



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.siuix-city.org.

**UNTIL FURTHER NOTICE NO IN PERSON PUBLIC ATTENDANCE WILL BE
PERMITTED AT CITY COUNCIL MEETINGS**

This action is in accordance with Section 9 of Governor Reynolds' additional State Public Health Emergency Declaration issued March 20, 2020 as set out in part as follows:

ELECTRONIC MEETINGS AND HEARINGS

SECTION NINE. Pursuant to Iowa Code § 29C.6(6), and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I temporarily suspend the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing. I also temporarily suspend those statutes to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically as provided in this section.

PUBLIC PARTICIPATION - City Council Meetings are broadcast live on Sparklight Cable, Community Channel 56, and streamed live on YouTube from the City's website, www.siuix-city.org/councilvideos. During this meeting the City is providing an option for you to share your input without personally attending. You may call 712-224-4996 to provide a comment on an Agenda item during the meeting. All calls will be limited to 3 minutes.

You are hereby notified a meeting of the City Council of the City of Sioux City, Iowa, will be held Monday, April 6, 2020, 4:00 p.m., local time, in the Council Chambers, 5th Floor, City Hall, 405 6th Street, Sioux City, Iowa, for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Council.

This is a formal meeting during which the Council may take official action on various items of business. If you wish to speak on an item, please follow the participation guidelines as set out below:

1. Anyone may address the Council on any agenda item.
2. Citizens may call 712-224-4996 to provide a comment on an item.

3. Callers should give their name, spell their name, give their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, all calls will be limited to **three minutes on any one item**.
5. 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'.

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1. Call of the Roll - Silent Prayer and Pledge of Allegiance to the Flag - Proclamations

CONSENT AGENDA

Items 2 through 15G 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 March 23, 2020.
3. DOWNTOWN WAYFINDING - Resolution approving additional funding to Downtown Partners in an amount not to exceed \$87,594 to complete the Downtown Wayfinding Project.
4. TREASURY REGULATION - Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects.
5. PARKS & REC DEPT - Resolution amending the Position Classification Manual adopted by Resolution No. S-31050 by approving and adopting an updated job description for the position of Laborer, Class Code IV-6105.
6. KNIFE RIVER - Resolution accepting the work and authorizing final payment to Knife River Midwest, LLC for the 2017 Annual Resurfacing Project. (Project No. 6880-719-121)
7. FIBERCOMM - Resolution granting a permit to FiberComm to own, operate and maintain underground cable commencing midblock in the west right-of-way on Nebraska Street between 5th Street and 6th Street, then east along the east/west alley and ending at 615-617 5th Street.
8. NUISANCE ABATEMENT - Resolution fixing the amounts to be assessed against private properties, adopting and levying schedule of assessments for the April 2020 Nuisance Abatement Program, authorizing civil actions and providing for the payments thereof.
9. CANINE TACTICAL - Resolution awarding a purchase order to Canine Tactical LLC of Chariton, Iowa in an amount not to exceed \$36,500 for the purchase of two (2) trained Law Enforcement Dual Purpose canines.
10. **ACTIONS RELATING TO AIRPORT GRANTS**
 - A. VERTICAL INFRASTRUCTURE - Resolution authorizing the Airport Director to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant in the amount of \$135,097 to the Iowa Department of Transportation to assist in terminal improvements, hangar refurbishment, jetbridge improvements, and potential new hangar construction at the Sioux Gateway Airport/ Brigadier General Bud Day Field.

- B. IMPROVEMENT PROGRAM - Resolution authorizing the Airport Director to submit an Airport State Funding Application for an Airport Improvement Program Grant in the amount of \$404,000 to the Iowa Department of Transportation to assist in the reconstruction of shoulders between Taxiway C and the FBO Ramp Project at the Sioux Gateway Airport/Brigadier General Bud Day Field.
- C. SERVICE SUSTAINMENT - Resolution authorizing the Airport Director to apply for a FY 2021 Air Service Sustainment Grant from the Iowa Department of Transportation in the amount of \$48,000 to assist with marketing efforts at the Sioux Gateway Airport/Brigadier General Bud Day Field.

11. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS

- A. PANEL PATCH - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Panel Patch Project Phase I. (Project No. 7073-719-121)
- B. ANNUAL RESURFACING - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Annual Resurfacing Project Phase I. (Project No. 7105A-719-121)

12. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS

- A. PLaN ARCHITECTURE - Resolution awarding a Consulting Services Agreement to Kahlaher Architecture, LLC, doing business as PLaN Architecture of Sioux City, Iowa, for design services, construction documents, bidding services, and construction administration for the Riverside Family Aquatics Center Pool House Renovation Project in a lump sum amount of \$38,100 plus reimbursables.
- B. KNIFE RIVER - Resolution approving Change Order No. 3 to the contract with Knife River Midwest, LLC in the amount of \$179,798.19 for the additional shoulder replacement in connection with the Runway 17-35 Reconstruction and Shift Project Phase I (Schedule A & B) Construction at the Sioux Gateway Airport/Col. Bud Day Field. (AIP 53 City Project No. 749-114)
- C. JOHNSON CONTROLS - Resolution awarding a Service Provider Agreement to Johnson Controls, Inc. of Sioux Falls, South Dakota in the amount of \$59,875 for the Tyson Events Center Damper Actuator Replacement Project. (RFB No. 260796)
- D. HAWKINS - Resolution approving Renewal Option No. 1 with Hawkins, Inc. of Sioux Falls, South Dakota, for an additional one (1) year period in connection with the purchase of sulfuric acid commencing April 1, 2020 and ending March 31, 2021. (RFB No. 256322)
- E. BERT GURNEY - Resolution awarding a Service Provider Agreement to Bert Gurney & Associates of Omaha, Nebraska in the amount of \$36,847 to repair a pump at the Waste Water Treatment Plant. (RFB No. 260939)
- F. IDOT - I29 - Resolution approving Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 with the Iowa Department of Transportation. (A portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of 0.08 miles)

- G. IDOT/BNSF - W 19TH ST - Resolution authorizing an agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR04(198)—8A-00) located at West 19th Street (FRA No. 382076J) in an amount not to exceed \$19,891.43.
- H. IDOT/BNSF - MILITARY RD - Resolution authorizing an Agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR05(198)—8A-00) located at Military Road (FRA No. 382078X) in an amount not to exceed \$22,465.38.
- I. MARK ALBENESIUS - Resolution approving a contract with Mark Albenesius Inc. in the amount of \$179,961.50 for the 2020 Phase III Emergency Utility Pavement Repair Project - Grandview Boulevard and 32nd Street. (Project No. 7112-519-127)
- J. KOSKOVICH & MURPHY - Resolution authorizing and approving a Development Agreement and Minimum Assessment Agreement with Koskovich & Murphy Developments, LLC (Property located at 715 Cunningham Drive)
- K. USP TECHNOLOGIES
 - 1. Resolution approving Addendum No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC doing business as USP Technologies of Atlanta, Georgia for additional dosing funding running through June 30, 2020 in an amount not to exceed \$55,000.
 - 2. Resolution approving Amendment No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC doing business as USP Technologies of Atlanta, Georgia to extend services for one (1) year beginning July 1, 2020 and ending June 30, 2021 in an amount not to exceed \$370,000.
- L. WESTERN WATERPROOFING - Resolution awarding a Service Provider Agreement to Western Waterproofing Company of America doing business as Western Specialty Contractors of America in the amount of \$51,871.50 for the Martin Luther King, Jr. (MLK) Parking Ramp Repair Project. (RFB No. 260577)

13. APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

- A. EVENTS FACILITIES BOARD - Motion appointing Chase Stockton to the Events Facilities and Tourism Advisory Board to complete the balance of a four-year term expiring June 30, 2022, replacing Mark Baltushis.
- B. LIBRARY BOARD - Motion appointing Andrew Clausen to the Library Board of Trustees to complete the balance of a three-year term expiring June 30, 2022, replacing David Halaas.

