUX CITY, IOWA

BY: Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 2, 2019.

OFFER TO PURCHASE VACATED PUBLIC RIGHT(S)-OF-WAY

The undersigned do hereby offer to purchase the following vacated street, alley, or other public right-of-way (common description): That part of vacated Darling Avenue abutting 3615 7th St Street, Sioux City, Iowa

And legally described as follows: The south one-half of vacated Darling Avenue abutting Lots 6 & 7, Block 9, Cohen and Mark's Addition to Sioux City, Woodbury County, Iowa.

according to the following procedure as established by the City Council, Sioux City, Iowa, a Municipal Corporation.

1. Purchase price of vacated streets and alleys is to be determined in accordance with Council Resolution 98/U-6796, as follows:
 - a) For vacated street rights-of-way which are sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance) in residentially zoned areas: the value of the vacated land will be determined by a weighted average of the assessed valuation per square foot of abutting properties, with a zero to 25 percent deduction available for "faults." These faults could include drainage, vegetation or topography.
 - b) For all other vacations of streets or alleys in residentially zoned areas, the value of the vacated land will be determined as 50% of the weighted average of the assessed valuation per square foot, of abutting properties.
 - c) For those vacations involving commercial and industrial zoned land where vacated streets are being sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance), the property will be appraised, the cost of the appraisal to be paid by the applicant.
 - d) For all other vacations of streets and alleys in commercial and industrial zoned land, the price of the land will be as 100% of the weighted average of the assessed value per square foot of the adjoining properties.
 - e) The minimum sale price for all land will, in no case, be less than 25 cents per square foot.
2. The sale of other public lands may require that the purchase price be established by a professional appraiser or appraisers to be selected by the City. In such cases, the petitioner shall pay the cost of the appraisal.
3. All land sold is subject to the right of the City of Sioux City and franchised utility companies to use said land in connection with the operation and maintenance of any presently existing and installed public utilities, above or below the ground, unless specifically agreed otherwise by the City Council.

Formula Price \$1,755.60 plus costs (DO NOT SEND PAYMENT AT THIS TIME).

Please print the exact name and mailing address you would like the title to the property placed in, in the event the City Council approves your offer to purchase the vacated public right-of-way.

Darrell D. Knee + Karen S. Knee

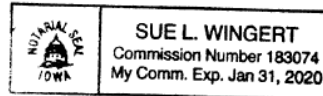
This offer respectfully submitted with a full understanding of the above provisions on this 10th day of February, 2019.

By: Karen Knee

Phone: 712-854-8929

Subscribed and sworn before me this 8th day of February, 2019

Sue Wingert
Notary Public in and for the State of Iowa





x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 10

FROM: John Malloy, WCICC-IT Director
Michelle Brown, Administrative Assistant, WCICC-IT
Spero Vlahoulis, Purchasing Manager
Donna Forker, Finance Director

SUBJECT: Resolution awarding a purchase order to CDW Government of Chicago, Illinois in the amount of \$51,115.20 for the purchase of four (4) Fibre Channel Switches (RFQ #255700).

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

RECOMMENDATION:

Staff respectfully requests the City Council approve a purchase order to CDW Government of Chicago, Illinois in the amount of \$51,115.20 for the purchase of four (4) Fibre Channel Switches (RFQ #255700).

DISCUSSION:

WCICC-IT staff would like to purchase four (4) fibre channel switches as a direct replacement for the fibre channel storage network which connects at and between the two (2) data centers.

Part of the current environment is approaching end of life and support while the other part is now past end of support. The fibre channel network provides high speed access between the server clusters and the storage clusters.

Invitations to bid were sent to twenty-four (24) vendors. Seven (7) bids were received, one bid did not meet requirements. The qualifying bids are as follows:

	Price	Price Difference from Low Bid	Percentage Difference from Low Bid
CDW Government Chicago, IL	\$51,115.20	Not Applicable	Not Applicable
ITSavvy Addison, IL	\$53,064.18	\$1,948.98	3.81%
PCMG Rio Rancho, NM	\$53,558.00	\$2,442.80	4.78%
Sterling Dakota Dunes, SD	\$54,210.00	\$3,094.80	6.05%
Blackhawk Inc. Eagan, MN	\$54,380.00	\$3,264.80	6.39%

Riverside Technologies Inc. North Sioux City, SD	\$60,675.32	\$9,560.12	18.70%
---	-------------	------------	--------

FINANCIAL IMPACT:

The purchase will be split one-third City and two-thirds County. Funds are available in account 301-8699-482.31-07 and projects 859041 and 859042.

RELATIONSHIP TO STRATEGIC PLAN:

Relates to Health and Safety.

ALTERNATIVES:

City Council may approve or reject and provide direction to re-bid at their discretion.

ATTACHMENTS:

Resolution.

RESOLUTION NO. 2019 - _____

RESOLUTION AWARDDING A PURCHASE ORDER TO CDW GOVERNMENT OF CHICAGO, ILLINOIS IN THE AMOUNT OF \$51,115.20 FOR THE PURCHASE OF FOUR (4) FIBRE CHANNEL SWITCHES (RFQ #255700).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to CDW Government of Chicago, Illinois in the amount of \$51,115.20 for the purchase of four (4) Fibre Channel Switches (RFQ #255700).

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 11A

FROM: Mark Simms, Utilities Director
Yang Oh Jin, Utilities Program Manager

SUBJECT: Resolution authorizing the Utilities Department to accept a ARRA (American Recovery & Reinvestment Act) Grant in the amount of \$200,000.00 to conduct an Energy Master Plan at the Sioux City Wastewater Treatment Plant.

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

RECOMMENDATION:

Staff respectfully requests Council approve and authorize the Utilities Department to accept an ARRA (American Recovery & Reinvestment Act) Grant in the amount of \$200,000.00 from the Iowa Economic Development Authority/Iowa Energy Center to conduct an Energy Master Plan at the Sioux City Wastewater Treatment Plant.

DISCUSSION:

The Utilities Department submitted a grant application to the Iowa Economic Development Authority/Iowa Energy Center for an ARRA Grant to develop an Energy Master Plan at the Sioux City Wastewater Treatment Plant. While the Grant is titled "Energy Master Plan", it goes well beyond energy planning. It will serve several beneficial purposes to include:

- Assisting with continued efforts by the City to meet and exceed requirements of the State of Iowa's Nutrient Reduction Strategy while satisfying mandatory IDNR nutrient reduction reporting requirements. We are required to file an amended Nutrient Reduction Strategy with IDNR by April 1, 2020 and this will satisfy that requirement.
 - Desktop study and computer modeling will estimate the impacts of the alternatives being considered for nutrient reduction and energy conservation.
 - Staff will do a pilot of the Anammox process to evaluate the feasibility of nutrient reduction on the centrate water from the new dewatering process. The expected result could benefit several Industrial Users as well as the City. A pilot would ultimately be required to satisfy IDNR in permitting, so this satisfies that requirement.
 - Staff will do bench scale testing of the carbon adsorption process. This project has already been planned and budgeted for as a part of the Asset Renewal Project but the bench scale testing will enhance design insight, establish design operational strategies, and quantify nutrient and energy conservation benefits to be described in the permitting process.
- Promoting and furthering the stated goals of the State of Iowa's Energy Plan by investigating the deployment of innovative wastewater treatment upgrades and processes that both require less energy and enhance the production of biogas/renewable natural gas.

FINANCIAL IMPACT:

This project will be funded through an Iowa Economic Development ARRA grant in the amount of \$200,000.00 with a City match of \$50,000.00 from CIP 539-204 "Sanitary Sewer Master Plan". A portion of the City's match will be "in kind", providing labor and resources to complete the project. A consultant will need to be hired to assist with some of the deliverables on this project.

Because this should meet the obligation of a follow-up Nutrient Reduction Strategy Report, costs to produce that report will not be incurred later.

The alternatives being studied in desktop evaluation, pilot testing and bench scale testing could directly or indirectly allow for additional biogas/renewable natural gas production.

Industries and domestic rate payers all gain benefit because the City would be identifying the low-cost alternatives for meeting the nutrient reduction strategy objectives in the most cost-effective way possible.

The rate payers would also benefit from the identification of optimal energy reduction alternatives to reduce energy consumption, which could be useful for their own pretreatment process, if needed.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Strategic Focus Area – Grow Sioux City

ALTERNATIVES:

Council could choose not to accept this grant opportunity.

ATTACHMENTS:

Resolution
ARRA Grant Agreement

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION AUTHORIZING THE UTILITIES DEPARTMENT TO ACCEPT A
ARRA (AMERICAN RECOVERY & REINVESTMENT ACT) GRANT IN THE
AMOUNT OF \$200,000.00 TO CONDUCT AN ENERGY MASTER PLAN AT THE
SIOUX CITY WASTEWATER TREATMENT PLANT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Utilities Department is hereby authorized and directed to accept an ARRA (American Recovery & Reinvestment Act) Grant in the amount of \$200,000.00, a copy which is attached hereto and by this reference made a part thereof, for an Energy Master Plan at the Sioux City Wastewater Treatment Plant.

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute said grant agreement for and on behalf of the City.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk



Office Use Only:

Project No: _____

Date Received: _____

American Recovery & Reinvestment Act (ARRA)

FINAL APPLICATION FOR SEP ARRA FUNDING

PLEASE EMAIL OR SUBMIT THE COMPLETED FINAL APPLICATION TO THE BELOW ADDRESS:

- ☐ ONE COPY OF THE FINAL APPLICATION WITH AN ORIGINAL SIGNATURE; PLEASE SEND TO:

RYAN YOUNG, PROJECT MANAGER
IOWA ECONOMIC DEVELOPMENT AUTHORITY
IOWA ENERGY OFFICE
200 E GRAND AVE
DES MOINES, IA 50309

- ☐ AN ELECTRONIC MS WORD DOCUMENT CAN ALSO BE E-MAILED TO:

RYAN.YOUNG@IOWAEDA.COM

SECTION 1: Applicant Information

Project Title: City of Sioux City Wastewater Treatment Plant Energy Master Plan	
Applicant Entity Legal Name: City of Sioux City, Iowa	
Applicant Entity Address: City, State, Zip Code: 405 6 th Street	
Proposed Project Address: City, State, Zip Code: Sioux City, Iowa 51102	
Telephone Number: 712-279-6957	Fax Number:
Project Manager/Contact: Mark Simms	Title of Project Contact: Director of Utilities
Website: www.sioux-city.org	E-mail Address: msimms@sioux-city.org
Federal Identification Number/ Tax Identification Number: 42-6005220	

SECTION 2: Budget

PROJECT BUDGET	
ANTICIPATED EXPENDITURES	TOTAL
Staff time – hours worked	\$30,000.00
- Pilot operation and maintenance - Water quality test - Data analysis and study coordination - Research review - Conference presentation	
Electricity/water/other utilities	\$7,000.00
Laboratory services on site and certified lab	\$20,000.00
- Water Quality Test Kits - Certified Lab Test Fees	
12-month contract for Annamox pilot study	\$120,000.00
- Equipment Rental/Lease - Initial set-up and start-up test - Technology Transfer - Weekly technical communication - Final report	
Consultant fee – hours worked (senior project manager, project engineers, process engineers)	\$70,000.00
- Biowin Process Model - Nutrient Reduction Strategy Alternatives Investigation - Energy Conservation Alternatives Investigation - Energy Conservation and Nutrient Reduction Master Plan - Facility Plan Update	
Conference and/or workshop participation, Report, Books, etc.	\$3,000.00
TOTAL*	\$250,000.00

SECTION 3: Deliverables

Project Timeline	Deliverables
Project 1 st Quarter	• Definition of historical and design flows and loading design criteria and construction of steady state Biowin process model. • Technology Decision/Choice for Anammox pilot testing
Project 2 nd Quarter	• Nutrient reduction strategy alternatives investigation technical memo • Identify target wastewater characteristics for Anammox pilot test • Preparation of Anammox pilot testing
Project 3 rd Quarter	• Energy conservation alternatives investigation technical memo • Start-up data for Anammox pilot testing • Carbon Absorption Bench Test Result
Project 4 th Quarter	• Nutrient Reduction Strategy Master Plan • Progress review communication if needed
Project 5 th Quarter	• Data for Anammox Pilot Testing
Project 6 th Quarter	• Generate Energy Master Plan • Complete Anammox pilot study and adjust reports if needed. • Apply new knowledge to update the Facilities Plan
End of Project	• Disseminate lessons learned through presentation at the regional conference

Section 4: Signature of Legally Authorized Representative

I, the undersigned, certify that the information provided in this pre-application is true and accurate to the best of my knowledge. I also acknowledge that I understand the following regarding the processes to receive financial assistance from the Iowa Energy Office:

- Appropriation of money is subject to the actual receipt of monies by the Iowa Energy Office.
- Eligible uses of the funds awarded may be limited, at the Energy Office's discretion.
- Approval for assistance is a multi-step process; request for submittal of a full application does not guarantee that the project will be funded.
- Additional information may be requested at any time.
- All information submitted with an application may be reviewed by other state agencies as appropriate.
- All documents submitted to the office are subject to Iowa Code Chapter 22 the Open Records Law. Information contained in this application will be available for public inspection unless confidential treatment is requested, and concurrently redacted documents are provided to the office for public evaluation.
- Negotiations will take place if the project is moved forward in the evaluation process, at that time the need for modification to the project may be requested.
- The Energy Office may obtain a third party technical, scientific or financial review of a proposal which may wholly or partially come at the applicant's expense. Technical reviews provided by the applicant do not guarantee funding.

 Robert E. Scott, Mayor

 Date

Is the applicant aware of any conflicts of interest that exist with any Iowa Energy Office members?

☐ Yes ☒ No

Is the applicant aware of any conflicts of interest that exist with any Iowa Energy Office members? **NO**

For a definition of conflict of interest, please see Iowa Code Chapter 469(8). Please list the Energy Office member in which you believe a conflict exists, and what you believe is the nature of the conflict:

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 11B

FROM: Amy Tooley, Housing Services Division Manager

SUBJECT: Resolution approving and accepting a Grant Agreement from the U.S. Department of Housing and Urban Development for FY 2018 Family Self Sufficiency Program Funding in the amount of \$138,759 for two FSS Program Coordinator Positions. (Grant No. FSS18IA2559-01-00)

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

RECOMMENDATION:

Staff respectfully requests the City Council approve the attached resolution accepting the Sioux City Housing Authority's grant award in the amount of \$138,759 for the FY 2018 Family Self Sufficiency Program to support renewal FSS Program Coordinator positions through the Department of Housing and Urban Development.

DISCUSSION:

On December 3, 2018, pursuant to Resolution Number 2018-0947, the City Council supported the Sioux City Housing Authority's application to the Department of Housing and Urban Development (HUD) for FY 2018 Family Self Sufficiency Program funds to support two renewal FSS Program Coordinator positions in the requested amount of \$138,759. The Sioux City Housing Authority was successful in the application process and \$138,759 has been awarded. The funds received will be used to renew two FSS Program Coordinator positions for CY2019.

Awards for the Family Self Sufficiency Program are made in the GrantSolutions (GS), Grants Management Module (GMM). The Grants Management Module is a web-based system that improves transparency for grants management activities by allowing authorized users to see the status of their completed actions online. In order to accept this Notice of Award, the grantees Authorizing Official (Housing Division Manager) is the official that will assist in managing the grant, must complete the Grants Solutions.gov, Grant Agreement by February 20, 2019. The Grant Award Agreement was accepted electronically to HUD on the GrantsSolutions website on February 15, 2019.

FINANCIAL IMPACT:

The FSS renewal funds received will continue to supplement the salaries of two FSS Program Coordinator positions.

RELATIONSHIP TO STRATEGIC PLAN:

Strategic Focus Area – Enhance Public/Private Partnerships
#7 Continue efforts to eliminate and prevent homelessness

ALTERNATIVES:

None.

ATTACHMENTS:

Resolution
FY 2018 Grant Agreement and Award Notice

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION APPROVING AND ACCEPTING A GRANT AGREEMENT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FY 2018 FAMILY SELF SUFFICIENCY PROGRAM FUNDING IN THE AMOUNT OF \$138,759 FOR TWO FSS PROGRAM COORDINATOR POSITIONS. (GRANT NO. FSS18IA2559-01-00)

WHEREAS, the Department of Housing and Urban Development has awarded the City of Sioux City Housing Choice Vouchers for the Family Self-Sufficiency Program and has announced the availability of funding for coordinators for such program; and

WHEREAS, on December 3, 2018, pursuant to Resolution No. 2018-0947, the City Council approved a Housing Choice Voucher Program application for two Housing Choice Voucher Family Self-Sufficiency Program Coordinators for the City of Sioux City Housing Authority; and

WHEREAS, the U.S. Department of Housing and Urban Development has submitted to the City a Grant Agreement in the amount of \$138,759, a copy of which is attached hereto and by this reference made a part hereof, which Grant Agreement should be approved and accepted as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Grant Agreement from the U.S. Department of Housing and Urban Development in the amount of \$138,759 for FY 2018 Family Self Sufficiency Program funding to support two renewal FSS Program Coordinator positions, as referred to in the preamble hereof, be and the same is hereby approved and accepted.

BE IT FURTHER RESOLVED that the Housing Division Manager be and she is hereby authorized and directed to accept said U.S. Department of Housing and Urban Development Grant Agreement electronically for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

1. DATE ISSUED MM/DD/YYYY 02/14/2019 1a. SUPERSEDES AWARD NOTICE dated except that any additions or restrictions previously imposed remain in effect unless specifically rescinded

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

2. CFDA NO. 14.896 - Family Self-Sufficiency Program

451 7th Street S.W.,
Washington, DC, DC 20410

NOTICE OF AWARD

3. ASSISTANCE TYPE Project Grant

4. GRANT NO. FSS18IA2559-01-00
Formerly

5. TYPE OF AWARD
Other

4a. FAIN FSS18IA2559

5a. ACTION TYPE New

6. PROJECT PERIOD MM/DD/YYYY
From 02/19/2019

Through MM/DD/YYYY
02/18/2020

7. BUDGET PERIOD MM/DD/YYYY
From 02/19/2019

Through MM/DD/YYYY
02/18/2020

8. TITLE OF PROJECT (OR PROGRAM)
Sioux City Housing Authority FSS Program

9a. GRANTEE NAME AND ADDRESS
SIOUX CITY, CITY OF
405 6th St
Sioux City, IA 51101-1211

9b. GRANTEE PROJECT DIRECTOR
Amy Tooley
405 6th Street, Suite 107, P.O. Box 447
Housing Services Division
Sioux City, IA 51102-0447
Phone: 712-279-6980

10a. GRANTEE AUTHORIZING OFFICIAL
Amy Tooley
405 6th Street, Suite 107, P.O. Box 447
Housing Services Division
Sioux City, IA 51102-0447
Phone: 712-279-6980

10b. FEDERAL PROJECT OFFICER
Tremayne Youmans
451 7th Street S.W.,
Washington, DC 20410
Phone: 8881112345

ALL AMOUNTS ARE SHOWN IN USD

11. AWARD COMPUTATION FOR GRANT

a. Amount of HUD Financial Assistance	138,759.00
b. Less Unobligated Balance From Prior Budget Periods	0.00
c. Less Cumulative Prior Award(s) This Budget Period	0.00
d. AMOUNT OF FINANCIAL ASSISTANCE THIS ACTION	138,759.00
12. Total Federal Funds Awarded to Date for Project Period	138,759.00

14. THIS AWARD IS BASED ON AN APPLICATION SUBMITTED TO, AND AS APPROVED BY, HUD ON THE ABOVE TITLED PROJECT AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:

- The grant program legislation cited in remarks or attachment below.
- The grant program regulations cited in remarks or attachment below.
- This award notice including terms and conditions, if any, noted below under REMARKS.

In the event there are conflicting or otherwise inconsistent policies applicable to the grant, the above order of precedence shall prevail. Acceptance of this award by the grantee acknowledges acceptance of these terms and conditions.

13. RECOMMENDED FUTURE SUPPORT

(Subject to the availability of funds and satisfactory progress of the project):

YEAR	TOTAL DIRECT COSTS	YEAR	TOTAL DIRECT COSTS
a. 2		d. 5	
b. 3		e. 6	
c. 4		f. 7	

REMARKS (Other Terms and Conditions Attached - ☒ Yes

☐ No)

GRANTS MANAGEMENT OFFICER:

Mr. Robert Mulderig
451 7th Street S W
Washington, DC 20410-0001
Phone: 2024024708

ISSUE DATE:

02/14/2019

GRANTEE ACCEPTANCE:

ACCEPTANCE DATE:

Amy Tooley
Amy Tooley

2/15/2019

15. OBJ CLASS 4120	16a. VENDOR CODE 426005220	16b. EIN	17. DUNS 007490998	18. CONG. DIST. 04
FY-ACCOUNT NO.	DOCUMENT NO.	ADMINISTRATIVE CODE	AMT ACTION FIN ASST	APPROPRIATION
19. a. 9-18SFSC01	b. FSS18IA2559	c. FSS	d. \$138,759.00	e. 86 1819 0350
20. a.	b.	c.	d.	e.
21. a.	b.	c.	d.	e.

AWARD ATTACHMENTS

SIOUX CITY, CITY OF

FSS18IA2559-01-00

1. Fiscal Year 2018 FSS Grant Agreement

FISCAL YEAR 2018

FAMILY SELF-SUFFICIENCY PROGRAM GRANT AGREEMENT (CFDA Number: 14.896)
(Attachment to NOTICE OF AWARD)

ARTICLE I: BASIC GRANT INFORMATION AND REQUIREMENTS

1. Award type: This is a cost-reimbursable, performance-based grant.
2. The Grantee's application and the HUD grant approval letter, including any special conditions, are incorporated into this agreement.
3. This agreement shall be effective immediately upon electronic signature of the grantee.
4. Period of performance: The period of performance will be 12 months. *For FY18, this will be 2/19/19 – 2/18/20. PLEASE NOTE:* Funds (from this grant or previous FSS grants) not expended by the time that the FY19 grant awards go into effect MAY BE recaptured by HUD. HUD will work with grantees to determine the most efficient use of granted funds.
5. This Grant Agreement will be governed by the following as they may from time to time be amended: the HUD Appropriations Acts, the United States Housing Act of 1937 as amended, the FY 2018 FSS NOFA dated 10/30/18, the Code of Federal Regulations (CFR) 24 CFR Part 24, 24 CFR Part 984, 24 CFR Part 200 any applicable OMB Regulations or Circulars, and Handbooks and Notices issued by HUD.
6. In executing this agreement, the Grantee agrees to abide by the provisions contained within all applicable Federal laws, Executive Orders, OMB Circulars, specifically OMB Circular A-110, any assurances and certifications in the final HUD-approved application (the original approved application may have required amendments by the field/applicant), and 24 CFR Part 984, as applicable.

ARTICLE II: HUD REQUIREMENTS

SUB-ARTICLE A – GRANT ADMINISTRATION, CONDITIONS REQUIRING TERMINATION OF FUNDING

1. The Grantee shall participate in meeting(s) (if requested by HUD) with HUD's local field office for the purpose of establishing a common understanding and strategy with respect to grant administration, timeline, deliverables, grant objectives, performance measures, and the scope of work necessary to achieve grant objectives.
2. The Grantee shall furnish all necessary personnel, materials, services, equipment, and facilities and shall otherwise do all things necessary for, or incidental to, the performance of the activities and tasks set forth in the approved application, and this Grant Agreement (except as otherwise specified).
3. **Per § 200.458 Pre-award costs.** *Pre-award costs are those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency.*

1 Grantees may request reimbursement for eligible costs incurred between 1/1/19 and the start of the
2 performance period of this FY18 FSS grant where such costs were necessary for the efficient and timely
3 performance of eligible activities under a FY17 FSS grant. **Grantees must contact their field office**
4 **within 60 days of the start of the performance period to request approval for pre-award**
5 **reimbursement.** Any reimbursements must comply with 2 CFR 200.458 and are at HUD's sole
6 discretion.

7
8 4. The work to be performed under this Grant Agreement is outlined in the NOFA.

9
10 5. The grant funds shall be used only for eligible activities. Where a narrative is required, the local
11 HUD Field Office may request additional information or documentation to clarify or verify items
12 included in the written narrative submitted by the grantee.

13
14 a. **HCV or PH Program Functions:** *Per the FY 2018 FSS NOFA*, FSS funds may be used to
15 perform routine HCV and/or PH program functions but only if the use of the FSS funds
16 enhances the effectiveness of the FSS program. The performance of routine HCV/PH
17 program functions may not be such that it impedes the ability of the FSS Coordinator(s) to
18 effectively perform FSS functions. Performance of routine HCV and/or PH functions for non-
19 FSS families does not enhance the effectiveness of the FSS program and is therefore an
20 ineligible use of FSS funds. Additionally, while FSS funds may be used to perform
21 homeownership functions for FSS families, this may not be the sole function for which funds
22 are used. Refer to the FY 2018 FSS NOFA for more information on eligible and ineligible
23 uses of funds.

24 i. *Grantees requesting to use FSS funds for HCV/PH program functions must*
25 *submit, to its local HUD Field Office, a narrative justification, explaining the*
26 *routine HCV and/or PH program function(s) performed by the FSS coordinator,*
27 *how it will enhance the effectiveness of the FSS program, and why it does not*
28 *impede the ability of the FSS Coordinator(s) to effectively perform FSS functions.*
29 *The grantee must also certify that the function(s) is not performed for non-FSS*
30 *families.*

31
32 b. **Family Self-Sufficiency Guidebook and Online Training:**

33 i. Grantees are strongly encouraged to review *Administering an Effective Family Self-*
34 *Sufficiency Program: A Guidebook Based on Evidence and Promising Practices.*
35 This guidebook provides FSS Coordinators, PHA and HUD staff with guidance on
36 how to develop and administer a successful and effective FSS program. A weblink to
37 this resource can be found on HUD's FSS homepage.

38 https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/fss

39
40 ii. Per the FY18 FSS NOFA, **Mandatory FSS Training**, *HUD has developed an Online*
41 *Training and Guidebook on the FSS program to provide guidance on how to develop*
42 *and administer a successful FSS program. You must have at least one person from*
43 *your PHA complete the FSS online training and submit the "get credit" form. You are*
44 *not required to submit any documentation with your application to show that you*
45 *have received credit for the training. We will pull a list of all individuals that have*
46 *received credit for completing the training from HUD Exchange at the time of grant*
47 *award. If you are not on the list generated from HUD Exchange at the time of*

1 *grant award, all grant funds will be held by the Field Office until proof of course*
2 *completion is submitted to the Field Office.*

3
4 The training can be found here

5 <https://www.hudexchange.info/trainings/courses/family-self-sufficiency-training/>
6

7 c. **Administrative and Training Costs:** *Per the FY 2018 FSS NOFA, administrative and*
8 *training costs may be allowable costs subject to the provisions as described in Section ii.A.1*
9 *of the NOFA. Funds awarded under this NOFA that are projected to remain unexpended by*
10 *the end of the grant period for adequate reasons (such as FSS coordinator turnover or*
11 *prolonged absence) may also be used for eligible administrative and training costs related to*
12 *the FSS program, subject to prior HUD approval and a cap of 10% of the total award*
13 *amount. (For example, if the grantee was awarded a \$45,000 grant, no more than \$4,500 of*
14 *this total may be approved for eligible administrative and training costs.) Such administrative*
15 *and training costs must be related to the FSS program and attributable to the PHA (not to the*
16 *family).*

- 17
18 i. Examples of eligible administrative expenses include, but are not limited to, mileage
19 costs for visits to FSS families in relation to the FSS coordinator's case
20 management/coaching functions and cost of FSS outreach materials.
21
22 ii. Examples of ineligible administrative costs include, but are not limited to, security
23 deposits, landlord incentives, and food and beverages.
24
25 iii. Examples of eligible training expenses include, but are not limited to, training
26 materials, and/or cost of registration for trainings related to case management, service
27 coordination, and economic self-sufficiency.
28

29 d. **Request to Use Funds for Administrative/Training Costs:** PHAs seeking to use funds for
30 these purposes must seek prior approval from their local HUD Field Office before the grant
31 period closes. *If a PHA submits a request to use funds for administrative and/or training*
32 *costs during the first, second, or third quarter of the grant period, the PHA will have until the*
33 *end of the grant period to expend funds or funds will be recaptured at the end of the one-year*
34 *grant period. If a PHA submits a request to use funds for administrative and/or training costs*
35 *during the last quarter of the grant period, the PHA will have up to 3 months after the grant*
36 *period to expend funds or funds will be recaptured.*
37

- 38 i. Grantees requesting to use unexpended funds for administrative/training costs must
39 also submit, to its local HUD Field Office, a narrative justification explaining the
40 cause for the unexpended funds, the amount of funds requested, what and how the
41 funds will be used, including how it is related to the FSS program and attributable to
42 the PHA (not the family).
43

44 6. Should any of the following conditions arise, grantees are required to submit in writing any changes
45 to the previously-approved grant to the appropriate local HUD field office personnel:

- 46 a. Any change in the scope, objective, or conditions of the program.
47

- b. Changes in any subcontracting, or otherwise obtaining the services of a third party to perform activities that are central to the purposes.
- c. Other changes that may adversely affect the program.

7. Grantees needing to extend the term of their grant in order to fully accomplish their goals should request an extension in writing sixty calendar days prior to the grant termination date. This grant extension must also be pursuant to 2 CFR Part 200.309(d). The request must be submitted to the field office for review and approval. Extensions will generally only be granted if no funding is awarded to the grantee in the following year. The Grantee must also:

- a. Submit a narrative justification explaining why the extension is needed, how much additional time will be required, the circumstances that require the proposed extension, the work that will be conducted during the extension period, and the effect a denial would have on the program. The local HUD field office may request additional information or documentation to clarify or verify the items included in the written narrative submitted by the grantee to support the extension.
- b. Have satisfied all special conditions of the grant agreement except those that would be fulfilled in the remaining period of the grant. This includes the performance and resolution of audit findings in a timely manner.

Grantees should be aware that any extensions (other than those caused by HUD funding cycles) may result in a negative impact on the Past Performance review in future grant applications.

8. Any changes requested by the Grantee must be in writing (emails are acceptable). HUD will approve/reject requested changes as appropriate. Generally, HUD will approve such requests within 30 days of submission. Approved changes will be reflected by an amendment to this Grant Agreement and any other documentation as directed by HUD. Amendments will become effective when the Grantee has electronically signed the amending documents.

9. In general, if the Grantee's program is not implemented within 60 days of the start of the performance period, the Grantee must report in writing to the appropriate HUD field office of the steps taken to initiate the program, resulting changes to the timetable, the reason for the delay, and the expected starting date. Any timetable revisions as a result of the delay must be included for HUD approval. Renewal grantees are not subject to this implementation requirement. However, renewal grantees must start drawing down the 2018 funds within 30 days of the period of performance start date (see Article I, Number 4 above), unless the grantee justifies in writing to the appropriate HUD field office the delay in drawdown of funds. Also, see Sub-Article B, Number 3 below. **NOTE:** Failure to comply with this requirement may result in termination of this agreement and recapture of grant funds. **PLEASE NOTE:** All 2018 FSS grantees pursuant to this NOFA are considered renewal grantees.

10. HUD may terminate funding if the Grantee demonstrates an unwillingness or inability to implement and maintain the program; does not use procedures that will minimize the time elapsing between drawdowns and disbursements of grant funds; does not adhere to agreement requirements or special conditions; engages in the improper award or administration of grant subcontracts; does not submit required reports; or produces unacceptable deliverables.

SUB-ARTICLE B: FINANCIAL RESPONSIBILITIES

1. Prior to initial drawdown of funds, all Grantees must have secured online access to the Internet as a means to communicate with HUD on grant matters. Applicants shall draw down funds using the electronic Line of Credit Control System (e-LOCCS)
2. As applicable, the Grantee agrees to comply with the organizational audit requirements of OMB at 2 CFR Part 200 including audit requirements. The final audit report must cover the entire period of the grant. The audit must be submitted to HUD no later than **30 days** after the grant is closed, covering the entire award period originally approved or amended. All other requirements of 2 CFR Part 200 shall apply. For grantees where an audit is required, a single audit or a program-specific audit is acceptable. If a grantee chooses a single audit, the final audit report that includes this grant is due no later than **30 days** after the single audit is completed. *According to 2 CFR 200.501, grantees that expend less than \$750,000 in federal awards are exempt from the audit requirement, but records must be available for review or audit.*
3. The Grantee shall minimize the time elapsing between the transfer of funds from HUD and the disbursement of funds. The HUD funds are to be made available based on actual need. The Grantee must make a drawdown *only* for incurred costs. Drawdowns in excess of need may result in special procedures for payments, or termination of the grant when there are persistent violations. Funds requisitioned through LOCCS must be disbursed within **three calendar days after receipt of funds drawdown.**

SUB-ARTICLE C: METHOD OF PAYMENT [FUNDS DRAWDOWN]

1. The Grantee may not draw down grant funds until all pre-conditions listed in the Notice of Award, this Grant Agreement, the NOFA or in the award letter, are completed by the grantee and verified by HUD.
2. Payments of grant funds shall be through electronic funds transfer using e-LOCCS. Initial drawdown cannot be earlier than the start date of the grant term.
3. **E-LOCCS Program Edits.**
 - a. E-LOCCS will automatically perform a series of review edits (both generic and program specific) of each payment request. Failure of one of the program edits will cause the payment request to be referred to the HUD field office for review.
 - b. The HUD field office will complete the review. The request will remain in the system and further drawdowns will not be allowed until that review is complete and the drawdowns approved or rejected.
 - c. The Grantee shall immediately contact the HUD field office when there is a question regarding the request or when the request has been referred to the HUD program office for review. A request will be referred to the program office for review when:
 - i. There are requests for over 10% of total grant funds per calendar month;

- 1 ii. Failure to submit an annual HUD form SF-425 - *Financial Status Report*, as defined
2 by this agreement and 2 CFR part 200. E-LOCCS shall not accept a request for funds
3 if required reports from the Grantee are ten or more days overdue and will not accept
4 future requests until the HUD field office confirms receipt and approval of the reports
5 in e-LOCCS.
6
7 iii. If the Grantee repeatedly fails to submit required forms, e-LOCCS will be converted
8 to a system in which the HUD Field Office will **manually** review each drawdown
9 request prior to releasing funds to the Grantee.

10 **SUB-ARTICLE D: AUTHORIZED FUNDS BY BUDGET LINE ITEM NUMBER**

- 11 1. Please see Article II, Sub-Article A, Numbers 4 and 5 above.
- 12 2. The Grantee's budget consists of three Budget Line Items (*1868 and 1268 will begin as \$0 and will*
13 *only be changed upon approval of a request See Article II, Sub-Article A, Number 5 above*):
14
15 1168 – FSS Coordinator (salary & fringe)
16 1868 – Administrative Costs
17 1268– Training Costs

18 **SUB-ARTICLE E: REPORTING REQUIREMENTS**

19 The Grantee must evaluate its activities and submit a SF-425 to HUD. The SF-425 shall be submitted
20 to the Grantee's Public Housing Director in the recipient's local HUD field office no later than 30
21 days after the end of the performance period, unless granted an extension by HUD. The reporting
22 period will cover the performance period (see Article I, Number 4 above). Grantees must also ensure
23 that reporting on Section 17 of the HUD-50058 is correct and up to date within the PIC system.

