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

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

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held November 16, 2015, 4:00 p.m., local time, in the City Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

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

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

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

**CONSENT AGENDA**

*Items 2 through 10A constitute a Consent Agenda. Items pass unanimously unless a separate roll call vote is requested by a Council Member.*

2. Reading of the City Council minutes of November 5 and 9 (Closed and Regular), 2015.


4. **SIOUX GATEWAY AIRPORT** - Resolution adopting plans, specifications and form of contract for the proposed construction of a 10 Unit T-Hangar at the Sioux Gateway Airport/Col. Bud Day Field.

5. **AG EXPO** - Resolution supporting the Ag Expo & Learning Center Project and approving assistance for the project contingent on commitment of financial assistance from Woodbury County and the Missouri River Historical Development.

6. **TITAN MACHINERY** - Resolution awarding a purchase order to Titan Machinery of Sioux City, Iowa, in the amount of $201,300 for the purchase of three (3) Case Model 580N Tractor-Loader-Backhoes. (RFQ No. 229686)
7. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. INFRA-TRACK - Resolution approving the contract and performance bond with Infra-Track, Inc. in the amount of $399,978 for the Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project. (Project No. 6827-539-201)

B. MCLAURY ENGINEERING - Resolution approving a Consulting Services Agreement with McLaury Engineering Inc. for design of the South Cypress Street Extension Project (Project No. 6841-719-207) in an amount not to exceed $93,500.

C. AMERICAN FENCE - Resolution amending Resolution No. 2015-0794 which accepted the work and authorized final payment to American Fence Company of Omaha, Nebraska, for the purchase and installation of a chain link fence (Contract 99180) at the Sioux Gateway Airport/Col. Bud Day Field by revising the retainage amount due to a typographical error.

D. IDOT - Resolution approving Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010 with the Iowa Department of Transportation for the Intelligent Transportation System (ITS) Project.

E. GRUNDMAN-HICKS - Resolution approving the contract and performance bond with Grundman-Hicks, LLC of Cherokee, Iowa, in the amount of $44,000 for the Southbridge Regional Water Supply Treatment Facility Improvement Project.

8. ACTIONS RELATING TO PROPERTY

A. SOUTH STEELE - Resolution proposing to sell certain real property. (The east one-half of vacated South Steele Street abutting 2812 South Steele Street) (Petitioner: Joyce H. Zenor and Katherine A. Zenor, Trustee of the 1995 Katherine A. Zenor Revocable Trust) (Purchase Price: $504 plus costs)

B. SOUTH STEELE - Resolution proposing to sell certain real property. (The west one-half of vacated South Steele Street abutting 3112 Seger Avenue) (Petitioner: Peggy Bauer) (Purchase Price: $504 plus costs)

9. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. CLASS “C” LIQUOR LICENSE
   1. 20th Street Tap, 1924 Pierce Street (New)
   2. R Navarrete’s, 2421 Riverside Boulevard (Renewal)
   3. Firehouse Bar, 1211 5th Street (Renewal)
   4. Perera’s Place, 2611 Correctionville Road (Renewal)
   5. Chesterfield Live & Loud, 1225 4th Street (Renewal)
   6. El Tapatio, 3400 Gordon Drive (Renewal)
   7. The Filling Station, 1808 Highway 75 North (Renewal)

10. RECEIPT OF BOARD, COMMISSION AND COMMITTEE MINUTES:

A. Library Board of Trustees - October 21, 2015

- End of Consent Agenda -
HEARINGS

11. Hearing and Resolution accepting the proposal of Laura L. Jenkin for the purchase of certain land in the Rose Hill Urban Renewal Area and authorizing sale of said property. (That part of the vacated east/west alley abutting 1309 Summit Street)

12. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (The east one-half of the vacated north/south alley abutting 1215 South Royce Street) (Petitioner: Thomas C. Dahl) (Purchase price: $500.52 plus costs)

DISCUSSION

13. Resolution approving Work Order Number 23 with RS&H Iowa, P.C. of Naperville, Illinois, in an amount not to exceed $259,850 for design and bidding services for the reconstruction of the Connector Taxiway "A" Project at the Sioux Gateway Airport/Col. Bud Day Field. (Project No. AIP-50)

14. Resolution awarding and approving a contract to SuBSurfco, LLC in the amount of $1,909,549.40 for the I-29 Water Main Crossing (Harbor Drive to South Lewis Boulevard) Project. (Project No. 6779-519-258)

PRESENTATION


16. CITIZEN CONCERNS

17. COUNCIL CONCERNS

18. ADJOURNMENT

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

The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 6th Street, Room 204, (712) 279-6259. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.
A Joint Meeting of the City Council and Airport Board of Trustees was held at 12:01 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Radig and Scott. Absent: None.

Staff members present included: Robert Padmore, City Manager; Mike Collett, Assistant City Manager; Amber Hegarty, Assistant City Attorney; and Lisa McCardle, City Clerk.

Members of the Airport Board of Trustees present included: Rita DeJong, Noelle Jacobs, Darrell Jesse, James Palmer, Angie Schneiderman and Michael Stiles. Absent: Vincent Kramper.

Others present: Barbara Sloniker, Siouxland Chamber; Gary Prescott, 185th Airbase Engineering; Col. Larry Christensen, 185th Airbase Engineering; Steve Mayo, Jetsun Aviation; Larry Finley, Mid America Air and Transportation Museum; Darren Christopher, RS&H; Curt Miller; and various members of the media.

Jesse made opening comments on efforts to add a second destination and how the pilot shortage and larger planes are affecting the Airport.

Collett provided information on the Annual Report, highlights and accomplishments included: Essential Air Service Program (EAS) bids are due November 5, 2015 for a new agreement to begin service on May 1, 2016; severe storm damage on August 31, 2014 resulted in damage to hangars, rental houses, the terminal and other structures; and multiple grants to assist with marketing and the storm damage repairs. Collett also reported Operating Statistics stating Sioux City has the second lowest subsidy and per passenger subsidy at $12 of the EAS Communities in the 48 contiguous states.

Collett stated current projects include: Taxiway F and Taxiway A Connector Rehabilitations; storm damage rehab and demolition; hangar development; and the Long Term Concept Plan that identifies 2 new box hangars. Collett reported goals that included: securing additional air service; completing Taxiway A Rehab; obtaining additional grants for airport improvements and marketing; and increasing landside development.

Hegarty provided information on the proposed changes to Chapter 2.32 Sioux Gateway Airport Board of Trustees of the City Code that addresses the powers and authorities of the Board, the changes include: giving the authority to hire the Airport Director back to the City Council; clarifying spending authority for the Board and the Director; shifting responsibilities such as hiring and firing to the Director; and clarifying conflict of interest involving property. The proposed changes to the ordinance will come before the Council for approval. Group discussion was held surrounded the proposed changes.

Moore thanked the Board for their service and dedication.

Christensen spoke on the conditions at the 185th Air National Guard Base stating business is going really well; he stated the pilot shortage is real with 40% of their air crew at 20+ years of service, they are looking for recruits.
ADJOURNMENT

There being no further business, the meeting was adjourned at 12:39 p.m., on motion by Scott, seconded by Capron; all voting aye.

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

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

u:\CityAgenda\Minutes and Agendas\Council Minutes\2015\110515jointAirportm
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, Radig and Scott. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole Jensen-Harris, City Attorney; and Lisa McCardle, City Clerk.

Motion by Scott, seconded by Radig, 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 Radig, that Council return to open session at 3:55 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:55 p.m., on motion by Scott, seconded by Radig; all voting aye.

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

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

u:\CityAgenda\Minutes and Agendas\Council Minutes\2015\110915cs
1. The Regular Meeting of the City Council was held at 4:00 p.m. The following Council Members were present on call of the roll: Capron, Groetken, Moore, Radig and Scott. Absent: None.

Staff members present included: Robert Padmore, City Manager; Nicole Jensen-Harris, City Attorney; and Lisa McCardle, City Clerk.

Mayor Scott read a commendation for the members of the Armed Forces of the United States of America thanking and commending them for their service; Danielle Dempster, Executive Director, Woodbury County Commission of Veteran Affairs accepting. Dempster invited the Council and citizens to the Annual Veteran's Day Ceremony in the Courthouse Rotunda, Wednesday, November 11th at 11:00 a.m.

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 2 through 12G are approved unanimously unless specifically noted after the item.

2. Reading of the City Council minutes of November 2, 2015.

Reading of the minutes of November 2, 2015, was waived and as part of the consent agenda the minutes were approved as presented.

Scott abstained on the minutes of November 2, 2015 due to his absence from the meeting.

3. **ANNUAL REPORT** - Motion accepting and approving the Civil Service Commission FY 2015 Annual Report.  

4. **TORT CLAIMS** - Resolution approving settlement of tort claims and authorizing payment. (Flores and Boteo)

5. **IDOT** - Resolution approving and supporting the submission of a grant application to the Iowa Department of Transportation for the Revitalize Iowa's Sound Economy (RISE) Program for the construction of various road improvements in the Bridgeport and Bridgeport West Industrial Parks related to the Seaboard Triumph Foods Pork Processing Plant Project.

6. **HOLIDAY PARADE** - Resolution temporarily closing 4th Street from Iowa Street to Nebraska Street beginning at 6:00 p.m. and ending at 8:00 p.m., and temporarily closing 3rd Street from Iowa Street to Court Street; and Iowa Street from 3rd Street to 4th Street beginning at 5:00 p.m. and ending at 6:00 p.m., November 22, 2015, to accommodate Downtown Partners Sioux City's Holiday Lighted Parade and staging.

7. **KNOEPFLER CHEVROLET** - Resolution awarding a purchase order to Knoepfler Chevrolet of Sioux City, Iowa, in the amount of $451,524 for the purchase of twelve (12) Chevrolet Tahoe, Four Wheel Drive, Commercial CK15706 Vehicles for use by the Sioux City Police Department. (RFQ No. 228935)
8. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

A. IDOT - Resolution approving Preconstruction Agreement No. 2016-12-012 with the Iowa Department of Transportation for the IA 376 Bridge Replacement over Floyd Boulevard/Taft Street Project. (Project No. BRF-376-1(6)-38-97) 2015-0852

B. NORTHWEST ELECTRIC - Resolution awarding and approving a Service Provider Agreement to Northwest Electric, Inc. of Le Mars, Iowa, in the amount of $38,211 to provide all parts and labor to rebuild and add a new impeller to the Fairbanks Morse Pump located at the Floyd Lift Station, 1425 Bluff Street. (Bid No. 228315) 2015-0853

9. ACTIONS RELATING TO PERSONNEL

A. COMMUNITY DEVELOPMENT - Resolution amending the Community Development Department’s authorized payroll complement by adding one Neighborhood Services Project Coordinator position. 2015-0854

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

B. PUBLIC WORKS - Resolution amending the authorized Budget Payroll Complement, the Position Classification Manual and Pay Schedule for Local 212, American Federation of State, County and Municipal Employees (AFSCME) by deleting therefrom the position, title and job description of Development Records Technician, Class Code IV-4125 and by adding thereto the position, title and job description of GIS/Records Technician, Class Code IV-4126 and authorizing said position in the Public Works Department. 2015-0855

10. TOTAL CHECKS - Approve total checks issued for the reporting period of October 2015, in the total amount of $8,364,548.55.

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

A. OVER-THE-COUNTER
   1. Family Dollar, 1400 Jackson Street (New) (Deferred from November 2, 2015) (Motion requested to delete this item)

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

12. RECEIPT OF BOARD, COMMISSION AND COMMITTEE MINUTES:

A. Airport Board of Trustees - September 10 and October 8, 2015
B. Historic Preservation Commission - October 1, 2015
C. Mayor’s Youth Commission - September 14, September 21, October 5 and October 19, 2015
D. Parks and Recreation Advisory Board - October 7, 2015
E. Planning and Zoning Commission - October 27, 2015
F. Pool Committee - October 19, 2015
G. Transit System Advisory Board - October 21, 2015

- End of Consent Agenda -
HEARINGS

13. Hearing and Resolution considering prior approval of a partial exemption from property tax-ation for Seaboard Triumph Foods LLC. (Property located at 2201 Boulevard of Champions and 4901 1/2 Patton Street) 2015-0856

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

14. Hearing and Ordinance vacating the east/west alley adjacent to 1115 and 1117 South Ce-celia Street and repealing Ordinance No. 2015-0784. (Petitioner: Gary Dominick) (File No. 2015-0063) 2015-0857

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

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

RECOMMENDATIONS OF PLANNING AND ZONING

15. Hearing and Ordinance vacating the north 16 feet of 1st Street lying adjacent to 100 Virginia Street and 101 Court Street. (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2015-0073) (First Consideration passed October 26, 2015; Second Consideration passed November 2, 2015) 2015-0858

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

16. Resolution accepting and approving the Final Plat of ZM Addition a two-lot, 13.814 acre residential/agricultural subdivision located near 5708 Old Lakeport Road. (Petitioner: James Martin and Leslie Zyzda-Martin) The Planning and Zoning Commission recommends approval of this item. (File No. 2015-0072) 2015-0859

Jason Geary, Planning and Zoning Commission, provided information on the item.

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

17. Hearing and Ordinance rezoning 4511 1/2 Stone Avenue from Zone Classification NC.5 (Neighborhood Conservation - 5,000 square feet per unit minimum) to Zone Classification GC (General Commercial). (Petitioner: Braden Keith) The Planning and Zoning Commis-sion recommends approval of this item. (File No. 2015-0071) 2015-0860

Jason Geary, Planning and Zoning Commission, provided information on the item.