14. APPLICATIONS FOR BEER AND LIQUOR LICENSES

- A. OFF PREMISE SALES
 - 1. CLASS C BEER PERMIT (beer/wine coolers)
 - a. Palmer Candy Company, 405 Wesley Parkway (Renewal)

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

- A. Active Transportation Advisory Committee – January 15, 2020
- B. Airport Board of Trustees – February 20, 2020
- C. Environmental Advisory Board – January 9, 2020
- D. Historic Preservation Commission – February 4, 2020
- E. Human Rights Commission – January 2, 2020
- F. Parking and Skywalk System Board of Trustees – March 11, 2020
- G. Planning and Zoning Commission – February 25, 2020

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING

- 16. Hearing and Ordinance vacating a 17,640± square foot portion of Thirty-Third Street adjacent to 3215 Talbot Road and 3221 Talbot Road. (Petitioner: Todd Harlow) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0024)
- 17. Hearing and Ordinance rezoning 3100 Idaho Avenue from Zone Classification AG (Agriculture, 20 acres per unit minimum) to Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum) and repealing Ordinance No. 2020-0182. (Petitioner: Justin Donaghu) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0014)
- 18. Hearing and Ordinance vacating the alleys in the blocks bounded by Walnut Street, Garfield Avenue, 1st Street, and Cornelia Street; Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and 3rd Street lying east of Garfield Avenue. (Petitioner: Hands Property of Siouxland – Sam Moos) The Planning and Zoning Commission recommends approval of this item with conditions. (File No. 2020-0022)
- 19. Hearing and Ordinance rezoning property lying within the 100 block of Hidden View Drive and within the 100 and 200 blocks of Cornelia Street from Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification UR (Urban Residential, 4,500 square feet per unit minimum). (Petitioner: Hands Property of Siouxland – Sam Moos) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0023)
- 20. Hearing and Ordinance rezoning property located in the 4200 block of Fremar Drive from Zone Classification NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) to Zone Classification NC.3 (Neighborhood Conservation, 7,000 square feet per unit minimum). (Petitioner: Lakeport View LLC) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0020)
- 21. Resolution accepting and approving the Final Plat for Country Club View, 4th Filing, an Addition to Sioux City, Woodbury County, Iowa, a replat of Lots 7, 8, and Lots 22 thru 26, inclusive, Country Club View, 2nd Filing Addition to Sioux City, Woodbury County, Iowa. (Petitioner: Lakeport View LLC) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0021)

22. Ordinance vacating the north/south and east/west alleys adjacent to 705 Douglas Street. (Petitioner: HarKay Development) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0019) (First Consideration approved March 23, 2020)

HEARINGS

23. Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed. (the vacated intersection of vacated 43rd Street and vacated Monroe Street abutting 3515 43rd Street) (Petitioner: Kurtis Lee Bradham) (Purchase price: \$900 plus costs)
24. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the FY21 Correctionville Road Overlay Project. (Paxton Street to City Limits) (Project No. 7071-719-121)
25. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive. (Project No. 7107A-519-127)
26. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue. (Project No. 7107B-519-127)
27. Hearing and Resolution accepting the proposal of Koskovich & Murphy Developments, LLC for the purchase of certain land in the Donner Park Urban Renewal Area, and authorizing a Development Agreement and Minimum Assessment Agreement. (Property located at 5304 Al Haynes Drive)
28. Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for the Chris Larsen Park-Riverfront Development Project. (Project No. 7090-459-136)
29. Hearing and Resolution adopting the 5-Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program and authorizing the Mayor to execute required assurances and certifications in connection therewith.

ORDINANCES

30. Resolution adopting the 2020 First Quarter Supplement to the Sioux City Municipal Code covering ordinances through Ordinance No. 2020-0270.
31. Ordinance amending Chapter 1.01 entitled "Code Adoption" of the Sioux City Municipal Code to provide for the adoption of the municipal code.
32. Ordinance amending Chapter 2.28 of the Sioux City Municipal Code entitled "Transit System Advisory Board" to allow for the option to appoint one member to the board from either Sergeant Bluff, Iowa, South Sioux City, Nebraska or North Sioux City, South Dakota. (First Consideration approved March 23, 2020)

DISCUSSION

33. Resolution amending Resolution No. 2020-0058 relating to the Hearing on Manager's report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90-day delay in demolition. (Address: 1711 West 3rd Street) (Property Owner: Juan Alamillo and Amelia Alamillo)
34. Resolution approving a Drug and Alcohol Testing Program Consulting Services Agreement with Iowa Health System doing business as St. Luke's Health Resources of Sioux City, Iowa.
35. Resolution awarding a purchase order to Institutions Services Inc. doing business as IS Restaurant Design Equipment & Supply of Sioux Falls, South Dakota in an amount not to exceed \$97,793 for the purchase of a transportable bar to be used at the Tyson Events Center.
36. Resolution awarding a contract to ScoreVision, LLC of Omaha, Nebraska in the amount of \$212,841 for the Siouxland Expo Center Video and Scoreboard Project. (Project No. 7106-663-238) (Deferred from March 23, 2020)
37. **CITIZEN CONCERNS**
38. **COUNCIL CONCERNS**
39. **ADJOURNMENT**

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The City of Sioux City does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need auxiliary aids for effective communication in programs and services of the City of Sioux City are invited to make their needs and preferences known to the ADA Compliance Officer, City Hall, 405 6th Street, Room 204, (712) 279-6175. This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

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Due to the restrictions put in place to prevent the spread of COVID-19, there was no in-person public attendance at this City Council Meeting. This restrictive action is in accordance with Section 9 of Governor Reynolds' additional State Public Health Emergency Declaration issued March 20, 2020 as set out in part as follows:

Electronic Meetings and Hearings Section Nine. - Pursuant to Iowa Code § 29C.6(6), and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I temporarily suspend the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing. I also temporarily suspend those statutes to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically as provided in this section.

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: Groetken, Moore, Schoenherr, Scott, and Watters (**Watters participated by telephone**). Absent: None.

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

Motion by Scott, seconded by Moore, that Council enter closed session to discuss strategy in matters relating to employment conditions of employees of the City not covered by a collective bargaining agreement; all voting aye.

Motion by Scott, seconded by Moore, that Council return to open session at 3:39 p.m.; all voting aye.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:40 p.m., on motion by Scott, seconded by Moore; all voting aye.

ATTEST: _____
Lisa L. McCardle, City Clerk

Robert E. Scott, Mayor

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PUBLIC PARTICIPATION - This City Council Meeting was broadcast live on Sparklight Cable, Community Channel 56, and streamed live on YouTube from the City's website, www.siouxcity.org/councilvideos. During this meeting the City provided telephone number: (712) 224-4996 for citizens to provide comment on Agenda items during the meeting.

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: Groetken, Moore, Schoenherr, Scott, and Watters (**Watters participated by telephone**). Absent: None.

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

CONSENT AGENDA

Motion by Scott, seconded by Moore, to adopt the Consent Agenda; all voting aye. Items 2 through 14C are approved unanimously unless specifically noted after the item.

2. Reading of the City Council minutes of March 16, 2020.

Reading of the minutes of March 16, 2020, was waived and as part of the consent agenda the minutes were approved as presented.

3. TAX EXEMPTION - Resolution amending Resolution No. 2020-0175 relating to the acceptance of applications for property tax exemption for improvements made during calendar year 2019 to property located within the City of Sioux City Urban Revitalization Area (Schedule 2) by removing the application for Parcel ID 884710154008. (Gengler)

2020-0246

4. STREET CLOSING - Resolution temporarily closing 3rd Street from Pierce Street to Nebraska Street, excluding all intersections, beginning at 8:00 a.m. June 23, 2020 and ending at 5:00 p.m. June 29, 2020 for the Art Center's Luminarium by Architects of Air event. **2020-0247**

5. GO BONDS - Resolution fixing date for a meeting on the proposition of the issuance of not to exceed \$550,000 General Obligation Bonds of the City of Sioux City, State of Iowa (for general corporate purposes), and providing for publication of notice thereof. (GCP-5)
2020-0248
6. NEIGHBORHOOD SERVICES - Resolution amending the Position Classification Manual adopted by Resolution No. 91/T-9972 by approving and adopting an updated job description for the position of Neighborhood Services Financial Coordinator, Class Code IV-4363.
2020-0249
7. ACTIONS RELATING TO GRANTS
 - A. MRHD - Motion authorizing the Sioux City Transit System to apply for a grant in an amount up to \$15,000 from Missouri River Historical Development (MRHD) for supplemental funding for the Nights and Weekends Voucher Program.
2020-0250
 - B. IDOT - Resolution approving and accepting Transit Joint Participation Agreement No. 2019-004-01-FY19, Accounting Contract Number 22048, with the Iowa Department of Transportation for a Grant in the amount of \$1,164,640 for the purchase of two (2) 40' and one (1) 35' heavy duty buses.
2020-0251
8. ACTIONS ADOPTING CONSTRUCTION DOCUMENTS
 - A. CORRECTIONVILLE ROAD - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Correctionville Road Overlay Project. (Paxton Street to City Limits) (Project No. 7071-719-121)
2020-0252
 - B. PHASE I UTILITY PAVEMENT - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive. (Project No. 7107A-519-127)
2020-0253
 - C. PHASE II UTILITY PAVEMENT - Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue. (Project No. 7107B-519-127)
2020-0254
 - D. RIVERFRONT DEVELOPMENT - Resolution adopting plans, specifications, form of contract, and estimated cost for the Chris Larsen Park-Riverfront Development Project. (Project No. 7090-459-136)
2020-0255
9. ACTIONS RELATING TO AGREEMENTS AND CONTRACTS
 - A. SISTER CITY - Motion approving the Sister City Agreement between the City of Gjilan, Republic of Kosovo, and the City of Sioux City, Iowa.
2020-0256