- 24 1. HUD shall determine the Grantee's progress based upon a review of HUD-50058 Section 17 data
25 submitted to PIC as well as compliance with financial and reporting requirements.
- 26 2. The HUD field office shall maintain official records on the Grantee's performance measures and its
27 progress reports. However, the Grantee must also maintain such records, including the SF-425, HUD
28 review, and/or evaluations.
- 29 3. Documentation. Grantees shall maintain documentation in participant files (paper or electronic) that
30 corroborates the achievement of each interim and final goal in the Contract of Participation such that
31 an outside auditor could verify the fulfillment of the Contract of Participation. This could include
32 certificates of completion, test scores, pay stubs, receipts or other third-party verification as available
33 or personal certifications if third-party verification is not available.

34 **SUB-ARTICLE F: ADMINISTRATIVE REQUIREMENTS**

- 35 1. Grantees must comply with all current HUD program rules and regulations.

2. The Grantee shall maintain, and have access to, copies of documents relating to the award and administration of this grant for at least three years after final closeout date of the grant for inspection by HUD, the General Accounting Office, or their duly authorized representatives.
 3. The accounting systems of the Grantee must ensure that HUD funds are not co-mingled with funds from other Federal, State, Tribal, or local government agencies or other HUD program funds. Funds specifically budgeted and/or received for one program may not be used to support or reimburse another. Where the Grantee's accounting system cannot comply with this requirement, the Grantee must establish a system to provide adequate fund accountability for each program for which it has been awarded funds. The Grantee's selection of depository facility (such as a bank for example) shall be compliant with Federal regulations and have insurance from the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund to insure the established account.
 4. The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility:
 - a. Administrative requirements of 2 CFR Part 200. These include procurement requirements, as applicable.
 - b. Grantees are required to comply with the Cost Principles set forth in 2 CFR Part 200, Subpart E.
 5. Equal Opportunity Requirements. Grant funds must be used in accordance with the following:
 - a. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.
 - b. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.
 - c. The requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.
 6. The regulations in 24 CFR 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.
 7. Drug-free Workplace Requirements (Grants) in 2 CFR 2424.
 8. Restrictions on participation by ineligible, debarred or suspended persons or entities at 2 CFR Part 2424, Subparts A through J, which are applicable to contractors and subgrantees.
- Other applicable regulations.

- 1 9. The Grantee's computer systems must operate in accordance with HUD's computer systems and
2 software to facilitate any and all electronic documents for conversion to HUD computer systems and
3 software. That is, when sending/transferring documents, e-mail, or CDs to HUD, the systems must be
4 compatible so that HUD receives an exact copy.
5
- 6 10. The Grantee's computer and information systems must be able to access HUD's website(s) so that
7 data can be inputted as may be required by the grant; information can be retrieved; and funding
8 through HUD's E-LOCCS system may be accessed.
9

10 **SUB-ARTICLE G: GRANT CLOSEOUT**

- 11
- 12 1. Code of Federal Regulations (CFR), 2 CFR Part 200 prescribes uniform closeout procedures for
13 Federal cooperative agreements/grant agreements.
14
- 15 2. It is the responsibility of the Grantee to comply in full with all closeout-reporting requirements and to
16 submit closeout reports in a timely manner.
17
- 18 3. The Grantee shall initiate project closeout within 30 days of the grant's termination date. At HUD's
19 option, the Grantee may delay initiation of project closeout until the resolution of any HUD
20 monitoring findings. If HUD exercises this option, the Grantee must promptly resolve the findings.
21
- 22 4. The Grantee recognizes that the closeout process may entail review by HUD to determine compliance
23 with the grant agreement. The Grantee shall cooperate with any and all reviews which may include
24 making available records requested for on-site HUD inspection.
25
- 26 5. Within **30 days** after the end date of the grant or any approved extension (revised end-date), the
27 following documents must be submitted by the Grantee to the HUD field office:
28
 - 29 a. A certification of project completion which is a statement signed by the grantee.
 - 30
 - 31 b. A certification of compliance with all requirements of the grant agreement which is a
32 statement signed by the grantee
33
 - 34 c. **Financial Report (SF-425) (see Sub-Article E).** For FSS, the Grantee submits an SF-425
35 for the 12-month period of the grant. This submission also serves as the grant's final report
36 which is a cumulative summary of expenditures to date and must indicate the exact balance of
37 unexpended funds. (The report shall cover the grant start date to the end of grant). When the
38 final HUD form SF-425 is approved, the HUD field office will establish the amount due to
39 HUD or cancel (recapture) any unused grant funds as applicable.
40
- 41 6. When the HUD field office has determined to its satisfaction that the grant activities were completed
42 and all Federal requirements were satisfied, the HUD field office will execute a closeout amendment
43 to the Grant Agreement with the Grantee.
44
- 45 7. The Closeout Agreement or clause will include the Grantee's agreement to abide by any continuing
46 Federal requirements.
47

- 1 8. Failure to submit the required financial report or any required audit report; or to resolve program,
2 financial or audit issues, may result in a suspension or termination of any and/or all HUD grant
3 payments.
4

5 **SUB-ARTICLE H: DEFAULT**
6

- 7 1. **Definition.** A default under this Agreement shall consist of *using grant funds for a purpose other*
8 *than as authorized by this agreement*; any noncompliance with legislative, regulatory, or other
9 requirements applicable to this Agreement; any other material breach of this Agreement; or any
10 material misrepresentation in the application submissions.
11
- 12 2. **HUD Preliminary Determination of Default.** If HUD makes an initial determination that the
13 Grantee is in default, HUD will give the Grantee written notice of this determination and of the
14 corrective or remedial action the Grantee must take in order to avoid default. The Grantee shall have
15 an opportunity to demonstrate, per HUD Handbook 2210.17, and on the basis of substantial facts and
16 data, that it is not in default, or that the proposed corrective or remedial action is inappropriate or
17 unnecessary, before HUD implements the remedial action.
18
- 19 3. If HUD determines that there is an imminent probability that the Grantee will continue to expend
20 grant funds contrary to this agreement unless HUD takes immediate action, HUD may, at the time of
21 written default notification to the Grantee, order a remedial action appropriate to prevent such
22 expenditure.
23
- 24 4. Corrective or remedial actions that HUD may order under this Agreement include, but shall not be
25 limited to, the following:
26
- 27 a. Requiring the Grantee to prepare and follow a HUD approved schedule of actions and/or
28 a plan for properly completing the activities approved under the grant;
29
 - 30 b. Discontinuing drawdowns under e-LOCCS and prohibiting payment or reimbursement
31 for any grant activities or, if more appropriate, for only those activities affected by the
32 default; and
33
 - 34 c. Requiring reimbursement by the Grantee to HUD for grant amounts used improperly.
35
- 36 5. **Grantee Failure to Remedy Default.** Where HUD determines that remedial actions required by
37 HUD to be taken by the Grantee have not been undertaken as instructed, or will not be effective in
38 correcting the default and to prevent further default, HUD may take the following additional
39 corrective and remedial actions under this Agreement:
40
- 41 a. Put a hold on draws from e-LOCCS pending HUD manual review and approval of every
42 drawdown request and permit draws only on a reimbursement basis.
43
 - 44 b. Suspend the Grantee's authority to make drawdowns for affected activities for no more
45 than ninety (90) days pending action to cure the default and to prevent further default by
46 the Grantee, or pending final remedial action by HUD.
47
 - 48 c. Reduce the grant in the amount affected by the default;

- d. Terminate the grant and initiate closeout procedures;
- e. Take action against the Grantee under 24 CFR Part 24 with respect to future HUD or Federal grant awards;
- f. Require reimbursement by the Grantee to HUD for grant amounts used improperly; and
- g. Take any other remedial action legally available.

SUB-ARTICLE I: GRANT MODIFICATION OR TERMINATION BY AGREEMENT BETWEEN HUD AND GRANTEE

1. HUD and the Grantee may mutually agree to modify this agreement as to time, cost, or activity by using the Notice of Award and/or grant agreement in whole or in part, at any time.
2. HUD or the Grantee, in accordance with 2 CFR Part 200 may terminate the agreement for convenience, after 30 days advance written notice, if it is in the best interest of any of the parties. The termination notice must specify the reason for the termination action and the proposed effective date.

SUB-ARTICLE J: DISPUTES

During the performance of this grant, disagreements may arise between the Grantee and HUD on various issues. In accordance with 2 CFR 200.341, if a dispute concerning a question of fact arises, after hearing from the Grantee, the HUD Field Office Director shall prepare a final decision, taking into account all facts and documentation presented. The decision shall be mailed to the Grantee. The Grantee may appeal any decision by letter to the local HUD Field Office Director, Public Housing Division/Office of Native American Programs of the HUD office administering this Grant Agreement. The decision of the Field Office Director shall be final.

ARTICLE III: GRANTEE PERFORMANCE

HUD will judge performance based upon whether the Grantee achieves the agreed upon activities within grant time limits and within budget and whether the Grantee has produced tangible results through the implementation of grant activities.

ARTICLE IV: GRANTEE MISREPRESENTATION

The Grantee or any subcontractor to the Grantee bound by this instrument who makes or causes to be made a false statement, claim, or misrepresentation, which the Grantee or entity knows or has reason to know is false, may be imprisoned and/or fined in accordance with civil or criminal penalties and/or fines applicable under law, including Title 18 of the United States Code (U.S.C.), Title 31, et seq. (Program Fraud Civil Remedies Act) and any other applicable provisions of Federal, State or local law.

☒	Regular Session
☐	Study Session
☐	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019 **ACTION ITEM #** 12A

FROM: Gordon Phair, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the Cheyenne Blvd Watermain Repair Project (Project No. 7029-519-164).

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

RECOMMENDATION:

Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the Cheyenne Blvd Watermain Repair Project (Project No. 7029-519-164).

DISCUSSION:

City Engineering has completed plans and specifications for the Cheyenne Blvd Watermain Repair Project. The project is located at the intersection of Cheyenne Blvd and Lief Drive. The project includes the construction of watermain to link existing segments to improve the ability to maintain the adjacent watermain segments, the installation of a new fire hydrant for improved fire protection and improved water quality, and the replacement of street paving required to link the adjacent watermain segments.

Staff is ready to publish the Notice of Public Hearing on March 2, 2019 and March 9, 2019, and advertise the Notice to Bidders on February 27, 2019. A public hearing will be held on March 18, 2019. Bids will be received on March 19, 2019. This project shall be completed within 14 working days, which is anticipated to be in July of 2019.

FINANCIAL IMPACT:

This project is funded using transfers in water funds under CIP 519-164 Annual Unspecified Water Distribution System Improvements. The Engineer's opinion of probable construction cost for the work is \$28,095.00. The project currently has an available balance of \$100,991.96.

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 of Taking Bids

Notice of Public Hearing

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
CHEYENNE BLVD WATERMAIN REPAIR PROJECT (PROJECT NO. 7029-519-
164).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the Cheyenne Blvd. Watermain Repair Project, in Sioux City, Iowa; and

WHEREAS, the City Engineering Division 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 plans, specifications, form of contract, and estimated cost, as prepared by the City Engineering Division on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the Cheyenne Boulevard Watermain Repair Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, March 18, 2019, in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the same as required by law, at which hearing any interested person may appear and file objections to the proposed plans, specifications, form of contract and estimated cost in the amount of \$28,095.00 for said improvements.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 o'clock P.M., Local Time, March 19, 2019 for the proposed construction of said improvements.
- C. The time of 1:00 o'clock P.M., Local Time, March 19, 2019, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
- E. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City's Engineering website, located at <https://sioux-city.org/engineering>.

- F. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Public Hearing to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE CHEYENNE
BLVD WATERMAIN REPAIR PROJECT (7029-519-164) IN SIOUX CITY,
IOWA.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, March 19, 2019, for the construction of the project, as described in the construction documents. The project is located at the intersection of Cheyenne Boulevard and Lief Drive. The project includes the construction of watermain to link existing segments to improve the ability to maintain the adjacent watermain segments, the installation of a new fire hydrant for improved fire protection and improved water quality, and the replacement of street paving required to link the adjacent watermain segments.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on March 19, 2019. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

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

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

The Notice of Public Hearing will be published in the Sioux City Journal on March 2, 2019 and March 9, 2019.

This project shall be completed within 14 working days, which is anticipated to be in July of 2019.

Specifications for this project shall be the 2019 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2017 version of the City of Sioux City Supplement.

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

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

Post on the Construction Update Plan Room Network's website at www.mbionline.com and on the City's website at www.siuox-city.org/engineering on February 27, 2019.

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE CHEYENNE BLVD WATERMAIN REPAIR PROJECT (PROJECT NO. 7029-519-164), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on March 18, 2019 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of \$28,095.00, (the construction documents) for the construction of the Cheyenne Blvd Watermain Repair Project in Sioux City, Iowa. At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. The public improvement project is located at the intersection of Cheyenne Boulevard and Lief Drive. The project includes the construction of watermain to link existing segments to improve the ability to maintain the adjacent watermain segments, the installation of a new fire hydrant for improved fire protection and improved water quality, and the replacement of street paving required to link the adjacent watermain segments.

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

Publish in the Sioux City Journal March 2, 2019 and March 9, 2019.

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 12B

FROM: Gordon Phair, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the South Alice Street and Linden Way Watermain Repair Project (Project No. 7019-519-164).

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

RECOMMENDATION:

Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the South Alice Street and Linden Way Watermain Repair Project (Project No. 7019-519-164).

DISCUSSION:

City Engineering has completed plans and specifications for the South Alice Street and Linden Way Watermain Repair Project. This project includes the construction of new street paving, driveways, upsizing of watermain to current 8" standards, sanitary sewers, storm sewers, and service connections at South Alice Street and Linden Way and along South Alice Street to Peters Avenue.

A watermain break at the intersection of South Alice Street and Linden Way damaged surrounding City storm and sanitary sewer utilities in addition to damaging and undermining paving. This project will make full repairs to the intersection and upgrade the existing 6" watermain to the current 8" standard through the City for new construction.

Staff is ready to publish the Notice of Public Hearing on March 2, 2019 and March 9, 2019, and advertise the Notice to Bidders on February 27, 2019. A public hearing will be held on March 18, 2019. Bids will be received on March 19, 2019. This project shall be completed within 65 working days, which is anticipated to be in September of 2019.

FINANCIAL IMPACT:

This project is funded using transfers in water funds under CIP 519-127 Emergency Watermain Repairs. The Engineer's opinion of probable construction cost for the work is \$271,480.33. The project currently has an available balance of \$322,473.99.

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 of Taking Bids

Notice of Public Hearing

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
SOUTH ALICE STREET AND LINDEN WAY WATERMAIN REPAIR PROJECT
(PROJECT NO. 7019-519-164).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the South Alice Street and Linden Way Repair Project, in Sioux City, Iowa; and

WHEREAS, the City Engineering Division 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 plans, specifications, form of contract, and estimated cost, as prepared by the City Engineering Division and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the South Alice Street and Linden Way Watermain Repair Project, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, March 18, 2019, in the City Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, be, and the same is hereby fixed as the time and place for a public hearing on the same as required by law, at which hearing any interested person may appear and file objections to the proposed plans, specifications, form of contract and estimated cost in the amount of \$271,480.33 for said improvements.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 o'clock P.M., Local Time, March 19, 2019 for the proposed construction of said improvements.
- C. The time of 1:00 o'clock P.M., Local Time, March 19, 2019, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
- E. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City's Engineering website, located at <https://sioux-city.org/engineering>.

- F. The City Clerk of the City of Sioux City, Iowa, shall cause the attached Notice of Public Hearing to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE SOUTH ALICE STREET AND LINDEN WAY WATERMAIN REPAIR PROJECT (PROJECT NO. 7019-519-164), IN SIOUX CITY, IOWA.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, March 19, 2019, for the construction of the project, as described in the construction documents. The project is located at South Alice and Linden Way and along South Alice Street to Peters Avenue and includes the construction of new street paving, driveways, upsizing of watermain to current 8" standards, sanitary sewers, storm sewers, and service connections.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on March 19, 2019. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

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

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

The Notice of Public Hearing will be published in the Sioux City Journal on March 2, 2019 and March 9, 2019.

This project shall be completed within 65 working days, which is anticipated to be in September of 2019.

Specifications for this project shall be the 2019 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2017 version of the City of Sioux City Supplement.

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

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

Post on the Construction Update Plan Room Network's website at www.mbionline.com and on the City's website at www.siox-city.org/engineering on February 27, 2019.

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE SOUTH ALICE STREET AND LINDEN WAY WATERMAIN REPAIR PROJECT (PROJECT NO. 7019-519-164), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on March 18, 2019 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of \$271,480.33, (the construction documents) for the construction of the South Alice Street and Linden Way Watermain Repair Project in Sioux City, Iowa. At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. The public improvement project is located at South Alice and Linden Way and along South Alice Street to Peters Avenue and includes the construction of new street paving, driveways, upsizing of watermain to current 8" standards, sanitary sewers, storm sewers, and service connections.

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

Publish in the Sioux City Journal March 2, 2019 and March 9, 2019.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 13A

FROM: Chris Myres, Economic Development Specialist

SUBJECT: Resolution Approving Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement (14-TJ-003) with the Iowa Economic Development Authority and Bomgaars Supply, Inc. and Authorizing the Execution Thereof (1805 Zenith Drive)

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

RECOMMENDATION:

Staff respectfully requests the City Council approve the above resolution.

DISCUSSION:

In 2014, the Council approved a Targeted Jobs Withholding Tax Credit Program Withholding Agreement with the Iowa Economic Development Authority (IEDA) and Bomgaars Supply, Inc. to facilitate the expansion of Bomgaars' Sioux City distribution center. The agreement provided \$433,000 in state withholding tax credits to Bomgaars in exchange for the retention and creation of 177 jobs and a qualifying investment of approximately \$4,500,000.

Bomgaars requested a contract extension to allow additional time to claim the withholding tax credits awarded to the project. The attached contract amendment was approved by IEDA at their January board meeting. Approval of the amendment will allow Bomgaars until December 31, 2019 to meet job requirements and claim the withholding tax credits awarded to the project.

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

A part of the Economic Opportunities Vision: *We will work with current businesses to create job growth and aggressively seek out opportunities to attract new economic growth.*

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution

IEDA Contract Amendment

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING AMENDMENT NUMBER ONE TO THE TARGETED JOBS WITHHOLDING TAX CREDIT PROGRAM WITHHOLDING AGREEMENT (14-TJ-003) WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY AND BOMGAARS SUPPLY, INC. AND AUTHORIZING THE EXECUTION THEREOF (1805 ZENITH DRIVE)

WHEREAS, Bomgaars Supply, Inc. expanded its distribution center at 1805 Zenith Drive in 2014; and

WHEREAS, on August 11, 2014, pursuant to Resolution No. 2014-0557, the City of Sioux City, the Iowa Economic Development Authority, and Bomgaars Supply, Inc. entered into a Targeted Jobs Withholding Tax Credit Program Withholding Agreement to provide assistance to Bomgaars Supply, Inc.; and

WHEREAS, said Targeted Jobs Withholding Tax Credit Program Withholding Agreement included milestones for job creation and retention as well as for claiming withholding tax credits awarded to Bomgaars Supply, Inc.; and

WHEREAS, the parties desire to amend said Targeted Jobs Withholding Tax Credit Program Withholding Agreement to extend the time to claim the withholding tax credits awarded to the project to December 31, 2019; and

WHEREAS, there is attached hereto and by this reference made a part hereof, a Contract Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement extending the time to claim the withholding tax credits awarded to the project to December 31, 2019, which Contract Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Contract Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement with the Iowa Economic Development Authority and Bomgaars Supply, Inc. extending the time to claim the withholding tax credits awarded to the project to December 31, 2019, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute said Amendment Number One to the Targeted Jobs Withholding Tax Credit Program Withholding Agreement for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

CONTRACT AMENDMENT

RECIPIENT: Bomgaars Supply, Inc.
MASTER CONTRACT #: 14-TJ-003
AMENDMENT #: 1
EFFECTIVE DATE: January 25, 2019

THIS CONTRACT AMENDMENT is made by and among the **IOWA ECONOMIC DEVELOPMENT AUTHORITY**, (hereafter "IEDA"), 200 East Grand Avenue, Des Moines, Iowa 50309, an agency of the State of Iowa, **Bomgaars Supply, Inc.** (Recipient), 1805 Zenith Drive, Sioux City, IA 51103 and the **City of Sioux City (Community)**, 405 6th Street, P.O. Box 447, Sioux City, IA 51102.

WHEREAS, Recipient, has requested that the Maintenance Period Completion Date be extended to allow more time to claim the Targeted Jobs Withholding Tax Credit, and

WHEREAS, the **IEDA BOARD** approved an extension, effective as of the Effective Date stated above, and

NOW, THEREFORE, the Contract referenced above is amended as follows:

1. REVISION OF EXHIBIT D: "JOB OBLIGATIONS." Exhibit D is amended to revise the Maintenance Period Completion Date. Details of this change are reflected in the attached Revised Exhibit D which is hereby incorporated by this reference and made a part of this Contract Amendment.

FOR RECIPIENT:

FOR IEDA:

SIGNATURE

Deborah V. Durham, Director

Torrey Wingert, CFO

PRINT/TYPE NAME, TITLE

FOR COMMUNITY:

SIGNATURE

Robert E. Scott, Mayor

PRINT/TYPE NAME, TITLE

EXHIBIT D – JOB OBLIGATIONS
Revised January 2019

Recipient: Bomgaars Supply, Inc.
Community: City of Sioux City
Contract Number: 14-TJ-003

This Project has been awarded benefits from the Targeted Jobs Withholding Tax Credit Program. The chart below outlines the contractual job obligations related to this Project.

Data in the "Employment Base" column has been verified by the Authority and reflects the employment characteristics of the facility receiving funding before this award was made. Jobs to be retained as a part of this Project must be included in these calculations.

Data in the "Jobs To Be Created" column outlines the new full-time jobs (including their wage characteristics) that must be added to the employment base and, if applicable, statewide employment base as a result of this award.

At the Job Retention Measurement Date, the Recipient must have retained the number of jobs at or above the qualifying wage in the "Employment Base" column.

At the Project Completion Date and through the Maintenance Period Completion Date, the Recipient must achieve (at a minimum) the numbers found in the "Total Job Obligations" column.

Targeted Jobs Withholding Tax Credit Program JOB OBLIGATIONS Job Retention Measurement Date: April 31, 2015 Project Completion Date: October 31, 2016 Maintenance Period Completion Date: October 31, 2018 December 31, 2019	Employment Base	Jobs To Be Created	Total Job Obligations
Total employment at project location	177	0	177
Average wage of total employment at project location	\$15.90		
Qualifying Wage Threshold Requirement/ Countywide Average Wage (per hr)	\$16.14		
Number of jobs at or above qualifying wage	43	0	43
Average Wage of jobs at or above qualifying wage	\$30.40		

Notes re: Qualifying Wages

- Bonus or commission payments are not included when calculating the Qualifying Wage rate.
- Employment Base includes 43 "Retained Jobs".
- If the Recipient uses or proposes to use a non-standard work week (8 hours a day, 5 days a week, 52 weeks a year including holidays, vacation and other paid leave), check the box below and describe that alternative schedule. The alternative schedule must meet the requirements of 261 IAC 173.2.) By not checking the box and not providing the alternative schedule, IEDA will consider "Full-time Equivalent (FTE) Job" to mean the employment of one person for 8 hours per day for a 5-day, 40-hour workweek for 52 weeks per year, including paid holidays, vacations and other paid leave.

☐ The Recipient shall use an alternative work week for purposes of its employees described in the Contract. The alternative work week is as follows: [description].

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 13B

FROM: Chris Myres, Economic Development Specialist

SUBJECT: Resolution approving Amendment Number Two to Economic Development Assistance Contract Number 15-TC-051 with the Iowa Economic Development Authority and Seaboard Triumph Foods, LLC and authorizing the execution thereof (5555 Seaboard Triumph Parkway)

Reviewed By:	☒	Department Director	☐	Finance Department	☒	City Attorney	☒	City Manager
---------------------	-------------------------------------	---------------------	--------------------------	--------------------	-------------------------------------	---------------	-------------------------------------	--------------

RECOMMENDATION:

Staff respectfully requests the City Council approve the above resolution.

DISCUSSION:

In 2015, the Council approved an Economic Development Assistance Contract with the Iowa Economic Development Authority (IEDA) and Seaboard Triumph Foods, LLC (STF) (amended in 2017), to facilitate the construction of the company's Sioux City facility. The original contract and the Amendment Number One to the contract provided approximately \$6,390,000 in state investment tax credits and sales tax refunds to STF in exchange for the retention and creation of 1,110 jobs and an investment of approximately \$298,430,000.

While the company has hired the majority of the required employees, labor shortages throughout the region have made it difficult for the company to meet all of the requirements of the IEDA contract. At its December board meeting, IEDA approved the attached contract amendment to allow additional time for STF to reach these requirements. Council approval of the amendment will allow STF until September 30, 2022 to meet IEDA's job requirements.

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

A part of the Economic Opportunities Vision: *We will work with current businesses to create job growth and aggressively seek out opportunities to attract new economic growth.*

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution

IEDA Contract Amendment

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING AMENDMENT NUMBER TWO TO ECONOMIC DEVELOPMENT ASSISTANCE CONTRACT NUMBER 15-TC-051 WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY AND SEABOARD TRIUMPH FOODS, LLC AND AUTHORIZING THE EXECUTION THEREOF (5555 SEABOARD TRIUMPH PARKWAY)

WHEREAS, Seaboard Triumph Foods constructed a new pork processing plant in Sioux City which opened in 2017; and

WHEREAS, on December 14, 2015, pursuant to Resolution No. 2015-0928, the City of Sioux City, the Iowa Economic Development Authority, and Seaboard Triumph Foods, LLC entered into Economic Development Assistance Contact Number 15-TC-051 to provide assistance to Seaboard Triumph Foods, LLC, which Economic Development Assistance Contact Number 15-TC-051 was amended on September 11, 2017, pursuant to Resolution No. 2017-0848; and

WHEREAS, said Economic Development Assistance Contact Number 15-TC-051 included milestones for job creation by Seaboard Triumph Foods, LLC; and

WHEREAS, the Parties desire to further amend said Economic Development Assistance Contact Number 15-TC-051 to extend the milestones for job creation to September 30, 2022; and

WHEREAS, there is attached hereto and by this reference made a part hereof, Contract Amendment Number Two to Economic Development Assistance Contact Number 15-TC-051 extending the project completion date, which Contract Amendment Number Two to Economic Development Assistance Contact Number 15-TC-051 should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Contract Amendment Number Two to Economic Development Assistance Contact Number 15-TC-051 with the Iowa Economic Development Authority and Seaboard Triumph Foods, LLC extending the project completion date to September 30, 2022, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute said Amendment Number Two to Economic Development Assistance Contact Number 15-TC-051 for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

CONTRACT AMENDMENT

RECIPIENT:	Seaboard Triumph Foods, LLC
MASTER CONTRACT #:	15-TC-051
AMENDMENT #:	2
EFFECTIVE DATE:	December 21, 2018

THIS CONTRACT AMENDMENT is made by and among the **IOWA ECONOMIC DEVELOPMENT AUTHORITY**, (hereafter "**IEDA**"), 200 East Grand Avenue, Des Moines, Iowa 50309, an agency of the State of Iowa, **Seaboard Triumph Foods, LLC** ("**Recipient**"), 5302 Stockyards Expressway, St. Joseph, MO 64504, and **City of Sioux City** ("**Community**"), 405 6th Street, PO Box 447, Sioux City, IA 51102.

WHEREAS, Recipient, has requested that the Project Completion Date be extended.

WHEREAS, the **IEDA BOARD** approved an extension, effective as of the Effective Date stated above, and

NOW, THEREFORE, the Contract referenced above is amended as follows:

1. REVISION OF EXHIBIT D; "JOB OBLIGATIONS." Exhibit D is amended to revise the Project Completion Date. Details of this change are reflected in the attached Revised Exhibit D which is hereby incorporated by this reference and made a part of this Contract Amendment.

FOR RECIPIENT:

SIGNATURE

Robert L. Steer, Vice President
PRINT/TYPE NAME, TITLE

DATE

FOR IEDA:

Deborah V. Durham, Director

DATE

FOR COMMUNITY:

SIGNATURE

Robert E. Scott, Mayor
PRINT/TYPE NAME, TITLE

DATE

EXHIBIT D – JOB OBLIGATIONS
REVISED December 2018

Recipient: Seaboard Triumph Foods, LLC
Community: City of Sioux City
Contract Number: 15-TC-051

This Project has been awarded Project Completion Assistance and Tax Incentives from the High Quality Jobs Program (HQJP) – Tax Credit Component. The chart below outlines the contractual job obligations related to this Project.

Data in the "Employment Base" column has been verified by TEDA and reflects the employment characteristics of the facility receiving funding before this award was made. Jobs to be retained as a part of this Project must be included in these calculations.

Data in the "Jobs To Be Created" column outlines the new full-time jobs (including their wage characteristics) that must be added to the employment base and, if applicable, statewide employment base as a result of this award.

At the Project Completion Date and through the Maintenance Period Completion Date, the Recipient must achieve, at a minimum, the numbers found in the "Total Job Obligations" column.

HQJP JOB OBLIGATIONS		Employment Base	Jobs To Be Created	Total Job Obligations
Project Completion Date:	May 31, 2018 September 30, 2020			
Maintenance Period Completion Date:	May 31, 2020 September 30, 2022			
Total employment at project location		0	1,154	1,154
Average wage of total employment at project location		N/A		
Qualifying Laborshed Wage threshold requirement (per hr)		320.86 (120%)		
Number of jobs at or above qualifying wage		0	256	256
Average Wage of jobs at or above qualifying wage		N/A		

Notes re: Job Obligations

- When determining the number of jobs at or above the qualifying wage, wages will include only the regular hourly rate that serves as the base level of compensation. The wage will not include nonregular forms of compensation such as bonuses, unusual overtime pay, commissions, stock options, pension, retirement or death benefits, unemployment benefits or other insurance, or other fringe benefits.
- Employment Base includes 0 "Retained Jobs"

If the Recipient uses or proposes to use a non-standard work week (8 hours a day, 5 days a week, 52 weeks a year including holidays, vacation and other paid leave), check the box below and describe that alternative schedule. The alternative schedule must meet the requirements of 261 IAC 175.2. If the box is not checked or if no alternative schedule is provided, TEDA will consider "Full-time Equivalent (FTE) Job" to mean the employment of one person for 8 hours per day for a 5-day, 40-hour workweek for 52 weeks per year, including paid holidays, vacations and other paid leave.

☒ The Recipient shall use an alternative work week for purposes of its employees described in the Contract. The alternative work week is as follows: In accordance with standard industry practice, at the beginning of each year the plant will establish an annual work schedule to process hogs on approximately 266 days per year which, adjusting for holidays, includes 26 Saturdays at an overtime premium. The Starting Hourly Wage includes this overtime premium.

Sufficient Benefits Deductible Requirements

Recipient shall provide Sufficient Benefits with a maximum deductible of \$1,750 for single coverage or \$3,500 for family coverage.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 13C

FROM: Gordon Phair, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: Resolution approving Amendment No. 1 to the Consulting Services Agreement with Calhoun-Burns and Associates, Inc. for additional inspection services in the lump sum amount of \$20,000.00 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).

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

RECOMMENDATION:

Staff respectfully requests Council approve Amendment No. 1 to the Consulting Services Agreement with Calhoun-Burns and Associates, Inc. for additional inspection services 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) in the amount of \$20,000.00.

DISCUSSION:

The City entered into an Engineering Services Agreement on December 15, 2014 (Resolution No. 2014-0893) in an amount not to exceed \$308,650.00 for the Dearborn Boulevard Bridge Replacement Project. This agreement included final design for the bridge, roadway design on West Clifton Avenue, geotechnical investigation, lead paint and asbestos testing, survey acquisition plats, and construction phase services including site observation and Iowa Department of Transportation audit documentation.

The total agreement, including Amendment No. 1, is not to exceed \$328,650.00. Amendment No. 1 is required due to additional resources that Calhoun-Burns and Associates, Inc. expended beyond their anticipated scope because the project was completed beyond the original anticipated calendar date by the contractor and overran the total count of working days.

FINANCIAL IMPACT:

Amendment No. 1 is in the amount of \$20,000.00. This project is funded using Federal-aid funds with an 80/20 match with federal participation up to \$1,000,000.00. The 20 percent City match will be funded through a transfer in sales tax infrastructure dollars and general obligation bonds under CIP 719-350 Dearborn Street Bridge over Perry Creek. The project currently has an available balance of \$32,366.

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

ALTERNATIVES:
Deny this agreement.

ATTACHMENTS:
Resolution
Amendment No. 1

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING AMENDMENT NO. 1 TO THE CONSULTING SERVICES AGREEMENT WITH CALHOUN-BURNS AND ASSOCIATES, INC. FOR ADDITIONAL INSPECTION SERVICES IN THE LUMP SUM AMOUNT OF \$20,000.00 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).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Amendment No. 1 to the Consulting Services Agreement, a copy of which is attached hereto and by this reference made a part hereof, with Calhoun-Burns and Associates, Inc. of Des Moines, Iowa in the lump sum amount of \$20,000 for additional inspection services for the Dearborn Boulevard Bridge Project over Perry Creek, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute said agreement for and on behalf of the City.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk



CALHOUN-BURNS AND ASSOCIATES, INC.
BRIDGES ♦ STRUCTURES ♦ TRANSPORTATION

February 6, 2019

Justin Pottorff, P.E.
Civil Engineer, City of Sioux City
405 6th Street, P.O. Box 447
Sioux City, IA 51102

**RE: DEARBORN AVENUE BRIDGE REPLACEMENT
FINAL DESIGN AND CONSTRUCTION PHASE SERVICES - AMENDMENT NO. 1
PROJECT NO. BROS-7057(680)—8J-97
CITY NO: 6634-719-350
CB&A NO. 2015111**

Dear Mr. Pottorff,

This Amendment No. 1 is being submitted in accordance with Article 1.2 of the Consultant Services Agreement (CSA) dated December 15, 2014. The reason for this amendment is due to the extended construction period and the project exceeding the original amount of working days. This extension caused us to incur extra costs not anticipated in the original agreement.

Consequently, the total design fee established by the CSA needs to be amended as follows:

- Dearborn Avenue Bridge Replacement, Final Design and Construction Phase Services

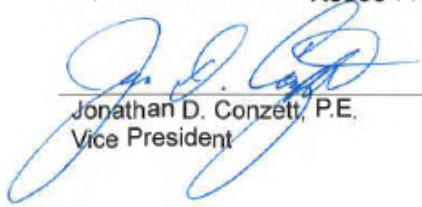
Amendment No. 1 Lump Sum = \$ 20,000.00

All provisions of the original CSA remain in effect except as modified by this Amendment No. 1. Please review this Amendment No. 1 and if acceptable, obtain the required signatures and return one copy to us.