Motion by Scott, seconded by Capron, to close the hearing and pass first consideration of the ordinance; all voting aye.
On motion by Scott, seconded by Radig, all voting aye; the Statutory Rule requiring that an ordinance be considered at three separate meetings was suspended. On motion by Scott, seconded by Radig, the ordinance passed second and third considerations; all voting aye.

18. Ordinance dedicating and naming unnamed right-of-way located on Glen Ellen Road lying between a point approximately 300 feet south of Palm Valley Drive and the north line of the Eagle Ridge Subdivision as "Glen Ellen Road". (Petitioner: City of Sioux City) The Planning and Zoning Commission recommends approval of this item. (File No. 2015-0074) 2015-0861

Jason Geary, Planning and Zoning Commission, provided information on the item.

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

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

DISCUSSION

19. Resolution awarding a purchase order to Heppner Consulting of Warroad, Minnesota, in an amount not to exceed $101,932.45 for the purchase of the System 1 and 2 upgrade. (Bid No. 229810) 2015-0862

John Malloy, IT Director, provided information on the item.

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

20. Resolution awarding a Consulting Services Agreement to Short Elliott Hendrickson, Inc., of Mason City, Iowa, for design services for the Cone Park Development Project in an amount not to exceed $357,200. 2015-0863

Matt Salvatore, Parks and Recreation Director, provided information on the item.

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

21. Resolution approving Change Order No. 3 to the contract with D.A. Davis Co., Inc. in the amount of $366,125 for additional subballast material, and switch materials associated with the Union Pacific Railroad switches in connection with the Southbridge Rail, Phase 1 Construction Project. (Project No. 6379-663-162) 2015-0864

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

Motion by Moore, seconded by Radig, to adopt the proposed resolution; Capron, Groetken, Moore and Radig voting aye; Scott abstaining due to a conflict of interest.

22. CITIZEN CONCERNS

None.
23. COUNCIL CONCERNS

Groetken stated November 10, 2015 is the 240th birthday of the United States Marine Corps. Groetken also inquired about the extension of the completion date on the Glenn Ave Project; Ellis stated there is still grading work to do and walls to complete.

Capron inquired about a way to slow speeding cars down on 25th Street; Ellis stated he has been contacted by a resident of the area also who suggested flashing lights in addition to the signage that already exists; Ellis stated staff will take a look at the situation to come up with other options. Capron also inquired about a placarded property at 315 S Prescott and wondered where the property was at in the process.

Moore stated he had HomeServe, the City's partner providing water and sewer service line protection plans, statistics for September to share: 17,058 policies sold to date to 10,851 customers, meaning many customers bought several policies; and 42 claims in September with 303 claims to date. Moore also stated he was asked about the Ash Tree disease issues; Padmore stated there will be a Council presentation Monday, November 16th.

Radig inquired about the plan for the RV Park; Padmore stated it will be called a “family campground” with showers and toilets and maybe fish-cleaning stations depending on the cost; Padmore also stated the process has not officially started. Salvatore stated the project is in the concept phase and there will be public meetings to share input later on and he will keep the Council informed as the project progresses. Radig stated the downtown alley next to Karlton's is in need of repair; Ellis stated he will have staff look at the alley.

Scott provided a reminder that there will be a Northwest Iowa League of Cities Meeting at the Museum on November 18th at 5:00 p.m. and hoped several of the Council members will be able to attend.

24. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:30 p.m., on motion by Scott, seconded by Moore; all voting aye.

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

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

MEETING DATE: November 16, 2015 ACTION ITEM # 3
FROM: Karen L. Mackey, Executive Director

SUBJECT: Motion accepting and approving the Sioux City Human Rights Commission FY 2015 Annual Report.

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

RECOMMENDATION:
Staff respectfully requests Council approve a motion accepting and approving the Sioux City Human Rights Commission’s FY2015 Annual Report.

DISCUSSION:
As required by City Municipal Code, Section 2.66.070 Annual Reports, the Sioux City Human Rights Commission has completed their FY2015 Annual Report of the Commission’s accomplishments for the prior fiscal year, activities and goals for the upcoming year.

FINANCIAL IMPACT:
None

RELATIONSHIP TO STRATEGIC PLAN:
By providing this annual report, we are keeping the City Council and public informed of the activities of the Sioux City Human Rights Commission.

ALTERNATIVES:
There are no alternatives as this is required by Section 2.66.070 of the Municipal Code.

ATTACHMENTS:
Sioux City Human Rights Commission FY 2015 Annual Report
Fiscal Year 2015 Annual Report

Sioux City Human Rights Commission
Honorable Mayor and City Council:

I am pleased to present you with this year’s annual report.

We are a neutral investigatory agency, whose goal is to prevent, eradicate or reduce discrimination. Enforcement activities continued to consume a significant portion of staff and the Human Rights Commission’s time during FY2015. Forty-one new cases were filed during the fiscal year, while 56 cases were closed in the same time frame.

Under the City of Sioux City’s Title VI Plan, our Executive Director shall review and investigate complaints under Title VI of the Civil Rights Act of 1964. We have received no such complaints this year.

As in past years, we continue to see great diversity in the complaints filed with our office in both terms of who files complaints, the area (e.g. employment) cases are filed in and the reason for the complaint (e.g. physical disability discrimination).

The Commission continues to have cooperative agreements with the Department of Housing and Urban Development and the Iowa Civil Rights Commission. These agreements help us to further the Commission’s mission to ensure a fair and equitable community for all.

Education is vital to our work. A populace that is educated in their rights and responsibilities is less likely to be victimized or to discriminate against another person. Whenever possible we partner with local organizations in our outreach efforts to spread our message. We also educate local landlords, employers and business owners to assist them in ensuring that they protect their organizations and the rights of their employees, customers and tenants.

I cannot thank you enough for your commitment to our mission of eliminating discrimination. Your support of our work improves the quality of life in Sioux City.

Sincerely,

Karen L. Mackey

Karen L. Mackey
Executive Director
The Commission is an administrative agency created in compliance with the Code of Iowa Chapter 216.19. That law mandates that cities with populations of 29,000 or greater maintain a local civil rights agency or commission.

The Commission consists of eleven members broadly representative of the community at large, including groups and classes protected by Chapter 4.04 of the Municipal Code. Our staff investigates allegations of discrimination, provides education and outreach services to the community and serves as a liaison with other local, state, regional, and federal civil and human rights agencies. In addition, the Commission can hold hearings and study the existence, causes and extent of discrimination in public accommodations, employment, apprenticeship or on-the-job training programs, vocational schools, credit practices, and housing.

**STAFF**

Karen Mackey, Executive Director  
Sharon Holder, Human Rights Investigator  
Lana Becker, Secretary (part time)  
Paul Flemming, Clerical Assistant-Outreach (part time HUD-funded position)  
Lynn Zerschling, Clerical Assistant-Investigations (part time HUD-funded position)

**COMMISSIONERS**

Jim Rixner, Chair  Mental health professional  
Scott Raasch, Vice-Chair  Self employed  
Jim Anderson  Retired mental health professional  
Tracy Everett  Property Manager & Business owner  
Shirley McLeod  President of the Castle of the Hill Association  
Monique Scarlett  Banker  
Steele Welcher  Residence Life Manager  
Wes Whitead  Retired Iowa State House representative  
Erika Worrell  Mental health professional  
Julie Berens  Speech/Language Pathologist  
Jean Graham  Call Center Senior Manager - Compliance

**FY2015 GOAL**

The Human Rights Commission will sponsor (or co-sponsor) at least seven community events to raise awareness of civil and human rights issues. (Met) Ten events were held in this fiscal year. [See pages 3-5 for more information.]

**EDUCATION AND OUTREACH**

We are committed to providing educational opportunities within our community. Training provided this year included individual landlords and Section 8 staff.

Our executive director regularly participates in meetings of various state and local organizations, networking within our community to ensure that diversity and equity issues are appropriately addressed. These include, but are not limited to the Bullying Prevention Community Coalition,
the Civil Service Commission, the Community Initiative for Native Children and Families (CINCF), Comprehensive Strategy, the City’s Disability Committee, the public school’s Equity Committee, the Iowa Commission on Native American Affairs, the Iowa Department of Human Rights, the Siouxland Coalition to End Homelessness, the Siouxland Human Investment Partnership (SHIP) and the Woodbury County Child Welfare Community Collaboration Team.

We have modified our Civil Rights Academy program. Now rather than forcing participants to commit to five weeks of weekly sessions we host stand-alone events every other month. Participants register for each separate event and thereby can choose their particular areas of interest. Event attendance has increased since this change was made.

EVENTS

Red Ribbon Week Kickoff Event October 27, 2014

This event was held in partnership with Siouxland Cares and several other organizations. It promotes a drug and alcohol-free lifestyle for school children of all ages.

March to Honor Lost Children November 24-26, 2014

This annual event was held in partnership with Briar Cliff University, the Iowa Department of Human Services and other several other organizations to address issues about children in the foster care system. Events included a day long educational event at Briar Cliff University as well as showing two documentaries “Dakota 38” and “Sober Indian/Dangerous Indian.”

Universal Human Rights Day December 10, 2014

Three individuals received the War Eagle Human Rights Award for their work impacting the local civil rights climate:

Flora Lee is committed to working not only with the African American community, but across cultural lines and with the faith-based community. Ms. Lee is the president of the Sioux City Chapter of the NAACP. She serves on the Celebrating Community Project, which honors the strength, commitment, and fortitude of common, ordinary people who make up the best of humanity in Siouxland. Each honoree will have a bronze bust displayed in a sculpture park on the east side of the Martin Luther King, Jr. Transportation Center.

Ms. Lee became the first woman of color to be elected to office when she was elected to the Sioux City Community School Board in 1991. She served for twelve years and was board president for a time. She currently is a member of the boards of UnityPoint Health-St. Luke’s and the Siouxland Youth Golf Association. Ms. Lee is a past member of the Girls Inc.’s board and served on the Human Rights Commission. She is owner of Lee and Associates Consulting and Training and is a strategist consultant for the Northwest Area Education Agency.

Don Dew has spent much of his career advocating for the rights of the disabled and the LGBT communities. He brought his passion for civil rights to Sioux City in 2010 when he moved here to work for the Human Rights Commission.

Mr. Dew became the executive director of the Disabilities Resource Center of Siouxland in 2012. Under his leadership the organization has grown significantly and recently expanded its service area to include the entire metropolitan area.
In 2012, Mr. Dew helped found Siouxland Pride Alliance, an organization promoting the equality, safety and wellbeing of LGBT individuals. The Alliance has a LGBT resource center and hosts weekly events. With PFLAG of Siouxland, the Alliance works to better the lives of LGBTQ youth in our community.

George Boykin has served as executive director of the Sanford Center for 45 years, teaching generations of men and women how to be responsible citizens, thereby bettering our community. He taught them to advocate for themselves and for others to make our world a more just place.

Mr. Boykin was the first person of color to be elected to public office in Sioux City. In 1971, he was elected to the school board. In 1984, he was elected to the county board of supervisors, serving seven terms.

In 1992, Mr. Boykin played a key role in establishing the Siouxland Community Health Center. He served as the chair of the Marian (now Mercy) Medical Center board and serves on the Siouxland Human Investment Partnership Board.

Driving While Brown February 5, 2015
This event was co-sponsored with the NAACP and the Sioux City Police Department and was designed to educate community members about what to do when stopped by law enforcement.

Fifty Shades of Race (Civil Rights Academy) February 19, 2015
A discussion on race, discrimination and society.

Faces of Siouxland March 29, 2015
Approximately 2,000 people attended this free event celebrating our community’s diversity.

Ready, Willing and Disabled (Civil Rights Academy) April 15, 2015
A discussion on discrimination faced by persons with disabilities and the impact on society.

Landlord/Property Manager Workshop April 17, 2015
Participants were trained in Fair Housing issues as well as a variety of best practices for landlords/property managers.

Juneteenth Celebration June 13, 2015
This annual event, co-sponsored by the local NAACP chapter and Human Rights Commission, celebrated the end of slavery.

Beyond Bruce Jenner—LGBT Issues in Our Community June 25, 2015
(Civil Rights Academy)
A discussion of issues concerning the lesbian, gay, bisexual and transgender community.
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<td>Employment</td>
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<td>3.</td>
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</tr>
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<tr>
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<td>Sexual Orientation, Gender Identity</td>
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<td>Housing</td>
<td>Race, Familial Status</td>
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<td>11-1331</td>
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<td>Race</td>
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<td>Sexual Orientation</td>
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<td>Sex</td>
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<td>31.</td>
<td>11-1337</td>
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<td>Race/Age</td>
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<td>32.</td>
<td>11-1338</td>
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<td>Disability</td>
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<td>11-1342</td>
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<td>Race, National Origin</td>
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<td>38.</td>
<td>11-1344</td>
<td>Employment</td>
<td>Race, National Origin, Sex, Age, Retaliation</td>
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<tr>
<td>39.</td>
<td>11-1345</td>
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<td>Sex, Pregnancy</td>
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<td>40.</td>
<td>11-1346</td>
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<td>Sex, Disability, Retaliation</td>
</tr>
<tr>
<td>41.</td>
<td>11-1347</td>
<td>Employment</td>
<td>Race, National Origin, Disability, Retaliation</td>
</tr>
</tbody>
</table>
Complainants can allege more than one basis (reason) why they were discriminated against.

**RACE/ETHNICITY OF COMPLAINANTS IN CASES FILED IN FY2015**

- Caucasian 16 cases (39%)
- Hispanic 9 cases (22%)
- African American 7 cases (17%)
- Commission-Initiated 6 cases (15%)
- Native American 1 case (2%)
- Mixed Race 1 case (2%)
- Unknown 1 case (2%)

There were no cases filed in this fiscal year by people of Asian/Pacific Islander descent.
This fiscal year there were no cases filed in the area of credit discrimination.