- B. RP CONSTRUCTORS - Resolution approving the contract and performance bond with RP Constructors, LLC of North Sioux City, South Dakota in the amount of \$6,697,370.38 for the Myrtle Street Reconstruction Project (West 23rd Street North One Mile to West Clifton Street) Iowa Department of Transportation Project No. STGB-SWAP-7057(704)—SG-97. (City Project No. 7048-719-289) **2020-0257**
- C. VANDER POL - Resolution awarding and approving a contract to Vander Pol Excavating, LLC of Orange City, Iowa in the amount of \$171,156.32 for the 2020 Leeds Connector Trail Project. (Project No. 7105-459-320) **2020-0258**
- D. SCOREVISION - Resolution awarding a contract to ScoreVision, LLC of Omaha, Nebraska in the amount of \$212,841 for the Siouxland Expo Center Video and Scoreboard Project. (Project No. 7106-663-238)

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

Request by Scott to pull the item from the Consent Agenda for a separate vote; the item was moved and seconded as part of the Consent Agenda; Moore, Scott, and Schoenherr voting nay; Groetken and Watters voting aye; thus, the item failed.

Motion by Schoenherr, seconded by Scott, to reconsider the item; Groetken, Schoenherr, and Watters voting aye; Moore and Scott voting nay; thus, the motion to reconsider is approved. Motion by Schoenherr, seconded by Moore, to defer the item to April 6, 2020; Groetken, Moore, Schoenherr, and Watters voting aye; Scott voting nay.

- E. JEO CONSULTING - Resolution approving Amendment No. 2 to the Consulting Services Agreement with JEO Consulting Group of South Sioux City, Nebraska for construction administration and construction inspection services in an amount not to exceed \$26,000 for the Leeds Connector Trail Project. **2020-0259**
- F. WINKLER ROOFING - Resolution awarding and approving a contract to Winkler Roofing, Inc. of Sioux City, Iowa in the amount of \$36,800 for a portion of the Fire Station No. 7 and Wastewater Treatment Plant Blower Building Roof Replacement Project. (Project Nos. 7108-539-143, 7108-889-003) **2020-0260**
- G. BARTLETT & WEST - Resolution approving Work Order No. 10 and Work Order No. 11 to the Master Agreement for Professional Services with Bartlett & West of West Des Moines, Iowa for engineering assistance for improvements to the anaerobic digesters and Bidding Phase and Construction Phase of the Asset Renewal Package 2 Project in an amount not to exceed a total of \$1,511,200 in connection with the SCWWTF Resource Recovery and Beneficial Refuse Project. **2020-0261**

10. ACTIONS RELATING TO S LAFAYETTE STREET

- A. PURCHASE AGREEMENT - Resolution authorizing and directing the Mayor and City Clerk to execute a Purchase Agreement with the Iowa Department of Transportation in connection with the I-29 Reconstruction Project. (a 16,057 square foot portion of vacated S. Lafayette Street and a 1,351 square foot portion of city-owned Lot 5, Stockyards First Addition to Sioux City, Woodbury County, Iowa, all located in the 500 block of S. Lafayette Street) **2020-0262**

- B. SALE OF LAND - Resolution inviting proposals for the sale of land in the Combined Floyd River Urban Renewal Area, announcing the intent to accept the proposal of the Iowa Department of Transportation, fixing the date for receipt of proposals, and for public hearing and providing for notice thereof. (a 16,057 square foot portion of vacated S. Lafayette Street and a 1,351 square foot portion of city-owned Lot 5, Stockyards First Addition to Sioux City, Woodbury County, Iowa, all located in the 500 block of S. Lafayette Street) **2020-0263**

- C. ELECTRIC EASEMENT - Resolution inviting proposals for the granting of an Underground Electric Easement in certain land in the Combined Floyd River Urban Renewal Area, announcing the intent to accept the proposal of MidAmerican Energy Company, fixing the date for receipt of proposals, and for public hearing and providing for notice thereof. (property located at 550 S. Lafayette Street) **2020-0264**

11. PURCHASING

- A. CARUS CORP - Resolution awarding a Purchase Order to Carus Corporation, Peru, Illinois, in the amount of \$.81 per pound for the purchase of sodium permanganate for the Water Treatment Plant. (RFQ No. 261184) **2020-0265**

Request by Scott to pull the item from the Consent Agenda for a separate vote; the item was moved and seconded as part of the Consent Agenda; Groetken, Moore, Schoenherr, and Watters voting aye; Scott voting nay.

- B. HAWKINS INC - Resolution awarding a Purchase Order to Hawkins, Inc., Sioux Falls, South Dakota, in the amount of \$3.06 per gallon for the purchase of coagulant (PACL) for the Water Treatment Plant. (RFQ No. 261183) **2020-0266**

- C. RECREONICS - Resolution awarding a Purchase Order to Recreonics of Louisville, Kentucky, in the amount of \$29,668.30 for the purchase of two (2) diving boards and stands. (Bid No. 260767) **2020-0267**

- D. NELSON CONSTRUCTION - Resolution awarding a Service Provider Agreement to Nelson Commercial Construction of Sioux City, Iowa, in the amount of \$1,620 to install diving boards and stands at Leif Erikson Swimming Pool. (Bid No. 260768) **2020-0268**

12. TOTAL PAYMENTS - Approve total payments issued for the reporting period of February 2020, in the amount of \$13,652,394.91 and fund transfers for the reporting period of February 2020.

13. APPLICATIONS FOR BEER AND LIQUOR LICENSES

A. ON-PREMISE SALES

1. CLASS B BEER PERMIT (beer/carry-out beer/wine coolers)
 - a. Floyd Slowpitch Softball, 2500 Chautauqua Drive (New)
2. CLASS C LIQUOR LICENSE (liquor/wine/beer/wine coolers/carry-out)
 - a. Uncle Dave's Neighborhood Pub, 1427 West 3rd Street (Renewal)
 - b. Wheelhouse Bar and Grill, 4501 Southern Hills Drive, Suite 1 (Renewal)

14. BOARD, COMMISSION, AND COMMITTEE MINUTES

- A. Environmental Advisory Board – February 13, 2020
- B. Parks and Recreation Advisory Board – March 4, 2020
- C. Woodbury County Information and Communication Commission – February 12, 2020

- End of Consent Agenda -

RECOMMENDATIONS OF PLANNING AND ZONING

15. Resolution accepting and approving the final plat of Dogwood Addition to Sioux City, Woodbury County, Iowa. (Petitioner: Alan Fagan) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0002) **(Deferred from January 27, February 10 and 24, and March 2 and 9, 2020) (Motion requested to delete this item)**

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

16. Hearing and Ordinance vacating the north/south and east/west alleys adjacent to 705 Douglas Street. (Petitioner: HarKay Development) The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0019)

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

Susan McGuire, Center for Siouxland, 715 Douglas St, and Steve Nelson, HarKay Development, 715 Douglas St, spoke on the item via telephone.

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

HEARINGS

17. Hearing for the United States Department of Housing and Urban Development (HUD) 2020 – 2024 Sioux City Consortium Consolidated Plan and Year One Action Plan. **2020-0269**

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

ORDINANCES

18. Ordinance amending Chapter 2.28 of the Sioux City Municipal Code entitled “Transit System Advisory Board” to allow for the option to appoint one member to the board from either Sergeant Bluff, Iowa, South Sioux City, Nebraska or North Sioux City, South Dakota.

Mike Collett, Assistant City Manager, provided information on the item.

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

DISCUSSION

19. Resolution amending Resolution No. 2020-0061 relating to the Hearing on Manager's report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90-day delay in demolition. (Address: 3915 Monroe Street) (Property Owner: Brian and Julie Harder) **2020-0270**

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

20. **CITIZEN CONCERNS**

There were no citizen concerns.

21. **COUNCIL CONCERNS**

Groetken stated he received a citizen inquiry about when the installation of the stoplight at Sgt Road and Sunnybrook Dr would be installed; Scott stated it won't be installed until next year's budget; Padmore stated he would investigate and provide information to Council.