Sincerely,

**Consulting Engineer
Calhoun-Burns and Associates, Inc.**

City of Sioux City:


Jonathan D. Conzett, P.E.
Vice President

Robert K. Padmore
City Manager

Date _____

1500 30th Street ♦ West Des Moines, IA 50266

WATS 877/241-8003 ♦ Phone 515/224-4344 ♦ FAX 515-224-1385 ♦ email: email@calhounburns.com

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 13D

FROM: Gordon Phair, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: Resolution approving a Consulting Services Agreement with Snyder & Associates, Inc. for the Sioux City Traffic Study Project in an amount not to exceed \$32,954.00 (Project No. 7023-139-006).

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

RECOMMENDATION:

Staff respectfully requests Council approve a Consulting Services Agreement with Snyder & Associates, Inc. for the Sioux City Traffic Study Project (Project No. 7023-139-006).

DISCUSSION:

This agreement is for completion of a traffic study of the Sunnybrook Drive corridor (six intersections, the South Lakeport Street and Sergeant Road Intersection, and the Business Highway 75 and Outer Drive intersection).

A request for proposals to complete a traffic study was sent to HDR Engineering, HGM Associates, SEH Engineering, Snyder & Associates, and McClure Engineering. The selection committee ranked Snyder & Associates, Inc. and McClure Engineering Co. as the top firms based upon the proposals received. The Engineering Division began negotiations with both McClure Engineering Co. and Snyder & Associates, Inc.

Company	City, State	Contract Amount
Snyder and Associates, Inc	Ankeny, Iowa	\$32,954.00
McClure Engineering, Co	Sioux City, Iowa	\$33,067.00

After comparing the consultant rankings, proposed scope of services, and pricing, Snyder & Associates, Inc. is the Engineering Division's recommendation.

Staff anticipates the traffic study will be complete by the spring of 2019. The analysis of the traffic study with a report will be complete by early fall of 2019. This report will allow the Engineering Division to prepare any recommended improvements for approval and inclusion in future budget requests.

FINANCIAL IMPACT:

The agreement with Snyder and Associates, Inc. is in the amount of \$32,954.00. This project is funded using Annual Sign/Signal/Pavement Marking Asset Management Project under CIP 139-006. The project currently has an available balance of \$212,882.66.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Deny this agreement and require the City seek services from another firm.

ATTACHMENTS:

Resolution

Hard Copy of the Agreement will be provided

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING A CONSULTING SERVICES AGREEMENT WITH SNYDER & ASSOCIATES, INC. FOR THE SIOUX CITY TRAFFIC STUDY PROJECT IN AN AMOUNT NOT TO EXCEED \$32,954.00 (PROJECT NO. 7023-139-006).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that a Consulting Services Agreement, a copy of which is attached hereto and by this reference made a part hereof, be approved with Snyder & Associates, Inc. of Ankeny, Iowa, in an amount not to exceed \$32,954.00 for the Sioux City Traffic Study Project.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute said Consulting Services Agreement for and on behalf of the City.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 13E

FROM: Justin Vondrak, Assistant City Attorney

SUBJECT: Resolution approving a Settlement Agreement with Ag Processing Inc.

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

RECOMMENDATION:

Staff respectfully requests that the City Council approved a Settlement Agreement with Ag Processing Inc. (AGP).

DISCUSSION:

In March of 2018, the force main carrying wastewater from AGP to the Sioux City Wastewater Treatment Plant (WWTP) became blocked. The City of Sioux City (City) had previously represented to AGP that it would take ownership of the line and maintain it. City officials are still attempting to determine the cause of the blockage in the line.

During the time period of the blockage, AGP was required to truck its waste to the WWTP for a period of about 30 days. In doing so, AGP incurred costs totaling \$393,282.42. This agreement would reimburse AGP by offering a credit on its sewer bill. The credit shall be reflected on the monthly bill retroactively to November 2018.

FINANCIAL IMPACT:

Reduction of sewer fees collected.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

ALTERNATIVES:

Refuse to proceed with settlement terms. Legal staff does not recommend this alternative.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION APPROVING A SETTLEMENT AGREEMENT WITH AG PROCESSING INC.

WHEREAS, the City of Sioux City ("City) and Ag Processing Inc. ("AGP") have previously entered into a sanitary sewer utility agreement dated July 1, 2006, pursuant to Resolution No. 2006-0439, and amended on August 28, 2006, pursuant to Resolution No. 2006-0597, and August 23, 2010, pursuant to Resolution 2010-0643, (the Sewer Utility Agreement); and

WHEREAS, pursuant to the Sewer Utility Agreement, AGP discharges wastewater from its facilities located in Sergeant Bluff, Iowa to the City's collection system and ultimately to the City's wastewater treatment plant, and the City treats AGP's wastewater at the City's wastewater treatment plant; and

WHEREAS, in early March of 2018, a blockage developed in the City's sewer line past AGP's point of connection preventing AGP from discharging waste water to the sewer forcing AGP to expend significant sums of money to transport waste water to the City's wastewater treatment plant in order to maintain operations at AGP's processing plant; and

WHEREAS, AGP made the necessary repairs and incurred additional costs to locate and clear the blockage; and

WHEREAS, the Parties desire to resolve the dispute regarding responsibility for payment of the costs to repair the blockage, costs incurred to transport waste water during the period of time the sewer system was out of service and the City's responsibility to maintain the sewer line in the future; and

WHEREAS, there is attached hereto and by this reference made a part hereof, an Agreement by and between the City and AGP resolving the dispute regarding responsibility for payment of the costs to repair the blockage, costs incurred to transport waste water during the period of time the sewer system was out of service and the City's responsibility to maintain the sewer line in the future, which Agreement 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 Agreement referred to in the preamble hereof, be and the same is hereby approved and the Mayor be and he is hereby authorized and directed to execute said Agreement for and on behalf of the City.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 14A

FROM: Don Trometer, Risk Manager

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

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

RECOMMENDATION:

Staff respectfully requests the City Council approve settlement of a property damage claim.

DISCUSSION:

On or about January 16, 2019, the City water meter division discovered usage on an “inactive” meter at 6712 Timberline Circle in Sioux City.

A work order was sent by the water meter division to shut off the water. The service worker did notice two (2) water shut off valves in the right-of-way. He thought they were for two (2) different houses. One of the shut off valves was actually the shut off to the grinder pump which forces sewage from the home to the sewer main. When the pump valve was closed, the grinder pump continued to operate and sewage was then dumped outside of the residence along the foundation and entered the basement until it finally burned out.

FINANCIAL IMPACT:

Reduce the Tort Fund by \$11,212.00.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

ALTERNATIVES:

Litigation

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

**RESOLUTION APPROVING SETTLEMENT OF A TORT CLAIM AND
AUTHORIZING PAYMENT THEREOF (MURPHY)**

WHEREAS, a claim was filed against the City of Sioux City, Iowa by M.A. Murphy resulting from a sewer backup occurring on January 16, 2019 at 6712 Timberline Circle; and

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

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that said claim be settled and the Director of Finance be and she is authorized and directed to issue a check from the appropriate fund in the amount of \$11,212.00 payable to M.A. Murphy.

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

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 14B

FROM: Don Trometer, Risk Manager

SUBJECT: Resolution approving settlement of a worker's compensation claim and authorizing payment thereof (Simons)

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

RECOMMENDATION:

Staff respectfully requests the City Council approve settlement of this worker's compensation claim.

DISCUSSION:

On February 5, 2018, Wastewater Treatment Plant employee Rick Simons sustained a serious fracture of his left distal femur and ankle.

FINANCIAL IMPACT:

Reduce the Worker's Compensation Fund by \$8,555.80.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

ALTERNATIVES:

Litigation

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

**RESOLUTION APPROVING SETTLEMENT OF A WORKER'S COMPENSATION
CLAIM AND AUTHORIZING PAYMENT THEREOF (SIMONS)**

WHEREAS, a worker's compensation claim was filed against the City of Sioux City, Iowa by Rick S. Simons resulting from an injury sustained on February 5, 2018; and

WHEREAS, the City Council has been advised and does believe that it will be in the best interests of the City to compromise and settle said worker's compensation claim.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that said worker's compensation claim be settled and the Director of Finance be and she is authorized and directed to issue a check from the appropriate fund in the amount of \$8,555.80 payable to Rick S. Simons.

BE IT FURTHER RESOLVED that said check be delivered to the Legal Department and that the City Attorney shall make the necessary filings with the Iowa Industrial Commissioner and thereafter deliver the check.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 14C

FROM: David P. Carney, Public Works Director

SUBJECT: Resolution authorizing reimbursement to Kinseth Hospitality Companies in the amount of \$42,837.96 for Electrical Work Required for the Convention Center Parking Deck Project (Project No. 6936-663-239).

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

RECOMMENDATION:

Staff respectfully requests Council authorize reimbursement to Kinseth Hospitality Companies of North Liberty, Iowa in the amount of \$42,837.96 for electrical work required for the Convention Center Parking Deck Project (Project No. 6936-663-239).

DISCUSSION:

During Kinseth's construction of the Marriot Courtyard Hotel on 4th Street, it was discovered that additional electrical work at the transformer was required in order to provide power to the City's Convention Center Parking Deck. Sharing the planned transformer was ideal since there was limited space on the site for the Parking Deck and this option was deemed to be more cost effective. This work required adding a separate CT cabinet, additional wiring between the transformer and the new CT cabinet, modifying the location of the generator, and providing additional conduit to the north property line.

Since this work was on the hotel site, the work was completed as a change order by Kinseth's contractor, Dicon.

FINANCIAL IMPACT:

This project is funded using GO Bonds under CIP No. 663-239 Reinvest District Convention Center Hotel. The project currently has a negative balance of (\$2,321,571.40). It is anticipated that any shortfall will be budgeted in FY2021.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

None

ATTACHMENTS:

Resolution

Invoice

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION AUTHORIZING REIMBURSEMENT TO KINSETH HOSPITALITY COMPANIES OF NORTH LIBERTY, IOWA IN THE AMOUNT OF \$42,837.96 FOR ELECTRICAL WORK REQUIRED FOR THE CONVENTION CENTER PARKING DECK PROJECT (PROJECT NO. 6936-663-239).

WHEREAS, the City Council has previously agreed to construct the Convention Center Parking Deck Project which is the construction of a 30,175 square foot pre-cast parking deck on an existing surface lot located at 419 Virginia Street; and

WHEREAS, Kinseth Hospitality Companies is constructing a hotel structure adjacent to the proposed Convention Center Parking Deck Project in the 800 block of 4th Street; and

WHEREAS, during Kinseth Hospitality Companies' construction of the hotel structure, it was discovered additional electrical work at the transformer was required in order to provide power to the City's Convention Center Parking Deck; and

WHEREAS, sharing of the transformer was ideal since there was limited space on the site for the Convention Center Parking Deck and this option was deemed to be more cost effective; and

WHEREAS, Kinseth Hospitality Companies incurred the additional costs in order for MidAmerican Energy Company to supply power to the Convention Center Parking Deck on their site; and

WHEREAS, the additional electrical work has been completed by Kinseth Hospitality Companies and reimbursement of the cost of the additional electrical work has been requested by Kinseth Hospitality Companies in the amount of \$42,837.96 as shown in the attached invoice.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Director of Finance be, and she is hereby authorized and directed to issue a check in the amount of \$42,837.96 payable to Kinseth Hospitality Companies as reimbursement of the cost of the additional electrical work at the transformer in order to provide power to the City's Convention Center Parking Deck.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk



INVOICE

11506 Nicholas St.
Omaha, NE 68135
Ph: (402) 934-2900

Change Request

To: Aaron Mailey
Kinseth Construction Services
808 Highway 18 E
Clear Lake, IA 50428

Number: 12
Date: 11/15/18
Job: GB-17-1002 Courtyard Sioux City IA
Phone:

Description: Electrical changes / adds for Parking Structure

Source: ASI # 1 & 3

We are pleased to offer the following specifications and pricing to make the following changes:

Adding 2" conduit from transformer to North property line.

Adding 2 - 2" conduits from PBX room to North property line.

Swapping locations of transformer and generator and adding C1 cabinet for metering.

Work performed by subcontractors:

Description	Subcontractor	Price
Building Electrical	Nystrom Electric	\$41,998.00
Subtotal:		\$41,998.00
Subtotal:		\$41,998.00
Construction Manager Fee	\$41,998.00	2.00% \$839.96
Total:		\$42,837.96

If you have any questions, please contact me at 402-934-2900.

Submitted by: Phil Bang
Dicon Corporation
Cc: Katie Chase (Dicon Corporation)

Approved by: _____
Date: _____



1504 West 3rd Street
 SIOUX CITY, IA 51103
 (712) 252-4032 (712) 252-4040
Info@NystromElectric.Net

PROPOSAL SUBMITTED TO	PHONE	DATE
Dicon Corporation	402-934-2900	8-3-2018
STREET	JOB NAME	
11506 Nicholas St.	Courtyard by Marriott - ASI 1 & 2	
CITY, STATE and ZIP CODE	JOB LOCATION	
Omaha, NE 68154	Sioux City, IA	
ARCHITECT	DATE OF PLANS	ATTN
Cities Edge	12-7-2017	FAX

We propose to furnish labor and material to wire the following:

- Electrical changes pertaining to ASI 1 & 2.
- Adding 1 - 2" conduit from the utility transformer to the property line.
- Adding 2 - 2" conduits from the PBX room to the property line.

Labor 52 hrs. @ \$65/hr.	\$3,380.00
Material	\$868.00
Total	\$4,248.00

Please call Kraig Roupe at (712) 252-4032 with any questions.

We Propose hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of: Please
 see above.

QUOTE BASED ON MATERIAL PRICES AS OF PROPOSAL DATE. PRICES MAY BE ADJUSTED AT DATE OF ACCEPTANCE.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any deviation or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, theft and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
 Signature KKR
 Note: This proposal may be
 Withdrawn by us if not accepted within 10 days.

Acceptance Of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____



1504 West 3rd Street
 SIOUX CITY, IA 51103
 (712) 252-4032 (712) 252-4040
Info@NystromElectric.Net

PROPOSAL SUBMITTED TO Dicon Corporation		PHONE 402-934-2900	DATE 8-15-2018
STREET 11506 Nicholas St.		JOB NAME Courtyard by Marriott - ASI 3	
CITY, STATE and ZIP CODE Omaha, NE 68154		JOB LOCATION Sioux City, IA	
ARCHITECT Cities Edge	DATE OF PLANS 12-7-2017	ATTN	FAX

We propose to furnish labor and material to wire the following:

- Electrical changes pertaining to ASI 3.
- Swapping locations for the generator and utility transformer.
- Adding a CT cabinet for metering.

Labor 240 hrs. @ \$65/hr.	\$15,600.00
Material	\$22,150.00
Total	\$37,750.00

Please call Kraig Roupe at (712) 252-4032 with any questions.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of: _____ Please
 see above.

NOTE BASED ON MATERIAL PRICES AS OF PROPOSAL DATE. PRICES MAY BE ADJUSTED AT DATE OF ACCEPTANCE.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, marine and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Acceptance Of Proposal. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Authorized
 Signature _____ KKR
 Note: This proposal may be
 Withdrawn by us if not accepted within _____ 10 _____ days.

Signature _____

Signature _____

x	Regular Session
	Study Session
	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019

ACTION ITEM # 14D

FROM: Don Trometer, Risk Manager

SUBJECT: Resolution approving accrued permanent partial disability payments as partial settlement of a worker's compensation claim and authorizing payment thereof (Fry)

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

RECOMMENDATION:

Staff respectfully requests the City Council approve partial settlement of this worker's compensation claim.

DISCUSSION:

On October 31, 2016, Utility employee David Fry sustained a head injury while working on a broken main.

FINANCIAL IMPACT:

Reduce the Worker's Compensation Fund by \$15,660.57.

RELATIONSHIP TO STRATEGIC PLAN:

N/A

ALTERNATIVES:

Litigation

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

**RESOLUTION APPROVING ACCRUED PERMANENT PARTIAL DISABILITY
PAYMENTS AS PARTIAL SETTLEMENT OF A WORKER'S COMPENSATION
CLAIM AND AUTHORIZING PAYMENT THEREOF (FRY)**

WHEREAS, a worker's compensation claim was filed against the City of Sioux City, Iowa by David Fry resulting from a head injury occurring on October 31, 2016; and

WHEREAS, the City Council has been advised and does believe that it will be in the best interests of the City to pay accrued permanent partial disability payments as partial settle of said claim without admitting liability.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that said claim be partially settled and the Director of Finance be and she is hereby authorized and directed to issue a check from the appropriate fund in the amount of \$15,660.57 payable to David Fry for accrued permanent partial disability payments.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019

ACTION ITEM # 15ABC

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

Resolution accepting an application for property tax exemption for improvements made during calendar year 2017 to property located within the City of Sioux City Urban Revitalization Area (Schedule 1).

SUBJECT: Resolution accepting an application for property tax exemption for improvements made during calendar year 2016 to property located within the City of Sioux City Urban Revitalization Area (Schedule 2).

Resolution accepting an application for property tax exemption for improvements made during calendar year 2016 to property located within the City of Sioux City Urban Revitalization Area (Schedule 3).

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

RECOMMENDATION:

Staff respectfully requests Council approve the above resolutions accepting applications for property tax exemption for improvements made in an urban revitalization area. The City of Sioux City Urban Revitalization Area was created by Council action on October 1, 2007 and will expire on December 31, 2020.

DISCUSSION:

The City Council is required by Iowa's Urban Revitalization Law to accept applications for tax exemption prior to February 1, 2019. Per Iowa State Code Chapter 404, property owners are allowed to file for tax exemption up to 2 years late and still be eligible for full tax exemption. Property owners that fail to apply for tax exemption up to 2 years late may apply for tax exemption at any time during the ten-year tax exemption schedule and be eligible to receive tax exemption for the years remaining in said schedule.

A total of 3 late applications have been received – one application is 1 year late, and 2 applications are 2 years late. The applications are requesting Schedules 1, 2 and 3 tax exemptions on the value added by improvements made to their properties in 2017 and 2016. The applications represent \$82,000 in investment by the property owners. Once approved, the applications will be submitted to the City Assessor who will certify that the improvements made by these property owners meet the minimum percentages allowable for tax exemption based on the State law and assessment records. Residential structures must have increased in value by 5%.

FINANCIAL IMPACT:

Property tax exemptions are for the increased tax valuation on new construction or improvements only. Land taxes and existing property taxes are not exempt.

Schedule 1 is for minor residential improvements and provides a 10 year 115% property tax exemption.

Schedule 2 is for major improvements or new construction and provides a 10 year graduated tax exemption based upon the following schedule:

1st year	80% tax exemption
2nd year	70% tax exemption
3rd year	60% tax exemption
4th year	50% tax exemption
5th year	40% tax exemption
6th year	40% tax exemption
7th year	30% tax exemption
8th year	30% tax exemption
9th year	20% tax exemption
10th year	20% tax exemption

Schedule 3 is for major improvements or new construction and provides a 3 year 100% tax exemption.

RELATIONSHIP TO STRATEGIC PLAN:

Quality of Life Vision – Expand Development Opportunities and Grow Sioux City.

ALTERNATIVES:

In order for property owners to receive property tax exemption, City Council has to accept the applications and forward them to the City Assessor's Office. If the applications are not accepted, the homeowners will not receive a property tax exemption.

ATTACHMENTS:

Resolutions

Copies of said applications are on file in the City Clerk's office.

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION ACCEPTING AN APPLICATION FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE DURING CALENDAR YEAR 2017
TO PROPERTY LOCATED WITHIN THE CITY OF SIOUX CITY URBAN
REVITALIZATION AREA (SCHEDULE 1).

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property within the Area; and

WHEREAS, improvements were made to the following property during calendar year 2017, but application for tax exemption was not made by February 1, 2018, pursuant to Section 404.4 Code of Iowa; and

WHEREAS, the following owner of real property located in the City of Sioux City Urban Revitalization Area has made application to the City Council of the City of Sioux City, Iowa, prior to February 1, 2019, which is allowable pursuant to Section 404.4, Code of Iowa, a copy of said application being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to the real property described below:

PROPERTY OWNER

**PARCEL ID (all properties are located in Sioux City,
Woodbury County, Iowa)**

Olson, Jon C.

884709277003

and

WHEREAS, pursuant to Section 404.4, Code of Iowa, said above listed property is eligible to obtain 10 years of tax exemption for improvements made during calendar year 2017; and

WHEREAS, the above listed property owner has elected to utilize the exemption schedule set out as Subsection 1, Section 404.3, Code of Iowa, to wit:

Schedule 1 (Subsection 1) All qualified real estate assessed as residential property is eligible to receive an exemption from taxation based on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the exemption is equal to a percent of the actual value added by improvements, determined as follows: 115% of the value added by the improvements. However, the amount of the actual value added by the improvements which shall be used to compute the exemption shall not result in the actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed; and

WHEREAS, the improvements made are in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the application of the above listed property owner should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the application for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and is hereby accepted and the City Clerk is hereby authorized and directed to forward said application to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION ACCEPTING AN APPLICATION FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE DURING CALENDAR YEAR 2016
TO PROPERTY LOCATED WITHIN THE CITY OF SIOUX CITY URBAN
REVITALIZATION AREA (SCHEDULE 2).

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property within the Area; and

WHEREAS, improvements were made to the following property during calendar year 2016, but application for tax exemption was not made by February 1, 2018, pursuant to Section 404.4 Code of Iowa; and

WHEREAS, the following owner of real property located in the City of Sioux City Urban Revitalization Area have made application to the City Council of the City of Sioux City, Iowa, prior to February 1, 2019, which is allowable pursuant to Section 404.4, Code of Iowa, a copy of said application being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to the real property described below:

PROPERTY OWNER

**PARCEL ID (all properties are located in Sioux City,
Woodbury County, Iowa)**

Zavala, Aureliano	2	104	Paxton Street	-	Lot 2 in Block 7, Miller's Addition to Sioux City	894726385002
-------------------	---	-----	------------------	---	--	--------------

and

WHEREAS, pursuant to Section 404.4, Code of Iowa, said above listed property is eligible to obtain 10 years of tax exemption for improvements made during calendar year 2016; and

WHEREAS, the above listed property owner have elected to utilize the exemption schedule set out as Subsection 2, Section 404.3, Code of Iowa, to wit:

Schedule 2 (Subsection 2) All qualified real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows: a.) for the first year, 80%; b.) for the second year, 70%; c.) for the third year, 60%; d.) for the fourth year, 50%; e.) for the fifth year, 40%; f.) for the sixth year, 40%; g.) for the seventh year, 30%; h.) for the eighth year, 30%; i.) for the ninth year, 20%; and j.) for the tenth year, 20%; and

WHEREAS, the improvement made is in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the application of the above listed property owner should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the application for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and is hereby accepted and the City Clerk is hereby authorized and directed to forward said application to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION ACCEPTING AN APPLICATION FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE DURING CALENDAR YEAR 2016
TO PROPERTY LOCATED WITHIN THE CITY OF SIOUX CITY URBAN
REVITALIZATION AREA (SCHEDULE 3).

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property within the Area; and

WHEREAS, improvements were made to the following property during calendar year 2016, but application for tax exemption was not made by February 1, 2017, pursuant to Section 404.4 Code of Iowa; and

WHEREAS, the following owner of real property located in the City of Sioux City Urban Revitalization Area has made application to the City Council of the City of Sioux City, Iowa, prior to February 1, 2019, which is allowable pursuant to Section 404.4, Code of Iowa, a copy of said application being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to the real property described below:

PROPERTY OWNER

**PARCEL ID (all properties are located in Sioux City,
Woodbury County, Iowa)**

William, Weber

894720106004

and

WHEREAS, pursuant to Section 404.4, Code of Iowa, said above listed property is eligible to obtain 3 years of tax exemption for improvements made during calendar year 2016; and

WHEREAS, the above listed property owner has elected to utilize the exemption schedule set out as Subsection 3, Section 404.3, Code of Iowa, to wit:

Schedule 3 (Subsection 3) All qualified real estate is eligible to receive a 100% exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years; and

WHEREAS, the improvements made are in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the application of the above listed property owner should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the application for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and is hereby accepted and the City Clerk is hereby authorized and directed to forward said application to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

x	Regular Session
	Study Session
	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019

ACTION ITEM # 15DEF

FROM: Jeff Hanson, Community Development Operations Manager

Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area (Schedule 1).

SUBJECT: Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area (Schedule 2).

Resolution accepting applications for property tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area (Schedule 3).

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

RECOMMENDATION:

Staff respectfully requests Council approve the above resolutions accepting applications for property tax exemption for improvements made in an urban revitalization area. The City of Sioux City Urban Revitalization Area was created by Council action on October 1, 2007 and will expire on December 31, 2020.

DISCUSSION:

The City Council is required by Iowa's Urban Revitalization Law to accept applications for tax exemption prior to February 1, 2019. A total of 134 applications have been received from property owners in the City of Sioux City Urban Revitalization Area requesting Schedules 1, 2 and 3 tax exemption on the value added by improvements made to their properties in 2018 (in 2017 567 applications were received). The applications represent \$33,242,247 in investment by the property owners (in 2017 it was \$59,359,999). Once approved, the applications will be submitted to the City Assessor who will certify that the improvements made by these property owners meet the minimum percentages allowable for tax exemption based on the State law and assessment records. Residential structures must have increased in value by 5% and commercial structures by 10%.

FINANCIAL IMPACT:

Property tax exemptions are for the increased tax valuation on new construction or improvements only. Land taxes and existing property taxes are not exempt.

Schedule 1 is for minor residential improvements and provides a ten year 115% property tax exemption.

Schedule 2 is for major improvements or new construction and provides a ten year graduated tax exemption based upon the following schedule:

1st year	80% tax exemption
2nd year	70% tax exemption
3rd year	60% tax exemption
4th year	50% tax exemption
5th year	40% tax exemption
6th year	40% tax exemption
7th year	30% tax exemption
8th year	30% tax exemption
9th year	20% tax exemption
10th year	20% tax exemption

Schedule 3 is for major improvements or new construction and provides a three year 100% tax exemption.

RELATIONSHIP TO STRATEGIC PLAN:

Quality of Life Vision – Expand Development Opportunities and Grow Sioux City.

ALTERNATIVES:

In order for property owners to receive property tax exemption, City Council has to accept the applications and forward them to the City Assessor’s Office. If the applications are not accepted, the homeowners will not receive a property tax exemption.

ATTACHMENTS:

Resolutions
2018 City of Sioux City Urban Revitalization Tax Exemption Applicants List
Copies of said applications are on file in the City Clerk’s office.

RESOLUTION NO. 2019-_____
with attachments

**RESOLUTION ACCEPTING APPLICATIONS FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE TO PROPERTY LOCATED WITHIN
THE CITY OF SIOUX CITY URBAN REVITALIZATION AREA (SCHEDULE 1).**

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property within the Area; and

WHEREAS, the following owners of real property located in the City of Sioux City Urban Revitalization Area have made application to the City Council of the City of Sioux City, Iowa, copies of said applications being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to the real property described below:

PROPERTY OWNER	PARCEL ID (all properties are located in Sioux City, Woodbury County, Iowa)
Arnold, Richard	894734429011
Baker, Walter W.	884706482038
Ellis, Ky Williams	894719404009
Fiegen, Todd	894729107016
Goetschius, Joe	894716151014
Kin, Channara	894728102020
Klink, Allan and Vaunda	894735332020
Marksbury, James and Alysia	894719177024
McCormick, Kevin	894717204008
McKnight (Verbeski), Cynthia	894726158015
Movall, Russell	894720304016
Nelson, Brandon	894711254001
Pederson, Michele	894722480008
Rol, Nicholas	884704452020
Sanchez, Jose	894721457021
Smith, Matthew M.	894717333008
Strom, Jeff	894723382001

Thompson, Michael	894814357004
Thoreson, Mallory	884705278009
Turner, Tim	894729107023
Uhl, Melissa	884706229009
Veach, Gerald and Jeana	884710303006
Vestweber, Anna	894716304026
Von Ahsen, Gary and Judy	894704452014

and

WHEREAS, the above listed property owners have elected to utilize the exemption schedule set out as Subsection 1, Section 404.3, Code of Iowa, to wit:

Schedule 1 (Subsection 1) All qualified real estate assessed as residential property is eligible to receive an exemption from taxation based on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the exemption is equal to a percent of the actual value added by improvements, determined as follows: 115% of the value added by the improvements. However, the amount of the actual value added by the improvements which shall be used to compute the exemption shall not result in the actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed; and

WHEREAS, the improvements made are in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the applications of the above listed property owners should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the applications for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and they are hereby accepted and the City Clerk is hereby authorized and directed to forward said applications to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2019-_____
with attachments

**RESOLUTION ACCEPTING APPLICATIONS FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE TO PROPERTY LOCATED WITHIN
THE CITY OF SIOUX CITY URBAN REVITALIZATION AREA (SCHEDULE 2).**

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property located within the Area; and

WHEREAS, the following owners of real property located within the City of Sioux City Urban Revitalization Area have made application to the City Council of the City of Sioux City, Iowa, copies of said applications being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to real property described below:

PROPERTY OWNER	PARCEL ID (all properties are located in Sioux City, Woodbury County, Iowa)
Acker, Donald M.	884717303034
Alvano, Tim	894710276039
Anderson, Scott and Jodi	884706180001
Bata, Efren Jr.	88471032006
Beller, Ronald W.	894711251001
Bemus, Gary and Joyce	894709255015
Black and Blue Development/	894715383003
Black and Blue Development	894715382003
Black and Blue Development	894715383003
Black and Blue Development	894715382003
Black and Blue Development	894715383002
Black and Blue Development	894715382002
Black and Blue Development	894715383002
Black and Blue Development	894715382002
Black and Blue Development	894715383001
Black and Blue Development	894715382001
Black and Blue Development	894715383001

Black and Blue Development	894715382001
Blatchford, Eric	884709376001, 884716126007,884716131001
Blenderman, Claudia	884717328019
Bower, Barry and Julie	894717202012
Brown, James and Jennifer	884717302044
Brown, William P.	894725454006
Brown, Terry L. and Vicki A.	894824380012
Bullock, Darrel and Christi	894710276038
Callahan, Steven	894823101003
Christofferson, Marc and Ellen	884710161004
Clark, Matthew	884710306004
Clay, John R. and Kimberly A.	894704451004
Cole, Trevor	894730409009
Conover, Dawn	884704476018
Croft, Zac	884705227015
Croston, Dave and Lisa Wagner	884704403009
Davila, Leticia Ann	894729155001
Derrick, Jesse	884705151019
Doran, Duane R.	894730206004
Figueroa, Art	884710159001
Goehring, Timothy and Trisha	884717303023
Golden Hammer Construction, L.L.C	894729159005
Grant, Donald	894726114011
Grant, Donald	894726114011
Grant, Jason	894813401001
Hamman, Jessie	884717304020
Hanna, Dianna Kaye	884705383005
Harper, Donald and Sherri	884710302005
HCI Real Estate Company	894728458003

HCI Real Estate Company	894728458003
HCI Real Estate Company	894728458003
HCI Real Estate Company	894728458003
HCI Real Estate Company	894728458003
HCI Real Estate Company	894728458003
Hicklin, Joshua and Emily	884710306003
Hubert, Wendell	884710311001
Ho Chunk Capital	894728302007
Ho Chunk Capital	894728302007
Ho Chunk Capital	894728302007
Ho Chunk Capital	894728302007
Hofling Properties, LLC	884706160011
Hofling Properties, LLC	884706107015
Hofling Properties, LLC	884707201010
Hubert, Wendell	884710311001
Huseman, Adam Michael	894723176019
Irwin, Michael L.	894717360001
Johnson, Jamie	894733620003
Kellogg, Edmund	894823253021
Lawson, John	884708228003
Mark Albenesius Rentals, LLC	894730130003
McFarland, Matthew E.	894823104032
Menefee, Dianna	894711101016
Miller, Bob and Robin	894711352004
Miller, Brandon	894824380027
Mohammed, Getachew	894717360001
Nelson, Brandon	884801230020
Nelson, Brent	894717380006
Nettleton, Robert	894813100011

Niemeier, Matthew	884709277004
Oetken, James and Darlene	894709254018
Ott, Duane	894709255014
Peterson, Jeff	894824380004
Reicks, Eric	884708330002
Renken, Joyce E.	884706206009
Rodriguez, Angela	884717352011
Roos, Mark	884717400039
Roupe, Roger	894716305019
Rozeboom, Edna Beth	894715382001
Salmen, Michael C.	884705332008
Stowe, Joseph	894720485019
Uhl, Benjamin and Sarah Murray	884717301010
Uhl, Benjamin and Sarah Murray	884717301010
Uhl, Benjamin and Sarah Murray	884717301010
Vasquez, Gricelda	894719482005
Venesky, Thomas and Monica	884707227004
Vining, Matthew and Jessica	884710305001
Willia, Richard Jr.	894824380025
Willson, Kristen. K.	884717354006
Winter, Craig and Anne	894705476003
Wissing, Richard	894716157006
Wynja, Luke	894716327029
Yusten, Donald E. Jr.	894717379019
Zimmerer, John	84709377004

and

WHEREAS, the above listed property owners have elected to utilize the exemption schedule set out as Subsection 2, Section 404.3, Code of Iowa, to wit:

Schedule 2 (Subsection 2) All qualified real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a

period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows: a.) for the first year, 80%; b.) for the second year, 70%; c.) for the third year, 60%; d.) for the fourth year, 50%; e.) for the fifth year, 40%; f.) for the sixth year, 40%; g.) for the seventh year, 30%; h.) for the eighth year, 30%; i.) for the ninth year, 20%; and j.) for the tenth year, 20%; and

WHEREAS, the improvements made are in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the applications of the above listed property owners should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the applications for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and they are hereby accepted and the City Clerk is hereby authorized and directed to forward said applications to the City Assessor before March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION ACCEPTING AN APPLICATION FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE DURING CALENDAR YEAR 2016
TO PROPERTY LOCATED WITHIN THE CITY OF SIOUX CITY URBAN
REVITALIZATION AREA (SCHEDULE 3).