**AREA FOR DISCRIMINATION COMPLAINTS FILED IN FY2015**

- **Employment**: 25 cases (61%)
- **Housing**: 14 cases (34%)
- **Public Accommodations**: 1 case (2%)
- **Education**: 1 case (2%)

**CASE FINDINGS/RESOLUTIONS**

<table>
<thead>
<tr>
<th></th>
<th>FY2015</th>
<th>FY2014</th>
<th>FY2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Probable Cause</td>
<td>27</td>
<td>24</td>
<td>21</td>
</tr>
<tr>
<td>Probable Cause (Not settled)</td>
<td>0</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Right to Sue Letter Issued</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Closure</td>
<td>8</td>
<td>9</td>
<td>4</td>
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<tr>
<td>Withdrawal</td>
<td>0</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Referral to ICRC</td>
<td>12</td>
<td>4</td>
<td>0</td>
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<tr>
<td>Settlements</td>
<td>7</td>
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<td>6</td>
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<tr>
<td><strong>Total</strong></td>
<td>56</td>
<td>47</td>
<td>35</td>
</tr>
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</table>
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015

ACTION ITEM #: 4

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution adopting plans, specifications and form of contract for the proposed construction of a 10 Unit T-Hangar at the Sioux Gateway Airport/Col. Bud Day Field.

RECOMMENDATION:
Staff respectfully requests the City Council adopt plans and specifications for the Sioux Gateway Airport 10 Unit T-Hangar Project.

DISCUSSION:
RS&H, Iowa P.C. has completed plans and specifications for the Sioux Gateway Airport 10 Unit T-Hangar development. This hangar will replace the alert hangar 676 located at 2601 Keokuk that was heavily damaged by an August 2014 wind storm. The Airport Board voted to demolish hangar 676 and build a new hangar based on cost estimates to repair the old hangar vs. building new.

Staff is ready to advertise the Notice of Public Hearing and Notice to Bidders on November 21, 2015 and November 28, 2015. A Public Hearing will be held on December 7, 2015. Bids will be received and opened on December 15, 2015. Completion date for the project is 90 days from the notice to proceed. The Airport Board approved this recommendation at their November 5, 2015 meeting.

FINANCIAL IMPACT:
Funds are available in the Storm Damage Project 741-003. The estimated cost is $650,000.00.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibilities – Infrastructure
Strategic Focus Area – Expand Development Opportunities and Grow Sioux City:
#9 Increase infrastructure and paving investment.

ALTERNATIVES:
Council may request changes to the project documents or schedule.

ATTACHMENTS:
Resolution
Public Notice
RESOLUTION NO. 2015 - __________
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS AND FORM OF CONTRACT FOR THE PROPOSED CONSTRUCTION OF A 10 UNIT T-HANGAR AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD.

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct a 10 Unit T-Hangar at the Sioux Gateway Airport/Col. Bud Day Field, in Sioux City, Iowa; and

WHEREAS, RS&H, Iowa P.C. of Duluth, Minnesota has prepared the plans, specifications and form of contract.

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

A. The plans, specifications and form of contract, as prepared by RS&H, Iowa P.C., and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of a 10 Unit T-Hangar at the Sioux Gateway Airport/Col. Bud Day Field, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 o'clock P.M., Local Time, December 7, 2015, 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 $650,000.00 for said construction.

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, December 15, 2015 for the proposed construction of said improvements.

C. The time of 1:00 o'clock P.M., Local Time, December 15, 2015, 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 hearing and opening of bids to be given by publication in at least one newspaper of general circulation in the manner prescribed by law.

PASSED AND APPROVED: November 16, 2015

Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND
ESTIMATE OF COSTS FOR THE 10 UNIT T-HANGAR DEVELOPMENT AT THE SIOUX
GATEWAY AIRPORT/COL. BUD DAY FIELD, IN SIOUX CITY, IOWA, AND TAKING BIDS
THEREON.

A public hearing will be held before the Sioux City - City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on December 7, 2015 commencing at 4:00 pm local time on the proposed plans, specifications, form of contract and estimate of costs in the amount of Six Hundred Fifty Thousand Dollars ($650,000.00) (the construction documents) for the 10 Unit T-Hangar Development Project at the Sioux Gateway Airport/Col. Bud Day Field in Sioux City, Iowa (the project). At said hearing, the City Council will receive and consider any objections made by any interested party to said construction documents.

A Pre-Bid meeting will be held in the 2nd Floor Conference Room in the Terminal Building, Sioux Gateway Airport/Col. Bud Day Field, 2403 Aviation Boulevard, Sioux City, Iowa 51111 at 10:00 am on Tuesday December 1, 2015.

Sealed bids will be received by the City Clerk, Customer Service Center located on the First Floor in City Hall, 405 Sixth Street, Sioux City, Iowa 51111 until 1:00 pm local time Tuesday, December 15, 2015 for the construction of the project as described in the construction documents.

Bids received will be opened, read aloud and tabulated at a public meeting in the 4th Floor Clock Tower Conference Room in the Public Works Department, Room 406, City Hall, 405 Sixth Street, Sioux City, Iowa 51111 at 1:00 pm local time, Tuesday, December 15, 2015. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

The basis of award shall be the lowest bid for the base bid. The basis of the award of the contract shall be at the sole discretion of the City of Sioux City. The City also reserves the right to accept or not accept any, or all, of the Bids. The selection of the award may be allowed to be delayed until January 14, 2016, based on available funding and in the best interests of the City. Prices provided for this bid shall, therefore, be held for the bid alternates until the City determines if an award will be made for that portion of the work. 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.

If it is determined by the Attorney General that any provision of this chapter would cause denial of funds or services from the United States government which would otherwise be available, or would otherwise be inconsistent with requirements of federal law, such provision shall be suspended, but only to the extent necessary to prevent denial of such funds or services or to eliminate the inconsistency with federal requirements.

This project involves a 10 Unit T-Hangar Development at the Sioux Gateway Airport.
Bidding will include the following items:

<table>
<thead>
<tr>
<th>Description</th>
<th>Bid Format</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-Unit T-Hangar Development</td>
<td>Total Price</td>
</tr>
</tbody>
</table>

Each bid proposal shall be made out on the form furnished by the City and obtained from RS&H Iowa, P.C., 4525 Airport Approach Road, Duluth, Minnesota 55811 (218) 722-1227, Fax (800) 758-1538, and must be accompanied in a separate sealed envelope by either certified check drawn on a solvent Iowa bank, a bid bond executed by a corporation authorized to contract as a surety in the State of Iowa, or a share draft drawn on a solvent Iowa credit union, in an amount not less than 10% of the bid amount. The bid security should be made payable to the City Treasurer of the City of Sioux City, Iowa and must not contain any conditions either in the body or as an endorsement thereon. The bid security shall be forfeited to the City Treasurer as liquidated damages in the event the successful bidder fails or refuses to enter into a contract within ten (10) days after the Award of Contract and the maintenance of said work, if required, pursuant to the provisions of this notice and other contract documents. The City will accept a bid bond approved by the United States government.

The successful bidder will be required to furnish separate performance and payment bonds in the amounts equal to one hundred percent (100%) of the contract price, said bonds to be issued by a responsible surety approved by the City.

The work on this project shall be started within ten (10) days after the “Construction Notice to Proceed” is issued. Work shall be completed within 90 calendar days, for the base bid.

Payment to the Contractor for said improvements will be made from cash on hand, which cash has been secured from such funds of said Airport as may be legally used for such purposes and from moneys received from the Federal and State governments. Partial payments shall be made to the Contractor in cash as follows: on the date regularly set aside for Airport meetings the City Council shall approve and make payments within thirty (30) days to the Contractor in an amount equal to ninety percent (90%) of the value of the work completed during the preceding calendar month as determined by the Contractor’s statement of work completed as approved by the Airport’s Consulting Engineer.

The successful bidder will be required to submit a Certification of Non-segregated Facilities and to notify prospective subcontractors of the requirement for such certification where the subcontract exceeds $10,000.

The specific requirements for the above Federal Provision are incorporated by reference and are included in the Division II, General Provisions, Specific Provisions and Special Conditions of the Project Manual.

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

Plans and specifications governing the construction of the proposed airport improvements have been prepared by RS&H Iowa, P.C, and will be available November 21, 2015. Plans and specification and the proceeding of the Airport referring to and defining said proposed improvements are hereby made a part of the Notice by reference and the proposed contract shall be executed in compliance therewith. Copies of said plans and specifications are on file for
inspection with the office of the City Clerk of Sioux City, and at the office of RS&H Iowa, P.C., 4525 Airport Approach Road, Duluth, Minnesota 55811, (218) 722-1227 fax (800) 758-1538 and local building exchanges.

Contractors desiring plans and specifications for personal use may purchase them from RS&H Iowa, P.C., 4525 Airport Approach Road, Duluth, Minnesota 55811 (218) 722-1227, upon a $75 -refundable deposit plus shipping for each set of plans and specifications if requested within 14 days from bid award. A compact disk is also available for purchase, upon a $20 refundable deposit for each electronic set of plans and specifications.

City Clerk of the City of Sioux City, Iowa

Publish in the Sioux City Journal November 21st and November 28th 2015 respectively
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015
ACTIONS ITEM #: 5
FROM: Marty Dougherty, Economic Development Director
Renae Billings, Economic Development

SUBJECT: Resolution supporting the Ag Expo & Learning Center Project and approving assistance for the project contingent on commitment of financial assistance from Woodbury County and the Missouri River Historical Development

RECOMMENDATION:
Staff respectfully requests the City Council approve the proposed resolution.

DISCUSSION:
Background:
In 2013, the City was approached by the Woodbury County Expo Board with the concept of locating an Equestrian/Ag Expo Center in Sioux City. Since then, City staff has been working with the group to develop this concept, identify a location and assist with the planning and design of the facility. The concept has evolved into an Ag Expo & Learning Center to be located in the former stockyards area.

The Ag Expo & Learning Center will be a signature project located directly off the newly enhanced Interstate 29 and will be the visual gateway into our community. The proposed 180,000 square foot multi-use complex will provide a safe, fun and functional facility for family and youth-oriented agricultural organizations in the tri-state area. The venue will offer diverse program elements, as well as host live events such as horse and livestock shows, rodeos, tractor and trade shows, educational classes, seminars and clinics year-round.

Western Iowa Tech Community College has also expressed interest in expanding its educational programs and developing a new Veterinary Technician Program within the facility. The facility will allow WITCC to utilize on-site classroom and lab space to conduct accredited classes, as well as offer students a combination of classroom instruction, agriculture/cooperative work experience, educational seminars, on-site internships and continuing education learning experiences in agriculture and other related industries.

One of the primary objectives of the proposed Ag Expo & Learning Center is to enhance the overall tourism appeal of the area, highlighting the rich agricultural heritage of Sioux City and the former stockyards, and attracting attendees that generate economic and fiscal impacts to the State and local community in terms of spending, employment, earnings and tax revenues.
Reinvestment District
In March 2015 City staff submitted an application to the Iowa Economic Development Authority to apply for benefits available in the Iowa Reinvestment District Program. This program is designed to assist communities in developing transformative projects that will improve the quality of life, create and enhance unique opportunities and substantially benefit the community, region and state. Sioux City’s Reinvestment District application included the Ag Expo & Learning Center, along with a planned new Convention Center hotel, and the redevelopment of three industrial buildings on Virginia Street by Ho-Chunk, Inc. In June 2015, the Sioux City Reinvestment District received provisional approval in the amount of $8.1 million and the City will submit a final application prior to March 1, 2016 for final approval of the award.

Proposal
The Woodbury County Expo Board is currently in the process of raising funds to construct the new facility. The Board is looking to the City of Sioux City, Woodbury County and Missouri River Historical Development to be significant contributors to the project. The Board has requested that City participation include the donation of approximately 12 acres of land in the stockyards area to be used to locate the facility, as well as a commitment of $2,000,000 for construction of the facility. The City’s contribution to the project is contingent on the Woodbury County Expo Board also receiving the requested financial commitments from Woodbury County and MRHD as well. The group is continuing efforts to seek private funding, naming rights, and other grant sources to complete the financing.

FINANCIAL IMPACT:
The City will contribute $200,000 annually to the project over the next 10 years through CIP 663-122.

RELATIONSHIP TO STRATEGIC PLAN:
Grow Sioux City: Develop public and private partnerships to expand area job creation.
Explore Sioux City: Continue expanding our cultural development initiatives and enhance local arts related development.

ALTERNATIVES:
None recommended.

ATTACHMENTS:
Resolution
RESOLUTION NO. 2015 - ____________

RESOLUTION SUPPORTING THE AG EXPO & LEARNING CENTER PROJECT AND APPROVING ASSISTANCE FOR THE PROJECT CONTINGENT ON COMMITMENT OF FINANCIAL ASSISTANCE FROM WOODBURY COUNTY AND THE MISSOURI RIVER HISTORICAL DEVELOPMENT

WHEREAS, the Woodbury County Expo Board is in the process of raising funds to build a new Ag Expo & Learning Center to be located on the former John Morrell site in Sioux City; and

WHEREAS, the new Ag Expo & Learning Center is a concept that will bring the heritage of commerce in the historic stockyards to life in a modern expo venue; and

WHEREAS, significant public and private funds are needed to finance the project; and

WHEREAS, the Woodbury County Expo Board has requested a commitment from the City to assist with the project through donation of approximately 12 acres of land to locate the facility and $2,000,000 in funding to be paid over 10 years; and

WHEREAS, the Woodbury County Expo Board has also requested a commitment from Woodbury County to provide $2,000,000 in funding for the project and the Missouri River Historical Development to provide $1,000,000 in funding; and

WHEREAS, the City Council is advised and does believe that such financial commitment to the project be contingent on the Woodbury County Expo Board receiving financial commitments from Woodbury County and the Missouri River Historical Development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY that the City Council hereby supports the Ag Expo & Learning Center Project.