Schoenherr stated she appreciates how the entire City is pulling together during the COVID-19 pandemic and the restrictions that have been placed on everyone, and if anybody needs anything from her to reach out to her through social networking for assistance.

Scott stated he realizes the way the City is conducting the meeting is inconvenient and apologizes to the public but the City must follow the rules set forth by the Governor during this time; Scott also stated the City Leaders do not have the power to tell people to stay home, that instruction will have to come from the Governor's Office.

22. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:38 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.siouxcity.org.

u:\City Agenda\Minutes and Agendas\Council Minutes\2020\032320m

☒	Regular Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 3

FROM: Jeff Hanson, Community Development Operations Manager
Anne Westra, City Manager's Office

SUBJECT: Resolution approving additional funding to Downtown Partners in an amount not to exceed \$87,594.00 to complete the Downtown Wayfinding Project

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

Staff respectfully requests Council approve a funding request from Downtown Partners in the amount of \$87,594.00 for wayfinding signs. This funding will allow Downtown Partners to complete the wayfinding project in downtown.

DISCUSSION:

During the Council capital budget process this year additional funding to complete the downtown wayfinding signs was requested by Downtown Partners. A grant application was also being submitted to the SIMPCO MPO for funding that would reduce the City's financial assistance to the project. Council directed City staff and Downtown Partners to wait for the award announcement on the grant application prior to requesting any additional City assistance.

The Iowa Transportation Alternatives Program (TAP) funding application for downtown wayfinding signs was approved by the City Council on February 3, 2020, pursuant to Resolution No. 2020-0101, and submitted to SIMPCO on February 7, 2020. Prior to the SIMPCO MPO Technical Committee and Policy Board meetings in the first week of March, it was determined by the Iowa Department of Transportation that the project was not eligible for TAP funding due to the vehicular signage components of the project. Therefore, Downtown Partners is now requesting City financial assistance in the amount of \$87,594.00 to complete the project.

FINANCIAL IMPACT:

The City of Sioux City has committed \$100,000.00 to the downtown wayfinding project. Additional financial partners include Downtown Partners (\$40,000.00), MRHD (\$40,000.00), Siouxland Chamber/TSI (\$40,000.00) and in-kind (\$50,000.00). After reducing the original 2018 project cost of \$606,984.00 by eliminating parking signs, receiving grants, removing professional fees, utilizing Parks & Recreation funding for gateway signs, and repurposing signal cabinets with wraps for pedestrian signs, the 2020 budget total is \$285,872.00. Downtown Partners is requesting \$87,594.00 to complete the project.

RELATIONSHIP TO STRATEGIC PLAN:

Focus Areas: Grow Sioux City, Promote Sioux City

ALTERNATIVES:

Deny the request.

ATTACHMENTS:

Resolution

Downtown Partners Request

RESOLUTION NO. 2020 - _____
with attachments

**RESOLUTION APPROVING ADDITIONAL FUNDING TO DOWNTOWN PART-
NERS IN AN AMOUNT NOT TO EXCEED \$87,594.00 TO COMPLETE THE
DOWNTOWN WAYFINDING PROJECT.**

WHEREAS, the City of Sioux City established a Downtown Riverfront Vision Plan to create an attractive and welcoming area for residents and visitors to relax, recreate and enjoy the beauty of our natural asset, the Missouri River; and

WHEREAS, a master Wayfinding Signage Plan is being deployed to direct pedestrians and vehicles to major destination within our community and includes a network of color-coded signs that are more artistic than the basic directional signs found in most communities; and

WHEREAS, the Downtown Wayfinding Project is a top priority of Sioux City's Downtown and Riverfront Vision Plan efforts to coordinate the wayfinding installation with the completion of the new entrances into downtown as a result of the Interstate 29 Reconstruction Project; and

WHEREAS, a grant application was submitted to the SIMPCO MPO for funding to fabricate and install the vehicular signage component to the Downtown Wayfinding Project; and

WHEREAS, the Iowa Department of Transportation has determined that the Downtown Wayfinding Project was not eligible for the Transportation Alternatives Program (TAP) funding due to the vehicular signage component of the Downtown Wayfinding Project; and

WHEREAS, additional financial assistance from the City in the amount of \$87,594.00 is being requested from Downtown Partners to complete the Downtown Wayfinding Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the City Council hereby approves additional financial assistance in the amount of \$87,594.00 to Downtown Partners for the completion of the Downtown Wayfinding Project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



DOWNTOWN PARTNERS SIOUX CITY

418 Pierce Street
Sioux City, IA 51101
P (712) 252-0014
F (712) 258-8516
DOWNTOWN.SIOUXCITY.COM

March 5, 2020

To: Bob Padmore, City Manager

From: Downtown Partners Sioux City

Re: Downtown Wayfinding Project

The purpose of this memo is to inform you that the TAP funding request submitted in conjunction with Downtown Partners for the Downtown Wayfinding Project was not approved by The Metropolitan Planning Organization (MPO) Transportation Technical Committee earlier this week. The amount of the request was for \$87,594.00. We would request that City Council fund this amount to complete the project.

Respectfully,

Ragen Cote
Executive Director, Downtown Partners Sioux City



☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 4

FROM: Teresa Fitch, Interim-Finance Director

SUBJECT: Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified projects

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

Staff respectfully requests the City Council approve the Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with the attached list of capital projects.

DISCUSSION:

The Federal Government has various regulations limiting the issuance of tax exempt debt. One of the regulations requires that an issuer who intends to reimburse a project with tax exempt bonds pass a resolution declaring that intent. There is no commitment to issue debt; the declaration documents the ability of the City to issue debt on a tax exempt basis.

The Capital Improvement Program (CIP) was approved on March 16, 2020 and includes capital improvement projects which will be funded with debt. This resolution separates the timing of the projects from the timing of the City's debt issuance.

FINANCIAL IMPACT:

The FY 2021 CIP Budget proposes the issuing of \$27,350,000 of general obligation bonds for various CIP projects in FY 2021.

RELATIONSHIP TO STRATEGIC PLAN:

The intent to reimburse with bond issuance shows the City's efforts to maintain our Operational Plans.

ALTERNATIVES:

The City Council could vote down the resolution and spending on capital projects for the FY 2021 CIP would have to wait until the issuance of the debt.

ATTACHMENTS:

Notice and Resolution
Attachment A - FY 2021 CIP Bond List

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Sioux City, Iowa.
Date of Meeting: April 6, 2020
Time of Meeting: 4:00 o'clock P.M.
Place of Meeting: Council Chambers, City Hall, Sioux City, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with specified Projects.

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of said governmental body.

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

_____, 2020

The City Council of Sioux City, Iowa, met in _____ session, in the Council Chambers, City Hall, Sioux City, Iowa, at _____ o'clock __.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

Council Member _____ introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Council Member _____ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: _____

NAYS: _____

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

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY
REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE CITY FOR
CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH
SPECIFIED PROJECTS

WHEREAS, the City anticipates making cash expenditures for the various capital improvement projects (which shall hereinafter be referred to as the (" Reimbursement Projects")); and

WHEREAS, the City reasonably expects to issue debt to reimburse the costs of the Reimbursement Projects; and

WHEREAS, the Council believes it is consistent with the City's budgetary and financial circumstances to issue this declaration of official intent.

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

Section 1. This Resolution shall serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. It is reasonably expected that capital expenditures will be made in respect of the Reimbursement Project, from time to time and in such amounts as this Council determines to be necessary or desirable under the circumstances then and there existing, and this Council reasonably expects to reimburse all or a portion of such expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the City in the future.

Section 3. The maximum principal amount of the bonds, notes or other indebtedness to be issued for the Reimbursement Project, to be paid out of various CIP projects in the aggregate amount of \$27,350,000 are a part hereof.

Section 4. The City reasonably expects to reimburse the Reimbursement Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the applicable property is placed in service.

Section 5. This Resolution shall be maintained by the City Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this _____ day of _____, 2020.

Robert E. Scott, Mayor

ATTEST:

Lisa L. McCardle, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

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

WITNESS my hand and the seal of said Municipality hereto affixed this _____ day of _____, 2020.