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the City of Sioux City Urban Revitalization Area which provides for tax exemptions for certain improvements made to property within the Area; and

WHEREAS, improvements were made to the following property during calendar year 2016, but application for tax exemption was not made by February 1, 2017, pursuant to Section 404.4 Code of Iowa; and

WHEREAS, the following owner of real property located in the City of Sioux City Urban Revitalization Area has made application to the City Council of the City of Sioux City, Iowa, prior to February 1, 2019, which is allowable pursuant to Section 404.4, Code of Iowa, a copy of said application being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to the real property described below:

PROPERTY OWNER

**PARCEL ID (all properties are located in Sioux City,
Woodbury County, Iowa)**

William, Weber

894720106004

and

WHEREAS, pursuant to Section 404.4, Code of Iowa, said above listed property is eligible to obtain 3 years of tax exemption for improvements made during calendar year 2016; and

WHEREAS, the above listed property owner has elected to utilize the exemption schedule set out as Subsection 3, Section 404.3, Code of Iowa, to wit:

Schedule 3 (Subsection 3) All qualified real estate is eligible to receive a 100% exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years; and

WHEREAS, the improvements made are in conformance with the City of Sioux City Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the application of the above listed property owner should be accepted.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the application for tax exemption for improvements made to property located within the City of Sioux City Urban Revitalization Area, as set forth in the preamble hereof, be and is hereby accepted and the City Clerk is hereby authorized and directed to forward said application to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 15GH

FROM: Jeff Hanson, Community Development Operations Manager

SUBJECT: **Resolution accepting applications for property tax exemption for improvements made to properties located within the Hamilton-Wesley II Urban Revitalization Area (Schedule 2).**

Resolution accepting an application for property tax exemption for improvements made to property located within the Hamilton-Wesley II Urban Revitalization Area (Schedule 3).

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

RECOMMENDATION:

Staff respectfully requests Council approve the above resolutions accepting applications for property tax exemption for improvements made in an urban revitalization area. The Hamilton-Wesley II Urban Revitalization Area was created by Council action on February 26, 2007 and will expire on December 31, 2021

DISCUSSION:

The City Council is required by Iowa's Urban Revitalization Law to accept applications for tax exemption prior to February 1, 2019. A total of 3 applications have been received from property owners in the Hamilton-Wesley II Urban Revitalization Area requesting Schedule 2 and Schedule 3 tax exemption on the value added by improvements made to their property in 2018 (in 2017 no applications were received). The applications represent \$154,400 in investments by the property owners. Once approved, the applications will be submitted to the City Assessor who will certify that the improvements made by this property owner meets the minimum percentages allowable for tax exemption based on the State law and assessment records. Residential structures must have increased in value by 5% and commercial structures by 10%.

FINANCIAL IMPACT:

Property tax exemptions are for the increased tax valuation on new construction or improvements only. Land taxes and existing property taxes are not exempt.

Schedule 2 is for major improvements or new construction and provides a 10 year graduated tax exemption based upon the following schedule:

1st year	80% tax exemption
2nd year	70% tax exemption

3rd year	60% tax exemption
4th year	50% tax exemption
5th year	40% tax exemption
6th year	40% tax exemption
7th year	30% tax exemption
8th year	30% tax exemption
9th year	20% tax exemption
10th year	20% tax exemption

Schedule 3 is for major improvements or new construction and provides a 3 year 100% tax exemption.

RELATIONSHIP TO STRATEGIC PLAN:

Quality of Life Vision – Expand Development Opportunities and Grow Sioux City.

ALTERNATIVES:

In order for the property owners to receive property tax exemption, City Council has to accept the applications and forward them to the City Assessor's Office. If the applications are not accepted, the property owners will not receive a property tax exemption.

ATTACHMENTS:

Resolutions

2019 Hamilton Wesley II Application List

Copy of said applications are on file in the City Clerk's office.

RESOLUTION NO. 2019-_____
with attachments

RESOLUTION ACCEPTING APPLICATIONS FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE TO PROPERTIES LOCATED
WITHIN THE HAMILTON-WESLEY II URBAN REVITALIZATION AREA
(SCHEDULE 2).

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the Hamilton-Wesley II Urban Revitalization Area which provides for tax exemption for certain improvements made to property within the Area; and

WHEREAS, the following owners of real property located within the Hamilton-Wesley II Urban Revitalization Area have made application to the City Council of the City of Sioux City, Iowa, copies of said applications being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to real properties described below:

PROPERTY OWNER	PARCEL ID
J&L Staffing/Premier Services	894728154001
Trinh, Nhu-Thux	894729210006

and

WHEREAS, the above listed property owners have elected to utilize the exemption schedule set out as Subsection 2, Section 404.3, Code of Iowa, to wit:

Schedule 2 (Subsection 2) All qualified real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows: a.) for the first year, 80%; b.) for the second year, 70%; c.) for the third year, 60%; d.) for the fourth year, 50%; e.) for the fifth year, 40%; f.) for the sixth year, 40%; g.) for the seventh year, 30%; h.) for the eighth year, 30%; i.) for the ninth year, 20%; and j.) for the tenth year, 20%; and

WHEREAS, the improvements made are in conformance with the Hamilton-Wesley II Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the applications of the above listed property owners should be accepted.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the applications for exemption for improvements made to property located within the Hamilton-Wesley II Urban Revitalization Area, as set forth in the preamble hereof, be and they are hereby accepted and the City Clerk is hereby authorized and directed to forward said applications to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019 _____

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2019-_____
with attachments

**RESOLUTION ACCEPTING AN APPLICATION FOR PROPERTY TAX
EXEMPTION FOR IMPROVEMENTS MADE TO PROPERTY LOCATED WITHIN
THE HAMILTON-WESLEY II URBAN REVITALIZATION AREA (SCHEDULE 3).**

WHEREAS, pursuant to Section 404.1, Code of Iowa, the City of Sioux City, Iowa, has established the Hamilton-Wesley II Urban Revitalization Area which provides for tax exemption for certain improvements made to property within the Area; and

WHEREAS, the following owner of real property located within the Hamilton-Wesley II Urban Revitalization Area has made application to the City Council of the City of Sioux City, Iowa, a copy of said application being attached hereto and by this reference incorporated herein, requesting an exemption from taxation on the actual value added by improvements to real property described below:

PROPERTY OWNER

PARCEL ID

Zenk, Mark

894729286001

and

WHEREAS, the above listed property owner has elected to utilize the exemption schedule set out as Subsection 3, Section 404.3, Code of Iowa, to wit:

Schedule 3 (Subsection 3) All qualified real estate is eligible to receive a 100% exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years; and

WHEREAS, the improvements made are in conformance with the Hamilton-Wesley II Urban Revitalization Area Plan and were made during the time the area was designated as an urban revitalization area; and

WHEREAS, the application of the above listed property owner should be accepted.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the application for exemption for improvements made to property located within the Hamilton-Wesley II Urban Revitalization Area, as set forth in the preamble hereof, be and is hereby accepted and the City Clerk is hereby authorized and directed to forward said application to the City Assessor by March 1, 2019.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

ATTACHMENT

2019 Hamilton-Wesley II Application List

Name	Sched	House #	Street Name	Unit	Parcel ID	New or Improvement
J&L Staffing/Premier Services	2	219	West 7th Street	-	894728154001	Improvement
Trinh, Nhu-Thux	2	802	West 7th Street	-	894729210006	Improvement
Zenk, Mark	3	222	West 7th Street	-	894729286001	Improvement

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 16

FROM: Lisa L. McCardle, City Clerk
Heidi Farrens, Deputy City Clerk

A. ON-PREMISE SALES

1. CLASS A LIQUOR LICENSE (Private Club; liquor/wine/beer/wine coolers)
 - A. Elks Club, 1001 Tri-View Avenue
2. CLASS B BEER PERMIT (beer/carry-out beer/wine coolers)
 - A. Milwaukee Weiner Shop No. 1, 301 Douglas Street (Renewal)
3. CLASS C LIQUOR LICENSE (liquor/wine/beer/wine coolers/carry-out)
 - A. El Gato Negro, 24 West 3rd Street (Renewal)
 - B. Green Valley Golf Club, 4300 Donner Avenue (Renewal)
 - C. Prince's Tavern, 1920 Center Street (Renewal)
 - D. Whispering Creek Golf, 6500 Whispering Creek Drive (Renewal)
4. SPECIAL CLASS C LIQUOR license (wine/beer/wine coolers/carry-out)
 - A. 1000 Degrees, 1388 Hamilton Boulevard (Renewal)
 - B. Face Off for Charity, 401 Gordon Drive (New 5 Day for event hosted by the Boys and Girls Home of Sioux City, February 26-March 2, 2019)

SUBJECT:

B. OFF PREMISE SALES

1. CLASS B WINE PERMIT (wine only)
 - A. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - B. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - C. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - D. Transit General Store, 2324 Transit Plaza (Renewal)
2. CLASS C BEER PERMIT (beer/wine coolers)
 - A. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - B. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - C. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - D. Tobacco Hut No. 11, 4523 Morningside Avenue (Renewal)
 - E. Transit General Store, 2324 Transit Plaza (Renewal)
3. CLASS E LIQUOR LICENSE (liquor only)
 - A. Fareway Store No. 19, 4016 Indian Hills Drive (Renewal)
 - B. Fareway Store No. 22, 4040 War Eagle Drive (Renewal)
 - C. Fareway Store No. 829, 4267 Sergeant Road (Renewal)
 - D. Tobacco Hut No. 11, 4523 Morningside Avenue (Renewal)
 - E. Transit General Store, 2324 Transit Plaza (Renewal)

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

RECOMMENDATION:

Staff respectfully requests and recommends approval of the above Beer and Liquor License.

DISCUSSION:

Fire Code Inspections were completed; Building, Electrical, Mechanical and Plumbing Inspections were performed; and Zoning Code has been verified for the above applicant, no violations were found unless otherwise noted.

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 establishment were reviewed and the Police Department recommends approval for the applicant unless otherwise noted.

FINANCIAL IMPACT:

The % of the local authority share of liquor license fees gathered by the State of Iowa Alcoholic Beverages Division varies from license to license; the City collected \$110,156.27 in FY2018.

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

AIRPORT BOARD OF TRUSTEES
REGULAR MEETING
January 10, 2019

A meeting of the Airport Board of Trustees was held at 7:30 a.m. in the Conference Room at the Terminal Building, 2403 Aviation Blvd, Sioux City, IA 51111.

MEMBERS PRESENT

Darrell Jesse
Angie Schneiderman
Dave Bernstein
Dave Kaplan

STAFF

Mike Collett, Assistant City Manager
John Backer, Operations Manager
Melissa Uhl, Administrative Assistant
Amber Hegarty, Assistant City Attorney

OTHER

Darren Christopher
Nancy Evans
Dave Zimmerman
Larry Finley
Barbara Sloniker

MEMBERS ABSENT

Rita De Jong
Vince Kramper
Noelle Jacobs

CALL OF THE ROLL

The Airport Board meeting was called to order by President Bernstein at 7:30am.

APPROVAL OF MINUTES

Jesse moved that the minutes of December 13, 2018 be approved. Seconded by Schneiderman. Motion Approved Unanimously.

BUSINESS ITEMS

None

DISCUSSION

17-35: Discussions on the spring construction season took place. American Airlines will determine if 70 seater planes are an option or if they will need to lighten the passenger limit of the current operation to 30 passengers.

Canopy: Jet Bridge 2 currently has a replacement canopy out for bid and is expected to be replaced in the spring.

Amendment No. 1 for Work Order 33: This was approved on Monday by the City Council. The environmental review will move forward.

Public Meeting: There will be a public meeting on January 18 for any comments on the amendment of FAA funding to include collecting PFCs at a rate of \$4.50 per enplaned passenger. Staff is expecting a letter of support from American Airlines. This application extends 20 years.

Parking Lot: RS&H discussed an asphalt overlay project for the short-term and long-term parking. Discussions to add a surcharge to offset the \$400,000 cost estimate were discussed. Staff will gather parking data from Omaha and Sioux Falls for comparison.

Hearings: Airports FY20 improvements include Taxiway C. FAA funding is expected to be dispersed in 3 to 4 groups.

Trego Dugan: Evans stated three new hires are in training. There were belt loader problems Sunday and she was reminded to use the City equipment when necessary. Their luggage carts were relocated to Alaska and they are unsure as to return or replacement. Baggage valet and the elevators appear to be working properly now and Evans expects her staff to use them for all deplanements.

Legal: Working on board neutral ordinance to allow for restricted call-ins and voting participation.

Air Show: Staff will be meeting with Sioux Falls this month.

Vending Machines: Another vending machine was added in the baggage area. All Airport vending machines accept credit cards now. The Board will be given a sales update.

FINANCIAL REPORT-Financials are still positive.

MARKETING- The Board requested a Marketing Committee be formed to better target those flying for business. Expedia and Google ads were suggested to reach that targeted audience. The Facebook ad promoting the additional holiday flight was a success. The Facebook ad is on the airport's website promoting three flights daily to Chicago. Billboard ads on I29 South to Omaha were suggested. Staff will reach out to Team Insight for more ideas.

SET DATE FOR NEXT MEETING- The next meeting will take place on February 14 at 7:30am.

ADJOURNMENT

There being no other business, a motion to adjourn at 8:15 a.m. was made by Kaplan and seconded by Schneiderman. Approved unanimously

Vincent J. Kramper
Secretary

**BOARD OF ADJUSTMENT
ABBREVIATED MEETING MINUTES
December 11, 2018**

A regular meeting of the Board of Adjustment was held this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were considered.

MEMBERS PRESENT

Michelle Bostinelos, Chair
Suzan Stewart, Vice Chair

Lee Beukelman
Jason Geary
David Silverberg

Ryan Ross

MEMBERS ABSENT

Jean Calligan

STAFF PRESENT

Chris Madsen, Senior Planner
Jeff Hanson, CD Oper Manager
Ron Kueny, Zoning Enf. Officer
Erin Berzina, Planner
Justin Vondrak, Asst. City Attorney
Sue Wingert, Real Estate Tech

Bostinelos called the meeting to order at 5:48 p.m., and read the opening statement explaining the procedure. She then introduced the Board members and City staff to the audience. The Board was asked if any had contact with the owner, petitioner, agent, or anyone listed on the notification list regarding the agenda items.

Agenda item: 2018-0092: Requested Conditional Use permit for 2001 Leech Avenue, 2001 ½ Leech Avenue and 2001 Dace Avenue.

Chris Madsen presented the item. Chris stated requesting a CUP for the property which is currently zoned GC and is being rezoned to BP. The use of warehouse, storage and office would be allowed in both of those zones. It is the outdoor storage that is the issue and requiring the CUP. The BP zoning district does require certain standards to be met, that the storage yard is screened by type B buffer yard that includes an opaque fence, which will need to be reviewed through a site plan either by Staff or at the DRC level. The petitioner is requesting outdoor storage of trailers, port-a-potties and dumpsters. The site plan shows the building on the south part of the site, outdoor storage would be on the north and west side of the building with future development potential to the north and overhead doors facing towards the east. Most of the abutting properties were established before the 2015 Zoning Ordinance so this would be the only one in the area that would have to meet the current standards.

Ross asked if this was abutting Gordon Drive and if Gordon Drive was considered a State Highway, he believes there is a provision about state highways. Chris responded that the way it was reviewed was that the property abuts Grand Avenue and not Gordon Drive.

Stewart asked if the type of chain linked fence with the fabric woven through it would meet the standards of an opaque fence or if it would have to be a solid surface. Chris replied it would need to be a solid surface.

Matt Matscar – 2000 Leech Avenue has concerns about the CUP and the aesthetics of the property.

Ross asked if they could approve the CUP but have it subject to a site plan coming back to the commission. Justin answered they could direct staff to bring the site plan back.

Tom Lindbloom – 2141 Lincoln Way admits the site plan is crude, but what they want to do is put up a building with material like the new Hobby Lobby.

Stewart asked the petitioner if the request to have the site plan come back to the Commission going to affect his project from going forward. Tom replied, that he wants to own the property before he hires an architect to draw a site plan.

Ross (Geary) moved to approve the item subject that it the site plan will come in front of the Planning and Zoning Commission for review. Motion carried. 6-0-0 (Yes: Silverberg, Ross, Bostinelos, Stewart, Beukelman, Geary,/No: 0/Abstain:0). Roll Call Vote

Other Business:

- a. Approve 2018 Annual Report.
Beukelman (Stewart) moved to approve the item. Motion carried. 5-0-1 (Yes: Silverberg, Ross, Stewart, Bostinelos, Geary/No: 0/Abstain:Beukelman). Roll Call Vote
- b. Approve July 10, 2018 meeting minutes. Voice vote: all voting aye
- c. Approve November 13, 2018 meeting minutes. Voice vote: all voting aye

There being no further business, the meeting was adjourned at 6:15 pm.

*Submitted by
Sue Wingert*

CHAIR

PLANNING DIRECTOR

**EFFECTIVE FISCAL AND PUBLIC POLICY COMMITTEE
REGULAR MEETING MINUTES
January 9, 2019**

The Effective Fiscal and Public Policy Committee met at 4:00 p.m. in the Pre-Council Conference Room, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were discussed.

MEMBERS PRESENT

Tom Baurichter
Michael Bayala 4:10
Dee Davis
Taylor Goodvin
Adam Johnson
Jim Johnson
Dick Salem
Alex Watters

MEMBERS ABSENT

Marisa Cummings

STAFF

Donna Forker

OTHER

Call to Order

The meeting was called to order at 4:03 p.m.

Tourism Bureau

The committee was updated on the City's efforts in the creation of a CVB. Aspects discussed included financing, the role of the CVB and how it could be organized. Information was shared on what other communities are doing. Due to time limits the discussion will continue at the next meeting.

Committee General Questions

Board elections will be held at the next meeting.

Adjournment

There being no further business, the meeting was adjourned at 5:05 p.m., on motion by Watters, second by Baurichter; all voting aye.

EVENTS FACILITIES AND TOURISM ADVISORY BOARD
MEETING MINUTES
February 1, 2019

A meeting of the **EVENTS FACILITIES AND TOURISM ADVISORY BOARD** was held at 12:00 p.m., at City Hall in the Lower Level Conference Room, 405 6th Street, Sioux City, Iowa.

<u>BOARD PRESENT</u>	<u>STAFF PRESENT</u>	<u>OTHERS</u>
Bruce Miller	Robert Padmore	Alex Watters, Council Member
Tim Seaman		Ragen Cote, Downtown Partners
Rick Motz		Erika Newton
Barbara Sloniker		Enzo Carannante, Spectra
Lila Plambeck		Rick Lecy, Kinseth /Convention Center
John Meyers	<u>BOARD ABSENT</u>	Josiah Paulsrud, Stoney Creek Hotel
	Susan Unger	
	Mark Baltushis	
	Tim Bottaro	

CALL OF THE ROLL – Meeting was called to order by Chairman Bruce Miller.

1. Approval of January 4, 2019 Minutes:

- Minutes approved on a motion by Tim Seaman seconded by Lila Plambeck; all voting aye.

2. Regional CVB Discussion

- Watters and Plambeck presented a report from the subcommittee regarding the scope, services and salary expectations for a regional CVB.
- The scope of services would include a one-stop shop for all marketing materials, visitor information for the entire region. The bureau would become the expert for all things Siouxland.
- The bureau would sell the area to prospective conventions, tours, sporting events, etc., that would generate increased room nights and increased tax revenue in the region.
- It would also coordinate room needs with hotels as well as the need for convention and meeting space with prospective hotels through an RFP process.
- It would report to a board comprised of the respective communities funding the regional CVB.
- The staff would include a director of tourism, an external CVB sales expert and an administrative assistant to start.
- The costs would include office rental, phone costs, furniture, internet, marketing materials, website redesign and maintenance, travel costs and other miscellaneous expenses. The committee estimated that approximately \$240,000 would be needed.
- Board members discussed the startup costs and agreed the CVB would not be a city entity. Cote said it would probably require more when you factor in insurance, office space and other unseen costs – more in line with \$340,000. A location that was convenient for visitors would be best.

- Board members agreed \$300,000 or more would be necessary. They discussed various way of achieving that amount, including commitments from the communities, sponsorships and facilities fees.
- Newton pointed out that current funds earmarked for tourism in Sioux City are directed toward events like the Big Parade. Website costs would also need to be factored in.
- Those present agreed there would have to be some kind of scale to determine (such as number of hotel rooms) what each community would pay. Additionally, facilities could be deemed “preferred” (such as hotels or restaurants) if they were part of the concept.
- Sloniker said the Siouxland Chamber of Commerce directs traffic to members as part of its rewards program.
- Board members then discussed a location that was visible. Padmore said there may be space in the former Municipal Auditorium that could be used to start. The Transportation Center was also suggested.
- Watters said he would contact Sioux Falls and other tourism offices regarding their fees and mandates.
- Padmore said the City was prepared to “get the ball rolling” with \$100,000 as its contribution. Plambeck said she would talk to the hospitality association and gauge its participation.
- Those present agreed these figures would be a beginning; as traffic increased, staff could as well.
- Cote asked how long communities would be asked to commit to the concept, particularly since real change probably wouldn’t be seen in the first year. Padmore suggested it should be a three-to-five-year commitment. Motz said five years would be best.
- Newton said a community like Le Mars should be viewed in a different way, particularly since it has a vibrant tour business and probably doesn’t need help planning events the way other communities may.
- The board decided that it would meet next month with the outlying community representatives. In advance, Sloniker will contact them and see what their priorities may be. The subcommittee will present its findings to the group. The meeting will be held at the Long Lines center.

3. Adjournment

Because there wasn’t time to discuss the website, marketing materials or other concerns they were tabled for another meeting. The meeting was adjourned at 1:00 p.m., on a motion by Lila Plambeck, seconded by Barbara Sloniker; all voting aye.

Respectfully submitted:
Jessica Johnson, Projects Management Specialist



**HUMAN RIGHTS
COMMISSION
Special Meeting Minutes
November 7, 2018**

A meeting of the Human Rights Commission was held at 5:30 p.m., City Hall, Lower Level Conference Room, 405 6th Street, Sioux City, IA 51101.

Commissioners Present

James Anderson
Julie Berens
Mary Day
Jean Graham
Patricia Hartwell
Nia Key
Steele Welcher

Staff Present

Karen Mackey
Jessica Ryan

Commissioners Absent

Tracy Everett (excused)
Richard Moore (excused)
Tracy Winters (excused)

Staff Absent

Sharon Holder (excused)
Paul Flemming (excused)
Izamar Carrillo (excused)
Lynn Zerschling (excused)

1. Roll call

Meeting was called to order by Julie Berens, Vice Chairperson, at 5:30 p.m.

2. Nominations

Ms. Berens inquired about the selection process for the War Eagle Human Rights Award.

Ms. Mackey reviewed the selection criteria and reiterated that nominees were recognized for work that positively affected the civil rights climate in the Siouxland area, in either the last twelve months or for a lifetime of work. She stated that individuals or groups could be selected and there could be 2 or 3 honorees.

Ms. Graham discussed the importance of the work over the past year as well as the entirety of a career.

Ms. Berens asked for discussion over the nominees.

Mr. Anderson stated that perhaps there needed to be a committee as there were so many good candidates.

Commissioners discussed the merits of the nominees and elected to vote by paper ballot for the three names they deemed the best for this year's award.

Dr. Richard Lundy, Mike and Carolyn Goodwin, and the Council on Sexual Assault and Domestic Violence garnered the most votes.

3. Adjournment

There being no further business, the meeting was adjourned at 5:54 p.m.

Respectfully Submitted:

Jessica Ryan, Administrative Secretary



**HUMAN RIGHTS
COMMISSION
Regular Meeting Minutes
January 3, 2019**

A meeting of the Human Rights Commission was held at 5:30 p.m., City Hall, 5th Floor, Council Chambers, 405 6th Street, Sioux City, IA 51101.

Commissioners Present

Jim Anderson
Julie Berens
Mary Day
Tracy Everett
Jean Graham
Patricia Hartwell
Nia Key
Richard Moore
Steele Welcher
Tracy Winters

Staff Present

Sharon Holder
Karen Mackey
Jessica Ryan
Connie Anstey (Legal)

Staff Absent

Lynn Zerschling (excused)
Izamar Carrillo (excused)

Commissioners Absent

None

4. Roll call

Meeting was called to order by Tracy Everett, Chairperson, at 5:30 p.m.

5. Approval of the minutes of the October 4, 2018, meeting.

Ms. Graham moved to approve the minutes from the October 4, 2018, meeting; Ms. Winters seconded. All voted in favor.

6. Closed Session

Ms. Behrens moved to go into closed session of the Commission to review or discuss records which are required or authorized by Iowa Code Section 21.5(1)(a) or (f) or federal law to be kept confidential. Mr. Moore seconded. All voted in favor.

Mr. Anderson moved to return to open session, Ms. Graham seconded. All voted in favor.

After returning to open session, Sr. Day moved to accept staff's probable cause recommendation, in Case 11-1459; Mr. Anderson seconded. All voted in favor.

7. Upcoming Events

a. Civil Rights Academy - Me Three, the Impact beyond #MeToo (January 16, 2019)
Ms. Mackey stated that a forum will be held at the Sioux City Public Museum on Wednesday, January 16th at 6:00 pm. The discussion will feature panelists from different community organizations and explore the impact on the greater community and society beyond the #MeToo movement.

b. Martin Luther King, Jr. Day (January 21, 2019)

Ms. Mackey stated that the NAACP will hold a celebration at Mayflower Congregational Church, 1407 W. 18th St. There is a community choir that performs at the event. The practices for the choir are January 10th and 17th at Mayflower Congregation Church. All of the events, including the celebration and practices are at 7:00 p.m.

b. Commissioner Retreat (February 16, 2019)

Ms. Mackey stated the Commissioner's Retreat has been set for Saturday, February 16th, 2019 from 10:00 a.m. to 2:00 p.m. A location has not yet been finalized, but will most likely be held at the Sioux City Public Museum.

c. Faces of Siouxland (March 31, 2019)

Faces of Siouxland will be held on Sunday, March 31st, from Noon to 4 p.m. at the Sioux City Convention Center. Ms. Mackey asked Commissioners to help with finding entertainment and getting information out to local organizations. Ms. Mackey passed around a sign-up sheet for Commissioner's to volunteer at various areas on the day of the fair. The areas where help is needed are the kids space, greeters, and our own table. Ms. Everett inquired about venues for future fairs. Ms. Mackey stated that other sites will be explored and discussed if they can accommodate the event and are within budget. Parking will be an issue at this year's fair. Vendors will be encouraged to arrive early, unload and park in the ramp as there is very little on street parking.

8. Staff reports

A copy of the Directors' report was included in the monthly packet.

Ms. Mackey stated that in the Spring and Summer of 2019 we will have interns in the office. One of the intern positions will be paid through a grant from Tyson Campus Compact.

Ms. Mackey stated that in the week after Thanksgiving, Ms. Mackey, Ms. Holder, and Ms. Ryan were able to attend the HUD National Training in Washington, D.C.

Ms. Mackey stated that the two Commissioner positions remain open but they are expected to be filled soon. Ms. Mackey thanked Ms. Graham for continuing to attend meetings until a replacement is named.

Ms. Mackey stated that the large number of complaint forms given out over the last two months, 28 in total, was indicative of the volume of calls handled. Staff is revising the intake form to better reflect the time spent with each call and any follow-up that results.

9. Old Business

None

10. New Business

Ms. Mackey stated that the Annual Report to City Council was approved.

11. Citizen concerns

None

12. Adjournment

There being no further business, the meeting was adjourned at 6:05 p.m.

Respectfully Submitted:

Jessica Ryan, Administrative Secretary



**PARKS & RECREATION
ADVISORY BOARD
MINUTES
FEBRUARY 6, 2019**

A meeting of the Parks and Recreation Advisory Board was held at 4 p.m., Long Lines Family Rec Center, 3rd Floor Conference Room, 401 Gordon Drive, Sioux City, Iowa.

<u>MEMBERS PRESENT</u>	<u>STAFF PRESENT</u>	<u>OTHERS</u>
Cindy Brewer	Angel Wallace	
Fran Palmersheim	Brittany Scott	
Gretchen Baller	John Byrnes	
Brad Krommenhoek	Kelly Bach	
Andrew Glisar	Todd Lien	
Kathryn Pfaffle	Eric Griffith	
Sara Wiedenfeld		
Raymond Thomas		
Scott Brouillette		
<u>MEMBERS ABSENT</u>		

4. **CALL OF THE ROLL**

Meeting was called to order by Brewer at 4:00 p.m.

5. **READING OF THE MINUTES OF JANUARY 14, 2019**

Reading of the minutes of January 14, 2019, was waived and on motion by Palmersheim, seconded by Krommenhoek, to approve the minutes; all voting aye.

6. **COMMUNITY INTEREST AND CONCERNS**

There were no concerns reported.

7. **NEW PARK BOARD MEMBER INTRODUCTIONS**

The new members were introduced: Kathryn Pfaffle, Sara Wiedenfeld, and Raymond Thomas.

8. **ELECTION OF OFFICERS**

Motion by Palmersheim, seconded by Glisar, to appoint Brewer as the President; Brouillette as the Vice President; all voting aye.

Brouillette entered the meeting at 4:10 pm.

9. FREE FRIDAY NIGHT SWIM & MOVIE SPONSORS

Griffith said there are six movies scheduled at Grandview Park for Movies in the Park. There are two in June, two in July, and two in August. Movies shown are from releases within the last two years including one throwback. A good night could bring up to 500 attendees. Licensing for the movie is \$300 so sponsorships cover this fee.

Every Friday during the summer months there is a Free Friday Night Swim at one of the three public pools. Sponsorships cover staffing costs and admission for the night. Last year, approximately 4,000-6,000 people attended the Friday Night Swims.

10. PARKS AND RECREATION BOARD CONCERNS

Award – Wallace stated Salvatore is in Des Moines attending the Iowa Tourism Conference to accept an award for the best attraction in Iowa.

Cardboard Sled Races – The Cardboard Sled Races will be this Sunday at 2 pm at Cone Park. Byrnes said the Muskies will be there skating and signing autographs; a snow bar will be set up outdoors; and, it is free for the public to come out and watch.

All Abilities Day – Byrnes reported the All Abilities Day held at Cone Park was a sold-out event.

Bunny Hill – Byrnes responded to Brouillette the bunny hill is going well. People enjoy bringing out the whole family; as, the bunny hill has no age limit.

Cam – Baller passed along a suggestion to install a camera at the top of the hill / magic carpet for parents that are sitting in the Lodge to help keep track of their children. Brouillette added a web cam could be a valuable marketing tool. Griffith noted Great Bear has a cam.

Dog Park – Brouillette said he is against the \$10 permit fee and thinks it will be difficult to enforce. Bach added the park rules sign will be updated; and, the area with the drinking fountain will be a leashed area. Wallace said the Committee plans to regroup and decide if any revisions are needed. The current ordinance being considered by City Council has only received one reading and will require two more readings for it to be approved. If revisions are requested, Brewer would like those brought back to the Parks Board before being proposed to the City Council.

Ice Center – Lien stated the Curling Classic is coming up on March 15-16.

Riverfront Project – Brouillette suggested the Board members become familiarized with the Riverfront Project; as, the public will approach members with questions.

Programming – Griffith asked Board members for suggestions on ideas for recreation programming.

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:39 p.m., on motion by Palmersheim, seconded by Baller; all voting aye.

**CITY PLANNING AND ZONING COMMISSION
ABBREVIATED MEETING MINUTES
December 11, 2018**

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

Michelle Bostinelos, Chair
Suzan Stewart, Vice Chair

David Silverberg

Jason Geary
Ryan Ross
Lee Beukelman

MEMBERS ABSENT

Jean Calligan

STAFF PRESENT

Chris Madsen, Senior Planner
Ron Kueny, Zoning Enforcement Officer
Jeff Hanson, CD Operations Manager
Erin Berzina, Planner
Brent Nelson, Senior Planner
Justin Vondrak, Asst. City Attorney
Sue Wingert, Real Estate Technician

Bostinelos called the meeting to order at 4:00 p.m., and read the opening statement explaining the procedures. She then introduced the Commission Members and City staff to the audience. The Commission was asked if any member would be abstaining on any agenda item.

Agenda Item 2018-0062: Request rezoning of property commonly known as 1020, 1016 and 1012 Lewis Boulevard from NC-4 to GC and the rezoning of property commonly known as 1002 Lewis Boulevard from SC to GC. (Petitioner: Erik Reyes)

Brent Nelson asked if it was acceptable to the commission he would like to report on both 2018-0062 and 2018-0094, which are the rezoning and the vacation together. There will be one staff report and two separate motions. The petitioner has asked to have the property that is owned by Cliff Tufty (Cliff has also signed the petition) to be rezoned from SC Suburban Commercial to General Commercial as well as NC-4 to GC. The property on the southwesterly part of the block at 10th and Lewis Streets is currently zoned suburban commercial. It is currently a vacant lot. The northwesterly portion of property is currently zoned NC-4 and we request to rezone that to General Commercial. This is an L shaped property consisting of two parcels divided by an alley lying east of Lewis Boulevard and between 10th & 11th Streets. We have received three replies in opposition from 2404 & 2408 11th Street and from 1021 Lewis Blvd (Dam Auto).

As you can see there is a fair amount of parking on both 10th and 11th Streets and well as Dubuque Street. What the petitioner would like to do is develop a used car lot on the site, and they have provided a rough site plan, which I'm showing you so you have some indication of what they want to do. The southwesterly part of the block will handle most of the development. The northerly strip may be a one or two car display area, somewhat like Hamilton Touchless Carwash, with the raised area out front.

The need for the alley vacation is to make the property to the north large enough to be developable. However, there are property owners that use the alley for access, which causes the issue of trying to combine the lots but leave the alley.

Prior the last zoning rewrite in 2015, the subject property was zoned BG it was rezoned in 1997 prior to that it was RG-50. The reason for the 1997 rezoning was because of a discussion between Council and city staff. A plan we had at the time basically called for rezoning the entire block to General Business. Obviously, Lewis Boulevard would not be a prime residential street and at the time the Commission and City Council were looking to encourage development in the area.

The comprehensive plan which is in place now calls for the area to be developed as a mixed use community and called for basically the same type of development on the east side as we have on the west.

Our proposal is to vacate the alley and grant an easement across it for the use of the neighbors. This is a fairly convoluted way of doing this, but sometimes in order to implement the comprehensive plan and encourage development you have to think outside the box. This type of thing has been done in the past and is not something we want to do every day but in this case, it's necessary to develop the lot to the north.

Ryan Ross asked if the petitioner could pave the portion of property to the north and just park cars on it. Brent replied that they could but it would have to be shown on a site plan and be reviewed. Staff would make sure there is the proper buffering and the proper setbacks.

If both re-zonings and the vacation are approved, then that would help implement the comp plan and reaffirm the council action, it will allow development and it will preserve access to 2404 & 2408 11th Street. If it's not approved, then we would recommend against rezoning the northerly area because it wouldn't have the sufficient area for development.

It is our recommendation that the commission approve both the rezoning, the alley vacation and direct staff to grant an access easement over the alley to the abutting neighbors.

Ryan Ross stated that you say that this would reaffirm 1995 Council action, but when I was listening to you I thought the council decided that if there was to be a rezoning it was to be done in a larger area than just that strip along Lewis Boulevard. Brent replied there was a great deal of discussion about doing that. It was decided against. Wholesale really was holding up the blocks all the way between 11th and 7th Street. But even at the council meetings there was discussion about should we or should we not rezone the entire block. Staff was not in favor of rezoning the entire block, there was concern about creating non-conformities as well as concerns about upsetting the neighborhood balance. So the decision was made at that time to rezoning piece by piece as the requests came in.