BE IT FURTHER RESOLVED that the City of Sioux City hereby commits to provide financial assistance in the amount of $2,000,000 to be paid over ten (10) years to the Woodbury County Expo Board for the Ag Expo & Learning Center Project contingent on commitment of financial assistance from Woodbury County and the Missouri River Historical Development.

PASSED AND APPROVED: November 16, 2015

Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015 ACTION ITEM # 6

FROM: Donna Forker, Finance Director
Rick Mach, Interim Public Works Director
Jim Miller, Fleet Supervisor
Spero Vlahoulis, Purchasing Manager

SUBJECT: Resolution awarding a purchase order to Titan Machinery of Sioux City, Iowa, in the amount of $201,300.00 for the purchase of three (3) Case Model 580N Tractor-Loader-Backhoes (RFQ #229686).

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

RECOMMENDATION:
Staff respectfully requests the City approve a purchase order to Titan Machinery of Sioux City, Iowa, in the amount of $201,300.00 for the purchase of three (3) Case Model 580N Tractor-Loader-Backhoe (RFQ #229686).

DISCUSSION:
Invitations to bid were sent to eight (8) vendors able to provide three (3) tractor-loader-backhoes that meet specifications required by City staff. City staff will accept the trade in for (3) 2013 John Deere Loader-Backhoes, Units 350, 358, 385. Each unit was purchased on November 19, 2013 for $71,885.00 each and is scheduled to be replaced in 2023. City staff is requesting an earlier replacement due to performance issues that cannot be resolved by the manufacturer.

Two (2) bids were received and are as follows:

<table>
<thead>
<tr>
<th>Loader-Backhoe-Tractor (RFQ # 229686)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Titan Machinery</strong></td>
</tr>
<tr>
<td>Brand/Model</td>
</tr>
<tr>
<td>Backhoe/Loader</td>
</tr>
<tr>
<td>Pilot Controls Option</td>
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<tr>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
</tr>
<tr>
<td>Four Wheel Drive Option</td>
</tr>
<tr>
<td>Deduct for Trade-In</td>
</tr>
<tr>
<td>Cost per Unit</td>
</tr>
<tr>
<td>Total Cost for Three Units</td>
</tr>
</tbody>
</table>

The pilot control option and four wheel drive option were not included in the specifications prepared by City staff. Titan Machinery submitted price quotes on those options and City staff respectfully requests that the two options be added to each unit.

**FINANCIAL IMPACT:**
Funds are available in account #609-6759-488.43-02, CMG Rolling Equipment, Contractor’s Mobile Equipment, available balance is $584,716.36.

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

**ALTERNATIVES:**
Reject the bids.

**ATTACHMENTS:**
Resolution.
RESOLUTION NO. 2015 - ____________

RESOLUTION AWARDING A PURCHASE ORDER TO TITAN MACHINERY OF SIOUX CITY, IOWA, IN THE AMOUNT OF $201,300.00 FOR THE PURCHASE OF THREE (3) CASE MODEL 580N TRACTOR-LOADER-BACKHOES (RFQ #229686).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to Titan Machinery of Sioux City, Iowa, in the amount of $201,300.00 for the purchase of three (3) Case Model 580N Tractor-Loader-Backhoes (RFQ #229686).

PASSED AND APPROVED: November 16, 2015

________________________________________
Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015
ACTION ITEM # 7A

FROM: Glenn Ellis, City Engineer

SUBJECT: Resolution approving the contract and performance bond with Infra-Track, Inc. in the amount of $399,978.00 for the Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project (Project No. 6827-539-201).

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

RECOMMENDATION:
Staff respectfully requests Council approve the contract and performance bond with Infra-Track, Inc. of Worthington, South Dakota in the amount of $399,978.00 for the Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project (Project No. 6827-539-201).

DISCUSSION:
On October 26, 2015 under Resolution No. 2015-0816, Council awarded a contract to Infra-Track, Inc. of Worthington, South Dakota in the amount of $399,978.00 for the construction of the Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project. This project includes the cleaning and televising of gravity sewer from the Bridgeport Lift Station receiving manhole to the York Street Lift Station. Work also includes temporary bypass, sediment dewatering, and traffic control. This project has a completion date of February 26, 2016.

FINANCIAL IMPACT:
This project is funded using Sewer Funds under CIP 539-201, Bridgeport Infrastructure New Development. The project currently has a negative available balance of -$374,423.00. The budget shortfall for this CIP will be addressed in the FY17 CIP budget.

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

ALTERNATIVES:
None

ATTACHMENTS:
Resolution
Contracts (Hard Copies)
RESOLUTION NO. 2015-_____
with attachments

RESOLUTION APPROVING THE CONTRACT AND PERFORMANCE BOND
WITH INFRA-TRACK, INC. IN THE AMOUNT OF $399,978.00 FOR THE
BRIDGEPORT WEST SEWER IMPROVEMENTS, SECTION A – SEWER
CLEANING AND TELEVISING PROJECT (PROJECT NO. 6827-539-201).

WHEREAS, the City Council has previously awarded a contract to Infra-Track, Inc. of Worthington,
South Dakota in the amount of $399,978.00 for the construction of the Bridgeport West Sewer
Improvements, Section A - Sewer Cleaning and Televising Project; and

WHEREAS, Infra-Track, Inc. has submitted a signed contract and performance bond for approval,
copies of which are attached hereto and by this reference made a part hereof; and

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

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

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

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, IOWA that the contract and performance bond submitted by Infra-Track,
Inc. of Worthington, South Dakota in the amount of $399,978.00 for the construction of the
Bridgeport West Sewer Improvements, Section A - Sewer Cleaning and Televising Project in
Sioux City, Iowa, is hereby approved and the City Manager and City Clerk are hereby authorized
and directed to execute said contract for and on behalf of the City of Sioux City, Iowa. Upon
execution of the contract by the City Manager as authorized herein, the contract shall be in full
force and effect and not before.

BE IT FURTHER RESOLVED that progress payments may be made to the contractor under the
terms and provisions of the contract by the Director of Finance in amounts certified by the City
Engineer as the value of work satisfactorily performed for the period.

PASSED AND APPROVED: November 16, 2015

Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015
ACTION ITEM #: 7B

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

SUBJECT: Resolution approving a Consulting Services Agreement with McLaury Engineering Inc. for design of the South Cypress Street Extension Project (Project No. 6841-719-207) in an amount not to exceed $93,500.00.

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

RECOMMENDATION:
Staff respectfully requests Council approve the attached resolution for a Consulting Services Agreement with McLaury Engineering Inc. of Elk Point, South Dakota for the design of the South Cypress Street Extension Project (Project No. 6841-719-207).

DISCUSSION:
This agreement is for survey and engineering design services, including right-of-way acquisition assistance, an alternate bidding of asphalt versus concrete street pavement, geotechnical testing services, and bidding services for the South Cypress Street Extension Project. This project includes the extension of South Cypress Street between Lincoln Way on the south end, north to the intersection of Mayhew Avenue and the East High Entrance, then north to approximately 140' south of the intersection of South Cypress Street and Ravine Park Lane where the existing South Cypress Street ends. McLaury Engineering was selected based on past experience with the City, and staff availability for a contract estimated at under $100,000.00 for engineering services. In accordance with the city's Qualified Based Selection Policy, a consulting firm may be selected from the pre-qualified list of firms without soliciting additional proposals from firms, when the estimated cost of services is less than $100,000.00.

Construction will include new paving, storm sewer, and water main along the corridor. The expected project schedule will have final plans and specifications developed for the bidding process to take place in March of 2016 for a Summer 2016 construction.

FINANCIAL IMPACT:
This project is funded using Donner Abated GO Bonds under CIP 719-207 South Cypress Extension. The project currently has an available balance of $380,090.32. Additional funding in FY17 will allow construction of the entire extension. The current balance was established to construct only a portion of the extension (to Mayhew Avenue).

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
RESOLUTION NO. 2015 - __________
with attachments

RESOLUTION APPROVING A CONSULTING SERVICES AGREEMENT WITH MCLAURY ENGINEERING INC. FOR DESIGN OF THE SOUTH CYPRESS STREET EXTENSION PROJECT (PROJECT NO. 6841-719-207) IN AN AMOUNT NOT TO EXCEED $93,500.00.

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, with McLaury Engineering Inc. of Elk Point, South Dakota in an amount not to exceed $93,500.00 for design of the South Cypress Street Extension Project, be and the same is hereby approved.

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

PASSED AND APPROVED: November 16, 2015
Robert E. Scott, Mayor

ATTEST:
Lisa L. McCardle, City Clerk
CITY'S CONSULTING SERVICES AGREEMENT

THIS AGREEMENT made on _______ by and between the City of Sioux City, Iowa, a municipal corporation, (hereinafter referred to as "City"), and McLeary Engineering, Inc. (hereinafter referred to as "Consultant").

WITNESSETH: That whereas the City intends to retain the Consultant to perform professional services for a project known as South Cypress Street Extension and hereinafter called the Project.

NOW, THEREFORE, the City and Consultant for the consideration hereinafter set forth agree as follows:

1. The Consultant shall provide professional services for the Project in accordance with this Agreement and the terms and general conditions of the City's Consultant Services Agreement, which is attached hereto and hereby made a part of this Agreement.

2. The Project is described as follows:

This project design will address the new construction of a street on South Cypress Street from Lincoln Way north to 180' south of the intersection with Ravine Park Lane. The design will address construction and installation of city-owned utilities, sidewalks, curb & gutter, and street paving. Construction will include the connecting to existing intersection on Lincoln Way, Mayhew Avenue, East/Nodlan school entrances and connection to existing pavement approximately 180' south of Ravine Park Lane.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed that the Consultant shall furnish services and the City shall make payment for same in accordance with the Agreement.

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement the day and year first above written.

CITY OF SIoux CITY, IOWA

By: _____________________________

Robert K. Padmore, City Manager

Title: ___________________________

Consultant

By: _____________________________

Title: ___________________________

Attest:

By: _____________________________

Lisa L. McCardie, City Clerk

Title: ___________________________

Approved by City Council.
EXHIBIT “A”
Consultant’s Services

SCOPE OF WORK – PROJECT DESCRIPTION

This project design will address the new construction of South Cypress Street from Lincoln Way to 180° south of the intersection with Ravine Park Lane. The design will address construction and installation of city-owned utilities, sidewalks, curb & gutter, and street paving. Construction will include the connecting to existing intersection on Lincoln Way, Mayhew Avenue, East/Nodlen school entrances and connection to existing pavement approximately 180° south of Ravine Park Lane.

South Cypress Street Extension Limits of Reconstruction

1. Project Limits – Starting at the intersection of Lincoln Way and going north approximately ¼ mile connecting to the existing pavement just south of Ravine Park Lane. The width of the project will be within the right-of-way on the west and will vary up to 150° east of the right-of-way onto school property depending on the area included in the project limits. Variations of the limit will be required because of different design alternatives in dealing with the school entrance on Mayhew Avenue. The existing typical section will remain the same for the new street extension.

2. Major categories of complete reconstruction include:
   a. Soils Report
   b. Traffic Control
   c. Street Construction
   d. Redesign Entrances to Schools on Mayhew Avenue
   e. Redesign Sanitary Sewer to Modland Elementary
   f. Domestic Watermain
   g. Storm Sewer
   h. ADA Sidewalks
   i. Driveway Replacement to Right-of-Way line or Match Point
   j. Erosion Control
   k. Concrete vs. Asphalt Alternate Bid Items

October 26, 2015
Page 1 of 4
South Cypress Street Extension
Exhibit A (continued)

1. Attend bid opening
   i. Tabulate Bid results and write letter of recommendation of award of contract to appropriate bidder
2. Submit permits to State Agencies for approval of plans
3. Answer questions throughout the bidding process
4. Attend preconstruction meeting
5. No hours Included for Construction Administration or Coordination
6. No hours Included for Street Lighting

4. Additional Services not included
   a. Major changes in Scope, Design, Function after 30% design review meeting
      i. Differing Site Conditions
      ii. Owner's acceptance of substitute materials
      iii. Change in utility layout, sizing, materials
      iv. Rebidding / Renegotiating
      v. Other services not otherwise defined under basic services
      vi. Evaluating unreasonable or excessive contractor claims
      vii. Schedule acceleration due to delays not caused by McLaury Engineering

5. Schedule
   a. Preliminary Design 30% Submittal to City for Review – December 14, 2015
      i. Allow one week for City Review
   b. Preliminary Design 60% Submittal to City for Review – January 15, 2015
      i. Allow one week for City Review
   c. Final Design 90% Submittal to City for Review – February 15, 2015
      i. Allow one week for City Review
   d. Submit Final Submit Final Plans for Bidding – March 7, 2015
EXHIBIT "B"

Consultant’s Project Budget

Consultant design cost is a “Lump Sum plus Fixed Fee in an amount not to exceed” proposal for:

1. Engineering Design Services $90,000 (1), (2)
2. Project Soil Testing and Report $3,500 (Direct Pass Through)

Total Engineering Design Services $93,500

Hourly Services Upon Request

3. Construction Inspection @ $85/hr. $65,000

Total Construction Engineering Services $65,000

Consultant will provide services on an hourly basis for construction activities. We would also be available to provide additional construction services on another project in the area as the above project will not necessarily need someone on site at all times.