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

SEAL

ATTACHMENT A

City of Sioux City, Iowa
FY 2021
General Obligation Bonds, Series 2020

Project Number	Project Name:	Approved Bond Issue
319013	Wilbur Aalfs Library Impr	\$215,000
379010	Tyson EC Remodleing & Rpr	350,000
379025	Tyson Enhancement	200,000
379051	Convention Center Upgrade	290,000
459005	AnnI Athletic Maintenance	101,000
459039	Tennis/Basketball Crt Rpl	120,000
459055	AnnI IBP Ice Center Maint	10,500
459102	Long Lines Family Rec Ctr	100,000
459133	Ann.Park Restroom Rpr/Rpl	20,000
459179	Annual Swimming Pool Mntc	138,000
459180	Annual Park Improvements	110,500
459212	Ann. Lewis/Clark Pk Impr	2,245,000
459214	Aquatic Comprehensive Plan	200,000
459302	City Trails	150,000
459319	Highway 12 Trail	85,000
459320	Leeds Connector	250,000
519132	Booster Station Improvm't	314,567
539103	Annual Sanitary Sewers	1,950,000
549133	Ann Storm Inlet Rebuild	100,000
549166	Emergency Storm Sewer	100,000
611001	City Share New Res Devlpm	357,420
663040	Martin Bldg Renovation	82,100
663222	Downtown Aesthetic Imprvm	50,000
663238	Reinvest Dist-SxInd Expo	5,500,000
663370	Comm & Business Signage	166,000
663382	Northside Comm & Res Dev	85,000
663384	Gordon Dr-I29 Development	100,000
719011	Annual Median Enhancement	54,117
719121	Annual Resurfcing/Pnl/Crb	3,000,000
719130	Annual Railroad Crossings	75,000
719133	Ann. Infrastructure Recon	543,058
719138	Annual Bridge Repairs	460,000
719206	Bridge Deck Restoration	1,390,000
719247	Bridgeport West Improvmnt	300,000
719264	W 7th St Reconstruction	45,000
719280	Sunnybrook Development	1,050,000
719306	Annual Alley Const/Recon	100,000
719331	Ann.Schools in SC Infrast	765,000
728012	Ann. Parking Ramp Repair	340,000
739020	Ann. Transit Cap.Projects	75,000
749084	AnnI Airport Capital Prj	667,000
759005	Annual Sidewalk Program	300,000
859006	WCICC Info Serv Upgrade	270,000

859025	Annual Technology Improv.	63,100
	Issuance Costs and Discounts	<u>4,462,638</u>
	Total Bonds	<u>\$27,350,000</u>

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 5

FROM: Matthew Salvatore, Parks & Recreation Director
Janelle Bertrand, Human Resources Director

SUBJECT: Resolution amending the Position Classification Manual adopted by Resolution No. S-31050 by approving and adopting an updated job description for the position of Laborer, Class Code IV-6105

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

Staff respectfully requests Council approve the updated job description for the position of Laborer, Class Code IV-6105, which is currently utilized by most City departments.

DISCUSSION:

Most City departments rely on the Laborer position for seasonal work. In order to stay consistent with compensation for duties performed in this position, Staff is updating the current position description to incorporate additional city departmental needs.

Attached is the proposed job description.

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

Progressive Leadership Vision

We will use formal and informal methods to engage the Council, our employees, and our customers to promote enhanced organizational engagement and commitment to our shared vision.

ALTERNATIVES:

Defer approval of the position.

ATTACHMENTS:

Resolution
Job description

RESOLUTION NO. 2020 - _____
with attachment

RESOLUTION AMENDING THE POSITION CLASSIFICATION MANUAL
ADOPTED BY RESOLUTION NO. S-31050 BY APPROVING AND ADOPTING
AN UPDATED JOB DESCRIPTION FOR THE POSITION OF LABORER, CLASS
CODE IV-6105

WHEREAS, the Position Classification Manual for American Federation of State, County and Municipal Employees (AFSCME) was adopted by Resolution No. S-31050 on August 23, 1976; and

WHEREAS, the City Council of the City of Sioux City, Iowa, does believe that it is in the best interest of all concerned to amend said Position Classification Manual by approving and adopting an updated job description for the following position:

Laborer, Class Code IV-6105; and

WHEREAS, the general statement of duties, distinguishing features of the class, examples of work, required knowledge, skills and abilities, and acceptable experience and training are set forth in the job description of the above described position, attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the Position Classification Manual adopted by Resolution No. S-31050 be and the same is hereby amended by approving and adopting an updated job description for the position referred to in the preamble hereof.

BE IT FURTHER RESOLVED that this resolution shall become effective immediately upon passage.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



City of Sioux City, Iowa

Position: Laborer

Class Code
IV-6105

Pay Range
C 15

(Non) Bargaining Group
Seasonal

FLSA Category
Non-Exempt

Reports to Position
Varies

Department/Division
Varies/ Varies

Date Revised
April 2020
March 2019
March 2014

Date Adopted
March 4, 2019
April 14, 2014

Approved Resolution No
2019-0179
2014-0209

PURPOSE OF POSITION:

Under general direction of the labor supervisor, performs general manual work requiring no special training and minimal experience. Works with and around, and may operate various pieces of light automotive and mechanical equipment. May be responsible for leading the work of other seasonal employees. As work experience is gained, may be assigned to somewhat more difficult and responsible tasks. Work normally is performed under general supervision; does related work as required.

ESSENTIAL DUTIES OF POSITION (with or without accommodation):

The following duties are normal for this position. These are not to be construed as exclusive or all inclusive. Other duties may be assigned.

- Knowledge of types and use of hand tools and mowing equipment.
- Works as part of a right-of-way mowing crew and operates a mower, weed whip and pickup truck.
- Performs various street maintenance duties such as cleaning gutters, spreading sand and salt, shoveling snow, sweeping streets, sidewalks and alleys, and picking up refuse and brush on streets and park facilities.
- Grades and dresses street slopes, driveways, sidewalks and drainage ditches.
- Paints meters, valves, pipe fittings, guardrails, street lines and curbs.
- Digs and backfills trenches and assists in laying pipe and electrical conduit to grade.
- Breaks pavement, pours and shovels asphalt and concrete, raking, tamping and smoothing asphalt and operating a manual and automatic compactor.
- Digs out holes with automatic and manual digging tools, filling depressions with slag, gravel, asphalt or other materials.
- Builds forms and assists in pouring concrete for curb, sidewalk, street and gutter repair and construction projects.
- Assists in opening and closing graves and in digging for monument foundations.
- Waters, fertilizes, cultivates and trims lawns, shrubs, flowers and trees.

- Assists skilled crew members in maintenance and repair of buildings, grounds and equipment.
- Maintains golf course operating aerifier, mowers and vertical cut units.
- Positions traffic cones and barricades.
- Assists in erecting street signs and meter posts.
- Assists in the installation of water services, mains and hydrants, and repairs of water mains.
- Assists in servicing emergency calls such as removing snow from streets, repairing broken water mains and sewer lines and similar situations.
- Cleans catch basins, manholes and storm, sanitary sewer lines, grounds, ponds, pools and playground equipment.
- Cleans and maintains public restrooms and shelter houses on weekends with little or no supervision.
- Inspects systems and support areas, reports any problems to supervisors.
- Completes daily assigned cleaning tasks of pool deck, locker room, and concession areas (garbage, blowing deck, picking up all leaves and debris).
- Reports any equipment or facility damaged, broken, or defaced.
- Maintain regular and punctual attendance at work.
- Regularly lifts up to 25 pounds and occasionally lifts up to 50 pounds overhead.
- Expected to temporarily perform duties outside of normal classification in the event of a declared emergency. In the event that an employee is excused from work other than being sick, they will be required to report to work in a state of declared emergency.

MINIMUM PHYSICAL AND MENTAL ABILITIES REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS:

Cognitive Demands, Skills and Abilities: Ability to speak clearly so others can understand you, ability to see details at close range (within a few feet of the observer), ability to see details at a distance, ability to identify and understand the speech of another person, ability to listen to and understand information and ideas presented through spoken words and sentences.

Job Knowledge: Some knowledge of the types and uses of common hand tools and standard equipment used in construction and maintenance work particularly as applied to specialized work to which assigned; general mechanical ability and ability to perform unskilled to semiskilled tasks in construction and maintenance activities of a physically demanding nature; ability to understand and follow specific oral and written instructions; physical strength and agility sufficient to do strenuous manual labor for extended periods, under varying weather conditions.

Language Ability and Interpersonal Communication: Requires effective communication skills and the ability to provide assistance to customers both external and internal. Requires the ability to write and speak clearly, distinctly and effectively with fellow employees, contractors and regulatory officials; read in English and compare similarities and differences between words and series of numbers; apply common sense understanding to the work process, procedures, programs and services; and to provide and follow verbal and written instructions.