Ryan Ross asked is there is a display built is that considered a sign? Brent replied there would be a review, there would have to be landscaping would be required as well as an eight foot buffer zone between the street and any displays as well as a 30 foot setback between any residences and they would have to be screened. Ryan asked if those items would come back to the commission because they would have to modify the site plan. Brent replied almost certainly.

Jason Geary stated that a portion of this property had been zoned BG and asked if an auto dealership by right have been allowed on that site without any oversight of site plans? Brent replied that the specific reason for that rezoning was for a car lot. Geary also asked if the rezoning happened by request and then the development didn't happen. Brent replied that the rezoning was requested by Frank Merchant but he did not go through with the development. Jason also asked about the development of Hamilton Boulevard and the challenge we faced there where we have heavy residential on one side, but development opportunity along the commercial corridor

and we said these really need to be developed in one block increments to make them a clean site all commercial, and you will probably get a better chance of better quality development that way verses this site where we are trying to squeeze this in verses two clean sites. Brent replied that we are trying to get the empty lot to the north developed. This is the best use for this strip of land unless the makeup of the neighborhood changes to have quarter block development. Jason asked if we rezoned that strip what would be allowed. Brent replied anything build there would need a site plan reviewed by Staff. The Commission can require anything to come back for your review. Jason asked if this would need to come back for a site plan review. Brent replied that the south quarter block could come up with a site plan that meets everything, the north portion would probably have trouble developing without needing review.

Suzan Stewart asked if there were any utilities and if the alleys were drivable. Brent answered there are no utilities and yes, the alleys are drivable.

Jason Geary asked if the developer needs the alley for functional reasons. Brent responded that the alley is needed to combine the properties.

Ron Waffledorf - 2408 11th Street stated that there is not adequate parking on 11th Street and we do not need another car lot in the area.

Jason asked Ron if his property backed up to the subject alley and if he used the alley for access. Ron said yes to both. Suzan asked if Ron accessed his garage from the alley. Ron answered no, but they do use the alley frequently.

Jessie Holmes – 2408 11th Street stated that all the alley are being used by the abutting neighbors. He does not want to have to park on streets that are blocks away.

Travis LaFluer – 2404 11th Street stated that his family also frequently uses the alley.

Jason asked staff if the commission decided not to rezone the northern property, would the project go forward? Brent replied he did not know if that would change the developer's mind. Jeff Hanson stated if the northern portion does not get rezoned, the vacation of the alley would not be needed. Brent mentioned that the northern property would probably be use the display a couple cars and a sign. Jeff stated the area would be use for display not employee parking and setbacks would be met.

Ryan asked if this would be the best use for the northern property. Brent replied that a car lot is a very transitional use and it doesn't take much to take it out.

Suzan asked Jason Vondrak about the timing and details about the access easement. Jason replied that the easement could be as detailed as we make it.

Ryan asked if the commission voted no on Item 2018-0062, we could then make a new motion to rezone just the southern part? Brent replied you can always reduce, you can't expand what has been noticed.

Agenda Item 2018-0062: Request rezoning of property commonly known as 1020, 1016 and 1012 Lewis Boulevard from NC-4 to GC and the rezoning of property commonly known as 1002 Lewis Boulevard from SC to GC. (Petitioner: Erik Reyes)

Ross (Geary) moved to approve the item (Rezoning of both parcels). Motion did not carry. 3-3-0 (Yes: Silverberg, Stewart, Bostinelos No: Ross, Beukelman, Geary Abstain: 0). Roll Call Vote

Agenda Item 2018-0094: Requested vacation of the east 45 feet of the east/west alley in the block bounded by Lewis Boulevard and 10th, 11th, and Dubuque Streets (Petitioner: Erik Reyes).

Brent Nelson asked if it was acceptable to the commission he would like to report on both 2018-0062 and 2018-0094, which are the rezoning and the vacation together.

Ross (Geary) moved to approve the item (Vacation with access). Motion did not carry. 3-3-0 (Yes: Silverberg, Stewart, Bostinelos No: Ross, Beukelman, Geary Abstain:0). Roll Call Vote

Ryan made a motion to approve the rezoning of the southern property. (The southwest quarter of Block 12, Coles Addition) (Geary) Motion carried. 6-0-0 (Yes: Silverberg, Ross, Stewart, Bostinelos, Beukelman, Geary Abstain: 0). Roll Call Vote

Agenda Item: 2018-0088: Requested dedication of S. Cypress Street.

Brent Nelson presented the item stating that the street is completed and ready to be dedicated.

Ross (Geary) moved to approve the item. Motion carried. 6-0-0 (Yes: Stewart, Bostinelos, Beukelman, Geary, Silverberg, Ross/No: 0/Abstain:0). Roll Call Vote

Agenda Item: 2018-0089: Requested vacation of a portion of Pierce Street adjacent to 2720 and 2801 Pierce Street.

Chris Madsen requested to present both items 2018-0089 and 2018-0090 together. These items are in relation to the realignment of Pierce Street and the UnityPoint Health / St. Luke's campus. The vacation is where Pierce Street was formerly located and no longer used in the transportation system. The dedication is where Pierce Street was realigned to. This would be the portion that will be used in the transportation system. St. Luke's approached the City asking to realign Pierce Street and move some of their parking to the west, to cut down some of the pedestrian crossing of Pierce Street.

Stewart asked why the vacation process had not occurred earlier in the project. Chris replied that until the project is done, you wouldn't want to take these steps in case something happens during construction to change the alignment.

Stewart (Ross) moved to approve both items. Motion carried. 6-0-0 (Yes: Bostinelos, Beukelman, Geary, Silverberg, Ross, Stewart /No: 0/Abstain:0).

Agenda Item: 2018-0090: Requested dedication of the realigned Pierce Street adjacent to 2720 and 2801 Pierce Street

Chris Madsen requested to present both items 2018-0089 and 2018-0090 together. The vacation and the dedication of the UnityPoint / St. Luke's campus.

Stewart (Ross) moved to approve both items. Motion carried. 6-0-0 (Yes: Bostinelos, Beukelman, Geary, Silverberg, Ross, Stewart /No: 0/Abstain:0). Roll Call Vote

Agenda Item: 2018-0091: Requested rezoning of 2001 Leech Avenue, 2001 ½ Leech Avenue and 2001 Dace Avenue from GC to BP.

Chris Madsen presented the item. Chris stated the rezoning of the three parcels is from General Commercial to Business Park. Both the City and Lindbloom Services are looking to rezone. Lindbloom is looking to build a 19,000 sq. ft. office/warehouse with outdoor storage. Outdoor storage is a use that is currently prohibited in the GC Zone district. Rezoning to BP, outdoor storage, is a conditional use. The petitioner has submitted a site plan which will need to go through the development review committee later. The outdoor storage would be to the north of the proposed building. The petitioner signed a letter of understanding and will need to have a flood study on the Perry Creek Channel.

Matt Mascar – 2000 Leech Avenue had concerns about the outdoor storage and wanting fencing or an enclosure to block the view from Leech Avenue.

Ross stated we have design standards that affect commercial development, can you explain what the site would look like? Chris replied the Business Park Zone does have standards that would need to be met such as fencing, landscaping, parking and outdoor storage.

Geary asked if outdoor storage was allowed in the BP zoning? Chris replied yes, the Conditional Use Permit is being requested for that purpose.

Tom Lindbloom – 4131 Lincoln Way. He has spoken with Jeff Hanson about the fencing on Leech Avenue, nothing would be visible from the street. We looked at several different locations, and this location works best from them.

Stewart (Geary) moved to approve the item. Motion carried. 6-0-0 (Yes: Geary, Silverberg, Ross, Stewart, Bostinelos, Beukelman/No: 0/Abstain:0). Roll Call Vote

Agenda Item: 2018-0093: Requested zoning ordinance text amendment to various Subchapters, Sections, Tables and Subsections to Title 25 of the Municipal Code.

Chris Madsen presented the item. The City of Sioux City is requesting text amendment to the Municipal Code. As we continue to work through the code, as we find any issues we will bring them forward to you for any changes. The first amendment is changing the Commercial Use table adding Automobile Sales and Service in the Public Institutional Zone. Currently, auto sales in that zone are prohibited. We have been running into the major car dealers in town that set up in the Tyson Event Center lot or the Convention Center lot, we have been allowing those although it is a prohibited use. We would change that to a limited use and at the same time add a new standard in the Limited and Conditional Use section. Stating that in the PI zoning district only temporary automobile sales would be allowed six times per year and no longer than ten consecutive days at a time.

Jeff mentioned that the car dealers need to transfer their sales license from the State on a temporary basis to these locations. The dealers come to the City asking for a zoning verification letter which the State requires to transfer the license temporarily. Legally, we cannot verify that they have proper zoning at the Tyson Event Center or the Convention Center.

Chris stated the next item Parking Garages or Lots, they are limited uses in the NC-3, NC-4 mixed use and general commercial zones. In that case, these standards would need to be met and the Board of Adjustment would review and approve the use. What we are asking that if it's a limited use permit it can be approved by staff instead of needing to go to the Board of Adjustment.

Jason asked for a practical use for this text amendment. Chris responded that between Geneva Street and Hamilton Boulevard, Verizon bought an NC-5 lot with the intent of having staff parking

(about half a block away from the store) which staff reviewed because in that case they had met all the standards and all the setbacks, there was no need to bring it to the Board of Adjustment.

Chris stated that the next item is Setbacks. We have a number of different setback requirements depending on the use. What we're looking at is the multi-family and single family attached setback requirements. Where there is mixed use in the same development, the setbacks should be uniform. The underlying zoning district would state what the setbacks should be. A new plat and rezoning would call out the different lot sizes and would have their own set of standards.

The next item is Surfacing and Maintenance. Currently the zoning code does require that all off street and access parking be paved with either asphalt or concrete. However, there are times when it makes sense not to have that. The City's Engineering Department traditionally doesn't like having their name called out in the City Zoning Ordinance, so we are proposing to switch that to the City Manager or the designee in that case giving the Planning Department a little more authority. We are also proposing removing the "In General" from the beginning.

The next item is Space and Modular Standards. Adding a six-foot sidewalk with a two-foot overhang would be permitted. Reducing the standard from eight-feet to six-feet.

Lee asked if according to ADA standards if you need to have a 5 foot turn around. Chris replied that may be correct, but you also have to have spacing, but that isn't consistent through the length of the sidewalk. This would be a minimum standard and staff would have the ability to increase it. Chris mentioned that the ADA code is separate from the Zoning code.

The last text item is Signs. The Suburban Commercial zoning district has standards in it for off premise signs. It's listed on the table as allowed and in other portions of the code as allowed. In this portion of the code it's listed as a prohibited zone for off premise signs. We ask that the section be removed so that off premise signs are allowed in the SC district.

Ross (Geary) moved to approve the item. Motion carried. 6-0-0 (Yes: Silverberg, Ross, Stewart, Bostinelos, Beukelman, Geary/No: 0/Abstain:0). Roll Call Vote

Other Business

- d. Approve 2018 Annual Report.
Ross (Geary) moved to approve the item. Motion carried. 6-0-0 (Yes: Silverberg, Ross, Stewart, Bostinelos, Beukelman, Geary/No: 0/Abstain:0). Roll Call Vote
- e. Report by the Chair Regarding Planning and Zoning items at the City Council meeting.
- f. Other items brought forward by the Commission and/or staff.
- g. Approval of the minutes of the November 13, 2018 meeting.
Calligan (Ross) moved to recommend to the City Council approval of the October 23, 2018 minutes. Motion Carried. 4-0-0 (Yes: Ross, Bostinelos, Silverberg, Geary/No:0/ Abstain:Stewart, Buekelman). Roll Call Vote

There being no further business, the meeting was adjourned at 5:47 p.m.

*Submitted by
Sue Wingert*

CHAIR

PLANNING DIRECTOR

MINUTES
Woodbury County Information
and
Communication Commission

Board of Supervisors Room Sioux City, Iowa

A meeting of the WCICC Commission was held on January 9th, 2019 at 8:05 a.m., the following Commission members were present: Matthew Ung, Pete Groetken and Dan Moore. Absent: Jeff Sypersma and Marty Pottebaum.

I. Meeting Called to Order

Dan Moore called the meeting to order at 8:05 a.m. The minutes from December 12th, 2018 were approved. **3/0 Carried.**

II. Communications Center

Monthly Budget Report (Agenda item II. A.)

Informational

Open Items (Agenda item II. B.)

No Open Items

III. Information Systems

Department Update (Agenda item III. A.)

John Malloy shared updates on the following projects: Network Core Switch Phase 1, Implementing Mandatory Annual SAT Training, WinCan Integration Resolution, IT Integration for the Expo Center, County PC Asset Disposition via GovDeals, December Switch Test, Data Flow Process & Admin Screens for OptumRX, Reviewing Office 365 Licensing, Planning Downtown Data Center Compute Node Replacement and MS Surface/Laptop Replacement.

John Malloy requested authorization to expend up to \$160,000 for Primary Data Center Compute (Server) Replacement and associated Fabric Switches using a combination of CIP and Tyler funding.

A motion was made by Matthew Ung, to expend up to \$160,000 for Primary Data Center Compute (Server) Replacement and associated Fabric Switches, seconded by Pete Groetken. **3/0 Carried.**

Open Items (Agenda item III. B.)

No Open Items.

The regular meeting adjourned at 8:28 a.m., with the next meeting scheduled for February 13th, 2019 at 8:05 a.m., in the Board of Supervisors Room in the Woodbury County Courthouse, Seventh and Douglas Streets, Sioux City, Iowa.

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 18

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

SUBJECT: **Hearing and ordinance adopting a site plan for 2015 W. 6th Street. (area zoned PI (Public and Institutional)). (Petitioner: Joshua Watson – U.S. Cellular). The Planning and Zoning Commission recommends denial of this item. (File No. 2019-0009).**

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

RECOMMENDATION:

Staff respectfully requests City Council deny the requested site plan, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2019-0009: Requested site plan approval for the property located at 2015 West 6th Street (Petitioner: Joshua Watson – US Cellular)

Madsen Madsen presented the item stating the petitioner is planning to place a 130 foot cell tower on the site. There are a number of rules and regulations regarding what a City can and cannot consider when reviewing cell tower sites.

The FTA requires State or Local Governments to act on applications within a reasonable amount of time, which was defined in November 2009 when the FCC set some rules essentially stating that cities have 90 days to act on co-locations and 150 days on all other applications.

2009 “FCC Shot Clock” Rule

A City must act upon a new tower within 150 days of receiving an application.

The second is the Spectrum Act which states a State or local government may not deny and shall approve any eligible facilities for modification that do not increase or substantially change a site. Because this request is for a new cell tower, the Spectrum Act does not apply. However, the Iowa Cell Tower Legislation was signed by Governor Branstad on June 22, 2015 which listed 13 actions that local governments cannot take into consideration when reviewing telecommunication tower requests.

1. Require an applicant to submit information about service design, customer demand, or quality of service

2. Force an applicant to co-locate on an existing tower.
 - a. Can require the application to state they conducted an analysis of available sites.
3. Dictate the type of transmission equipment or technology used, or discriminate between different types of technology.
4. Require removal of existing towers as a condition of approval.
 - a. Can adopt rules regarding removal of abandoned towers (see #10).
5. Impose environmental testing, sampling, or monitoring requirements for radio frequency emissions.
6. Regulate radio frequency signal strength or the adequacy of service quality.
7. Reject the application based on perceived or alleged environmental effects of radio frequency emissions.
8. Prohibit the placement of emergency power systems that comply with federal and state environmental requirements.
9. Charge an application fee, consulting fee, or other fee associated with the submission, review, processing, or approval of an application that is not required for similar types of commercial development.
10. Impose surety requirements to ensure removal of abandoned or unused towers equipment unless imposed on other types of commercial development.
11. Condition approval on agreement to allow co-location at less than the market rate.
12. Limit the duration of the approval of an application except that construction shall be commenced within two years of final approval, and diligently pursued to completion.
13. Discriminate on the basis of the ownership of any property, structure, or tower when promulgating rules or procedures for siting wireless facilities or evaluating applications.

Ross asked if the reference to the environmental effects include health concerns. Madsen replied that is correct, that is something that cannot affect the decision.

Madsen continued that there are two items that are allowed to be reviewed.

1. Neighborhood character, which has not truly been defined by legislation or by the courts.
2. Bulk regulations, height requirements, setback requirements and those types of items.

Municipal code requirements: Whenever a new cell tower is erected in Sioux City, it does require site plan review and approval by the Planning and Zoning Commission and by the City Council.

Use restrictions: Telecommunications towers would be allowed in any zone without regard to the height limits of that particular zone. There are height limits within the cell tower regulations, but typically the 50 foot height type requirements would be in the Public Institutional Zone and would not apply to cell towers.

Bulk regulations, height – cell towers up to 200 feet are allowed but any additional height up to 250 feet would have to meet a series of standards. The proposed tower is 130 feet in height.

Setbacks: There are four setback requirements for cell towers and the greatest of those would apply.

1. Setback requirements of the underlying zoning district which in this case is the Public Institutional Zone.

2. The tower must be 200 feet from any residential district or use.
3. The tower must be setback 25% of the height of the tower.
4. The Fall Zone, per the study provided by the petitioner, would be 50% of the height of the tower or 65 feet.

The proposed tower does meet three of the setbacks requirements, however City code states it has to be the greatest of the four setbacks and the proposed tower does not meet the residential district boundary.

Geary asked why there are no setback requirements for the building on the land. Madsen replied that would be part of the lease agreement and not something that the city would review.

The parking requirement does require one parking space and loading space be provided to serve the cell tower. The proposed site plan does show an access easement. The plan does not show a parking space, but there would be room for one.

Tower design requires all towers shall exceed all current federal requirements and any lattice of guy wire towers shall be allowed in only the BP and GI districts. The proposed tower is a monopole design and the antennae systems are inside the tower structure.

Screening requires an 8 foot privacy fence be installed around the base of the tower and the equipment shelter.

Staff recommends denial of the application since it does not meet the setback requirements of the zoning district of being 200 feet from residentially zoned or used properties.

Geary asked what guided staff to the 200 foot setback requirement. Madsen stated that towers are allowed to be 200 feet in height and that's probably where the measurement came from.

Ross asked if the Commission had the discretion to waive the setback requirements or does that require a variance. Madsen responded that because this is a site plan the Commission and the City Council would have the flexibility to reduce the setback.

Stewart asked what give the Commission authority to deviate from the setbacks. Madsen replied that the Municipal Code does allow for flexibility on setbacks as part of the site plan review process, which is open to the Commission's discretion.

Ross suggested considering a review of the 200 foot setback requirement and maybe have the setback be based on the height of the tower.

Joshua Watson, US Cellular, 5656 N. Wayne Avenue, Chicago, IL 60660 – Stated expanding in this area has been a desire for US Cellular for some time. This site is only one component of a larger project to bring exceptional new service to our customers. After evaluation we chose this site to provide the best wireless coverage in this portion of Sioux City. We have chosen to use the stealth type tower, which is the least visually impactful. We exceed the engineering fall zone of the tower and have submitted a letter from Sabre Tower Engineering.

Ross asked the petitioner to explain the fall zone and the break away design.

Watson replied a tower is built with a foundation that is designed specifically for that spot and the tower is built with ice and wind load ratings specifically for this county. The tower is engineered at a fail point where if there is wind and ice the tower will bend instead of tipping over.

Geary questioned if other towers have been grandfathered in under previous codes and whether those towers would meet the code today. Watson said he knows of one in particular that was built before the adoption of the current code which does not meet the 200 foot setback.

Calligan had questions about the report from Saber Tower Engineering. Watson said he would ask Saber to clarify the report.

Stewart stated that before anyone speaks in opposition of the item, the Commission is not allowed to take into consideration perceived or alleged health considerations from radio frequencies. Stewart was concerned that if our record reflects a lot of input from citizens about health effects that the Commission can't consider as a part of the basis for our decision.

John Kolbo – 614 Turner Street
Sherry Johnson – 2005 Villa Avenue
Dani Bock – 2008 W. 14th Street
Sheila Langley - 2014 W. 14th Street
Jack Langley – 2014 W. 14th Street
William Cowan – 2100 Villa Avenue
Bill Corder – 1922 Villa Avenue
Susan Kolbo – 1612 Turner Street
Jose Nuno – 2017 Villa Avenue
Maria Costillo – 2001 Villa Avenue
Larry Bruyer - 1822 W. 5th Street

The above listed residents are opposed to the tower and have concerns about the children climbing on the fence and tower, decreased home values and neighborhood aesthetics.

Watson stated that he hears the concerns of the neighbors. The placement of the tower has been moved after hearing concerns of children being able to climb on the abutting building's roof and then into the compound and onto the tower. The tower will be a stealth tower, which has nothing to grab onto or climb. As far as aesthetics, structures like these are necessary for modern life. There are many towers in neighborhoods across the city. US Cellular is open to installing a taller fence if requested.

Calligan asked why this site was selected. Watson replied that this site has to work with several other sites across the city. The towers need to be in population centers because of data consumption and the way the technology works we need to be where the customers are to provide the best service.

Ross thanked both the neighbors and the cell tower representatives for coming to the meeting and being a part of the process. The issue for him is that we have a code section requiring certain setbacks and the setbacks aren't being met. Perhaps the code needs to be revised in the future.

Geary agreed with Ross that the site plan does not meet the setbacks and he feels this is a concern for safety reasons.

Stewart asked staff if the setbacks have been waived previously for a cell tower. Madsen replied that he does not remember the Commission waiving the setbacks.

Geary asked for staff to review what other municipalities do regarding setbacks and the risks to structures on the same lot.

Geary (Ross) moved to deny the item. Motion carried. 4-1-0 (Yes: Ross, Stewart, Calligan, Geary, Silverberg No: 0 Abstain: 0).

Findings of Fact:

- 1) The proposed tower will be 130' in height.
- 2) The proposed telecommunication tower is within 200 feet of residentially zoned and used properties.
- 3) The applicant's proposal does not conform to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) None.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

- 1) None.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Plan

Attachment E: Site Renderings

Attachment F: Application

BACKGROUND REPORT:

The petitioner, Joshua Watson – U.S. Cellular, requests site plan approval for a 130 foot tall telecommunication tower on property located at 2015 West 6th Street. The Municipal Code requires that telecommunication towers require site plan approval through the Planning and Zoning Commission and City Council. According to Municipal Code Section 25.02.190(25.c.):

Site Plan Required. All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 Site Plan. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

Section 106 of the National Historic Preservation Act requires that all new cell towers receive approval through the State Historic Preservation Office, with comment from the local Historic Preservation Commission. These approvals would be required after City approval of the site plan.

ANALYSIS:

As stated, the petitioner is requesting site plan approval for a telecommunication tower located at 2015 West 6th Street. Telecommunication towers have a number of requirements for approval, including State Historic Preservation Office and the standards in the Sioux City Municipal Code, which will be outlined below. There are also a number of court cases and legislative requirements that restrict what a City is able to review regarding telecommunication towers. These include the following, and information taken from Gary Taylor, professor of Planning Law with Iowa State University:

2009 “FCC Shot Clock” Rule.

A City must act upon a new tower within 150 days of receiving an application.

2015 Iowa Cell Tower Legislation.

Lists 13 actions that local governments cannot take when reviewing telecommunication tower requests.

14. Require an applicant to submit information about service design, customer demand, or quality of service
15. Force an applicant to co-locate on an existing tower.
 - a. Can require the application to state they conducted an analysis of available sites.
16. Dictate the type of transmission equipment or technology used, or discriminate between different types of technology.
17. Require removal of existing towers as a condition of approval.
 - a. Can adopt rules regarding removal of abandoned towers (see #10).
18. Impose environmental testing, sampling, or monitoring requirements for radio frequency emissions.
19. Regulate radio frequency signal strength or the adequacy of service quality.
20. Reject the application based on perceived or alleged environmental effects of radio frequency emissions.
21. Prohibit the placement of emergency power systems that comply with federal and state environmental requirements.
22. Charge an application fee, consulting fee, or other fee associated with the submission, review, processing, or approval of an application that is not required for similar types of commercial development.
23. Impose surety requirements to ensure removal of abandoned or unused towers equipment unless imposed on other types of commercial development.
24. Condition approval on agreement to allow co-location at less than the market rate.
25. Limit the duration of the approval of an application except that construction shall be commenced within two years of final approval, and diligently pursued to completion.
26. Discriminate on the basis of the ownership of any property, structure, or tower when promulgating rules or procedures for siting wireless facilities or evaluating applications.

The following Municipal Code requirements from 25.02.190 (25)(c) Agricultural, Industrial, Utility, and Communication Use Standards apply to this project:

Wireless Telecommunication Towers are allowed as follows:

- c. *Site Plan Required.* All new towers shall be subject to the public meeting and hearing procedures in Subsection 25.06.090.2 *Site Plan*. The Planning and Zoning Commission shall make a recommendation to the City Council to approve, approve with conditions, or deny the application. The City Council shall make the final decision.

The petitioner has submitted the site plan for Planning and Zoning Commission and City Council review.

- d. *Use Restrictions.* Following are the principal permitted uses that may be approved as part of a site plan subject to the provisions set out in this Code:

1. Telecommunication towers without regard to the height limits of the applicable zoning district, subject to the following:
 - A. All telecommunication facilities shall be permitted only in conformance with approval of the site plan; and
 - B. All towers, antennae, and other telecommunication facilities shall meet or exceed all standards and requirements of the Federal Communication Commission (FCC), Federal Aviation Administration (FAA), and any other agency of the state or federal governments, as well as the City's building, electrical, mechanical, and any other applicable codes.
2. Accessory uses permitted that may be approved as part of a site plan include telecommunication towers serving only the needs of a principal permitted use on the same lot without regard to the height limits of the applicable zoning district.

- e. *Bulk Regulations.*

1. Height. The maximum height that may be approved for a telecommunication tower as part of a site plan is 200 feet, except that a tower with a height up to 250 feet may be approved by the City Council if it is determined that the increased height of the tower:
 - A. Will not be detrimental to the public health, safety, or general welfare;
 - B. Will not have a substantial negative effect upon neighboring properties;
 - C. Is in conformity with the intent and purpose of this Code and the Comprehensive Plan; and
 - D. Does not alter the obligation to comply with other applicable laws or regulations.

The petitioner is requesting a telecommunication tower 130 feet in height, including accessory base equipment enclosed by an 8' vinyl fence at the base of the tower.

2. Setbacks.

- A. Telecommunication towers shall be set back the greater distance of:
 - I. The setback requirements of the underlying district;
 - II. 200 feet from any residential district or use;
 - III. 25 percent of the height of the tower; or
 - IV. The distance specified as a potential hazard area by the designer of the structure.
- B. Guy wire anchors and accessory structures shall not encroach into the required setbacks for principal structures in the underlying district.

The proposed tower is setback approximately 95' from the nearest property line.

The PI zoning district setback requirement is 25' front, 15' interior side, 25' street side, 50' rear, and 25' residential district boundary.

The proposed telecommunication tower does not meet the 200 foot residential district boundary. The proposed tower is approximately 95' from the residentially zoned and used property at 2001 West 6th Street, 153 feet from the residentially zoned and used property located at 2024 Villa Avenue, and approximately 185' from the residential properties on the south side of West 6th Street.

Twenty five percent of the height of the tower would be 32.5'.

The petitioner has provided a fall zone study, which shows a fall hazard of 50% of the height of the tower, or 65'.

The proposed tower does not meet the setback requirements of the Municipal Code. The telecommunication tower is required to meet the greatest of the above setbacks, which in this case is the 200' residential district or use setback.

f. *Parking Requirements.*

1. One parking and loading space shall be required to serve a telecommunication tower site; and
2. If the site is more than 100 feet from a paved road, hard-surfacing of parking and loading spaces and driveways shall not be required for those portions of the site lying more than 100 feet from any paved road.

The site plan shows an access easement from John Street through an existing gate into the site. The site plan does not show a parking stall.

g. *Tower Design.*

1. All telecommunication towers shall meet or exceed current published EIA/TIA structural standards and shall have adequate load-bearing capacity to carry the antennas of three similar providers;
2. Lattice-work trussed or guy-wired towers may be allowed in the BP and GI Districts. Free-standing, monopole tower structures shall be allowed in any base district, but lattice work or guy-wired towers may be approved by the City Council as part of the requirements for approval of a site plan if they determine that the type of tower construction:
 - A. Will not be detrimental to the public health, safety, or general welfare;
 - B. Will not have a substantial negative effect upon neighboring properties;
 - C. Is in conformity with the intent and purpose of this Code and the Comprehensive Plan; and
 - D. Does not alter the obligation to comply with other applicable laws or regulations.
3. Stealth and/or camouflage design of towers and antennas may be required to reduce the visual impact of the structure, especially in residential districts.
4. Towers shall be a neutral color such as a non-contrasting gray or similar color, and not include signage painted on the tower.

The proposed tower is a monopole designed (antenna systems are inside the tower structure), grey colored, and a monopole design. Staff believe the design requirements are met on the site plan.

h. *Lighting.* Telecommunication towers shall only be illuminated as required by the Federal Communication Commission (FCC) and/or the Federal Aviation Administration (FAA). Security

lighting around the base of a tower must be shielded so that no light is directed towards adjacent properties or rights-of-way.

- i. *Screening.* An opaque screen that is at least eight feet in height must surround the base of a telecommunication tower. The screening should also include landscaping provisions, consisting of a Type B bufferyard set out in Subsection 25.02.190 *Bufferyard Types*, for any portions of the development visible from an adjacent residential district or use or public rights-of-way. The use of barbed wire or other security measure shall be allowed only as specifically approved in the development plan. Screening requirements may be waived if the design of the tower is found to be compatible with the adjacent land uses.

The petitioner is proposing an 8' tall vinyl fence with an access gate facing south.

- j. *Removal of Abandoned Towers.* A tower that is not used for a period of 12 consecutive months, or that has not been inspected pursuant to Inspections, below, shall be considered abandoned, and the owner shall remove the tower from the property within 90 days of receipt of notice from the Administrator. An abandoned tower that is not removed within the 90 day period is a public nuisance, and the City shall take actions to abate the nuisance by removal and assess the costs thereof to the property.
- k. *Inspections.* Telecommunication towers shall be inspected by a qualified tower inspection service once every 36 months by the owner, operator, or a representative to assess the structural condition of the tower and support equipment. An inspection report shall be prepared and filed with the Inspection Services Division. The required report shall certify that the tower continues to meet or exceed the current published EIA/TIA structural standards and is in sound and safe operating condition.

EXISTING ZONING AND LAND USE:

PI ; Apostolic Faith Tabernacle

EXISTING ZONING REQUIREMENTS:

The NC.4 district is meant for a variety of housing types in a mixed housing neighborhood.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: NC.4 ; Single Family Residential

South: NC.4 ; Single Family Residential

East: NC.4 ; Single Family Residential

West: NC.4 ; Single Family Residential

DEPARTMENT COMMENTS

None.

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 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:

Thirty-four notices were sent within the required timeframe. Four responses have been received in opposition to the request.

If you are unable to attend this hearing but would like to have your comments on record, you may forward this response slip to the City Planning Division, P.O. Box 447 Sioux City, IA 51102, call (712) 279-6340, Fax (712) 224-5218, or e-mail planzone@sioux-city.org.

Your Name: Kristen Zediker Agenda Date: 2/12/2019

Address: 2024 W 6th St Agenda Item No. : 2019-0009

Your Comments Regarding This Item: Living within a quarter mile of a telecommunication tower can put you at risk for health problems. This will be an eyesore to the neighborhood. Bringing property values down as no one will want to purchase a house in view of a telecommunication tower.

→

I have young children and do not want them around something that could be harmful to our health.

If the owner of the building cannot afford to be there without having to bring income in from a cell company for their tower maybe they should just sell the building. Others in the neighborhood shouldn't have to suffer financially and healthwise because of it.

Why not do something to better improve the neighborhood and the community than to make it worse.

There is absolutely no reason why there should be a telecommunications tower in the middle of a residential area.

If they want to put one in a commercial area I'm all for that. But not in a residential area.

It is offensive to me to have this in my neighborhood. Everyone criticizes the Westside and thinks that the Eastside is so much better. I find it offensive that the city would even be OK with this. Why is my neighborhood not as good as everyone else's and you have to contribute to making it worse instead of better.

If you are unable to attend this hearing but would like to have your comments on record, you may forward this response slip to the City Planning Division, P.O. Box 447 Sioux City, IA 51102, call (712) 279-6340, Fax (712) 224-5218, or e-mail planzone@sioux-city.org.

Your Name: Sandy Nicolls Agenda Date: 2/12/2019

Address: 2100 WEST 6th St Agenda Item No.: 2019-0009

Your Comments Regarding This Item: if you can guarantee
it won't bother my TV, phone, etc. and I
wonder if lightning strikes it what will happen
I really don't think it should be in a
RESIDENTIAL AREA

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, 406 - 6th Street, Room 204, 712-279-6259. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

If you are unable to attend this hearing but would like to have your comments on record, you may forward this response slip to the City Planning Division, P.O. Box 447 Sioux City, IA 51102, call (712) 279-6340, Fax (712) 224-5218, or e-mail planzone@sioux-city.org.

Your Name: Jack + Sheila Langley Agenda Date: 2/12/2019

Address: 2014 W. 14th St. Agenda Item No.: 2019-0009

Your Comments Regarding This Item: We are not in favor of
the construction of the 130-ft telecommunication
tower at 2015 W. 6th St. This tower would present
danger to the people who reside in this neighborhood, as well
as de-value the entire neighborhood. Most of the residents
here are hard-working blue-collar people who work hard at
keeping our properties updated and clean and orderly,
and this tower would downgrade our neighborhood
tremendously.

My name is Dani Bock and I live at 2008 W 14th St. I have concerns and would urge the P&Z commission to deny or reconsider the placement of this cell tower at 2015 W 6th St.

Mostly, we are concerned about any health issues a tower like this might cause to the residents that live in our residential neighborhood. When I googled cell tower emissions, I found a lot of disturbing information such as: Other studies have found that levels of **radiation** emitted from **cell phone towers** can damage **cell** tissues and DNA, causing miscarriage, suppressing immune function, and causing other health problems. **Cell tower** emissions are at lower levels than **cell** phones. However, with **cell tower** exposure, **the** exposure is non- stop day and night and full **body** exposure. **A** significant **body** of peer reviewed research has found **harmful** effects from **cell tower** radiation.

Also, my fiancé and I just bought our house at the aforementioned address, and are worried a tower like this may decrease the value of our home and our neighborhood. The least of our concerns, but one that is important to us, is that we do not wish to look out our back windows and have this tower in our view. We don't live in a high valued area or even safest neighborhood, but I do truly enjoy the view out of our windows that face our backyard (south). We would have a direct view of this tower.

We along with our new neighbors, take care of our homes and each other; and do not wish any of these mentioned concerns to affect our livelihoods and homes.