- Construction administration
- Construction Inspection
- Final as-built survey
- Deliver final Cadd file of as-built survey

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<th>Hourly Rate (2)</th>
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<tr>
<td>Surveyor, Field</td>
<td>$85-110</td>
</tr>
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</table>

Notes:

(1) Includes 10 copies of final plans and specifications for bidding.
   i. Additional copies at $0.25 for 8 1/2” x 11 for color
   ii. Additional copies at $0.10 for 8 1/2” x 11 for black and white
   iii. Additional copies at $0.50 for 11 x 17 for color

(2) No additional charges for mileage, paper, phone calls, faxes, equipment rental, copies, miscellaneous color prints, except as noted.
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015      ACTION ITEM #: 7C

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution amending Resolution No. 2015-0794 which accepted the work and authorized final payment to American Fence Company of Omaha, Nebraska for the purchase and installation of a chain link fence (contract 99180) at the Sioux Gateway Airport/Col. Bud Day Field by revising the retainage amount due to a typographical error.

RECOMMENDATION:
Staff respectfully requests the City Council amend Resolution No. 2015-0794 which accepted the work and authorized final payment to American Fence Company for the purchase and installation of a chain link fence at the Sioux Gateway Airport/Col. Bud Day Field.

DISCUSSION:
On March 10, 2014, the City Council approved a purchase order to American Fence Company in the amount of $107,826.61. This purchase order was changed to Contract 99180. Four change orders were approved totaling $5,991.85 making the final contract total $113,818.46.

The project provided for purchase and installation of a chain link security fence along Southbridge Road right of way, enclosing the Airport farm land, and closing off the old Harbor Drive and Sulley Avenue right of way to prevent public access to the airfield from the south. The fence improves security and eliminates public access to the back of the Air National Guard and Army Guard base areas.

On October 19, 2015, pursuant to Resolution No. 2015-0794, the City Council accepted the work and authorized final payment in the amount of $16,830.55 now and in the amount of $5,691.73 in 30 days. Due to a typographical error, the retainage amount of $5,691.73 should of been $5,690.83. Staff is requesting the City Council to amend Resolution No. 2015-0794 to reflect the correct retainage amount due and payable for the project.

FINANCIAL IMPACT:
Funds are available in project 749-092, IDOT Project 9I140SUX100 Airport Improvement Program.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Infrastructure
ALTERNATIVES:  
N/A

ATTACHMENTS:  
Resolution
RESOLUTION NO. 2015-____

RESOLUTION AMENDING RESOLUTION NO. 2015-0794 WHICH ACCEPTED THE WORK AND AUTHORIZED FINAL PAYMENT TO AMERICAN FENCE COMPANY OF OMAHA, NEBRASKA FOR THE PURCHASE AND INSTALLATION OF A CHAIN LINK FENCE (CONTRACT 99180) AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD BY REVISING THE RETAINAGE AMOUNT DUE TO A TYPOGRAPHICAL ERROR.

WHEREAS, on March 10, 2014 Sioux City, Iowa, entered into a contract with American Fence Company for the purchase and installation of a chain link fence (Contract 99180) at the Sioux Gateway Airport/Col. Bud Day; and

WHEREAS, on October 19, 2015, pursuant to Resolution No. 2015-0794, the City Council accepted the work and authorized final payment to American Fence Company in the amount of $16,830.55 now and in the amount of $5,691.73 in thirty days for the satisfactory completion of the project in accordance with the terms and conditions of said contract; and

WHEREAS, due to a typographical error, the retainage amount of $5,691.73 should of been $5,690.83; and

WHEREAS, Resolution No. 2015-0794 should be amended to reflect the correct retainage amount due and payable for the project; and

WHEREAS, more than thirty days have passed since the passage of Resolution No. 2015-0794 and in accordance with the terms of the contract, the contractor is entitled to final payment of all unpaid sums, providing no liens have been filed against the work.

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

A. That Resolution No. 2015-0794 passed and approved October 19, 2015 be and the same is hereby amended to reflect the correct retainage amount of $5,690.83 now due and payable to the contractor as stated herein.

B. The Director of Finance be, and she is hereby authorized and directed to issue a check in the amount of $5,690.83 now provided there are no liens or claims against retainage on file, payable from the appropriate fund in favor of American Fence Company of Omaha, Nebraska for the purchase and installation of a chain link fence (Contract 99180) at the Sioux Gateway Airport/Col. Bud Day.

PASSED AND APPROVED: November 16, 2015

Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015 ACTION ITEM # 7D
FROM: Glenn Ellis, City Engineer
Glenn Sedivy, Communications Director

SUBJECT: Resolution approving Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010 with the Iowa Department of Transportation for the Intelligent Transportation System (ITS) Project.

RECOMMENDATION:
Staff respectfully requests Council approve Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010 for the installation of an Intelligent Transportation System (ITS) network in the Sioux City metropolitan area.

DISCUSSION:
The City previously approved Iowa Department of Transportation (DOT) Cooperative Agreement No. 2009-16-010 on November 10, 2008, pursuant to Resolution No. 2008-0883, for the installation of an Intelligent Transportation System (ITS) project in the Sioux City area. The project included the installation of cameras, sensors, dynamic message boards, and other related technology within the City and on I-29, U.S. 20, and Iowa 376 (Lewis Boulevard).

Said Cooperative Agreement No. 2009-16-010 was subsequently amended under Addendum No. 2009-16-101A on April 5, 2010, pursuant to Resolution No. 2010-0218. The amendment allowed for the City to provide the DOT with 48 strands of the 144 strand fiber cable along Gordon Drive from Virginia Street to Pearl Street, north along Pearl Street to 5th Street, then east to the MLK Transportation Center. Also, the City will be furnished a dedicated 10MB Ethernet bandwidth from the MLK Transportation Center via Tri-View Avenue to connect with the City’s Hamilton Boulevard fiber network.

The Iowa Department of Transportation desires to further amend Cooperative Agreement No. 2009-16-010 as follows:

Addendum No. 2009-16-010B is for the following:
- Subsequent reconstruction of Gordon Drive and Pearl Street has required the removal and relocation of the 144-strand fiber referred to in Addendum No. 2009-16-010A. Therefore, Item 2 from said addendum shall be removed in its entirety, and replaced with a new item (Item 3).
- The DOT shall allow City use of DOT installed fiber from the intersection of Tri-View Avenue and Pearl Street, southerly on Pearl Street to Gordon Drive, and easterly on Gordon Drive to Court Street.
The DOT shall allow City use of DOT installed fiber from the intersection of Gordon Drive and Court Street, northerly on Court Street to 3rd Street.

The DOT shall allow City use of DOT installed fiber from the intersection of Tri-View Avenue and Pearl Street, northerly on Pearl Street to 3rd Street, and westerly on 3rd Street to Wesley Parkway.

The City shall allow DOT use of City fiber from the intersection of 3rd Street and Court Street, northerly and westerly to the MLK Transportation Center.

The City shall allow DOT use of City fiber from the intersection of 3rd Street and Court Street, easterly to 6th Street and Lewis Boulevard.

The City shall allow DOT use of City fiber from the intersection of 6th Street and Lewis Boulevard, heading southerly on Fairmount Street to Gordon Drive, and easterly on Gordon Drive to an existing DOT fiber termination cabinet on Gordon Drive, east of 158th Street.

The City shall allow DOT use of future City fiber from the intersection of 7th Street and Wesley Parkway, westerly and northerly to a City traffic signal cabinet at 14th Street and Hamilton Boulevard.

The City shall allow DOT use of City fiber from the intersection of 14th Street and Hamilton Boulevard, southerly to a DOT fiber termination cabinet at Hamilton Boulevard and Tri-View Avenue.

The City shall allow DOT use of City fiber from the intersection of Hamilton Boulevard and 14th Street, northerly to Outer Drive, and easterly to the intersection of 6th Street and Lewis Boulevard.

The DOT shall allow City use of DOT fiber from the intersection of Tri-View Avenue and Pearl Street to the intersection of Tri-View Avenue and Hamilton Boulevard.

The DOT and City agree to allow splicing to each other’s fiber network in accordance with Attachment B of Addendum No. 2009-16-010B.

Attachment A of Addendum No. 2009-16-010B provides a graphical depiction of the fiber sharing architecture.

FINANCIAL IMPACT:

There is no additional financial impact to the City.

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

ALTERNATIVES:
Denial of this addendum could result in the loss of fiber network connectivity throughout the City associated with the locations identified in the addendum.

ATTACHMENTS:
Resolution
Addendum No. 2009-16-010B
RESOLUTION NO. 2015- __________
with attachments

RESOLUTION APPROVING ADDENDUM NO. 2009-16-010B TO COOPERATIVE AGREEMENT NO. 2009-16-010 WITH THE IOWA DEPARTMENT OF TRANSPORTATION FOR THE INTELLIGENT TRANSPORTATION SYSTEM (ITS) PROJECT.

WHEREAS, on November 10, 2008, pursuant to Resolution No. 2008-0883, the City of Sioux City and the Iowa Department of Transportation entered into Cooperative Agreement No. 2009-16-010 for the Intelligent Transportation System (ITS) Project; and

WHEREAS, on April 5, 2010, pursuant to Resolution No. 2010-0218, the City of Sioux City approved Addendum No. 2009-16-010A to Cooperative Agreement No. 2009-16-010 that permitted the Iowa Department of Transportation use of City installed fiber; and

WHEREAS, there is attached hereto and by this reference made a part hereof, Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010, which Addendum No. 2009-16-010B should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010 between the City of Sioux City and Iowa Department of Transportation, as referred to in the preamble hereof, be and the same are hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized and directed to execute said Addendum No. 2009-16-010B to Cooperative Agreement No. 2009-16-010 for and on behalf of the City.

PASSED AND APPROVED: November 16, 2015

Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, City Clerk
This Addendum is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT," and the City of Sioux City, Iowa, hereinafter designated the "CITY," in accordance with 761 Iowa Administrative Code Chapter 150 and Iowa Code sections 28E.12 and 306A;

The DOT proposes to install an Intelligent Transportation System (ITS) network consisting of necessary cameras, sensors, dynamic message boards, and other related technology in the Sioux City metropolitan area of the State of Iowa to assist in traffic operations and information dissemination in and around the Sioux City area, including the CITY; and

The DOT, as part of the ITS project, will install cameras, sensors, and other related technology within the CITY; and on I-29, U.S. 20, and Iowa 378 (Lewis Boulevard) in and around the CITY; and

The CITY and DOT are willing to jointly participate in said project, in the manner hereinafter provided; and

This Agreement reflects the current concept of this project which is subject to modification by the DOT; and

Therefore, it is agreed as follows:

1. The CITY and DOT previously entered into Agreement 2009-16-010, which was signed by the CITY and DOT on November 10, 2008 and November 18, 2008 respectively, for construction of the following project:

   Installation, by the DOT, of the ITS network within the Sioux City metropolitan area. The DOT agreed to provide the CITY access to and control of the DOT's ITS network.

2. Subsequent to execution of the above referenced Agreement, the CITY and DOT entered into Agreement Addendum 2009-16-010A, which was signed by the CITY and DOT on April 5, 2010 and April 20, 2010 respectively, for construction of the following project:

   Installation, by the CITY, of a 144-strand dark, single-mode fiber optic cable within a refurbished conduit system in the downtown area of the CITY that begins at the CITY's Martin Luther King Jr. Transportation Center (MLK), heading westerly on 6th Street to Pearl Street, southerly along Pearl Street to Gordon Drive, and then easterly along Gordon Drive to Virginia Street. The CITY agreed to provide the DOT 48 strands of dark, single-mode fiber optic cable from the CITY installed fiber and provide splicing and termination of fiber and installation of electrical power services to DOT cameras at:

   - Gordon Drive at Virginia Street
   - Gordon Drive at Nebraska Street
3. Subsequent to execution of the above referenced Agreement Addendum 2009-18-010A, reconstruction projects on Pearl Street and Gordon Drive have required removal and relocation of the 144-strand single-mode fiber optic cable referred to in said addendum. Accordingly, strike item 2 from Agreement Addendum 2009-16-010A in its entirety and replace with the following:

The CITY shall provide, at no cost or obligation to the DOT, 48 strands of dark single-mode fiber optic cable from the CITY-installed fiber beginning at MLK, heading westerly on 3rd Street to Pearl Street, and southerly on Pearl Street to Tri-View Avenue and two (2) strands from the intersection of Pearl Street and Tri-View Avenue southerly and easterly to the intersection of Gordon Drive and Virginia Street. These two (2) strands will provide communications to the DOT cameras at the following intersections. (See Attachment A for a graphical depiction of the fiber sharing architecture.)

- Gordon Drive and Nebraska Street
- Gordon Drive and Virginia Street

4. The DOT shall install, at no cost or obligation to the CITY, a 96-strand dark, single-mode fiber optic cable through existing DOT conduit from the intersection of Tri-View Avenue and Pearl Street, southerly on Pearl Street to Gordon Drive and easterly on Gordon Drive to Court Street. The DOT shall provide, at no cost or obligation to the CITY, 50 strands of dark single-mode fiber optic cable to the CITY from this new DOT 96-strand dark, single-mode fiber optic cable.

The DOT shall install, at no cost or obligation to the CITY, a 96-strand dark, single-mode fiber optic cable through existing CITY conduit from the intersection of Gordon Drive and Court Street and northerly on Court Street to 3rd Street. The DOT shall provide, at no cost or obligation to the CITY, 48 strands of dark single-mode fiber optic cable to the CITY from this new DOT 96-strand dark, single-mode fiber optic cable.