Physical Requirements: The employee frequently is required to use hands to finger, handle, or feel; reach with hands and arms; and taste or smell. Ability to quickly move hands, hands together with arms, or two hands to grasp, manipulate, or assemble objects, ability to exert muscle force repeatedly or continuously over time; this involves muscular endurance and resistance to muscle fatigue, ability to use abdominal and lower back muscles to support part of the body repeatedly or continuously over time without "giving out" or fatiguing, ability to quickly and repeatedly bend, stretch, twist, or reach out with your body, arms, and/or legs.

Regularly lifts up to 25 pounds and occasionally lifts up to 50 pounds overhead.

Work Environment: Five percent of work is performed in a normal inside office environment with appropriate heating and cooling and is not subject to significant occupational or environmental hazards other than those normally associated with general public contact, dust or odors. Field conditions outdoors are varying weather conditions, with varying low to high equipment noise; walking on grass, gravel, dirt, rock, asphalt, etc.; with normal outdoor to high outdoor dust levels. Ninety-five percent of work is outdoors.

Special Requirements: None.

REQUIRED QUALIFICATIONS AND ACCEPTABLE EXPERIENCE/ TRAINING:

Some experience in performing general manual work and preferably completion of eighth grade school courses; or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.

PRE-EMPLOYMENT SCREENINGS:

Pre-employment screenings may include but are not limited to: criminal background search and drug and alcohol screen.

The City of Sioux City is an Equal Opportunity Employer.
In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages employees and prospective employees to discuss needed accommodations with the appropriate City representatives.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 6

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

SUBJECT: Resolution accepting the work and authorizing final payment to Knife River Midwest, LLC for the 2017 Annual Resurfacing Project (Project No. 6880-719-121).

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

Staff respectfully requests Council approve the resolution accepting the work and authorizing final payment in the amount of \$0.00 now and \$17,850.16 in 30 days payable to Knife River, Midwest, LLC for the 2017 Annual Resurfacing Project (Project No. 6880-719-121).

DISCUSSION:

A contract was awarded to Knife River Midwest, LLC of Sioux City, Iowa on July 10, 2017 under Resolution No. 2017-0642 for \$841,852.24. The work has been completed and approved by City staff. Liquidated damages of \$30,000.00 are part of the final Change Order (No.6). Change Order 6 caused the final payment to run negative in the amount of -\$25,438.02. Total Retainage for the Project is \$43,288.18 less the negative final pay amount of -25,438.02 for total retainage due of \$17,850.16.

This project involved replacement of curb and gutter, replacement of sidewalks, and asphalt resurfacing of South Saint Aubin Street from Sergeant Road to Glenn Avenue, Glenn Avenue from South Saint Aubin Street to Morningside Avenue and the South Loop of South Fairmount Street from Lewis Boulevard to 4th Avenue.

Below is a summary of the project:

Original Contract Amount: \$841,852.24

Change Order No. 1 Summary: \$6,805.19

Change Order No. 1 was previously approved by Staff on September 13, 2017. This change order repaired a damage storm sewer intake at 4280 Sergeant Road.

Change Order No. 2 Summary: \$34,873.64

Change Order No. 2 was previously approved by Staff on September 17, 2017. This change order repaired the two eastern CN railroad crossings at 3rd Street which was outside of the scope of the original contract.

Change Order No. 3 Summary: \$14,748.00

Change Order No. 3 was previously approved by Staff on April 16, 2018. This change order altered an existing inlet to avoid a sanitary sewer that was directly adjacent to the inlet.

Change Order No. #4 Summary: \$0.00

Change Order No. 4 was previously approved by staff on May 15, 2018. This change order added additional working days to the contract to allow for the Contractor to make repairs to the asphalt that was installed so that no curb height for drainage was retained.

Change Order No. #5 Summary: \$4,050.00

Change Order No. 5 was previously approved by staff on August 24, 2019. This change order cleared and grubbed a tree that had roots exposed by the installation of sidewalk ramps at the corner of South Helen Street and Garretson Avenue.

Change Order No. 6 Summary: -\$62,003.40

Change Order No. 6 was previously approved by Staff on March 11, 2020. This change order adjusts the final project quantities and is an agreement between Staff and the Contractor to set the number of days subject to liquidated damages at 40, at a cost of \$750.00 per day for a total of \$30,000.00

Final Construction Cost: \$840,325.67

The final construction cost for this project is \$840,325.67 which is 0.18% below the original contract amount.

FINANCIAL IMPACT:

This project is funded using transfers in Water Funds, Sewer Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121 "Annual Resurfacing/Panel Patch/Curb and Gutter". The project currently has an available balance of \$983,540.00.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

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

ATTACHMENTS:

Resolution
Final Payment Application

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ACCEPTING THE WORK AND AUTHORIZING FINAL PAYMENT
TO KNIFE RIVER MIDWEST, LLC FOR THE 2017 ANNUAL RESURFACING
PROJECT (PROJECT NO. 6880-719-121).

WHEREAS, on July 10, 2017, Sioux City, Iowa entered into a contract with Knife River Midwest, LLC of Sioux City, Iowa for the 2017 Annual Resurfacing Project within the City as therein described; and

WHEREAS, the contractor completed the project after the required completion date and is subject to liquidated damages in the amount of \$30,000.00; and

WHEREAS, said contractor has satisfactorily completed the construction of the project in accordance with the terms and conditions of said contract and the plans and specifications as shown by the engineer's report filed with the City Clerk on April 6, 2020, and attached hereto and made a part hereof; and

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

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

- A. The said report of the engineer, be, and the same is hereby approved and adopted and the project is hereby approved and accepted as having been fully completed in accordance with the said plans and specifications and contract and the total project cost of the project under said contract is hereby determined to be \$840,325.67 as shown in said report of the engineer.
- B. The City Council finds that the contractor completed the project 40 days late and that there should be assessed liquidated damages pursuant to the terms of the contract. The City Council finds that late completion caused additional time and effort by City staff in supervising this project; and that late completion caused intended inconvenience, time, and expense to the motoring public. Therefore, the City Council finds that liquidated damages in the amount of \$30,000.00 should be assessed to the contractor for late completion of the project.
- C. The Director of Finance be, and she is hereby authorized and directed to issue a check in the amount of \$0.00 now and \$17,850.16 in thirty days provided there are no liens or claims against retainage on file, payable from the appropriate fund in favor of Knife River Midwest, LLC for the construction of the project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



405 6th Street | P.O. Box 447 | Sioux City, IA 51102

Project: 2017 Annual Resurfacing Project

Contractor:
Knife River Midwest, LLC
2220 Hawkeye Drive
Sioux City, IA 51105

CERTIFICATE OF PAYMENT NO. 6 (Final)

Date of Issuance: 2020.03.11

Project No. 6880-719-121

Contract Date: 7/10/2017

Contract Number: 90759

Payment Period
6/16/2018 to 11/21/2019

DETAILED ESTIMATE			
Description	Quantity	Unit Price	Total Cost
See Attached			

Value of Work Completed this Estimate: -\$25,438.02

Original Contract Price: \$841,852.24

Approved Change Orders:

No. 1	9/5/2017	<u>\$6,805.19</u>
No. 2	9/18/2017	<u>\$34,873.64</u>
No. 3	4/16/2018	<u>\$14,748.00</u>
No. 4	5/14/2018	<u>\$0.00</u>
No. 5	8/20/2018	<u>\$4,050.00</u>
No. 6	2020.03.11	<u>-\$62,003.40</u>

Total Contract Price: \$840,325.67

Total Value of Completed Work: \$840,325.67

Total Retainage (5%): \$42,016.28

Total Net Amount: \$798,309.39

Less: Estimates previously approved:

	Net Payment	Retainage
No. 1	<u>\$150,605.52</u>	<u>\$7,926.61</u>
No. 2	<u>\$85,177.32</u>	<u>\$4,483.01</u>
No. 3	<u>\$170,203.80</u>	<u>\$8,958.09</u>
No. 4	<u>\$406,154.36</u>	<u>\$21,376.54</u>
No. 5	<u>\$10,334.52</u>	<u>\$543.93</u>
No. 6		
Total	<u>\$822,475.51</u>	<u>\$43,288.18</u>

Value of Work Completed this Estimate: -\$25,438.02

Retainage held this Estimate: \$0.00

NET AMOUNT DUE THIS ESTIMATE: -\$25,438.02

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

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

Bruce Jorgensen

Contractor (Print Name)

Contractor Signature

Date

Eric Grau

Inspector (Print Name)

Inspector Signature

Date

Justin Pottorff

Project Engineer (Print Name)

Project Engineer Signature

Date

Gordon L. Phair

City Engineer (Print Name)