Thank you for hearing my concerns, and I will try my best to be physically present at the P&Z meeting on 2/12/19 at 4pm.

Dani Bock

ATTACHMENT A
ORDINANCE NO. 2019 - _____

ORDINANCE ADOPTING A SITE PLAN FOR 2015 W. 6TH STREET. (AREA
ZONED 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 site plan.

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 25.02.030.1350 of said Ordinance No. 2015-0215 as amended:

25.02.030.1350: The Site Plan dated January 14, 2019 for property presently zoned PI (Public and Institutional) and legally described as follows:

A parcel of land, being a part of and lying entirely within Block 46 of Hornick's Addition to Sioux City, Third Filing, Section 30, Township 89 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, and is more particularly described as follows:

Commencing at the northwest corner of Block 39 of said Hornick's Addition; thence along and upon the north line of said Block 39 also being the south right-of-way line of West 6th Street, North 88°46'00" East, a distance of 205.86 feet; thence leaving said north line and south right-of-way, North 01°38'54" West, a distance of 174.11 feet to the southwest corner of the proposed access/utility easement, also being the point-of-beginning; thence South 88°21'06" West, a distance of 15.00 feet (L1); thence North 01°38'54" West, a distance of 25.00 feet (L2); thence North 88°21'06" East, a distance of 15.00 feet (L3); thence South 01°38'54" East, a distance of 25.00 feet (L4), to the point-of-beginning; containing 375 square feet (0.009 acres) more or less and extending to the center line of abutting right-of-way,

is hereby adopted and approved.

Section 3: That a detailed site plan dated January 14, 2019 including, but not limited to, a site development map and text to be used for the development of the above described property is on file in the office of the City Clerk of the City of Sioux City, Iowa, and is hereby approved and adopted and is by this reference made a part hereof.

Section 4: That the boundaries of zones as shown on the official zoning map on file in the office of the City Clerk 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 fully set forth herein.

Section 5: That all Ordinances, or parts of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 6: 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: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy 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. 2019-_____ adopted by the City Council of Sioux City on _____, 2019. Signed this _____ day of _____, 2019.

Heidi Farrens, Deputy City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on March 2, 2019

Heidi Farrens, Deputy City Clerk

ORDINANCE ADOPTING A SITE PLAN FOR 2015 W. 6TH STREET. (AREA
ZONED PI (PUBLIC AND INSTITUTIONAL))

This is a summary of Ordinance Number 2019-_____ passed by the Sioux City City Council on _____, 2019 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 adopts a Site Plan dated January 14, 2019 for property within the City of Sioux City, Woodbury County, Iowa, presently zoned PI (Public and Institutional) and legally described as follows:

A parcel of land, being a part of and lying entirely within Block 46 of Hornick's Addition to Sioux City, Third Filing, Section 30, Township 89 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, and is more particularly described as follows:

Commencing at the northwest corner of Block 39 of said Hornick's Addition; thence along and upon the north line of said Block 39 also being the south right-of-way line of West 6th Street, North 88°46'00" East, a distance of 205.86 feet; thence leaving said north line and south right-of-way, North 01°38'54" West, a distance of 174.11 feet to the southwest corner of the proposed access/utility easement, also being the point-of-beginning; thence South 88°21'06" West, a distance of 15.00 feet (L1); thence North 01°38'54" West, a distance of 25.00 feet (L2); thence North 88°21'06" East, a distance of 15.00 feet (L3); thence South 01°38'54" East, a distance of 25.00 feet (L4), to the point-of-beginning; containing 375 square feet (0.009 acres) more or less and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2019.

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 February 25, 2019, 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:

25.02.030.1350: Adoption of a site plan for the following described real property zoned as PI (Public and Institutional):

A parcel of land, being a part of and lying entirely within Block 46 of Hornick's Addition to Sioux City, Third Filing, Section 30, Township 89 North, Range 47 West of the 5th P.M., Woodbury County, Iowa, and is more particularly described as follows:

Commencing at the northwest corner of Block 39 of said Hornick's Addition; thence along and upon the north line of said Block 39 also being the south right-of-way line of West 6th Street, North 88°46'00" East, a distance of 205.86 feet; thence leaving said north line and south right-of-way, North 01°38'54" West, a distance of 174.11 feet to the southwest corner of the proposed access/utility easement, also being the point-of-beginning; thence South 88°21'06" West, a distance of 15.00 feet (L1); thence North 01°38'54" West, a distance of 25.00 feet (L2); thence North 88°21'06" East, a distance of 15.00 feet (L3); thence South 01°38'54" East, a distance of 25.00 feet (L4), to the point-of-beginning; containing 375 square feet (0.009 acres) more or less and extending to the center line of abutting right-of-way.

(2015 W. 6th Street) (2019-0009)

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

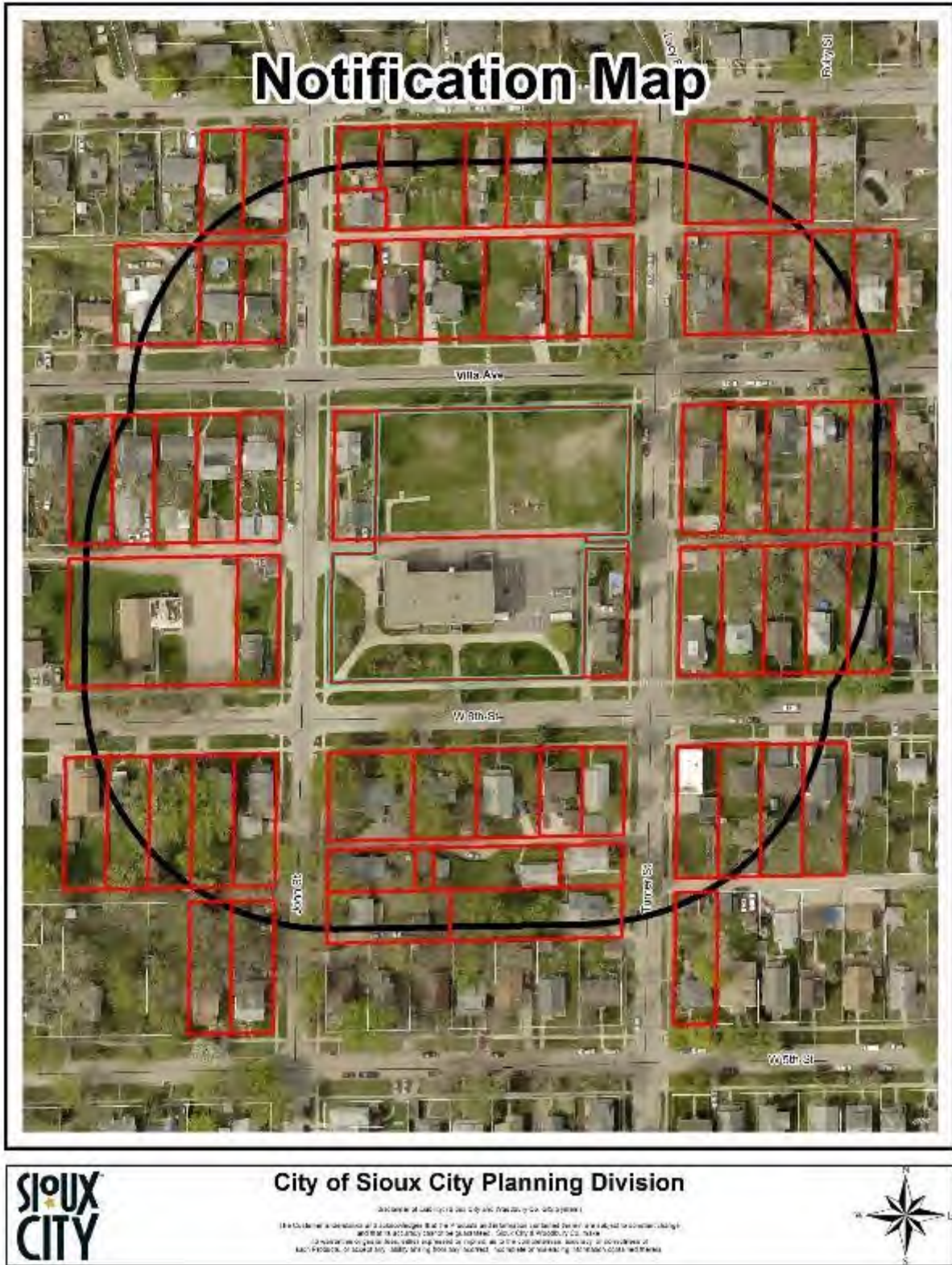
Publish in the Sioux City Journal February 18, 2019.

ATTACHMENT B



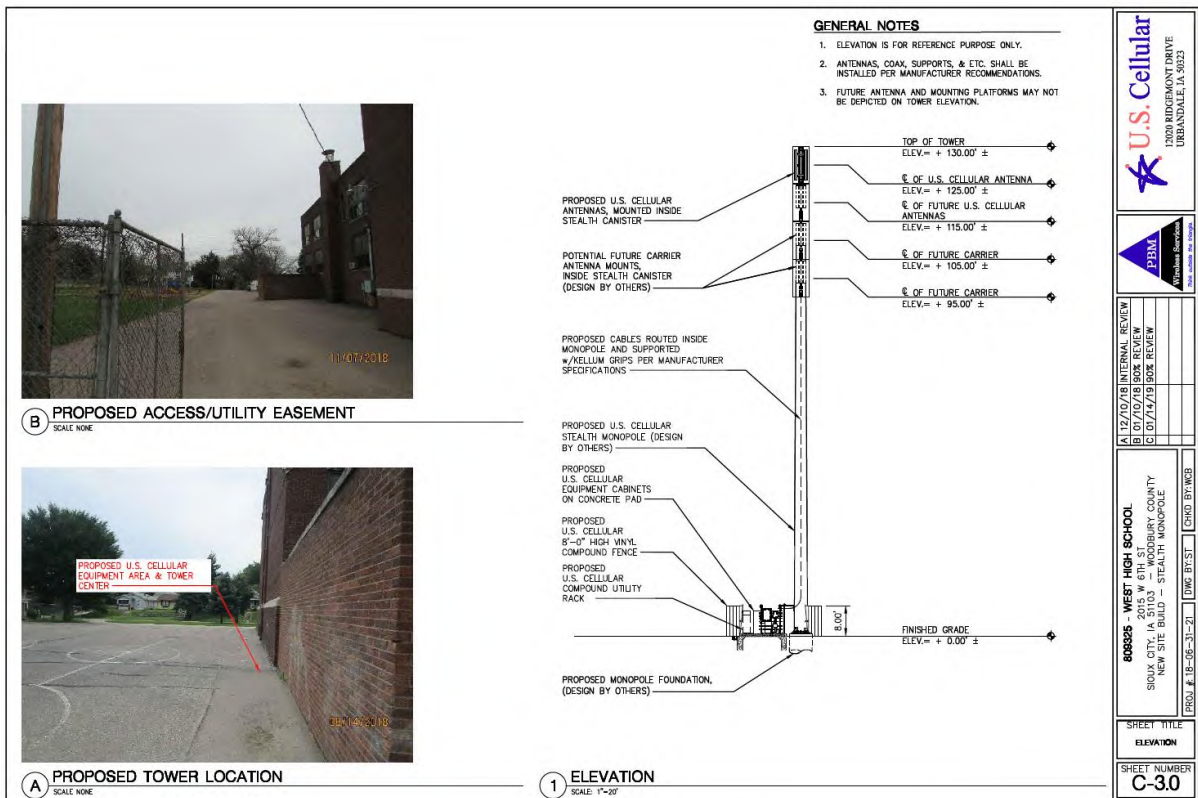
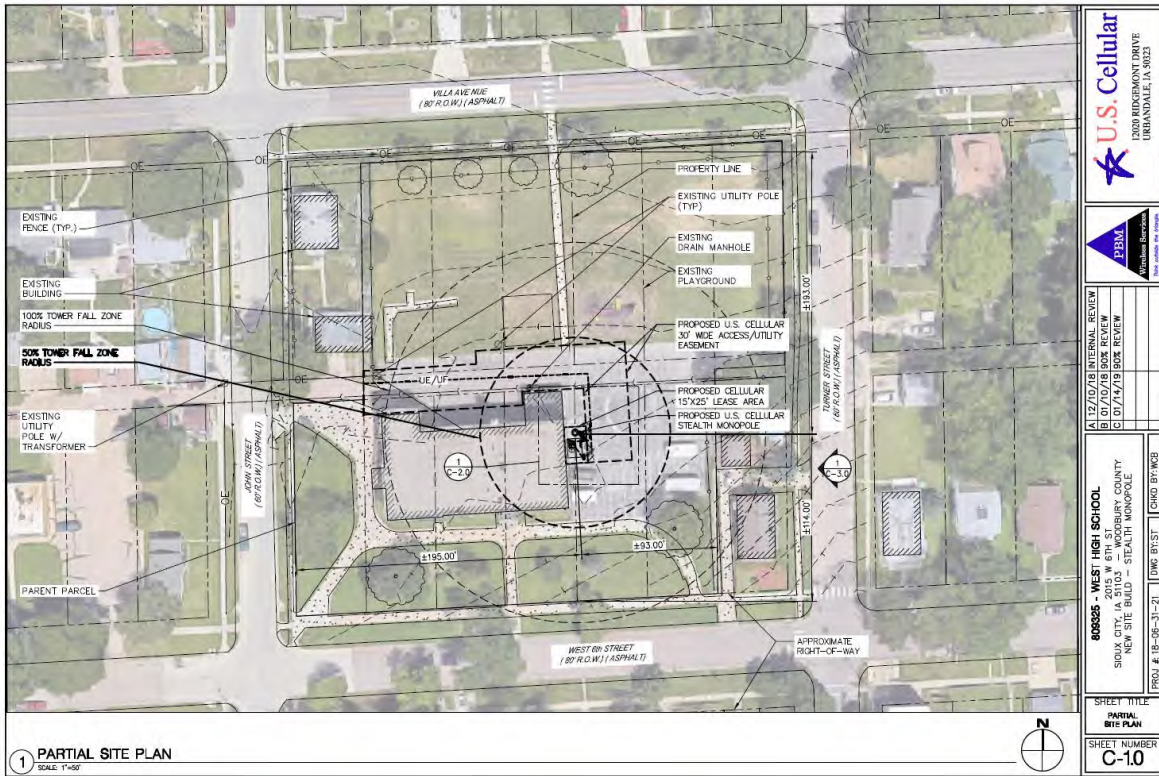
GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



SITE PLAN

ATTACHMENT E



PBM Wireless Services
3620 Developers Road
Indianapolis, IN 46227
18-06-31-21

WEST HIGH SCHOOL - CANDIDATE A
2015 Sixth St
Sioux City, IA 51103
Proposed 150' Stealth Monopole
Looking North from 6th St - Before



Before



PBM Wireless Services
3620 Developers Road
Indianapolis, IN 46227
18-06-31-21

WEST HIGH SCHOOL - CANDIDATE A
2015 Sixth St
Sioux City, IA 51103
Proposed 150' Stealth Monopole
Looking North from 6th St - After



After
SITE RENDERINGS

ATTACHMENT F

CITY OF SIOUX CITY

Application for a Site Plan

(Complete along with the Design Review Committee Request Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



SUBJECT PROPERTY INFORMATION			
Owner	Apostolic Faith Tabernacle		
Street Address	2015 West 6th Street	PID 894730230003	
Zoning District	PL	Lot Size	1.06 Acres
Existing Use	Annex for church		
Proposed Use	Stealth communications tower and related equipment		
REQUEST			
Use the checklist on the additional sheet for the items required for site plan approval. In general, all items listed on the checklist shall be submitted, or a brief explanation as to why they are not included shall be provided. Site plans are generally approved administratively. However, the Planning and Zoning Commission shall review the site plan upon referral of the Administrator if (<i>Subsection 25.06.080.10 Site Plan</i>): 1. Discretion is required as to the appropriateness and level of conformity of the site plan with the standards of this Code and the policies and objectives of City plans; 2. In the determination of the Design Review Committee the site plan does not conform to the standards and requirements of this Code; 3. The applicant requests variations or modifications to the standards set out in Subchapter 25.03-C, Design Standards; or 4. The applicant appeals the recommendation of the Design Review Committee or the decision of the Administrator and requests the review and decision of the Planning and Zoning Commission.			
SIGNATURE			
Owner/Petitioner's Signature:			Application Date: 1/21/19
*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx			

For Office Use Only

File Number:

Staff Reviewer:

January 15, 2019

Shaun Hemsted
Director of Site Development
GSS, Inc.
3311 109th Street
Urbandale, IA 50322

RE: 130' Sabre Slimline Pole for West High School, Sioux City, IA

Dear Mr. Hemsted,

Upon receipt of order, we propose to design and supply the above referenced Sabre slimline for an ASCE 7-16 Wind Speed of 112 mph without ice and 50 + 1" ice, Risk Category II, Exposure Category C and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-G, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the slimline will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the upper portion of the monopole shaft. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the upper portion of the monopole shaft. This is likely to result in the portion of the monopole above "folding over" onto the portion below, essentially collapsing on itself. **Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Towers & Poles.** In the unlikely event of total separation, this would result in the portion above collapsing within a radius less than or equal to 50% of the overall height.

Sincerely,

Amy R. Herbst, P.E.
Senior Design Engineer



Sabre Towers and Poles • 7101 Southbridge Drive • P.O. Box 658 • Sioux City, IA 51102-0658
P: 712-258-6690 F: 712-279-0814 W: www.SabreTowersandPoles.com

APPLICATION

x	Regular Session
	Study Session
	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019

ACTION ITEM # 19 20

FROM: Brent D. Nelson, Senior Planner

SUBJECT: **Hearing and Ordinance rezoning property commonly known as 325 W. 45th Street from AG (Agricultural Zone) and NC.1 (Neighborhood Conservation Zone) to SR (Suburban Residence Zone). (Petitioner: David Paulsrud and Joan E. Paulsrud) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0011)**

Resolution approving the Final Plat of Pine Acres 2nd Addition (Petitioner: David Paulsrud and Joan E. Paulsrud) The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0012)

Reviewed By:	x	Department Director	Finance De- partment	x	City Attorney	x	City Man- ager
---------------------	----------	------------------------	-------------------------	----------	------------------	----------	-------------------

RECOMMENDATION:

Staff respectfully requests Council approval of both the requested rezoning and the requested Final Plat due to the following findings:

Agenda Item: 2019-0011: Requested rezoning of property commonly known as 325 45th Street from AG and NC.1 to SR. (Petitioner: David and Joan Paulsrud)

Brent Nelson presented both agenda items 2019-0011 and 2019-0012 at the same time. The petitioner, David Paulsrud and Joan E. Paulsrud would like to plat their property into two lots that do not meet the present zoning lot standards. The zoning standards of SR would fit with the properties that are being created. There is one issue with the driveways. As per code, driveways must be at least 20 feet apart. The Paulsrud's driveway and the present neighbor's driveway are 20 feet apart, so the last few feet of the Paulsrud's driveway will be used to access both lots of Pine Acres 2nd.

David Paulsrud – 325 45th Street spoke on the item.

Ross (Geary) moved to approve the item. Motion carried. 5-0-0 (Yes: Stewart, Calligan, Geary, Silverberg, Ross /No: Stewart /Abstain:0). Roll Call Vote

Agenda Item: 2019-0012: Requested final plat of Pine Acres 2nd Addition on property located at 325 W. 45th Street. (Petitioner: David Paulsrud)

Geary (Silverberg) moved to approve the item: Motion carried. 5-0-0 (Yes: Geary, Stewart, Calligan, Ross, Silverberg /No: 0/Abstain:0).

Findings:

Both the proposed rezoning and the proposed final plat are consistent with the Comprehensive Plan as well as with development patterns in the area.

The plat makes provisions for proper access onto 45th Street when construction on Lot 1 occurs.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.

Focus Area: Enhance Public/Private Partnerships

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Attachment A: Rezoning Ordinance

Attachment B: Plat Resolution

Attachment C: General Area Map

Attachment D: Plat

Attachment E: Photos / Aerial Views

Application F: Application

BACKGROUND REPORT:

Dr. Paulsrud split off a lot on the north side of his property last year (Pine Acres 1st). He wishes to split off an additional lot for development.

ANALYSIS:

The applicant wishes to subdivide his property into two parcels, 3.550 acres and 7.725 acres respectively. As previous tracts have been split before a final plat is needed to accommodate this split. Because the AG (Agriculture District) requires a minimum lot area of 20-acres and the RR (Rural Residential District) requires a minimum lot area of 10-acres, the property needs to be rezoned. Staff believes that the most appropriate Zone Classification is SR (Suburban Residential).

As per Code, driveways must be at least 20 feet apart. The driveway accessing the existing residence on Lot 2 of Pine Acres 2nd and the driveway accessing the existing residence at 405 W. 45th Street (Mr. Garlick) are presently 20-feet apart. An additional driveway won't fit; so provisions were placed on the plat – an access easement – for joint use of the driveway to Lot 2.

EXISTING ZONING AND LAND USE:

North: AG & RE; acreage residential

South: AG & RE; acreage residential

East: AG, RE & SR; larger lot residential

West: AG & RE; acreage residential

DEPARTMENT COMMENTS

No comments received

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan calls for the general area to develop with Suburban Residential Uses.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The property is not in any urban renewal area

SUBAREA / CORRIDOR PLAN:

The property is not in any area covered by a subarea plan

FLOOD PLAIN:

The property is not in any flood plain.

CITIZEN RESPONSE:

Ten (10) notices were sent within the required timeframe. As of February 8, no responses have been received.

Attachment A:

ORDINANCE NO. 2019 - _____

ORDINANCE REZONING 325 W. 45TH STREET FROM ZONE CLASSIFICATIONS AG (AGRICULTURE) AND NC.1 (NEIGHBORHOOD CONSERVATION, 1 ACRE PER UNIT MINIMUM) TO ZONE CLASSIFICATION SR (SUBURBAN RESIDENTIAL, 2 ACRES PER UNIT MINIMUM)

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

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

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1351 of said Ordinance No. 2015-0215 as amended:

25.02.030.1351: The following described real property shall be changed FROM Zone Classifications AG (Agriculture) and NC.1 (Neighborhood Conservation, 1 acre per unit minimum) TO Zone Classification SR (Suburban Residential, 2 acres per unit minimum):

All that part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 5, Township 89 North, Range 47 West of the Fifth Principal Meridian, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 5; thence North $1^{\circ}56'42''$ East along the East line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 30.00 feet to the North line of West 45th Street, also being the East corner of Outlot B, Bluestem Valley, an addition to Sioux City, Woodbury County, Iowa and the point of beginning; thence North $89^{\circ}49'54''$ East along said North line for 157.87 feet to a point previously described as being in the center of Reeder Creek; thence North $54^{\circ}22'54''$ East for 110.59 feet; thence North $10^{\circ}52'00''$ East for 326.40 feet; thence North $46^{\circ}06'25''$ West for 299.06 feet; thence North $3^{\circ}04'27''$ East for 375.77 feet to the Southeast corner of Lot 1, Pine Acres an Addition to Sioux City, Woodbury County, Iowa; thence West and South along the South line of said Lot 1 on the following courses and distances: South $89^{\circ}34'39''$ West for 367.23 feet; thence South $1^{\circ}56'42''$ West for 208.71 feet; South $89^{\circ}34'39''$ West for 200.00 feet; thence South $17^{\circ}56'37''$ East for 437.20 feet; thence South $9^{\circ}50'07''$ East for 138.20 feet; thence South $7^{\circ}57'35''$ East for 100.71 feet to the Northwest corner of Outlot B, Bluestem Valley, an Addition to Sioux City, Woodbury County, Iowa; thence South $62^{\circ}01'16''$ East along the North line of said Outlot B for 142.55 feet; thence South $77^{\circ}14'34''$ East along said North line for 166.34 feet to the point of beginning.

Said described parcel contains 11.275 acres, more or less, which includes 7.436 acres in said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 3.839 acres in said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ 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: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy 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. 2019-_____ adopted by the City Council of Sioux City on _____, 2019. Signed this _____ day of _____, 2019.

Heidi Farrens, Deputy City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on March 2, 2019

Heidi Farrens, Deputy City Clerk

ORDINANCE REZONING 325 W. 45TH STREET FROM ZONE CLASSIFICATIONS AG (AGRICULTURE) AND NC.1 (NEIGHBORHOOD CONSERVATION, 1 ACRE PER UNIT MINIMUM) TO ZONE CLASSIFICATION SR (SUBURBAN RESIDENTIAL, 2 ACRES PER UNIT MINIMUM)

This is a summary of Ordinance Number 2019-_____ passed by the Sioux City City Council on _____, 2019 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 Classifications AG (Agriculture) and NC.1 (Neighborhood Conservation, 1 acre per unit minimum) to Zone Classification SR (Suburban Residential, 2 acres per unit minimum):

All that part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 5, Township 89 North, Range 47 West of the Fifth Principal Meridian, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 5; thence North $1^{\circ}56'42''$ East along the East line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 30.00 feet to the North line of West 45th Street, also being the East corner of Outlot B, Bluestem Valley, an addition to Sioux City, Woodbury County, Iowa and the point of beginning; thence North $89^{\circ}49'54''$ East along said North line for 157.87 feet to a point previously described as being in the center of Reeder Creek; thence North $54^{\circ}22'54''$ East for 110.59 feet; thence North $10^{\circ}52'00''$ East for 326.40 feet; thence North $46^{\circ}06'25''$ West for 299.06 feet; thence North $3^{\circ}04'27''$ East for 375.77 feet to the Southeast corner of Lot 1, Pine Acres an Addition to Sioux City, Woodbury County, Iowa; thence West and South along the South line of said Lot 1 on the following courses and distances: South $89^{\circ}34'39''$ West for 367.23 feet; thence South $1^{\circ}56'42''$ West for 208.71 feet; South $89^{\circ}34'39''$ West for 200.00 feet; thence South $17^{\circ}56'37''$ East for 437.20 feet; thence South $9^{\circ}50'07''$ East for 138.20 feet; thence South $7^{\circ}57'35''$ East for 100.71 feet to the Northwest corner of Outlot B, Bluestem Valley, an Addition to Sioux City, Woodbury County, Iowa; thence South $62^{\circ}01'16''$ East along the North line of said Outlot B for 142.55 feet; thence South $77^{\circ}14'34''$ East along said North line for 166.34 feet to the point of beginning.

Said described parcel contains 11.275 acres, more or less, which includes 7.436 acres in said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 3.839 acres in said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2019.

**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 February 25, 2019, 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:

25.02.030.1351: The following described real property shall be changed FROM Zone Classifications AG (Agriculture) and NC.1 (Neighborhood Conservation, 1 acre per unit minimum) TO Zone Classification SR (Suburban Residential, 2 acres per unit minimum):

All that part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 5, Township 89 North, Range 47 West of the Fifth Principal Meridian, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 5; thence North $1^{\circ}56'42''$ East along the East line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 30.00 feet to the North line of West 45th Street, also being the East corner of Outlot B, Bluestem Valley, an addition to Sioux City, Woodbury County, Iowa and the point of beginning; thence North $89^{\circ}49'54''$ East along said North line for 157.87 feet to a point previously described as being in the center of Reeder Creek; thence North $54^{\circ}22'54''$ East for 110.59 feet; thence North $10^{\circ}52'00''$ East for 326.40 feet; thence North $46^{\circ}06'25''$ West for 299.06 feet; thence North $3^{\circ}04'27''$ East for 375.77 feet to the Southeast corner of Lot 1, Pine Acres an Addition to Sioux City, Woodbury County, Iowa; thence West and South along the South line of said Lot 1 on the following courses and distances: South $89^{\circ}34'39''$ West for 367.23 feet; thence South $1^{\circ}56'42''$ West for 208.71 feet; South $89^{\circ}34'39''$ West for 200.00 feet; thence South $17^{\circ}56'37''$ East for 437.20 feet; thence South $9^{\circ}50'07''$ East for 138.20 feet; thence South $7^{\circ}57'35''$ East for 100.71 feet to the Northwest corner of Outlot B, Bluestem Valley, an Addition to Sioux City, Woodbury County, Iowa; thence South $62^{\circ}01'16''$ East along the North line of said Outlot B for 142.55 feet; thence South $77^{\circ}14'34''$ East along said North line for 166.34 feet to the point of beginning.

Said described parcel contains 11.275 acres, more or less, which includes 7.436 acres in said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 3.839 acres in said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and extending to the center line of abutting right-of-way.

(325 W. 45th Street) (2019-0011)

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 February 18, 2019.

RESOLUTION NO. 2019 - _____
with attachments

**RESOLUTION ACCEPTING AND APPROVING THE FINAL PLAT OF PINE
ACRES 2nd, AN ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA**

WHEREAS, David Paulsrud and Joan E. Paulsrud did file with the City Clerk of the City of Sioux City, Iowa, a certain plat designated the Final Plat of Pine Acres 2nd, an addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, the Planning and Zoning Commission, at their February 12, 2019 regular meeting, has recommended the acceptance and approval of said plat.

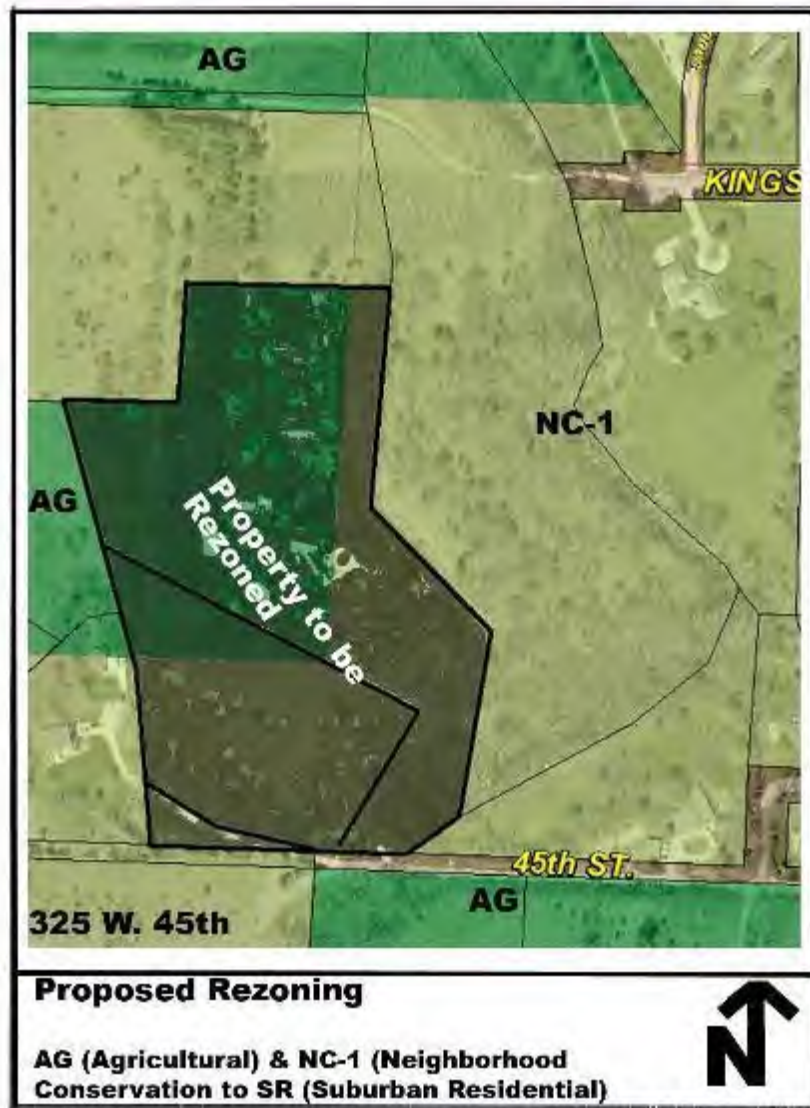
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that said resolution accepting and approving the Final Plat of Pine Acres 2nd, an addition to Sioux City, Woodbury County, Iowa, as hereto attached and forming part of this Resolution, be, and the same is hereby accepted and approved and the Mayor and the City Clerk are hereby directed to furnish to the proprietors a certified copy of this resolution, as required by law.