5. The DOT shall install, at no cost or obligation to the CITY, a 96 strand dark, single-mode fiber optic cable through existing CITY conduit from the intersection of Tri-View Avenue and Pearl Street, northerly on Pearl Street to 7th Street and westerly on 7th Street to Wesley Parkway. The DOT shall provide, at no cost or obligation to the CITY, 72 strands of dark single-mode fiber optic cable to the CITY from this new DOT 96-strand dark, single-mode fiber optic cable.

6. The CITY shall provide, at no cost or obligation to the DOT, 24 strands of dark, single-mode fiber optic cable to the DOT from the existing CITY 96-strand single-mode fiber optic cable from the intersection of 3rd Street and Court Street northerly and westerly to MLK.

7. The CITY shall provide, at no cost or obligation to the DOT, 24 strands of dark, single-mode fiber optic cable to the DOT from the existing CITY 288-strand dark, single-mode fiber optic cable from the intersection of 3rd Street and Court Street easterly to 8th and Lewis Boulevard.

8. The CITY shall provide, at no cost or obligation to the DOT, 24 strands of dark, single-mode fiber optic cable to the DOT from a CITY 144-strand dark, single-mode fiber optic cable beginning at intersection of 6th Street and Lewis Boulevard, heading southerly on Fairmount Street to Gordon Drive and easterly on Gordon Drive to an existing DOT Fiber Termination Cabinet on Gordon Drive east of 15th Street.

9. The CITY shall provide, at no cost or obligation to the DOT, 24 strands of dark, single-mode fiber optic cable to the DOT from the future CITY 96-strand single-mode fiber optic cable from the intersection of 7th Street and Wesley Parkway westerly and northerly to a CITY traffic signal cabinet at 14th and Hamilton Boulevard. The CITY shall allow the DOT to access this traffic signal cabinet.
10. The CITY shall provide, at no cost or obligation to the DOT, 24 strands of dark, single-mode fiber optic cable to the DOT from the existing CITY 48-strand single-mode fiber optic cable from the CITY traffic signal cabinet at the intersection of 14th Street and Hamilton Boulevard southerly to a DOT fiber termination cabinet at Hamilton Boulevard and Tri-View Avenue.

11. The CITY shall provide, at no cost or obligation to the DOT, 12 strands of dark, single-mode fiber optic cable to the DOT from existing CITY single-mode fiber optic cable from the CITY traffic signal cabinet at the intersection of Hamilton Boulevard and 14th Street, northerly to Outer Drive and easterly to the intersection of 6th Street and Lewis Boulevard.

12. The DOT has installed, at no cost or obligation to the City, two (2) 96-strand dark single-mode fiber optic cables from the intersection of Tri-View and Pearl Street to the intersection of Tri-View Avenue and Hamilton Boulevard. The DOT shall provide, at no cost or obligation to the CITY, one (1) of these DOT 96-strand dark, single-mode fiber optic cables.

13. The DOT shall, at no cost or obligation to the CITY, provide for the splicing of one (1) existing CITY 144-strand single-mode fiber optic cable, one (1) existing CITY 96-strand single-mode fiber optic cable, and the three (3) existing DOT 96-strand single-mode fiber optic cables in the existing fiber vault at the intersection of Tri-View Avenue and Pearl Street. The CITY shall provide the splice case, and the DOT will provide all labor and ancillary items to accomplish splicing of fibers. (See Attachment B for current fiber strand assignment which is subject to change.)

14. The CITY shall, at no cost or obligation to the DOT, provide for the splicing of one (1) existing CITY 96-strand single-mode fiber optic cable and one (1) DOT 96-strand single-mode fiber optic cable in the existing CITY fiber vault at the intersection of 3rd Street and Wesley Parkview. The CITY shall provide the splice case, labor and any ancillary items to accomplish splicing of fibers. (See Attachment B for current fiber strand assignment which is subject to change.)

15. The CITY shall, at no cost or obligation to the DOT, provide for the splicing of one (1) existing CITY 288-strand single-mode fiber optic cable, two (2) CITY 96-strand single-mode fiber optic cables and one (1) DOT 96-strand single-mode fiber optic cable in a new CITY provided fiber vault at the intersection of 3rd Street and Court Street. The CITY shall provide the splice case, labor and any ancillary items to accomplish splicing of fibers. (See Attachment B for current fiber strand assignment which is subject to change.)

**General Provisions**

16. The CITY shall indemnify and hold harmless the DOT from all claims and liability due to the activities of persons employed by CITY. Each party further agrees to defend, at its own expense, any action commenced for the purpose of asserting any such claim of whatever character arising as a result of their actions. Any failure to meet the obligations of the CITY or the DOT contained in this Addendum constitutes a breach of the entire Agreement.

17. The DOT will bear all costs except those allocated to the CITY under other terms of this Addendum.

18. In the event this project is financed with federal funds, the CITY will take whatever action may be necessary to comply with applicable federal laws and regulations which includes but is not limited to Title 23 CFR (Code of Federal Regulations).

19. Any costs incurred by the CITY in performing its obligations hereunder will be borne exclusively by the CITY without reimbursement by the DOT, except as specifically noted in this Addendum.
20. In accordance with Iowa Code Chapter 216, the CITY shall not discriminate against any person on the basis of race, color, creed, age, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability.

21. If any part of this Addendum is found to be void and unenforceable then the remaining provisions of this Addendum shall remain in effect.

22. This Addendum is not assignable without the prior written consent of the DOT.

23. It is the intent of both (all) parties that no third party beneficiaries be created by this Addendum.

24. This Addendum may be executed in two counterparts, each of which so executed will be deemed to be an original.

25. This document, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s), represents the entire Agreement between the CITY and DOT regarding this project. Any previously executed Agreements or Addendums shall remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

IN WITNESS WHEREOF, each of the parties hereto has executed Addendum No. 2009-16-010B as of the date shown opposite its signature below.

CITY OF SIOUX CITY:

By: ___________________________ Date: ___________________________ 20__
Title: Mayor

I, ___________________________, certify that I am the Clerk of the CITY, and that
_____________________________, who signed said Agreement for and on behalf
of the CITY was duly authorized to execute the same on the ___ day of ______, 20__.

Signed: __________________________
City Clerk of Sioux City, Iowa.

IOWA DEPARTMENT OF TRANSPORTATION:

By: ___________________________ Date: ___________________________ 20__
Tony Lazarowicz
District Engineer
District 3
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015
ACTION ITEM # 7E

FROM: Ricky J. Mach, Interim Public Works Director
Mark Simms, Utilities Director

SUBJECT: Resolution approving the contract and performance bond with Grundman-Hicks, LLC of Cherokee, Iowa in the amount of $44,000.00 for the Southbridge Regional Water Supply Treatment Facility Improvement Project.

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

RECOMMENDATION:
Staff respectfully requests that Council approve the contract and performance bond with Grundman-Hicks, LLC of Cherokee, Iowa in the amount of $44,000.00 for the Southbridge Regional Water Supply Treatment Facility Improvement Project.

DISCUSSION:
On November 2, 2015 under Resolution No. 2015-0833 Council awarded a contract to Grundman-Hicks, LLC of Cherokee, Iowa in the amount of $44,000.00 for the Southbridge Regional Water Supply Treatment Facility Improvement Project. This project includes the construction of a platform and stairway that can be used to service the chemical feed injector ports at the Southbridge Regional Water Treatment Plant. Staff has been using ladders and or scaffolding which has created a few safety concerns while maintaining and cleaning these feed ports. This project has a completion date of March 1, 2016.

FINANCIAL IMPACT:
This project is funded using The Southbridge Regional Water Treatment Plant operating budget line item “Building and Grounds 510-6104-453.22-11”.

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

ALTERNATIVES:
Council can reject the contract documents and direct staff to redraft them, however, this is not recommended as the contract meets standard city formatting and has been approved by city legal.

ATTACHMENTS:
Resolution
Contract (Hard Copies)
RESOLUTION NO. 2015-_____
with attachments

RESOLUTION APPROVING THE CONTRACT AND PERFORMANCE BOND
WITH GRUNDMAN-HICKS, LLC OF CHEROKEE, IOWA IN THE AMOUNT OF
$44,000.00 FOR THE SOUTHBRIDGE REGIONAL WATER SUPPLY
TREATMENT FACILITY IMPROVEMENT PROJECT.

WHEREAS, the City Council has previously awarded a contract to Grundman-Hicks, LLC of
Cherokee, Iowa for the Southbridge Regional Water Supply Treatment Facility Improvement
Project; and

WHEREAS, Grundman-Hicks, LLC of Cherokee, Iowa has submitted a signed contract and
performance bond for approval, copies of which are attached hereto and by this reference made a
part hereof; and

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

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

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

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE
CITY OF SIOUX CITY, IOWA that the contract and performance bond submitted by Grundman-
Hicks, LLC for the Southbridge Regional Water Supply Treatment Facility Improvement Project in
Sioux City, Iowa, is hereby approved and the City Manager and City Clerk are hereby authorized
and directed to execute said contract for and on behalf of the City of Sioux City, Iowa. Upon
execution of the contract by the City Manager as authorized herein, the contract shall be in full
force and effect and not before.

BE IT FURTHER RESOLVED that progress payments may be made to the contractor under the
terms and provisions of the contract by the Director of Finance in amounts certified by the City
Engineer as the value of work satisfactorily performed for the period.

PASSED AND APPROVED: __November 16, 2015__

____________________________
Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015
ACTION ITEM # 8A

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

Subject: Resolution proposing to sell certain real property. (The east one-half of vacated S. Steele Street abutting 2812 S. Steele Street) (Petitioner: Joyce H. Zenor and Katherine A. Zenor, Trustee of the 1995 Katherine A. Zenor Revocable Trust) (Purchase price: $504.00 plus costs).

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

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday is a resolution to sell the east one-half of vacated S. Steele Street abutting 2812 S. Steele Street to Joyce H. Zenor and Katherine A. Zenor, Trustee of the 1995 Katherine A. Zenor Revocable Trust. This portion of right of way was vacated by Ordinance No. 92/U-0759 dated December 21, 1992. The Zenors would like to add this portion of vacated right of way to abutting property that they own.

The resolution on Monday’s agenda schedules a public hearing for December 7, 2015 for the issuance of a city deed.

FINANCIAL IMPACT:
The amount of $504.00 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. 2015-__________


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

The east one-half of vacated S. Steele Street abutting Lot 24, Block 17, Oak Park Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, said property was vacated pursuant to Ordinance No. 92/U-0759 passed and approved December 21, 1992; 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 December 7, 2015 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: November 16, 2015

Robert E. Scott, Mayor

ATTEST: ________________________________

Lisa L. McCardle, 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 east one-half of vacated S. Steele Street abutting Lot 24, Block 17, Oak Park Addition, Sioux City, Woodbury County, Iowa

(The east one-half of vacated S. Steele Street abutting 2812 S. Steele 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 December 7, 2015, 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 November 21, 2015.
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): the east 28 feet of vacated Steele Street abutting 2812 S. Steel Street.

And legally described as follows: The east 28 feet of vacated S. Steele Street abutting Lot 24, Block 17, Oak View Addition, 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-8798, 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 at 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. $150 of the application fee will be credited towards the cost of the land if applicant is successful. Otherwise, there are no refunds.

4. 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 of any presently existing and installed public utilities, above or below the ground, unless specifically agreed otherwise by the City Council.

Formula Price $504.00 plus costs

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

JOYCE N ZERON KATHERINE ZERON TRUST
2801 S. STEEL ST, SIoux CIty, IA

This offer respectfully submitted with a full understanding of the above provisions on this ___ day of ___ , 2015.

Subscribed and sworn before me this ___ day of October, 2015.

Notary Public in and for the State of Iowa

SUE L. WINGERT
Commission Number 182074
My Comm. Exp. Jan 31, 2017
CITY OF SIOUX CITY  
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015       ACTION ITEM # 8B

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

Subject: Resolution proposing to sell certain real property. (The west one-half of vacated S. Steele Street abutting 3112 Seger Avenue) (Petitioner: Peggy Bauer) (Purchase price: $504.00 plus costs).

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

RECOMMENDATION:  
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:  
On the agenda for Monday is a resolution to sell the west one-half of vacated S. Steele Street abutting 3112 Seger Avenue to Peggy Bauer. This portion of right of way was vacated by Ordinance No. 92/U-0759 dated December 21, 1992. Ms. Bauer would like to add this portion of vacated right of way to abutting property that she owns.

The resolution on Monday’s agenda schedules a public hearing for December 7, 2015 for the issuance of a city deed.

FINANCIAL IMPACT:  
The amount of $504.00 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. 2015- __________
with attachments

RESOLUTION PROPOSING TO SELL CERTAIN REAL PROPERTY. (THE WEST ONE-HALF OF VACATED S. STEELE STREET ABUTTING 3112 SEGER AVENUE) (PETITIONER: PEGGY BAUER) (PURCHASE PRICE: $504.00 PLUS COSTS).

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

The west one-half of vacated S. Steele Street abutting Lot 1, Block 16, Oak Park Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, said property was vacated pursuant to Ordinance No. 92/U-0759 passed and approved December 21, 1992; 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 December 7, 2015 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: November 16, 2015

______________________________
Robert E. Scott, Mayor

ATTEST: _________________________________
Lisa L. McCardle, 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 west one-half of vacated S. Steele Street abutting Lot 1, Block 16, Oak Park Addition, Sioux City, Woodbury County, Iowa

   (The west one-half of vacated S. Steele Street abutting 3112 Seger Avenue)

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 December 7, 2015, 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 November 21, 2015.
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): The west 28 feet of vacated Steele Street abutting 3112 Seger Ave.