City Engineer Signature

Date

Engineering
Finance
Clerk's Office

Project Name: 2017 Annual Resurfacing Project
 Sioux City Project Number: 6880-719-121
 Contractor: Knife River Midwest, LLC

Pay Request No. 6 - Final

Engineer's Report

Line #	SUDAS Code	Line item	Quantity	Unit	UNIT PRICE	CONTRACT	PREVIOUS	AMOUNT	QUANTITY	TOTAL	TOTAL AMOUNT	TOTAL DUE
1	11020-108-A-3	Mobilization	1	LS	\$20,476.35	\$ 20,476.35	1.00	\$ 20,476.35	0.00	1.00	\$ 20,476.35	\$0.00
2	1000-100-X-0	Traffic Control	1	LS	\$14,756.78	\$ 14,756.78	1.00	\$ 14,756.78	0.00	1.00	\$ 14,756.78	\$0.00
3	9040	Erosion Control	1	LS	\$787.03	\$ 787.03	1.00	\$ 787.03	0.00	1.00	\$ 787.03	\$0.00
4	9010-108-A-0	Seeding	1	LS	\$3,957.44	\$ 3,957.44	1.00	\$ 3,957.44	0.00	1.00	\$ 3,957.44	\$0.00
5	11010-108-A-0	Construction	1	LS	\$1,776.38	\$ 1,776.38	1.00	\$ 1,776.38	0.00	1.00	\$ 1,776.38	\$0.00
6	7020-108-A-0	3" Overlay High Traffic (HT) Asphalt Surface	4430	Ton	\$79.85	\$ 353,735.50	3850.04	\$ 307,425.69	0.00	3850.04	\$ 307,425.69	\$0.00
7	7040-108-G-0	Mill 3" Depth of	10343	SY	\$3.20	\$ 33,097.60	10343.00	\$ 33,097.60	0.00	10343.00	\$ 33,097.60	\$0.00
8	7040-108-H-0	Remove Paving	199	SY	\$10.93	\$ 2,175.07	288.27	\$ 3,150.79	0.00	288.27	\$ 3,150.79	\$0.00
9	7030-301-A-0	Remove Sidewalk	958	SY	\$9.84	\$ 9,426.72	962.12	\$ 9,467.26	0.00	962.12	\$ 9,467.26	\$0.00
10	7010-108-F-3	6-8.5" PCC Curb	278	SY	\$49.19	\$ 13,674.82	267.40	\$ 13,153.41	0.00	267.40	\$ 13,153.41	\$0.00
11	7030-108-B-0	Removal of Curb	230	LF	\$16.40	\$ 3,772.00	346.00	\$ 5,674.40	0.00	346.00	\$ 5,674.40	\$0.00
12	7030-108-E-0	4" PCC Sidewalk	606	SY	\$39.35	\$ 23,846.10	916.06	\$ 36,046.96	0.00	916.06	\$ 36,046.96	\$0.00
13	7030-108-E-0	6" PCC Sidewalk	311	SY	\$43.72	\$ 13,596.92	321.58	\$ 14,059.48	0.00	321.58	\$ 14,059.48	\$0.00
14	7030-108-G-0	Detectable	750	SF	\$34.98	\$ 26,235.00	660.00	\$ 23,086.80	0.00	660.00	\$ 23,086.80	\$0.00
15	6020-108-B-0	Reconstruct Manhole (In-Situ)	6	EA	\$6,476.24	\$ 38,857.44	7.00	\$ 45,333.68	0.00	7.00	\$ 45,333.68	\$0.00
16	6010-108-F-0	Major Manhole Adjustment	1	EA	\$4,918.93	\$ 4,918.93	1.00	\$ 4,918.93	0.00	1.00	\$ 4,918.93	\$0.00
17	6010-108-F-0	Minor Manhole Adjustment	34	EA	\$437.24	\$ 14,866.16	26.00	\$ 11,368.24	0.00	26.00	\$ 11,368.24	\$0.00
18	5020-108-E	Adjust Water	40	EA	\$53.82	\$ 2,152.80	1.00	\$ 53.82	0.00	1.00	\$ 53.82	\$0.00
19	6010-108-B-0	R&R Inlet (Top	2	EA	\$1,508.47	\$ 3,016.94	2.00	\$ 3,016.94	0.00	2.00	\$ 3,016.94	\$0.00
20	6010-108-B-0	R&R Inlet Full	12	EA	\$4,306.79	\$ 51,681.48	11.00	\$ 47,374.69	0.00	11.00	\$ 47,374.69	\$0.00
21	2010-108-E-0	Compacted Fill	446	CY	\$22.96	\$ 10,240.16	0.00	\$ -	0.00	0.00	\$ -	\$0.00
22	2010-108-X-0	R&R Unsuitable	223	CY	\$30.61	\$ 6,826.03	0.00	\$ -	0.00	0.00	\$ -	\$0.00
23	8020-108-A-0	4" Painted Pavement Markings (Yellow,	6235	LF	\$1.37	\$ 8,541.95	6235.00	\$ 8,541.95	0.00	6235.00	\$ 8,541.95	\$0.00
A-1	11020-108-A-3	Mobilization	1	LS	\$4,457.97	\$ 4,457.97	1.00	\$ 4,457.97	0.00	1.00	\$ 4,457.97	\$0.00

A-2	1000-100-X-0	Traffic Control	1	LS	\$1,639.65	\$ 1,639.65	1.00	\$ 1,639.65	0.00	1.00	\$ 1,639.65	\$0.00
A-3	9040	Erosion Control	1	LS	\$393.52	\$ 393.52	1.00	\$ 393.52	0.00	1.00	\$ 393.52	\$0.00
A-4	9010-108-A-0	Seeding	1	LS	\$752.05	\$ 752.05	1.00	\$ 752.05	0.00	1.00	\$ 752.05	\$0.00
A-5	7020-108-A-0	3" Overlay High Traffic (HT) Asphalt Surface,	1700	Ton	\$75.95	\$ 129,115.00	1903.12	\$ 144,541.96	0.00	1903.12	\$ 144,541.96	\$0.00
A-6	7040-108-G-0	Mill 3" Depth of	5008	SY	\$2.71	\$ 13,571.68	5008.00	\$ 13,571.68	0.00	5008.00	\$ 13,571.68	\$0.00
A-7	7040-108-H-0	Remove Paving	27	SY	\$10.93	\$ 295.11	52.50	\$ 573.83	0.00	52.50	\$ 573.83	\$0.00
A-8	7030-301-A-0	Remove Sidewalk	156	SY	\$9.84	\$ 1,535.04	180.10	\$ 1,772.18	0.00	180.10	\$ 1,772.18	\$0.00
A-9	7010-108-E-3	6-8.5" PCC Curb	27	SY	\$49.19	\$ 1,328.13	52.58	\$ 2,586.41	0.00	52.58	\$ 2,586.41	\$0.00
A-10	7030-108-B-0	Removal of Curb	71	LF	\$16.40	\$ 1,164.40	77.50	\$ 1,271.00	0.00	77.50	\$ 1,271.00	\$0.00
A-11	7030-108-E-0	4" PCC Sidewalk	109	SY	\$39.35	\$ 4,289.15	145.78	\$ 5,736.44	0.00	145.78	\$ 5,736.44	\$0.00
A-12	7030-108-E-0	6" PCC Sidewalk	59	SY	\$43.72	\$ 2,579.48	57.10	\$ 2,496.41	0.00	57.10	\$ 2,496.41	\$0.00
A-13	6020-108-B-0	Detectable	120	SF	\$34.98	\$ 4,197.60	112.00	\$ 3,917.76	0.00	112.00	\$ 3,917.76	\$0.00
A-14	6010-108-F-0	Reconstruct Manhole (In-Situ)	0	EA	\$0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	\$0.00
A-15	6010-108-F-0	Major Manhole Adjustment	0	EA	\$0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	\$0.00
A-16	6010-108-F-0	Minor Manhole Adjustment	5	EA	\$437.24	\$ 2,186.20	4.00	\$ 1,748.96	0.00	4.00	\$ 1,748.96	\$0.00
A-17	6010-108-B-0	Adjust Water	7	EA	\$53.83	\$ 376.81	0.00	\$ -	0.00	0.00	\$ -	\$0.00
A-18	6010-108-B-0	R&R Inlet (Top	0	EA	\$0.00	\$ -	0.00	\$ -	0.00	0.00	\$ -	\$0.00
A-19	6010-108-B-0	R&R Inlet Full	2	EA	\$3,366.73	\$ 6,733.46	2.00	\$ 6,733.46	0.00	2.00	\$ 6,733.46	\$0.00
A-20	2010-108-E-0	Compacted Fill	126	CY	\$22.96	\$ 2,892.96	0.00	\$ -	0.00	0.00	\$ -	\$0.00
A-21	2010-108-X-0	R&R Unsuitable	63	CY	\$30.61	\$ 1,928.43	0.00	\$ -	0.00	0.00	\$ -	\$0.00
Change Order No.1												
24		TC and Mobilization -	1	LS	\$1,300.00	\$ 1,300.00	1.00	\$ 1,300.00	0.00	1.00	\$ 1,300.00	\$0.00
25		Full Depth Pavement Removal and Replacement -	14	SY	\$61.00	\$ 854.00	14.00	\$ 854.00	0.00	14.00	\$ 854.00	\$0.00
20		R&R Inlet Full	1	EA	\$4,306.79	\$ 4,306.79	1.00	\$ 4,306.79	0.00	1.00	\$ 4,306.79	\$0.00
21		Compacted Fill - 4280 Sergeant Rd	15	CY	\$22.96	\$ 344.40	15.00	\$ 344.40	0.00	15.00	\$ 344.40	\$0.00