PASSED AND APPROVED: February 25, 2019

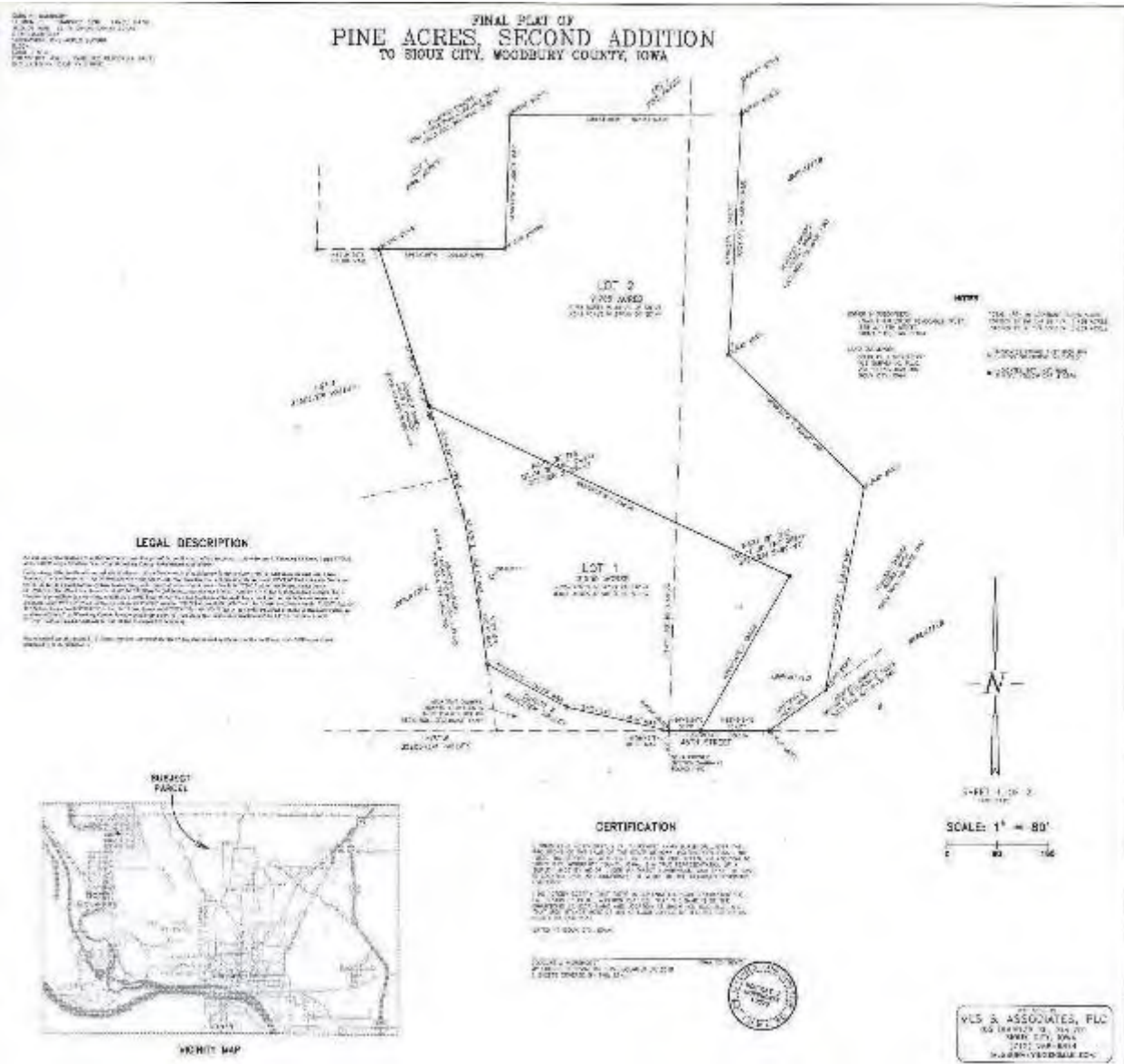
Robert E. Scott, Mayor

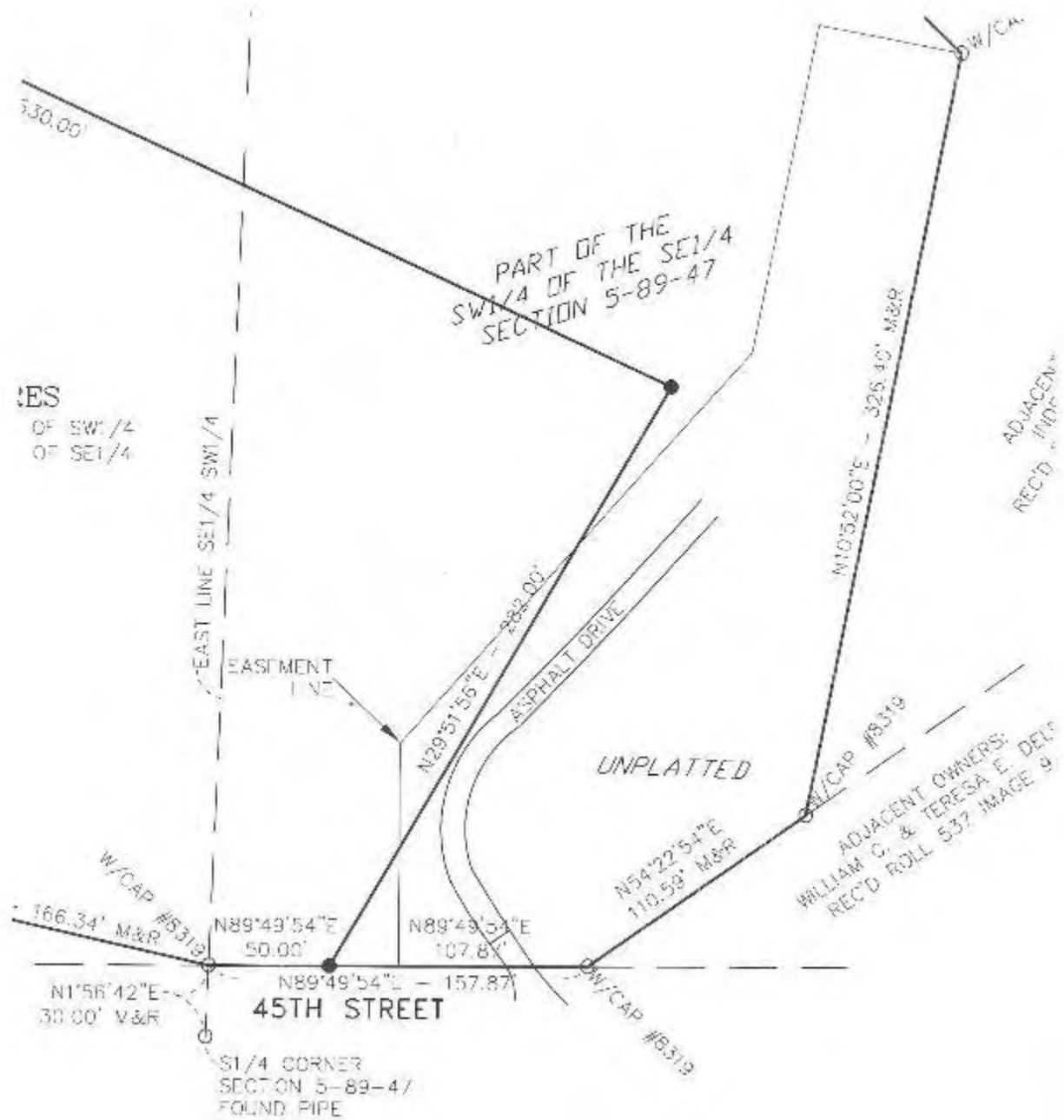
ATTEST: _____
Heidi Farrens, Deputy City Clerk

Attachment C: General Area Map



Attachment D: Plat





Attachment E: Photos / Aerial Views





Application F: Application

CITY OF SIOUX CITY

Application for a Zone Change (Includes Restricted Use Overlay Districts)

(Complete along with the Applicant Profile Form)

Planning Division
Room 308
405 6th Street
P.O. Box 947
Sioux City, IA 51102-0947



SUBJECT PROPERTY INFORMATION

Owner	David G. Paulsrud and Joan E. Paulsrud		
Street Address	325 W. 45th Street		
Current Zoning District	AG and NC-1	Proposed Zoning District	SR (Suburban Residential District)
Existing Use	Bare land	Proposed Use	Residential housing

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 25.06.050.15 Zone Change (Map Amendment, Including Restricted Use Planned Developments) of the Sioux City Zoning and Sign Code):

The Final Plat results in 3.550 acres for Lot 1 and 7.725 acres for Lot 2, Pine Acres, Second Addition, which parcels shall be used for single-family residential uses. Therefore, it is necessary to request a rezoning from the AG Zone and NC1 Zone to SR Zone, which zone is compatible with the adjacent parcels.

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.
☒	☐	A filing fee of \$350.
☐	☒ 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 requested by the Administrator prior to submittal of the application, including whether a Restricted Use Overlay District is required (Subsection 25.06.050.15 Restricted Use Overlay District):

SIGNATURE

Owner/Petitioner's Signature:

D. G. Paulsrud, Attorney

Application Date: 1/22/19

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

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Preplat, Preliminary Plat, or Final Plat
(Complete along with the Applicant Profile Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

**SUBJECT PROPERTY INFORMATION**

Owner	David G. Paulsrud and Joan E. Paulsrud		
Street Address	325 W. 45th Street		
Zoning District	AG and NC-1	Existing Use	Bare land
Lot Size		Proposed Lots	
Proposed Use	SR (Suburban Residential District) Residential housing		

REQUEST**Include the following:**

- | | |
|--|--|
| ☐ | Completed Applicant Profile Form |
| ☐ | ☐ A reproducible copy and five (5) copies of the preliminary plat |
| ☐ Preplat | ☐ As per Chapter 24.12.010, any owner, developer or agent wishing to subdivide a parcel of land shall contact the Planning Director and arrange for a Preplat Conference. This conference is to determine general requirements to be included in the subdivision. If the subdivision does not involve new streets or utilities, the conference may be waived by the Planning and Zoning Commission. For additional information regarding conference, see the Subdivision Regulations Manual. |
| ☐ Preliminary Plat | ☐ One digitally formatted copy and five (5) paper copies of the Grading Plan.
☐ Is the preliminary plat prepared in conformity with the Sioux City Subdivision Ordinance?
☐ Yes ☐ No If no, list requested waivers on back of form. |
| ☒ Final Plat | ☒ One digitally formatted copy and five (5) paper copies of the Final Plat.
☐ Engineer's statement that the public improvements have been completed or are bonded for.
☒ The mylar copy may be submitted for signatures following Council action.
☒ Is the final plat prepared in conformity with the Sioux City Subdivision Ordinance?
☐ Yes ☐ No If no, list requested waivers on back of form. |

For Office Use Only

File Number:

Staff Reviewer:

Pine Acres, Second Addition to Sioux City, Woodbury County, Iowa.

All that part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, all in Section 5, Township 89 North, Range 47 West of the Fifth Principal Meridian, Sioux City, Woodbury County, Iowa, described as follows:

Commencing at the Southeast corner of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 5; thence North $1^{\circ}56'42''$ East along the East line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for 30.00 feet to the North line of West 45th Street, also being the East corner of Outlot B, Bluestem Valley, an addition to Sioux City, Woodbury County, Iowa and the point of beginning; thence North $89^{\circ}49'54''$ East along said North line for 157.87 feet to a point previously described as being in the center of Reeder Creek; thence North $54^{\circ}22'54''$ East for 110.59 feet; thence North $10^{\circ}52'00''$ East for 326.40 feet; thence North $46^{\circ}06'25''$ West for 299.06 feet; thence North $3^{\circ}04'27''$ East for 375.77 feet to the Southeast corner of Lot 1, Pine Acres an Addition to Sioux City, Woodbury County, Iowa; thence West and South along the South line of said Lot 1 on the following courses and distances: South $89^{\circ}34'39''$ West for 367.23 feet; thence South $1^{\circ}56'42''$ West for 208.71 feet; South $89^{\circ}34'39''$ West for 200.00 feet; thence South $17^{\circ}56'37''$ East for 437.20 feet; thence South $9^{\circ}50'07''$ East for 138.20 feet; thence South $7^{\circ}57'35''$ East for 100.71 feet to the Northwest corner of Outlot B, Bluestem Valley, an Addition to Sioux City, Woodbury County, Iowa; thence South $62^{\circ}01'16''$ East along the North line of said Outlot B for 142.55 feet; thence South $77^{\circ}14'34''$ East along said North line for 166.34 feet to the point of beginning.

Said described parcel contains 11.275 acres, more or less, which includes 7.436 acres in said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and 3.839 acres in said Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$.

x	Regular Session
	Study Session
	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019 **ACTION ITEM #** 21

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

SUBJECT: **Hearing and Ordinance vacating the north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street. (Petitioner: Alma Lizarraga). The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0010).**

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

RECOMMENDATION:

Staff respectfully requests the City Council deny the requested alley vacation, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2019-0010: Requested vacation of the north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street. (Petitioner: Alma Lizarraga)

Erin Berzina presented the item stating the adjacent property owner would like to vacate the alley to add to her property for additional parking. There is a grocery store/restaurant at 2600 Myrtle Street which is also owned by the petitioner. A portion of the subject alley does extend into the school yard and a response was received from the School District with concern to their access to the playground. The School District does have another access to the playground from the north, but would prefer to keep both entrances.

Staff recommends denial of the vacation.

Calligan asked why the school needs this alley for access. Erin Berzina replied that they need it in case they would need to move equipment or emergency vehicles into the playground.

Geary asked if the School District could modify their access to the other sides of the property if this were approved and the School District lost the access from the south. Erin Berzina replied that it would be possible.

Stewart stated she was under the impression that this building would not be part of the school system much longer.

Geary asked what is staff's concern for the denial. Erin Berzina replied the primary concern was the School District's access for emergency vehicles and safety.

Emily Mendez - 1109 W. 26th Street spoke in favor on the item stating that additional parking would be helpful to them and they use the alley to access their garage.

Geary (Silverberg) moved to approve the item. Motion carried. 4-1-0 (Yes: Calligan, Geary, Silverberg, Ross, No: Stewart, Abstain:0). Roll Call Vote

Findings of Fact:

- 1) The petitioner is requesting the vacation to create an additional parking area.
- 2) The owner of 1114 West 27th Street, Sioux City School District, utilizes the alley to access the gate into the playground at the current Bryant Elementary School. The gate at the alley location is one of two vehicular access entrances to the playground.
- 3) By vacating and disposing of the subject right of way per City policy, access to the adjacent properties at 1109 West 26th Street and 1114 West 27th Street would be limited.
- 4) Two responses were received, one from the Sioux City School District that was received before the February 12, 2019 Planning and Zoning Commission meeting, and one from the homeowner at 1109 West 26th Street.
- 5) The applicant's proposal does not conform to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) None.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.

Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Photos

Attachment E: Application

BACKGROUND REPORT:

The petitioner, Alma Lizarraga, requests to vacate the north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street. The subject property requested is approximately one thousand four hundred and forty (1,440) square feet. The proposal will allow for the petitioner to add the subject area to their property for additional parking. A general area map is enclosed for your review.

ANALYSIS:

As stated, the petitioner requests to vacate the north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street to utilize the area for additional parking for the Carniceria El Michoacano restaurant located at 2600 Myrtle Street. The alley proposed to be vacated is approximately 120' x 12'. This alley is unimproved, is currently traversed in the transportation system, serves as one of two vehicular access points to the playground of the elementary school located at 1114 West 27th Street, and is the sole access to the garage for the house located on 1109 West 26th Street. The petitioner owns both the restaurant located at 2600 Myrtle Street and the adjacent vacant lot located between 2600 Myrtle Street and the alley proposed to be vacated. Prior to the Planning and Zoning Commission meeting, the property known as 1109 West 26th Street consisted of both the vacant parcel located west of the proposed alley vacation area and the parcel with a home located east of the proposed alley vacation area. After the February 12, 2019 Planning and Zoning Commission meeting, it was discovered that the house located at 1109 West 26th Street, on the east side of the proposed area to be vacated, was recently sold to another party and is no longer owned by the petitioner. A legal description error at the time of the sale was incorrectly recorded to reflect that the petitioner, Alma Lizarraga, owns the parcels on both sides of the alley proposed to be vacated. The current owner of the house at 1109 West 26th Street, Emily Mendez, spoke in support of the vacation at the February 12, 2019 Planning and Zoning meeting. She voiced support of the vacation in order to purchase the entire width of the alley. She has since called staff and stated that she would like to either purchase the entire alley or oppose this vacation request, as it is the only means to enter her garage on the north side of the property. Because the alley is only twelve (12) feet wide, presuming each adjacent property owner would like to purchase one-half of the alley, a six (6) foot drive aisle would be left as the driveway access to the garage. The change of ownership and splitting of the parcel at 1109 West 26th Street was unknown to the Planning and Zoning Commission at their February 12, 2019 meeting. One response was received from the notification mailing from the Sioux City School District with concerns of how they would gain access to the playground at 1114 West 27th Street via the existing gate spanning the width of the subject alley.

The following criteria are used to determine whether to vacate rights-of-way:

- *Cities may vacate streets and alleys but must consider the interests of the public.*
Public notice was mailed to properties within two hundred (200) feet, excluding rights-of-way. One opposing response was received prior to the February 12, 2019 Planning and Zoning Commission meeting and one opposing response was received after the February 12, 2019 Planning and Zoning Commission meeting. Both responses are outlined in the Analysis section.
- *Streets and alleys should not be vacated for the benefit of private persons if it will probably seriously inconvenience the public.*
The subject vacation is currently used in the transportation system as an access point into the adjacent school playground and as an access to the garage on the north side of the house at 1109 West 26th Street.
- *The vacation of a street or alley should not deprive the complaining property owner of convenient and reasonable access to or from his property to a substantial degree.*
One response from the homeowner at 1109 West 26th Street was received after the February 12, 2019 Planning and Zoning Commission meeting with concerns of access to her garage if the alley is vacated and she cannot purchase the entire width.

- *The City Council must determine whether the street or alley is necessary for public use and convenience and whether they are sufficiently traveled to justify maintenance at public expense.*

This alley is unimproved. It does not carry a significant amount of traffic, but is necessary for public use as a means to access the adjacent school playground, and as the access to the garage at 1109 West 26th Street.

- *The right to reasonable ingress and egress to abutting properties may not be totally destroyed; however, as long as one reasonable means of ingress and egress to a lot remains it is not so adversely affected.*

The subject vacation does not completely eliminate access to the house at 1109 West 26th Street, but does substantially impair access to the garage located off of the proposed vacation area.

- *Non-abutting owners have far less standing to challenge a vacation.*
No comments were received from non-abutting property owners.

EXISTING ZONING AND LAND USE:

NC.5; Multi-family Residential

EXISTING ZONING AND LAND USE:

SC, PI, and NC.4; Suburban Commercial, Public and Institutional, Neighborhood Conservation 4

EXISTING ZONING REQUIREMENTS:

The SC district is meant for neighborhood convenience uses, with building and site design standards that are compatible and cohesive with abutting and adjacent residential uses. 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. The NC.4 district is meant for a variety of housing types in a mixed housing neighborhood.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: PI; Elementary school

South: NC.4, SC; Single-family homes and Dollar General

East: NC.4; Single-family homes

West: NC.4, SC; Single-family homes and commercial

DEPARTMENT COMMENTS

MidAmerican Energy - Electric Department: "No conflicts"

MidAmerican Energy - Gas Department: "No conflicts"

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Urban Residential." "Urban Residential" is defined as older areas of higher density where infill and redevelopment are in forms and densities similar to existing urban development types and densities within these areas. This category may include a mixture of housing styles and types including single family, townhomes, duplexes, and apartment houses.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is not located in an urban renewal area, urban revitalization area, 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:

Thirteen (13) notices were sent within the required timeframe. Two responses were received and are noted in the Analysis section of this report.

ATTACHMENT A

ORDINANCE

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318

After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ORDINANCE NO. 2019 - _____

ORDINANCE VACATING THE NORTH/SOUTH ALLEY ADJACENT TO 1109 WEST 26TH STREET AND 1114 WEST 27TH 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 abutting Lots 6-11 of Block 10 in the Crescent Park Addition to Sioux City, in the County of Woodbury and the State of Iowa. Contains approximately 1,440 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: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy 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. 2019-_____ adopted by the City Council of Sioux City on _____, 2019. Signed this _____ day of _____, 2019.

Heidi Farrens, Deputy City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on March 2, 2019

Heidi Farrens, Deputy City Clerk

ORDINANCE VACATING THE NORTH/SOUTH ALLEY ADJACENT TO 1109
WEST 26TH STREET AND 1114 WEST 27TH STREET.

This is a summary of Ordinance Number 2019-_____ passed by the Sioux City City Council on _____, 2019 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 abutting Lots 6-11 of Block 10 in the Crescent Park Addition to Sioux City, in the County of Woodbury and the State of Iowa. Contains approximately 1,440 square feet more or less

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2019.

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 abutting Lots 6-11 of Block 10 in the Crescent Park Addition to Sioux City, in the County of Woodbury and the State of Iowa. Contains approximately 1,440 square feet more or less

(The north/south alley adjacent to 1109 West 26th Street and 1114 West 27th Street) (2019-0010)

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 February 25, 2019, 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 February 18, 2019

ATTACHMENT B

GENERAL AREA MAP



ATTACHMENT C
NOTIFICATION MAP



ATTACHMENT D

SITE PHOTO

Looking north



ATTACHMENT E

APPLICATION

CITY OF SIOUX CITY**Applicant Profile Form**

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

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



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					
Name	ALMA LIZARRAGA				
Street Address	506 E 11TH				
City	South Sioux City	State	NE	ZIP	68776
Phone	(712) 535-4023	E-mail Address	alexios_28@msn.com		
Petitioner's interest in the property	Owner ☒	Contract Buyer ☐	Architect ☐	Engineer ☐	Other:
PROPERTY OWNER (IF DIFFERENT)					
Name					
Street Address					
City		State		ZIP	
Phone		E-mail Address			
LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)					
N/S alley between the 2 separte parcels described under Parcel No. 8947 2013 6009. (12' x 80' alley)					
PLANNING AND ZONING DIVISION REQUESTS					
Approvals are issued by the City after compliance with the requirements of the Zoning and Sign Code is determined. A determination is made by the Planning and Zoning Commission, Board of Adjustment, Administrator, or City Council upon recommendation of City staff, Boards, or Commissions. A full list of permits and approval procedures are listed in <i>Subchapter 25.06-B Permits and Procedures of the Code</i> .					
☒ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness		
☐ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark		
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit		
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Avigation Permit		
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development		
☐ Text Amendment	☐ Interpretation		☐ Preliminary/Final Plat		
SIGNATURE					
Property Owner's Signature:	Alma Lizarraga		Application Date:	1-18-2019	
*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx . See <i>Subsection 25.06.070</i> 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)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



SUBJECT PROPERTY INFORMATION			
Owner	ALMA LIZARRAGA		
Street Address	2600 MYRTLE / 1109 W 26 TH (just have Lot)		
Zoning District		Lot Area	
Existing Use	grocery store		
REQUEST			
Requested Approval	☒ Vacation of public ground (\$275 filing fee)	☐ Easement of public ground (\$275 filing fee)	☐ Easement clearing title (\$300 filing fee)
Existing Use	☐ Public street	☐ Public alley	☐ Other public ground
WRITTEN STATEMENT OF REQUEST			
Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public:			
The N/S alley adjacent to Owner's Property has not been utilized by public and will enlarge owner's parking for grocery store. Ultimately the owner wants to purchase the 12' x 60' alley for \$576 plus costs from the City.			
INFORMATION CHECKLIST			
☐	☒ N/A	A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.	
☐		A completed offer to purchase the entire legally described vacation unless an abutting property owner requests to purchase the half abutting their property. Please include the contact information of purchaser if requesting vacation.	
☐		A general area map showing the subject area and request.	
☐		Completed Applicant Profile Form	
☒		Filing fee of \$275 for vacations and easements, \$300 for an easement clearing title.	
SIGNATURE			
Owner/Petitioner's Signature:			Application Date: 1-18-2019
*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx			

For Office Use Only

File Number:

Staff Reviewer:



Overview



Legend

- Roads
- ▣ Corp Boundaries
- ▣ Townships
- ▣ Parcels

Parcel ID	894720136009	Alternate ID	122821	Owner Address	LIZARRAGA ALMA
Sec/Twp/Rng	n/a	Class	R		506 E 11TH ST
Property Address	1109 W 26TH ST	Acreage	n/a		SOUTH SIOUX CITY NE 68776
	SIOUX CITY				
District	087				
Brief Tax Description	CRESCENT PARK W 55 LOT 7 & 8 AND LOTS 9 & 10 (EX W 80 FT) BLK 10				
	(Note: Not to be used on legal documents)				

Date created: 2/13/2019
Last Data Uploaded: 2/12/2019 6:53:56 PM

Developed by  **Schneider**
GEOSPATIAL

☒	Regular Session
☐	Study Session
☐	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019 **ACTION ITEM #** 22

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

SUBJECT: **Hearing and Ordinance vacating a portion of Riverside Park located at 100 Riverside Boulevard. (Petitioner: City of Sioux City). The Planning and Zoning Commission recommends approval of this item. (File No. 2019-0001) (First Consideration passed February 4, 2019) (Second Consideration passed February 11, 2019)**

Reviewed By:	☒ Department Director	☐ Finance Department	☒ City Attorney	☒ City Manager
---------------------	---	---	---	--

RECOMMENDATION:

Staff respectfully requests the City Council approve the requested vacation, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2019-0001: Requested vacation of a portion of Riverside Park (Petitioner: City of Sioux City).

Erin Berzina presented the item stating that the City requests to vacate a portion of Riverside Park to become part of IDOT right-of-way as part of the I-29 improvement project. This portion of the park is a berm area and is not utilized as park space. This will not affect the access road to the ball fields.

Matt Salvatore, City Parks and Recreation – stated that the parks department is not opposed to this, and that the Parks and Recreation Advisory Board approved this item at their January 14, 2019 meeting.

Geary (Beukelman) moved to approve the item. Motion carried. 5-0-0 (Yes: Ross, Bostinelos, Beukelman, Geary, Silverberg No:0, Abstain:0). Roll Call Vote

Findings of Fact:

- 1) Access would not be denied to any portion of Riverside Park or adjacent property owners.
- 2) The Parks and Recreation Advisory Board approved the application to vacate this area at their January 14, 2019 meeting.
- 3) The proposed area to be vacated is currently not a programmed space in Riverside Park.
- 4) The proposed area to be vacated shall become Iowa Department of Transportation right-of-way as part of the Interstate 29 interchange improvements located in the vicinity of Riverside Boulevard and Interstate 29.
- 5) No opposing responses have been received to the notification.

6) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

1) None.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.

Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D: Site Photo

Attachment E: Application

BACKGROUND REPORT:

The petitioner, City of Sioux City, requests to vacate a portion of 100 Riverside Boulevard (Riverside Park) located near the intersection of Riverside Boulevard and War Eagle Drive. The subject property is approximately ten thousand two hundred and fifteen (10,215) square feet. The subject vacation area shall become Iowa Department of Transportation right-of-way as part of the Interstate 29 improvements in the area.

ANALYSIS:

First Consideration of this item was passed at the February 4, 2019 City Council meeting. Council requested more information on the proposed purpose of the area requested to be vacated, which is proposed to be sold to the Iowa Department of Transportation. The Iowa Department of Transportation states the reason for the acquisition is to grade and shape the ditch and to install a fence.

As stated, the petitioner requests to vacate a portion of 100 Riverside Boulevard located near the intersection of Riverside Boulevard and War Eagle Drive. The vacation area is approximately 375' long and 52' wide at its widest point, and is situated just south of the War Eagle Drive access into Riverside Park. The subject area is currently not a programmed area of Riverside Park. There were no comments from the attending audience at the January 22, 2019 Planning and Zoning Commission meeting and no responses were received as a result of the mailed notification. Staff recommends approval of this request for vacation, as access to Riverside Park is not affected and no programmed or programmable space of the park is adversely affected.

The following criteria are used to determine whether to vacate rights-of-way:

- *Cities may vacate streets and alleys but must consider the interests of the public.*
Public notice was mailed to properties within two hundred (200) feet, excluding rights-of-way. No responses have been received.
- *Streets and alleys should not be vacated for the benefit of private persons if it will probably seriously inconvenience the public.*
The subject vacation area is not programmed space for Riverside Park and shall be used as Iowa Department of Transportation right-of-way.
- *The vacation of a street or alley should not deprive the complaining property owner of convenient and reasonable access to or from his property to a substantial degree.*
No responses have been received from the notification.
- *The City Council must determine whether the street or alley is necessary for public use and convenience and whether they are sufficiently traveled to justify maintenance at public expense.*
The subject vacation area is not a street or alley and is currently a mowed / brush area.
- *The right to reasonable ingress and egress to abutting properties may not be totally destroyed; however, as long as one reasonable means of ingress and egress to a lot remains it is not so adversely affected.*
The subject vacation does not eliminate access to any abutting properties. Access to Riverside Park will not be affected by this vacation.
- *Non-abutting owners have far less standing to challenge a vacation.*
No comments were received from non-abutting property owners.

EXISTING ZONING AND LAND USE:

PI; Public and Institutional

EXISTING ZONING REQUIREMENTS:

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

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: PI; Riverside Park

South: PI; Interstate 29

East: GC; Unity Point Health medical office

West: PI; Riverside Park

DEPARTMENT COMMENTS

No responses have been received.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Parks & Open Space". "Parks & Open Space" is defined as areas of public park land and publicly owned open space that may be used for recreational purposes or may be held for future public use.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is not located in an urban renewal / urban revitalization / TIF area.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a Subarea / Corridor Plan area.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Five (5) notices were sent within the required timeframe. No responses were received.

ATTACHMENT A

ORDINANCE

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318

After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ORDINANCE NO. 2019 - _____

ORDINANCE VACATING A PORTION OF RIVERSIDE PARK LOCATED AT 100 RIVERSIDE BOULEVARD.

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

A parcel of land located in a part of Government Lot 3, Section 26, Township 89 North, Range 48 West of the Fifth Principal Meridian, City of Sioux City, Woodbury County, Iowa, and more particularly described as follows:

Commencing at the Northeast Corner of said Government Lot 3; thence South 88°56'22" West, 245.23 feet along the North line of said Government Lot 3 to a point on the existing West right of way line of Primary Road No. IA12 (Riverside Boulevard); thence South 09°55'38" East, 172.14 feet along said existing West right of way line to the Point of Beginning; thence continuing along said existing West right of way line for the following 3 courses; South 09°55'38" East, 127.46 feet; thence South 05°06'14" East, 58.59 feet; thence Southerly a distance of 196.91 feet along the arc of a non-tangential curve, having a radius of 258.30 feet, concave Westerly and having a chord bearing, South 16°26'52" West, 192.17 feet; thence North 04°13'45" East, 369.22 feet to the Point of Beginning, containing 10,215 square feet; and

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

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

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

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

Section 1: That the above described public park land 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: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy 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. 2019-_____ adopted by the City Council of Sioux City on _____, 2019. Signed this _____ day of _____, 2019.

Heidi Farrens, Deputy City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on March 2, 2019

Heidi Farrens, Deputy City Clerk

THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in a part of Government Lot 3, Section 26, Township 89 North, Range 48 West of the Fifth Principal Meridian, City of Sioux City, Woodbury County, Iowa, as shown on the Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

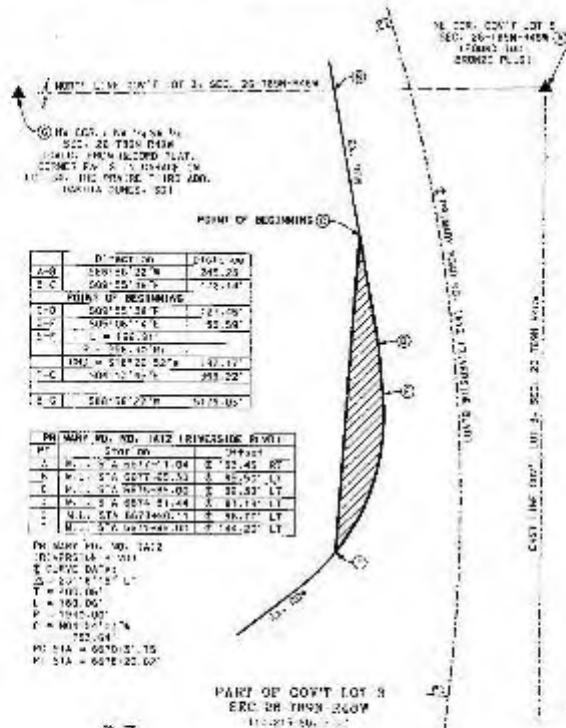
Commencing at the Northeast Corner of said Government Lot 3; thence South 88°56'22" West, 245.23 feet along the North line of said Government Lot 3 to a point on the existing West right of way line of Primary Road No. IA12 (Riverside Boulevard); thence South 09°55'38" East, 172.14 feet along said existing West right of way line to the Point of Beginning; thence continuing along said existing West right of way line for the following 3 courses; South 09°55'38" East, 127.46 feet; thence South 05°06'14" East, 58.59 feet; thence Southerly a distance of 196.91 feet along the arc of a non-tangential curve, having a radius of 258.30 feet, concave Westerly and having a chord bearing, South 16°26'52" West, 192.17 feet; thence North 04°13'45" East, 369.22 feet to the Point of Beginning, containing 10,215 square feet.



IOWA DEPARTMENT OF TRANSPORTATION
ALLEGEDLY IN A
EXHIBIT 13

IOWADOT

COUNTY: WYOMING STATE CONTROL NO.: 111
PROJECT NO.: HW 000 01000/42 DE-ST PARCEL NO.: 111
SECTION: 25 TOWNSHIP: 29 N 36 E RANGE: 46 WEST
RDN - FEE: 0-210 000 FT. EAST: 0-17 000
ACQUIRED ACCESS RIGHTS FROM: STA. 10 S 4 MAIN LINE: ST
ACQUIRED ACCESS RIGHTS FROM: STA. 10 S 4 MAIN LINE: ST
ACQUIRED: 100



24 11 11445 WIS 09/27/2012



I hereby certify that this and accompanying documents were prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer in the State of Iowa.
Robert O. Winters 10-2-2018
Iowa State Engineer License No. 151242
My license expires on 12/31/2020
Page 1 of 1
THIS SURVEY

ORDINANCE VACATING A PORTION OF RIVERSIDE PARK LOCATED AT 100
RIVERSIDE BOULEVARD

This is a summary of Ordinance Number 2019-_____ passed by the Sioux City City Council on _____, 2019 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 park land within the City of Sioux City, Woodbury County, Iowa:

A parcel of land located in a part of Government Lot 3, Section 26, Township 89 North, Range 48 West of the Fifth Principal Meridian, City of Sioux City, Woodbury County, Iowa, and more particularly described as follows:

Commencing at the Northeast Corner of said Government Lot 3; thence South 88°56'22" West, 245.23 feet along the North line of said Government Lot 3 to a point on the existing West right of way line of Primary Road No. IA12 (Riverside Boulevard); thence South 09°55'38" East, 172.14 feet along said existing West right of way line to the Point of Beginning; thence continuing along said existing West right of way line for the following 3 courses; South 09°55'38" East, 127.46 feet; thence South 05°06'14" East, 58.59 feet; thence Southerly a distance of 196.91 feet along the arc of a non-tangential curve, having a radius of 258.30 feet, concave Westerly and having a chord bearing, South 16°26'52" West, 192.17 feet; thence North 04°13'45" East, 369.22 feet to the Point of Beginning, containing 10,215 square feet.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2019.

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:

A parcel of land located in a part of Government Lot 3, Section 26, Township 89 North, Range 48 West of the Fifth Principal Meridian, City of Sioux City, Woodbury County, Iowa, and more particularly described as follows:

Commencing at the Northeast Corner of said Government Lot 3; thence South 88°56'22" West, 245.23 feet along the North line of said Government Lot 3 to a point on the existing West right of way line of Primary Road No. IA12 (Riverside Boulevard); thence South 09°55'38" East, 172.14 feet along said existing West right of way line to the Point of Beginning; thence continuing along said existing West right of way line for the following 3 courses; South 09°55'38" East, 127.46 feet; thence South 05°06'14" East, 58.59 feet; thence Southerly a distance of 196.91 feet along the arc of a non-tangential curve, having a radius of 258.30 feet, concave Westerly and having a chord bearing, South 16°26'52" West, 192.17 feet; thence North 04°13'45" East, 369.22 feet to the Point of Beginning, containing 10,215 square feet.