And legally described as follows: The west 28 feet of vacated S. Steele Street abutting Lot 1, Block 16, Oak View Addition, 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 98/16-6926, 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. $150 of the application fee will be credited towards the cost of the land if applicant is successful. Otherwise, there are no refunds.

4. 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 of any presently existing and installed public utilities, above or below the ground, unless specifically agreed otherwise by the City Council.

Formula Price $504.00 plus costs

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

Peggy Bauer, 3112 Seger Ave, Sioux City, IA 51104

This offer respectfully submitted with a full understanding of the above provisions on this 23rd day of October 2015.

By:______________________________

Subscribed and sworn before me this 25th day of __________ 2015.

By:______________________________

Notary Public in and for the State of Iowa

[Stamp]
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015

ACTION ITEM #: 9

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

SUBJECT: Applications For Beer and Liquor Licenses

A. CLASS “C” LIQUOR LICENSE
   1. 20th Street Tap, 1924 Pierce Street (New)
   2. R Navarrete’s, 2421 Riverside Boulevard (Renewal)
   3. Firehouse Bar, 1211 5th Street (Renewal)
   4. Perera’s Place, 2611 Correctionville Road (Renewal)
   5. Chesterfield Live & Loud, 1225 4th Street (Renewal)
   6. El Tapatio, 3400 Gordon Drive (Renewal)
   7. The Filling Station, 1808 Highway 75 North (Renewal)

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

RECOMMENDATION:
Staff respectfully requests and recommends approval of the above Beer and Liquor Licenses.

DISCUSSION:
Fire Code Inspections were completed; Building, Electrical, Mechanical and Plumbing Inspections were performed; and Zoning Code has been verified for the above applicants, no violations were found unless otherwise noted.

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

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

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

FINANCIAL IMPACT:
None.

RELATIONSHIP TO STRATEGIC PLAN:
Health and Safety Vision - We will enhance public health and safety by maximizing the utilization of technology, improved community engagement, and improved communications and facilities.
ALTERNATIVES:
 Council may, at their discretion, vote for approval or deny in opposition of the City departments’ recommendations.

ATTACHMENTS:
 None
The regular meeting of the Board of Trustees of the Sioux City Public Library was held on Wednesday, October 21, 2015, in the Conference Room of The Wilbur Aalfs (Main) Library.

MEMBERS PRESENT: Janet Plathe, Melissa Cain, David Halaas, Rebecca Kempers, Charles McKenny, Richard A. Moon

MEMBERS ABSENT: Christopher D. Norvell

STAFF PRESENT: Betsy J. Thompson, Connie K. Brown

1. President Janet Plathe called the meeting to order at 3:34 p.m.

2. Roll call was taken.

3. The Agenda was approved.

4. Approve the Minutes – September 16, 2015 [Action Item]

Moon moved approval of the minutes. Kempers seconded. Motion approved unanimously.

5. Director’s Report

Thompson reviewed the first quarter statistical reports with Trustees. Discussion followed on checkouts that continue to drop and gate counts that are down slightly. Although this is happening nationwide, part of Thompson’s concern is are we reaching our community and doing what we need to? Thompson shared that 35 years ago the “product mix” was 33% of items checked out were children’s, about 33% were nonfiction and 33% were leisure. Today nonfiction is 7%, children’s is still about 30% and fiction is 36%. Where people get their information is no longer in the nonfiction collection. It is a device-driven culture.

Thompson said the alley is open again and the concrete looks nice.

6. Financial Reports

A. Expenditures: Approve Claims [Action Item]

Thompson said the plumber payment for the water main break repairs is in this month’s bills. She is hoping that our maintenance budget can cover the payment. It was efficient that City Engineering included our alley and sidewalk repair as part of the Pierce Street work.
Halaas moved approval of claims. Cain seconded. Motion approved unanimously.

B. 2015-2016 Monthly Budget Summary

The report was received.

C. Restricted Funds Quarterly Summary

Halaas asked if any of the restricted funds could be used for marketing and advertising and Thompson talked about a specific one that could. Halaas mentioned a six week media blitz to get people into the building.

Thompson noted that Miscellaneous Gifts contains a little over $40,000 from the Anton Sunclades bequest that should, per agreement, be transferred to the Foundation as part of our endowment.

7. Unfinished Business

A. Budget Planning for Fiscal Year 2016-2017

Thompson gave an update on how the budget process is proceeding. We submitted it with a $22,000 increase to maintain the same level of service, without personnel costs, and with book budget lines at the same dollar amount. The process is with City Finance now.

8. New Business

A. Lease for Perry Creek Branch Library [Action Item]

Cain complimented Thompson on her negotiations. Thompson said Coffman is willing to continue to lease the Perry Creek Branch location to us for another three years at a 2.6% increase. Plathe said we looked around on Hamilton Boulevard to see what was available when we signed this lease and there was nothing close for this amount per square foot.

Halaas moved to approve continuing the lease of 1,956 square feet of space for the Perry Creek Branch Library from March 1, 2016 through February 28, 2019, from Dick L. and Esther A. Coffman, at a monthly rate of $2,425 per month. McKenny seconded. Motion approved unanimously.

Thompson said this keeps the service model the same for this area of town with staffing and maintenance. It is a purposeful, popular, reading center and there are no electronic services there.

Trustees noted that this location is especially popular with the active older adults and parents with young children and people are always coming and going.

B. Library Restricted Funds to Skylight Capital Project [Action Item]

Thompson and City Maintenance Supervisor, Stan LaFave, attended the City Council meeting last Monday where this was approved. The project was budgeted
at $225,000 and the design estimate is $305,000. LaFave will provide $30,000 from a City maintenance budget and she is asking the Board for $50,000 from two restricted funds to finish the project. The project will not be started until spring.

Cain moved approval of transferring $11,462 from the 317-030 Access Plus Fund (and close the project) and $38,538 from the 317-016 Open Access Fund (leaving a $42,549 balance) for a total of $50,000 to be transferred to the Wilbur Aalfs Sky-light Replacement Project. Moon seconded. Motion approved unanimously.

C. Enrich Iowa Direct Aid [Action Item]

Thompson said these State funds are direct deposited to our account at the City and come to accredited libraries in Iowa based on a per capita formula and their accredited level. These funds are to supplement local funding, not supplant it.

Halaas moved to designate the Enrich Iowa Direct Aid funds for technology upgrades and for public event programming support. The actual proportion for each purpose to be determined by the Library’s Leadership Team as plans develop through the year. McKenny seconded. Motion approved unanimously.

D. Library Strategic Planning

Thompson said this is planning to plan. We need to identify what kinds of data and information we want to gather and asked Trustees what they would like to see to help decide strategic emphasis for the next three years. Plathe and Cain had attended the last planning session and talked about what information had been used then.

Discussion followed on possibly obtaining information from the School District, Chamber and Economic Development, the value of surveys, and other options, in addition to the Library’s own statistics. We will not plan on hiring a specific library survey of citizens for this round of planning.

Halaas left meeting at 4:33 p.m.

Discussion continued with Thompson sharing information she has from State meetings, webinars and literature.

Discussion followed on programming and partnerships including our own One Book One Siouxland initiative and partnering with WIT for some of the Lifelong Learning programs.

Thompson said we know one-on-one learning at a time convenient to the person, is what makes public libraries unique and we don’t want to lose that.

Discussion continued on what information could be gathered about our patrons and what information City Planning and United Way could provide. What kind of information can we gather through communication on Facebook and social media—you are reaching people beyond the people you reach here. What trends are Barnes & Noble and Amazon seeing? Do we want a facilitator?

Thompson will continue to gather material and be ready to retreat after the first of the year.
9. Trustee Concerns

In answer to a question, preparation for the upgrade to the elevator continues but actual work at the Library has not begun yet.

Best wishes to Cain, whose baby is due November 30. For now, she plans to attend the November 18th Board meeting.

10. Next Meetings:
    Wednesday, November 18, 2015, 3:30 p.m.
    Wednesday, December 16, 2015, 3:30 p.m.

11. Plathe adjourned the meeting at 5:02 p.m.

Richard A Moon, Secretary
Connie K. Brown, Assistant Secretary
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015 ACTION ITEM # 11

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

Subject: Hearing and Resolution accepting the proposal of Laura L. Jenkin for the purchase of certain land in the Rose Hill Urban Renewal Area and authorizing sale of said property. (That part of the vacated east/west alley abutting 1309 Summit Street)

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday is a hearing and resolution to sell that part of the vacated east/west alley abuting 1309 Summit Street to Laura L. Jenkin. This portion of right of way was vacated by Ordinance 98/U-7175 dated October 19, 1998. Ms. Jenkin would like to add this portion of vacated right of way to abutting property that she owns.

The resolution on Monday’s agenda authorizes the issuance of a city deed to Laura L. Jenkin.

FINANCIAL IMPACT:
The amount of $200.00 plus costs will be received at time of closing.

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

ALTERNATIVES:
Do not approve the resolution

ATTACHMENTS:
Proposed Resolution
Aerial
RESOLUTION NO. 2015-____
with attachments

RESOLUTION ACCEPTING THE PROPOSAL OF LAURA L. JENKIN FOR THE PURCHASE OF CERTAIN LAND IN THE ROSE HILL URBAN RENEWAL AREA AND AUTHORIZING SALE OF SAID PROPERTY. (THAT PART OF THE VACATED EAST/WEST ALLEY ABUTTING 1309 SUMMIT STREET)

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, the City of Sioux City, Iowa, has undertaken a program of redevelopment of blighted areas and economic development in the City, and in this connection has instituted the Rose Hill Urban Renewal Area; and

WHEREAS, Chapter 403 of the Code of Iowa authorizes the City to invite proposals from all interested parties for the purchase of land in an urban renewal area by publishing public notice of its intent to receive and accept any such proposal; and

WHEREAS, Laura L. Jenkin has submitted a proposal to the City for the purchase of the following described property in the Rose Hill Urban Renewal Area:

That part of the vacated east/west alley abutting the east 50 feet of the north 36 feet of Lot 9, Block 78, Sioux City East Addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, pursuant to Resolution No. 2015-0777 passed and approved by the City Council on October 12, 2015, the City indicated its intent to accept said proposal of Laura L. Jenkin, established a date and time for the submission of proposals by other interested parties, established a date and time for a hearing accepting such proposals, and authorized the publication of notice of such invitation, intent and hearing; and

WHEREAS, a hearing was held on the proposals so submitted and the City Council being fully advised in the premises is of the opinion and belief that it would be in the best interests of the City to accept the proposal of Laura L. Jenkin for the purchase of said property and that accepting such proposal is in the public interests; and

WHEREAS, a city deed has been prepared for the purchase of said property pursuant to the terms of said proposal and should be approved as to form and content.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the city deed attached hereto providing for the sale of said property to Laura L. Jenkin is hereby approved as to form and content and the Mayor and City Clerk be and they are hereby authorized and directed to execute same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said city deed and the costs incurred in this sale that the city deed be delivered to Laura L. Jenkin.

PASSED AND APPROVED: November 16, 2015

__________________________________________
Robert E. Scott, Mayor

ATTEST: __________________________________________
Lisa L. McCardle, City Clerk
KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of TWO HUNDRED DOLLARS AND NO CENTS ($200.00) in hand paid by Laura L. Jenkin of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Laura L. Jenkin, all its right, title and interest in and to the following described premises situated in the County of Woodbury and State of Iowa, to-wit:

That part of the vacated east/west alley abutting the east 50 feet of the north 36 feet of Lot 9, Block 78, Sioux City East Addition to Sioux City, Woodbury County, Iowa

(Subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise in the City of Sioux City, Iowa.)

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 16th day of November, 2015.

CITY OF SIOUX CITY, IOWA

BY: _____________________________

Robert E. Scott, Mayor
STATE OF IOWA    
: ss
WOODBURY COUNTY

On this 16th day of November, 2015, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert E. Scott and Lisa L. McCardle, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Sioux City, Iowa; that the seal affixed to the foregoing instrument is the official seal of the City, and that the instrument was signed and sealed on behalf of the City, by authority of its City Council, as contained in Resolution No. 2015-______ passed on the 16th day of November, 2015, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: ______________________________
    Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015

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

ACTION ITEM # 12

Subject: Resolution approving proposal to sell certain real property and authorizing a city deed (The east one-half of the vacated north/south alley abutting 1215 S. Royce Street) (Petitioner: Thomas C. Dahl) (Purchase price: $500.52 plus costs).

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

RECOMMENDATION:
Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:
On the agenda for Monday is a hearing and resolution to sell that part of the vacated north/south alley abutting 1215 S. Royce Street to Thomas C. Dahl. This portion of right of way was vacated by Ordinance No. 2015-0729 dated September 21, 2015. Mr. Dahl would like to add this portion of vacated right of way to abutting property that he owns.

The resolution on Monday’s agenda authorizes the issuance of a city deed to Thomas C. Dahl.

FINANCIAL IMPACT:
The amount of $500.52 plus costs will be received at time of closing.

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

ALTERNATIVES:
Do not approve the resolution

ATTACHMENTS:
Proposed Resolution
Aerial
RESOLUTION NO. 2015- __________
with attachments


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. 2015-0843, passed and approved November 2, 2015:

The east one-half of the vacated north/south alley abutting Lot 8, Block 2, Cheney's an Addition to Sioux City, Woodbury County, Iowa; and

WHEREAS, a public hearing was held on said proposal on November 16, 2015, 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 Thomas C. Dahl in accordance with the terms and conditions set forth in Resolution No. 2015-0843, passed and approved November 2, 2015.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Thomas C. Dahl, 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:    November 16, 2015  __________________________
                          Robert E. Scott, Mayor

ATTEST: _________________________________
        Lisa L. McCardle, City Clerk

U:\City Legal\Secure\Res2015\Com Dev\Dahl Sale 2 Adj To 1215 S. Royce St).Doc
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 DOLLARS AND FIFTY-TWO CENTS ($500.52) in hand paid by Thomas C. Dahl of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Thomas C. Dahl, 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:

The east one-half of the vacated north/south alley abutting Lot 8, Block 2, Cheney's an 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 and maintenance of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 16th day of November, 2015.

CITY OF SIOUX CITY, IOWA

BY: ______________________________

Robert E. Scott, Mayor
STATE OF IOWA          )
                      : ss
WOODBURY COUNTY)      

On this 16th day of November, 2015, 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. 2015-_______ passed on the 16th day of November, 2015, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: ______________________________
   Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).
CITY OF SIOUX CITY
REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: November 16, 2015 ACTION ITEM # 13

FROM: Mike Collett, Assistant City Manager, Airport Director

SUBJECT: Resolution approving Work Order Number 23 with RS&H Iowa, P.C. of Naperville, Illinois, in an amount not to exceed $259,850.00 for design and bidding services for the reconstruction of the Connector Taxiway “A” Project at the Sioux Gateway Airport/Col. Bud Day Field. (Project No. AIP-50)

RECOMMENDATION:
Staff respectfully requests the City Council authorize the Assistant City Manager, Airport Director to execute Work Order No. 23 with RS&H Iowa, P.C. for the design and bidding services for the reconstruction of the Connector Taxiway “A” at the Runway 13 end. The Airport Board of Trustees approved this work order at their meeting on November 5, 2015.

DISCUSSION:
This Work Order will consist of design and bidding services for the reconstruction of the Connector Taxiway “A”. The project will include demolition of the existing pavement, replacement of the existing edge lighting with LED lights, new taxiway pavement and shoulders. This project will involve funds from the Federal Aviation Administration (FAA), the Iowa Air National Guard (IANG), and the Airport. The FAA will participate in the work up to a 50’ wide taxiway and 20’ wide shoulder. The IANG will participate in the costs for the width to be brought to 75’.

The current condition of this connector is poor and the concrete has well exceeded its expected design and service life limits. The pavement dates from 1957 to the early 1960’s. This particular stretch of taxiway provides a vital link at the rollout end of runway 31 and the departure end of 13. The connector is regularly used by aircraft taxiing to and from runway 13/31.

FINANCIAL IMPACT:
The total construction cost for this project is estimated to be approximately $4,389,000.00 with an amount not to exceed $259,850.00 for design and bidding services under this Work Order. The FAA will provide $2,287,980.00 and the IANG’s share is $1,846,800.00. The City’s share will be $254,220.00.

RELATIONSHIP TO STRATEGIC PLAN:
Municipal Responsibility-Health and Safety
ALTERNATIVES:
Do nothing which would eliminate available FAA and IANG funds for the project and leave a deteriorating pavement condition on Connector Taxiway “A” which could lead to aircraft damage.

ATTACHMENTS:
Resolution
Hard copy of Work Order No. 23 will be provided
RESOLUTION NO. 2015-__________
with attachments

RESOLUTION APPROVING WORK ORDER NUMBER 23 WITH RS&H IOWA, P.C. OF NAPERVILLE, ILLINOIS, IN AN AMOUNT NOT TO EXCEED $259,850.00 FOR DESIGN AND BIDDING SERVICES FOR THE RECONSTRUCTION OF THE CONNECTOR TAXIWAY “A” PROJECT AT THE SIOUX GATEWAY AIRPORT/.COL. BUD DAY FIELD. (PROJECT NO. AIP-50)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Work Order Number 23 with RS&H Iowa, P.C. of Naperville, Illinois, a copy of which is attached here-to and by this reference made a part hereof, in an amount not to exceed $259,850.00 for reconstruction of the Connector Taxiway “A” Project at the Sioux Gateway Airport/Col. Bud Day Field, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Assistant City Manager, Airport Director be and he is hereby authorized and directed to execute said Work Order Number 23 for and on behalf of the City.

PASSED AND APPROVED: November 16, 2015
Robert E. Scott, Mayor

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

MEETING DATE: November 16, 2015 ACTION ITEM # 14
FROM: Glenn Ellis, City Engineer
       Brett Langley, Civil Engineer

SUBJECT: Resolution awarding and approving a contract to SuBSurfco, LLC in the amount of $1,909,549.40 for the I-29 Water Main Crossing (Harbor Drive to South Lewis Boulevard) Project (Project No. 6779-519-258).

REVIEWED BY: x Department Director  x Finance Department  x City Attorney  x City Manager

RECOMMENDATION:
Staff respectfully requests Council award and approve a contract to SuBSurfco, LLC of South Sioux City, NE in the amount of $1,909,549.40 for the I-29 Water Main Crossing (Harbor Drive to South Lewis Boulevard) Project (Project No. 6779-519-258).

DISCUSSION:
This project includes the relocation and upsizing of an existing 16 inch water main to a 36 inch water main north of the Union Pacific Railroad tracks and south of Singing Hills Boulevard from Harbor Drive east to South Lewis Boulevard. Notice of Public Hearing was advertised on October 3, 2015 and October 10, 2015. The public hearing was held on October 19, 2015. Construction completion shall be on or before June 17, 2016.

A Utility Reimbursement Agreement with the Iowa Department of Transportation (Agreement No. U-2013-15767) was approved by City Council on December 9, 2013 under Resolution Number 2013-0899 accounting for construction cost reimbursements. On September 22, 2014 an addendum to this agreement was executed under Resolution 2014-0701 to add additional reimbursable funding for engineering design and inspection. Together, the agreement and addendum outline the Iowa Department of Transportation’s reimbursement of $543,798.00 to the City for the relocation work.

The project was bid on October 20, 2015. Five (5) bids were received for this project. The bids are as follows:

<table>
<thead>
<tr>
<th>Company</th>
<th>City, State</th>
<th>Base Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>SuBSurfco LLC</td>
<td>South Sioux City, NE</td>
<td>$1,909,549.40</td>
</tr>
<tr>
<td>RP Constructors, LLC</td>
<td>Sioux City, IA</td>
<td>$1,959,871.00</td>
</tr>
<tr>
<td>Sioux City Engineering Co.</td>
<td>Sioux City, IA</td>
<td>$2,043,274.00</td>
</tr>
<tr>
<td>H&amp;W Contracting</td>
<td>Sioux Falls, SD</td>
<td>$2,596,362.70</td>
</tr>
<tr>
<td>Lessard Contracting Inc.</td>
<td>Sergeant Bluff, IA</td>
<td>$2,978,909.30</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td></td>
<td>$1,545,454.00</td>
</tr>
</tbody>
</table>
The base bid, submitted by SuBSurfco, LLC of South Sioux City, NE is 23.6% or $364,095.40 above the Engineer’s Estimate of $1,545,454.00.

FINANCIAL IMPACT:
This project is funded using IDOT Funds, Transfer in Donner TIF, and Donner Abated GO Bonds under CIP 519-258 “Harbor/Lewis Main Upsize”. The project currently has an available balance of $1,751,631.82.

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

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

ATTACHMENTS:
Resolution
Letter of Recommendation
Bid Tabulation Sheet
Contracts (Hard Copies)
RESOLUTION NO. 2015-_____
with attachments

RESOLUTION AWARDING AND APPROVING A CONTRACT TO SUBSURFCO, LLC IN THE AMOUNT OF $1,909,549.40 FOR THE I-29 WATER MAIN CROSSING (HARBOR DRIVE TO SOUTH LEWIS BOULEVARD) PROJECT (PROJECT NO. 6779-519-258).

WHEREAS, pursuant to a notice published in the manner and form prescribed by law, bids and proposals were received by the City of Sioux City, Iowa, on October 20, 2015, for the I-29 Water Main Crossing (Harbor Drive to South Lewis Boulevard) Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by Veenstra & Kim Inc.; and

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

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

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

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

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

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

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

Section 2: It is hereby found, determined and declared that the bid of SuBSurfco, LLC of South Sioux City, NE, in the amount of $1,909,549.40 for construction of the Project in Sioux City, Iowa, as provided in the plans and specifications referred to in the preamble hereof is the lowest and/or best bid received and the same is hereby accepted and the contract awarded to said bidder.

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

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

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

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

PASSED AND APPROVED: November 16, 2015

______________________________
Robert E. Scott, Mayor

ATTEST: _________________________________

Lisa L. McCardle, City Clerk
October 27, 2015

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

RE: I-29 WATER MAIN CROSSING, HARBOR DRIVE TO SOUTH LEWIS BOULEVARD
RECOMMENDATION TO AWARD CONTRACT
SIoux CITY, IOWA PROJECT# 6779-518-258

Dear Glenn,

The City of Sioux City received bids until 1:00 P.M. on October 20, 2015 for the I-29 Water Main Improvements project. A total of five bids were received as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>BaseBid</th>
</tr>
</thead>
<tbody>
<tr>
<td>SubSurfco, LLC</td>
<td>$1,909,549.40</td>
</tr>
<tr>
<td>RP Constructors, LLC</td>
<td>$1,959,871.00</td>
</tr>
<tr>
<td>Sioux City Engineering Co.</td>
<td>$2,043,274.00</td>
</tr>
<tr>
<td>H&amp;W Constructing</td>
<td>$2,596,362.70</td>
</tr>
<tr>
<td>Lessard Contracting Inc.</td>
<td>$2,978,909.30</td>
</tr>
</tbody>
</table>

The apparent low bid was received from SubSurfco, LLC, out of South Sioux City, Nebraska in the amount of $1,909,549.40. The engineer’s estimate of cost for the project was $1,545,454.00. The apparent low bid was above the engineer’s estimate of cost. Based on review of the bids, the cost increase was primarily due to the unit price bid for Item 9, “Water Main with Casing Pipe, Trenchless, DI Class 350 or Class 52, Restrained Joint, 36-in”.

Based on review of the bids received, Veenstra & Kimm, Inc. would recommend the City of Sioux City award the contract to SubSurfco, LLC.

If you have any questions or comments concerning the project, feel free to contact me at 712-943-5055.

VEENSTRA & KIMM, INC.

Mitchell Woestrel, P.E.
Branch Office Manager
Enclosures
<table>
<thead>
<tr>
<th>NO.</th>
<th>ITEM CODE</th>
<th>DESCRIPTION</th>
<th>UNIT</th>
<th>QNTY</th>
<th>PRICE</th>
<th>TOTAL</th>
<th>UNIT</th>
<th>QNTY</th>
<th>PRICE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1070-000-J-0</td>
<td>Traffic Control</td>
<td>L.S.</td>
<td>1</td>
<td>$7,500.00</td>
<td>$7,500.00</td>
<td>L.S.</td>
<td>1</td>
<td>$3,940.00</td>
<td>$3,940.00</td>
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<td>2</td>
<td>1060-100-4-A</td>
<td>Mobilization</td>
<td>L.S.</td>
<td>1</td>
<td>$30,000.00</td>
<td>$30,000.00</td>
<td>L.S.</td>
<td>1</td>
<td>$15,900.00</td>
<td>$15,900.00</td>
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<tr>
<td>3</td>
<td>3010-100-C-0</td>
<td>Cleaning &amp; grubbing</td>
<td>L.S.</td>
<td>1</td>
<td>$4,000.00</td>
<td>$4,000.00</td>
<td>L.S.</td>
<td>1</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
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<td>4</td>
<td>3010-100-A-0</td>
<td>Class 52, restricted joint, 25-in</td>
<td>TONS</td>
<td>362</td>
<td>$32.00</td>
<td>$11,584.00</td>
<td>TONS</td>
<td>362</td>
<td>$40.00</td>
<td>$14,480.00</td>
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<tr>
<td>5</td>
<td>3010-100-D-0</td>
<td>Replacement of unsuitable backfill</td>
<td>CY</td>
<td>500</td>
<td>$12.00</td>
<td>$6,000.00</td>
<td>CY</td>
<td>500</td>
<td>$15.50</td>
<td>$7,750.00</td>
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<td>6</td>
<td>3010-100-B-0</td>
<td>Water Main, trenching, D1, class 350, 1.5-in</td>
<td>LF</td>
<td>32</td>
<td>$75.00</td>
<td>$2,400.00</td>
<td>LF</td>
<td>32</td>
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<td>$100.00</td>
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<td>LF</td>
<td>66</td>
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<td>$10,560.00</td>
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<td>8</td>
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<td>Class 52, restricted joint, 30-in</td>
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<td>1625</td>
<td>$300.00</td>
<td>$487,500.00</td>
<td>LF</td>
<td>1625</td>
<td>$240.50</td>
<td>$390,812.50</td>
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</table>

**Total Cost:** $1,045,484.00
CITY OF SIOUX CITY  
REQUEST FOR CITY COUNCIL ACTION  

MEETING DATE: November 16, 2015  
ACTION ITEM # 15  

FROM: Kelly Bach, Parks Maintenance Field Supervisor  

SUBJECT: Presentation – Update on the Emerald Ash Borer  

RECOMMENDATION:  
Staff respectfully requests City Council view a brief update presentation of the effects the Emerald Ash Borer may have on the ash trees in Sioux City.  

DISCUSSION:  
Staff will provide a brief update.  

FINANCIAL IMPACT:  
There will not be a financial impact until the Emerald Ash Borer is detected in Woodbury County.  

RELATIONSHIP TO STRATEGIC PLAN:  
Municipal Responsibilities – Quality of Life 
Strategic Focus Area - Embrace and invest in a Beautification Plan.  

ALTERNATIVES:  
None  

ATTACHMENTS:  
None