(A portion of Riverside Park located at 100 Riverside Boulevard) (2019-0001)

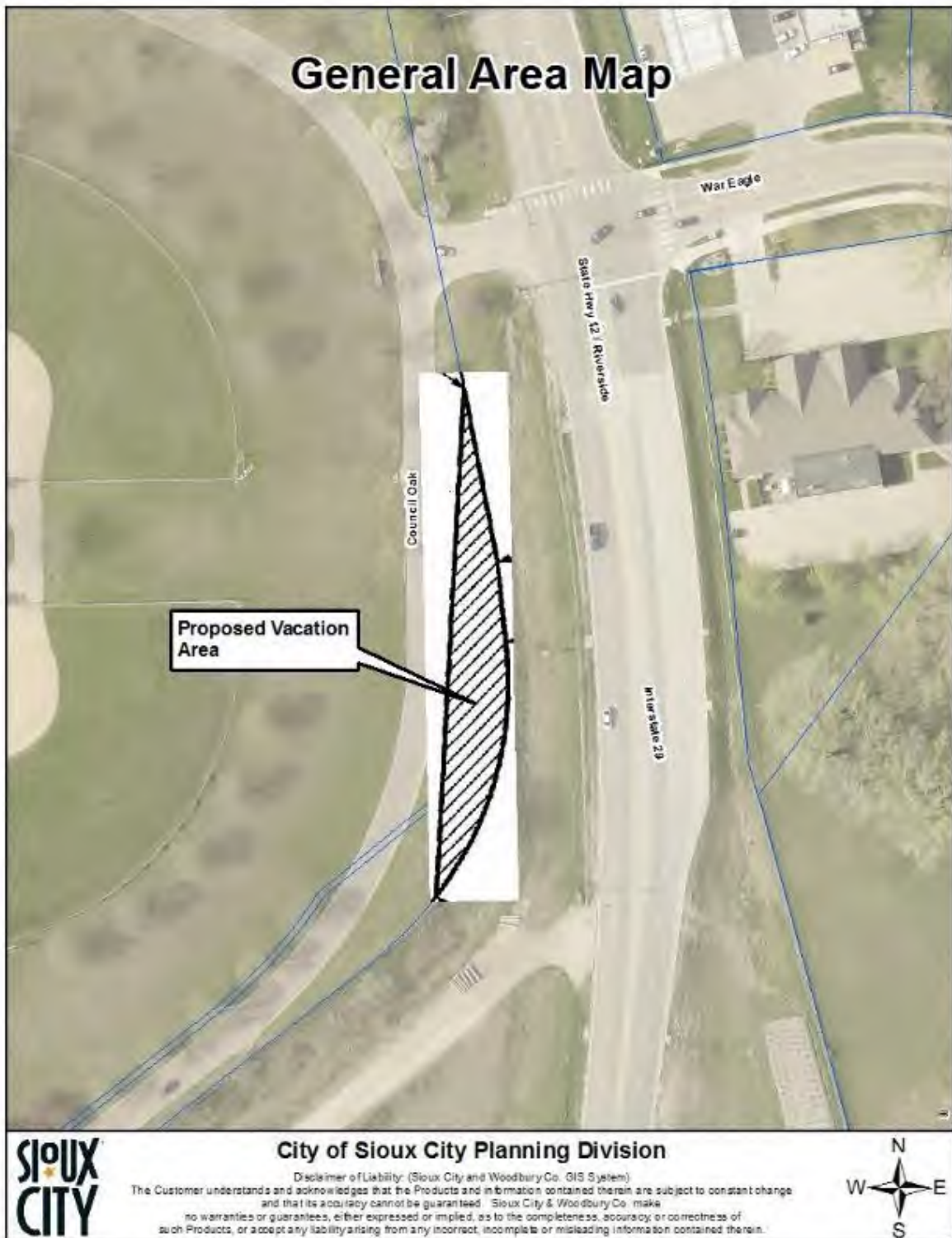
That said Ordinance and proposal to vacate said real estate will come on for final hearing and action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, on February 4, 2019, at the council meeting commencing at 4:00 P.M., Local Time, or as soon thereafter 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

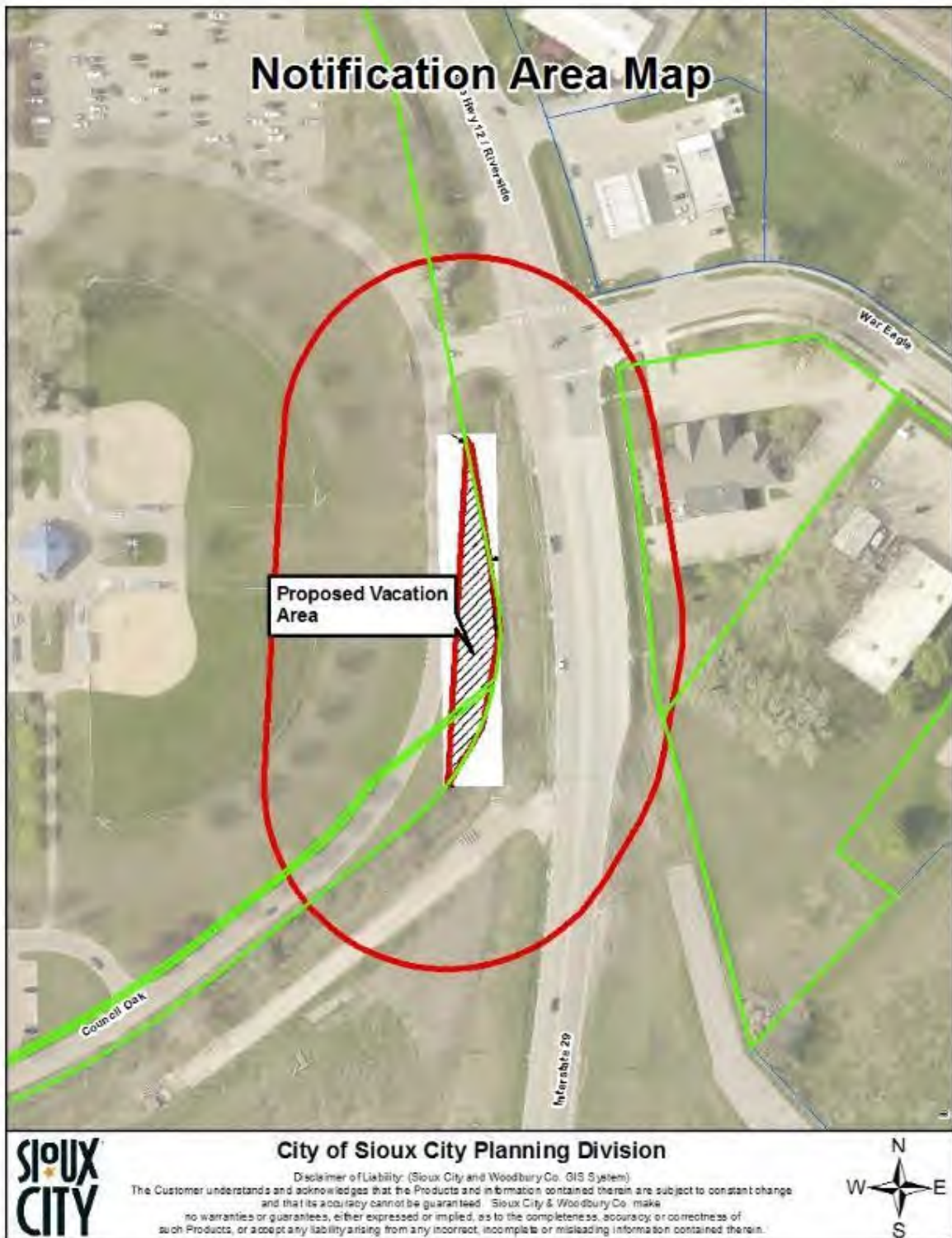
/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal January 28, 2019

ATTACHMENT B
GENERAL AREA MAP



ATTACHMENT C
NOTIFICATION MAP



ATTACHMENT D

SITE PHOTO

Subject property, looking south



ATTACHMENT E

APPLICATION

CITY OF SIOUX CITY

Applicant Profile Form

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

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



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

Name	City of Sioux City Parks and Rec				
Street Address	405 6 th St.				
City	SC	State	IA	ZIP	51101
Phone	279-10203	E-mail Address	msalvatore@sioux-city.org		
Petitioner's interest in the property	Owner ☒	Contract Buyer ☐	Architect ☐	Engineer ☐	Other:

PROPERTY OWNER (IF DIFFERENT)

Name					
Street Address					
City		State		ZIP	
Phone		E-mail Address			

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Attached.

PLANNING AND ZONING DIVISION REQUESTS

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

☒ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness
☐ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Avigation Permit
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development
☐ Text Amendment	☐ Interpretation		☐ 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: <http://online.encodeplus.com/regs/sioux-city-ia/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)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

**SUBJECT PROPERTY INFORMATION**

Owner City of Sioux City
Street Address 100 Riverside Boulevard
Zoning District PI Lot Area (to be vacated) = 10,215
Existing Use Park

REQUEST

Requested Approval ☒ Vacation of public ground (\$275 filing fee) ☐ Easement of public ground (\$275 filing fee) ☐ Easement clearing title (\$300 filing fee)
Existing Use ☐ Public street ☐ Public alley ☐ Other public ground

WRITTEN STATEMENT OF REQUEST

Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public:

Area to be vacated will become IPOT
Right-of-way

INFORMATION CHECKLIST

- ☐ ☐ N/A A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.
- ☐ A completed offer to purchase the entire legally described vacation unless an abutting property owner requests to purchase the half abutting their property. Please include the contact information of purchaser if requesting vacation.
- ☐ A general area map showing the subject area and request.
- ☐ Completed Applicant Profile Form
- ☐ 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: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in a part of Government Lot 3, Section 26, Township 89 North, Range 48 West of the Fifth Principal Meridian, City of Sioux City, Woodbury County, Iowa, as shown on the Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northeast Corner of said Government Lot 3; thence South 88°56'22" West, 245.23 feet along the North line of said Government Lot 3 to a point on the existing West right of way line of Primary Road No. IA12 (Riverside Boulevard); thence South 09°55'38" East, 172.14 feet along said existing West right of way line to the Point of Beginning; thence continuing along said existing West right of way line for the following 3 courses; South 09°55'38" East, 127.46 feet; thence South 05°06'14" East, 58.59 feet; thence Southerly a distance of 196.91 feet along the arc of a non-tangential curve, having a radius of 258.30 feet, concave Westerly and having a chord bearing, South 16°26'52" West, 192.17 feet; thence North 04°13'45" East, 369.22 feet to the Point of Beginning, containing 10,215 square feet.

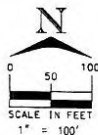
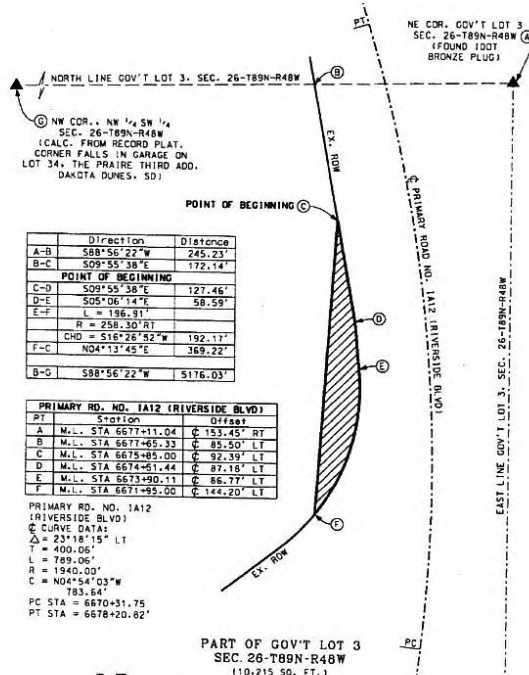
Woodbury County Project IMN-029-6(150)142--0E-97
Parcel No. 11S – City of Sioux City



IOWA DEPARTMENT OF TRANSPORTATION
ACQUISITION PLAT
EXHIBIT "A"

IOWADOT

COUNTY WOODBURY STATE CONTROL NO. -
PROJECT NO. 1W-029-611501142-0E-97 PARCEL NO. 115
SECTION 26 TOWNSHIP 89 NORTH RANGE 48 WEST
ROW - FEE 10,215 SQ. FT. EASE - QUIT CLAIM -
ACQUIRED ACCESS RIGHTS FROM STA. - TO STA. - MAIN LINE - SIDE
ACQUIRED ACCESS RIGHTS FROM STA. 6671+95 TO STA. 6675+85 RIVERSIDE BLVD. WEST SIDE
ACQUIRED FROM -



DATE DRAWN WRS 09/27/2018



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

Robert D. Wortman 10-2-2018
Robert D. Wortman License No. 12420 Date
My license renewal date is December 31, 2019.
Pages or sheets covered by this plat: THIS SHEET ONLY

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 23

FROM: Gordon Phair, City Engineer
Justin Pottorff, Civil Engineer

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2018 Annual Resurfacing Project – Phase II (Project No. 7007-719-121).**

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

RECOMMENDATION:

Staff respectfully requests that the City Council conduct a public hearing and approve the construction documents for the 2018 Annual Resurfacing Project – Phase II (Project No. 7007-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the 2018 Annual Resurfacing Project – Phase II. This project includes the construction of curb and gutter, replacement of sidewalk ADA ramps, and construction of asphalt overlays. Work will be completed on West 4th Street from Wesley Parkway to Market Street, West 2nd Street from George Street to West Street, and Collins Street from West 5th Street to West 6th Street.

A bid letting will take place February 26, 2019. This project shall be completed within 50 working days, which is anticipated to be by October 2019.

FINANCIAL IMPACT:

This project is funded using Water Funds, Sewer Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121 "Annual Resurfacing/Panel Patch/Curb and Gutter". The Engineer's opinion of probable construction cost for the work is \$729,294.67. The project currently has an available balance of \$1,355,675.81.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR CONSTRUCTION OF THE 2018 ANNUAL RESURFACING PROJECT – PHASE II (PROJECT NO. 7007-719-121).

WHEREAS, on the 11th day of February, 2019, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the 2018 Annual Resurfacing Project – Phase II, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the 2018 Annual Resurfacing Project – Phase II be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019

ACTION ITEM # 24

FROM: Gordon Phair, City Engineer
Nate Wing, Civil Engineer

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Annual Resurfacing Project – Phase I (Project No. 7024-719-121).**

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

RECOMMENDATION:

Staff respectfully requests Council conduct a public hearing and approve the construction documents for the 2020 Annual Resurfacing Project – Phase I (Project No. 7024-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the 2020 Annual Resurfacing Project – Phase I. This project includes the construction of curb and gutter, replacement of sidewalk ADA ramps, and construction of asphalt overlays. Work will be completed on Douglas Street from 3rd Street to 6th Street, on Douglas Street from 8th Street to 18th Street, on 8th Street from Douglas Street to Pearl Street, and on 14th Street from Douglas Street to Pierce Street.

A bid letting will take place February 27, 2019. This project shall be completed within 70 working days, which is anticipated to be in September of 2019.

FINANCIAL IMPACT:

This project is funded using Water Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121 “Annual Resurfacing/Panel Patch/Curb and Gutter”. The Engineer’s opinion of probable construction cost for the work is \$1,198,440.50. The funding for this project is contingent upon FY2020 budget approval.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

**RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATED COST FOR CONSTRUCTION OF THE 2020 ANNUAL
RESURFACING PROJECT – PHASE I (PROJECT NO. 7024-719-121).**

WHEREAS, on the 11th day of February 2019, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the 2020 Annual Resurfacing Project – Phase I, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the 2020 Annual Resurfacing Project – Phase I be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 24

FROM: Gordon Phair, City Engineer
Vishnu Nellore, Civil Engineer

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Annual Resurfacing Project Phase II (Project No. 7028-719-121).**

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

RECOMMENDATION:

Staff respectfully requests Council conduct a public hearing and approve the construction documents for the 2020 Annual Resurfacing Project Phase II Project (Project No. 7028-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the 2020 Annual Resurfacing Project Phase II. This project includes the construction of new curb and gutters, replacement of sidewalk ADA ramps, and construction of asphalt overlays. This project is located on Stone Park Boulevard from Hamilton Boulevard to Pierce Street, 5th Street from Pierce Street to Jennings Street, 11th Street from Jackson Street to Floyd Boulevard, and 14th Street from Jackson Street to Main Street.

A bid letting will take place February 28, 2019. This project shall be completed within 60 working days, which is anticipated to be in October of 2019.

FINANCIAL IMPACT:

This project is funded using transfers in Water Funds, Sewer Funds, Sales Tax Infrastructure, and GO bonds under CIP 719-121 "Annual Resurfacing/Panel Patch/Curb and Gutter". The Engineer's opinion of probable construction cost for the work is \$1,259,999.75. The funding for this project is contingent upon FY2020 budget approval.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

**RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT
AND ESTIMATED COST FOR CONSTRUCTION OF THE 2020 ANNUAL
RESURFACING PROJECT PHASE II (PROJECT NO. 7028-719-121).**

WHEREAS, on the 11th day of February, 2019, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the 2020 Annual Resurfacing Project Phase II, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the Annual Resurfacing Project Phase II be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 26

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for the proposed construction of the Lewis and Clark Parking Lot Project. (3400 Line Drive) (Project No. 6905-459-212)**

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

RECOMMENDATION:

Staff respectfully requests the City Council conduct a public hearing and approve the construction documents for the Lewis and Clark Parking Lot Project located at 3400 Line Drive.

DISCUSSION:

DeWild Grant Reckert and Associates Company d/b/a DGR Engineering has completed plans and specifications for the Lewis and Clark Park Parking Lot Project. (Project No. 6905-459-212) This project includes the reconstruction of the parking lot. Bids will be received March 5, 2019. The work on this project shall begin upon receipt of the Notice to Proceed and be fully completed within the specified working days as follows:

- Stage 1 – Approximate Start Date of April 15, 2019.
All work shall be completed in Stage 1 prior to beginning work in Stage 2A.
- Stage 2A – Early Start Date of July 5, 2019.
Completion Date of November 16, 2019.
- Stage 2B – Approximate Start Date of September 16, 2019.
Completion Date of November 16, 2019.
- Stage 3A – Approximate Start Date of September 16, 2019.
Completion Date of May 15, 2020.
- Stage 3B – Approximate Start Date of September 16, 2019.
Completion Date of August 1, 2020.

FINANCIAL IMPACT:

Funding for the Lewis and Clark Park Parking Lot Project will be covered under General Obligation Bonds in CIP #459-212 “Annual Lewis & Clark Park” with a proposed FY2020 budget of \$1,900,000.00 and FY2021 budget of \$1,300,000.00. The estimate of cost is \$3,169,335.00 (PCC pavement option) and \$3,363,516.00 (HMA pavement option).

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility-Health and Safety
Focus Area-Explore Destination Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 - _____

HEARING AND RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE LEWIS AND CLARK PARKING LOT PROJECT. (3400 LINE DRIVE) (PROJECT NO. 6905-459-212)

WHEREAS, on the 11th day of February 2019, plans, specifications, form of contract, and estimated cost were filed with the Clerk of Sioux City, Iowa, for the construction of the Lewis and Clark Parking Lot Project; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the Lewis and Clark Parking Lot Project be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 27

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

SUBJECT: **Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed (the south one-half of the vacated north/south alley and the north one-half of vacated Darling Avenue abutting 901 St. Mary's Street) (Petitioner: Allan E. Sewalson, Executor of the Lavina N. Sewalson Estate) (purchase price: \$2,283.60 plus costs).**

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

RECOMMENDATION:

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the south one-half of the vacated north/south alley and north one-half of vacated Darling Avenue abutting 901 St. Mary's Street to the Lavina N. Sewalson Estate. These portions of right of way were vacated by Ordinance No. 2019-0100 dated February 4, 2019. Alan Sewalson is the Executor of the Lavina N. Sewalson Estate which owns the abutting property and he would like to add the vacated rights of way to the property that the estate owns.

The resolution on Monday's agenda authorizes the issuance of a city deed to Allan E. Sewalson, Executor of the Lavina N. Sewalson Estate.

FINANCIAL IMPACT:

The amount of \$2,283.60 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility - Infrastructure

Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

Do not approve the resolution

ATTACHMENTS:

Proposed Resolution

Offer to Purchase

Aerial

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY AND AUTHORIZING A CITY DEED (THE SOUTH ONE-HALF OF THE VACATED NORTH/SOUTH ALLEY AND THE NORTH ONE-HALF OF VACATED DARLING AVENUE ABUTTING 901 ST. MARY'S STREET) (PETITIONER: ALLAN E. SEWALSON, EXECUTOR OF THE LAVINA N. SEWALSON ESTATE) (PURCHASE PRICE: \$2,283.60 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2019-0120, passed and approved February 11, 2019:

That part of the vacated north/south alley abutting Lots 1 - 3 and 10 – 12, and the north one-half of vacated Darling Avenue abutting Lots 1 and 12, including the intersection with the vacated north/south alley, all in Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, a public hearing was held on said proposal on February 25, 2019, pursuant to published notice given as provided by law; and

WHEREAS, the City Council has heard all the objections to said proposal, but believes selling of the real property is in the public interest; and

WHEREAS, a city deed prepared in accordance with the previously received "Offer To Purchase" is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that all objections to the proposed sale of the real estate described in the preamble hereof, be and the same are hereby overruled.

BE IT FURTHER RESOLVED, that the above described real property be sold to Allan E. Sewalson, Executor of the LaVina N. Sewalson Estate, in accordance with the terms and conditions set forth in Resolution No. 2019-0120, passed and approved February 11, 2019.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Allan E. Sewalson, Executor of the LaVina N. Sewalson Estate, be and the same is hereby approved as to form and content and the Mayor and City Clerk authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to the purchasers.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318

After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ADDRESS TAX STATEMENT: Allan E. Sewalson, Executor of the LaVina N. Sewalson Estate
901 S. Mary's Street, Sioux City IA 51105

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of TWO THOUSAND TWO HUNDRED EIGHTY-THREE DOLLARS AND SIXTY CENTS (\$2,283.60) in hand paid by Allan E. Sewalson, Executor of the LaVina N. Sewalson Estate, of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Allan E. Sewalson, Executor of the LaVina N. Sewalson Estate, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

That part of the vacated north/south alley abutting Lots 1 - 3 and 10 – 12, and the north one-half of vacated Darling Avenue abutting Lots 1 and 12, including the intersection with the vacated north/south alley, all in Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa.

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation, maintenance, and replacement of any presently existing and installed public utility, above, below or beneath the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 25th day of February, 2019.

CITY OF SIOUX CITY, IOWA

BY: _____
Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss
WOODBURY COUNTY)

On this 25th day of February, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2019-_____ passed on the 25th day of February, 2019, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: _____
Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).

OFFER TO PURCHASE VACATED PUBLIC RIGHT(S)-OF-WAY

The undersigned do hereby offer to purchase the following vacated street, alley, or other public right-of-way (common description): That part of the vacated north/south alley and the north one-half of vacated ~~9th Street~~ ^{AS} Darling Avenue, abutting 901 St Mary's Street, Sioux City, Iowa

And legally described ^{AS} follows: That part of the vacated north/south alley abutting Lots 1-3 & 10 - 12, and the north one-half of vacated ~~9th Street~~ Darling Avenue abutting Lots 1 & 12, including the intersection with the vacated north/south alley Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa

according to the following procedure as established by the City Council, Sioux City, Iowa, a Municipal Corporation.

1. Purchase price of vacated streets and alleys is to be determined in accordance with Council Resolution 98/U-6796, as follows:
 - a) For vacated street rights-of-way which are sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance) in residentially zoned areas: the value of the vacated land will be determined by a weighted average of the assessed valuation per square foot of abutting properties, with a zero to 25 percent deduction available for "faults." These faults could include drainage, vegetation or topography.
 - b) For all other vacations of streets or alleys in residentially zoned areas, the value of the vacated land will be determined as 50% of the weighted average of the assessed valuation per square foot, of abutting properties.
 - c) For those vacations involving commercial and industrial zoned land where vacated streets are being sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance), the property will be appraised, the cost of the appraisal to be paid by the applicant.
 - d) For all other vacations of streets and alleys in commercial and industrial zoned land, the price of the land will be as 100% of the weighted average of the assessed value per square foot of the adjoining properties.
 - e) The minimum sale price for all land will, in no case, be less than 25 cents per square foot.
2. The sale of other public lands may require that the purchase price be established by a professional appraiser or appraisers to be selected by the City. In such cases, the petitioner shall pay the cost of the appraisal.
3. All land sold is subject to the right of the City of Sioux City and franchised utility companies to use said land in connection with the operation and maintenance of any presently existing and installed public utilities, above or below the ground, unless specifically agreed otherwise by the City Council.

Formula Price \$2,283.60 plus costs (DO NOT SEND PAYMENT AT THIS TIME).

Please print the exact name and mailing address you would like the title to the property placed in, in the event the City Council approves your offer to purchase the vacated public right-of-way.

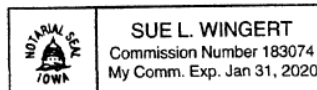
ALLAN E. SEWALSON, EXECUTOR OF LAVINA N. SEWALSON
ESTATE

This offer respectfully submitted with a full understanding of the above provisions on this _____ day of
DECEMBER 11, 2018.

By: Allan E. Sewalson
Allan E. Sewalson
Phone: 712 253 6987
712 223 6968 CELL

Subscribed and sworn before me this 11th day of December, 2018

Sue Wingert
Notary Public in and for the State of Iowa





☒	Regular Session
☐	Study Session
☐	Closed Session

**CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION**

MEETING DATE: February 25, 2019 **ACTION ITEM #** 28

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

SUBJECT: **Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed (the north one-half of the vacated north/south alley abutting 916 Martha Street) (Petitioner: Donald M. Sewalson) (purchase price: \$528.00 plus costs).**

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

RECOMMENDATION:

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell the north one-half of the vacated north/south alley abutting 916 Martha Street to Donald M. Sewalson. This portion of alley was vacated by Ordinance No. 2019-0100 dated February 4, 2019. Mr. Sewalson owns the abutting property and would like to add the vacated right of way to the property that he owns.

The resolution on Monday's agenda authorizes the issuance of a city deed to Donald M. Sewalson.

FINANCIAL IMPACT:

The amount of \$528.00 plus costs will be received at time of closing.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility - Infrastructure

Focus Area – Expand Development Opportunities and Grow Sioux City

ALTERNATIVES:

Do not approve the resolution

ATTACHMENTS:

Proposed Resolution

Offer to Purchase

Aerial

RESOLUTION NO. 2019 - _____
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY
AND AUTHORIZING A CITY DEED (THE NORTH ONE-HALF OF THE VACATED
NORTH/SOUTH ALLEY ABUTTING 916 MARTHA STREET) (PETITIONER:
DONALD M. SEWALSON) (PURCHASE PRICE: \$528.00 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2019-0121, passed and approved February 11, 2019:

That part of the vacated north/south alley abutting Lots 4 – 9, Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, a public hearing was held on said proposal on February 25, 2019, pursuant to published notice given as provided by law; and

WHEREAS, the City Council has heard all the objections to said proposal, but believes selling of the real property is in the public interest; and

WHEREAS, a city deed prepared in accordance with the previously received "Offer To Purchase" is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that all objections to the proposed sale of the real estate described in the preamble hereof, be and the same are hereby overruled.

BE IT FURTHER RESOLVED, that the above described real property be sold to Donald M. Sewalson in accordance with the terms and conditions set forth in Resolution No. 2019-0121, passed and approved February 11, 2019.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Donald M. Sewalson, be and the same is hereby approved as to form and content and the Mayor and City Clerk authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to the purchasers.

PASSED AND APPROVED: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318

After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ADDRESS TAX STATEMENT: Donald M. Sewalson
916 Martha Street, Sioux City IA 51105

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of FIVE HUNDRED TWENTY-EIGHT DOLLARS AND NO CENTS (\$528.00) in hand paid by Donald M. Sewalson of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Donald M. Sewalson, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

That part of the vacated north/south alley abutting Lots 4 – 9, Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation, maintenance, and replacement of any presently existing and installed public utility, above, below or beneath the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 25th day of February, 2019.

CITY OF SIOUX CITY, IOWA

BY: _____
Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss
WOODBURY COUNTY)

On this 25th day of February, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did state that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2019-_____ passed on the 25th day of February, 2019, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: _____
Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).

OFFER TO PURCHASE VACATED PUBLIC RIGHT(S)-OF-WAY

The undersigned do hereby offer to purchase the following vacated street, alley, or other public right-of-way (common description): That part of the vacated north/south alley abutting 916 Martha Street, Sioux City, Iowa

And legally described as follows: That part of the vacated north/south alley abutting Lots 4 - 9, Block 16, Cohen and Marks' Addition to Sioux City, Woodbury County, Iowa

according to the following procedure as established by the City Council, Sioux City, Iowa, a Municipal Corporation.

1. Purchase price of vacated streets and alleys is to be determined in accordance with Council Resolution 98/U-6796, as follows:
 - a) For vacated street rights-of-way which are sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance) in residentially zoned areas: the value of the vacated land will be determined by a weighted average of the assessed valuation per square foot of abutting properties, with a zero to 25 percent deduction available for "faults." These faults could include drainage, vegetation or topography.
 - b) For all other vacations of streets or alleys in residentially zoned areas, the value of the vacated land will be determined as 50% of the weighted average of the assessed valuation per square foot, of abutting properties.
 - c) For those vacations involving commercial and industrial zoned land where vacated streets are being sold as developable lots (meaning the vacated land meets the definition of a zoning lot as per the Sioux City Zoning Ordinance), the property will be appraised, the cost of the appraisal to be paid by the applicant.
 - d) For all other vacations of streets and alleys in commercial and industrial zoned land, the price of the land will be as 100% of the weighted average of the assessed value per square foot of the adjoining properties.
 - e) The minimum sale price for all land will, in no case, be less than 25 cents per square foot.
2. The sale of other public lands may require that the purchase price be established by a professional appraiser or appraisers to be selected by the City. In such cases, the petitioner shall pay the cost of the appraisal.
3. All land sold is subject to the right of the City of Sioux City and franchised utility companies to use said land in connection with the operation and maintenance of any presently existing and installed public utilities, above or below the ground, unless specifically agreed otherwise by the City Council.

Formula Price \$528.00 plus costs (DO NOT SEND PAYMENT AT THIS TIME).

Please print the exact name and mailing address you would like the title to the property placed in, in the event the City Council approves your offer to purchase the vacated public right-of-way.

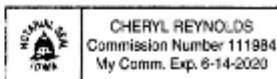
Donald M. Sewalson

This offer respectfully submitted with a full understanding of the above provisions on this 19th day of November, 2018

By: [Signature]
Donald M. Sewalson
Phone: 712-258-7193

Subscribed and sworn before me this 19th day of Nov, 2018

[Signature]
Notary Public in and for the State of Iowa





x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: February 25, 2019 **ACTION ITEM #** 29

FROM: Mark Simms, Utilities Director
Melissa Campbell, Environmental Services Analyst

SUBJECT: Ordinance amending Chapter 5.20 entitled "Solid Waste" of the Sioux City Municipal Code by increasing fees for solid waste collections. (First Consideration Passed February 11, 2019).

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

RECOMMENDATION:

Staff respectfully requests Council approve the proposed ordinance changes authorizing an increase to the solid waste collection rates and revising the residential service rates for garbage collection.

DISCUSSION:

On December 7, 2015, pursuant to Resolution No. 2015-0909, Council amended the contract with Gill Hauling, Inc. allowing an annual 2% increase in solid waste collection fees paid to Gill Hauling. Solid waste collection rates for residents were last increased in January 2016 and have remained steady for a period of three years. Because the costs associated with these services are passed directly to residents, staff is requesting that collection service rates increase as follows.

Additionally, staff has determined that Iowa Law may prohibit providing a discount on utility rates, including garbage collection, based on age. Staff recommends that the senior rate be discontinued. If approved, utility accounts that currently receive a discounted senior rate will pay the regular base rate of \$16.63, per month.

	Current Rate	Proposed Increase
Solid Waste Collection (base rate)	\$16.30	\$16.63
Senior Rate Discontinued	\$12.05	\$12.29
Extra Container Fee (per container)	\$2.99	\$3.05
Solid Waste Sticker	\$1.00	\$1.08

FINANCIAL IMPACT:

The collection rate increases will accommodate the increase in contract costs payable to Gill Hauling as approved by the City Council on December 7, 2015. Additional revenue will also be generated to cover the costs of the City's Environmental Services Division activities.

RELATIONSHIP TO STRATEGIC PLAN:

By providing for safe and environmentally sound refuse collection and recycling, we are protecting the health and safety of our community.

ALTERNATIVES:

Make no changes to the Municipal Code. This will result in an increased cost to the General Fund.

ATTACHMENTS:

Ordinance

ORDINANCE NO. 2019 - _____

**ORDINANCE AMENDING CHAPTER 5.20 ENTITLED "SOLID WASTE" OF THE
SIOUX CITY MUNICIPAL CODE BY INCREASING FEES FOR SOLID WASTE
COLLECTIONS.**

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA¹:

Section 1: Section 5.20.160 of the Sioux City Municipal Code is amended to read as follows:

5.20.160 Fees and fee charges.

1. For the services of solid waste and yard waste collection available to low density residential premises there shall be charged a mandatory fee of ~~\$16.30~~ \$16.63 per month to:

- a. The owner or occupant of each single-family dwelling;
- b. The occupant of each living quarters of a multi-family dwelling unit; or
- c. The owner of each multi-family dwelling unit for each separate living quarter.

2. For the removal of solid waste and yard waste from high density residential premises there shall be charged a fee of ~~\$16.30~~ \$16.63 per month to:

- a. The occupant of each living quarter; or
- b. The owner of each high density residential premises for each separate living quarter.

3. The fee for a second and any subsequent container(s) provided by the city shall be ~~\$2.99~~ \$3.05 per month.

~~4. When there is an adult who is a primary occupant who is responsible for payment of the utility fee of a single family dwelling unit or a separate living quarter in a low density residential premises and is either sixty-five years of age or older, or is totally disabled as recognized by a federally administered assistance plan, the fee charged per month for the services provided above shall be \$12.05.~~

~~4.~~ 5. The prepaid fee for collection of garbage or rubbish or yard waste placed in heavy duty plastic bags or biodegradable two-ply paper bag, wet strength, Kraft or equivalent not exceeding 35 gallons capacity and not weighing over 35 pounds is ~~\$1.00~~ \$1.08 per bag.

~~5.~~ 6. Whenever a special collection is necessitated pursuant to Section 5.20.085, a special collection fee based on actual cost of removal plus city administrative fees shall be assessed against the owner of record of the real property upon which the special collection was performed. If the property is rented to a tenant, and the tenant's identity has been verified as provided in Section 5.20.085, the city may assess any special collections fees against that tenant. If the water bill is in the tenant's name, the special collection fee will be added to the tenant's water bill. However, if the special collection fee remains unpaid for more than 30 days or there are subsequent special collections, the fees may be assessed to the real property.

~~6.~~ 7. The payment of the monthly charge or fee, as provided in Subsection 5.20.160(1) shall be mandatory except for service omitted as provided in Section 5.20.080, or unless the owner is licensed and permitted by the director to dispose of solid waste materials or yard waste by hauling same themselves over the city streets and to the designated landfills. The cost of such license shall be thirty-five dollars per year, payable in advance to the Utilities Department.

Section 2: Penalty Clause. Anyone violating the provisions of this ordinance shall upon conviction be punished as provided in Section 1.04.100 of the Sioux City Municipal Code.

¹ Proposed additions to text of Municipal Code are indicated by underline; proposed deletions from text of Municipal Code are indicated by ~~strikethrough~~

Section 3: Severability Clause. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

Section 4: Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are: Section 5.20.160 of the Sioux City Municipal Code.

Section 5: Effective Date. This ordinance shall be in full force and effect from and after its final passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: February 25, 2019

Robert E. Scott, Mayor

ATTEST: _____
Heidi Farrens, Deputy City Clerk

I hereby certify that the foregoing was published in the Sioux City Journal on
March 2, 2019

Heidi Farrens, Deputy City Clerk