[illegible]

Change Order No. 6											
		Final Quantity Adjustment	1	LS	\$ (62,003.40)	\$ (62,003.40)					
		Liquidated Damages	40.00	Day	\$ (750.00)	\$ (30,000.00)			40.00	40.00	\$ (30,000.00) -\$30,000.00
		Total				\$ 810,325.67		\$ 865,763.69		\$ 840,325.67	-\$25,438.02
										LESS 5% RETENTION	
										AMOUNT DUE	-\$25,438.02

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 7

FROM: Gordon Phair City Engineer
Nate Wing, Civil Engineer

SUBJECT: Resolution granting a permit to FiberComm to own, operate and maintain underground cable commencing midblock in the west right-of-way on Nebraska Street between 5th Street and 6th Street, then east along the east/west alley and ending at 615-617 5th Street.

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

Staff respectfully requests the City Council approve the Resolution granting a permit to FiberComm of Sioux City, Iowa, to perform underground construction in the City's right-of-way for the installation of fiber optic network services commencing midblock in the west right-of-way on Nebraska Street between 5th Street and 6th Street, then east along the east/west alley and ending at 615-617 5th Street.

DISCUSSION:

The City has received a letter from FiberComm for a permit to install underground cable commencing at Nebraska Street, along the east/west alley between 5th Street and 6th Street and ending at 615-617 5th Street.

The fiber optic is being installed to serve the address of 615-617 5th Street.

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

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

The attached route has been reviewed by several City Departments.

FINANCIAL IMPACT:

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

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council could deny permit to FiberComm

ATTACHMENTS:

Resolution
Application (with Map)
Insurance

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION GRANTING A PERMIT TO FIBERCOMM TO OWN, OPERATE AND MAINTAIN UNDERGROUND CABLE COMMENCING MIDBLOCK IN THE WEST RIGHT-OF-WAY ON NEBRASKA STREET BETWEEN 5TH STREET AND 6TH STREET, THEN EAST ALONG THE EAST/WEST ALLEY AND ENDING AT 615-617 5TH STREET.

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

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

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

- Commencing in the west right-of-way at the center of the block on Nebraska Street between 5th Street and 6th Street, thence east crossing under Nebraska Street and extending approximately 310 feet through the east/west alley, and ending on the north side of 615-617 5th Street;

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

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



1805 9th Street
Sioux City, IA 51101

712-224-2020
800-836-2472

Fax: 712-258-8810
www.fibercomm.net

Engineering
City of Sioux City
405 6th Street
P.O. Box 447
Sioux City, Iowa 51102

03/04/2020

**Subject: FiberComm Request for ROW Use: Nebraska St. & East / West
alley, North of 5th St. between Nebraska & Jackson St.**

Dear Engineering,

FiberComm respectfully requests the City's consideration to grant permission and be placed on the Council's earliest agenda for approval to perform underground construction in the City's right-of-way/property for the installation of fiber optic underground facilities. Please see the enclosed aerial map/plan and narrative description of the project below. This project is to supply fiber facilities to our customer at 615-617 5th St.

Proposed Route Description

Underground construction will begin in the west right-of-way, center of the block on Nebraska St. between 5th & 6th St. where FiberComm facilities duct currently exists. At this location a 30"x48" hand hole flush to grade will be placed, one 18/14mm HDPE micro duct will extend east for approximately 316' thru the East/West alley construction will end on North side of 615-617 5th St by entering the building.

Construction Dates

Estimated Start Date: Early April, 2020

Estimated Completion Date: Early April, 2020

Underground Contractor

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

Method of Installation

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

Underground HDPE

All underground ducts placed will be at an approximate minimum depth of 40" whenever possible.

18/14mm schedule 40 nonmetallic flexible raceway made from high density polyethylene (HDPE) for use in underground applications will be utilized providing durability and longevity.

Underground Enclosures (Hand Holes)

All hand holes placed will be flush to grade/concrete made of precast polymer concrete reinforced with fiberglass and conform to current ANSI/SCTE 77 Specifications for Underground Enclosure Integrity. Hand hole dimensions will be 30" x 48" with 22,000 lbs load rated covers.

Iowa One Notices

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

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

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

Sincerely,



Tom Hunter
224-2053 (direct)
thunter@fibercomm.net

Enclosures

Fiber - Utility Installation Maintenance Permit Application
Check Permit Fee (\$5080)
Work Area Map
Certificate of Insurance Listing City of Sioux City – Additionally Insured
Blanket Performance, Payment, & Maintenance Bond BD7900685622



2020 Fiber / Utility Installation & Maintenance Permit

	Name	Address	Phone	Email
Applicant:	Tom Hunter	1805 9th St., Sioux City, IA 51101	712-224-2020	thunter@fibercomm.net
Facility Owner:	FiberComm LC	1805 9th St., Sioux City, IA., 51101	712-224-2020	thunter@fibercomm.net
Contractor:	In-State Underground	PO Box 5076, Sioux City, IA., 51102	712-281-2087	dave@instateunderground.com

Bond on File: ☒ Yes ☐ No ☐ Not Applicable Bond Expiration Date: 4/3/2021

Insurance Certificate on File: ☒ Yes ☐ No ☐ Not Applicable

Work in: (Street) Nebraska St. ☒ Paved ☐ Unpaved ☐ Parkway

From: (Street) East/West alley between 5th & 6th To: (Street) n/a

Address Served: (If Applicable) 615-617 5th St.

Start Date: April 1, 2020 Completion Date: April 7, 2020

Project Description: Please see enclosed letter & map for complete details

Type of Work: Installations of Underground Telecommunications Utilities

- A map showing the work area and proposed traffic control must be attached to the application.
- Street paving must conform to SUDAS 7040.101 or 7040.102. Call 712-279-8324 for inspection before paving.

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

3/4/2020

Applicant Signature

Date

Gordon L. Phair
City Engineer

Date

FOR OFFICE USE ONLY

Data Submitted:	<u>3.6.20</u>	Permit/Resolution No. _____
Engineer Review:	<u>NW</u>	Date: <u>3.20.20</u>
Utility Review:	<u>MH</u>	Date: <u>3.20.20</u>
Water Treatment Plant Review:	<u>BP</u>	Date: <u>3.20.20</u>
Parks and Recreation Review:	<u>KB</u>	Date: <u>3.20.20</u>
Building Maintenance Review:	<u>DJ</u>	Date: <u>3.20.20</u>
Communication Review:	<u>GS</u>	Date: <u>3.20.20</u>

Permit Fee: ☐ New Installation \$250.00 ☐ Emergency/Maintenance Requiring Excavation \$85.00

☐ Check ☐ Cash ☐ Credit Card

712-279-8324
712-279-8325

712-279-8326
712-279-8327

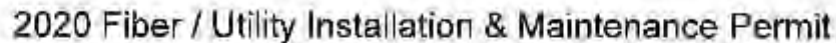
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712-279-8330
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712-279-8335

712-279-8336
712-279-8337

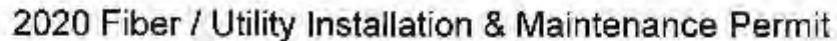


The applicant agrees that if granted a permit for obstruction/excavation in the public right-of-way as described in the permit application, the following stipulations shall govern in addition to those included in Chapter 12.05 of the Sioux City Municipal Code.

- No public right-of-way shall be closed without notice and consent of the Public Works Department. Notice shall be at least ten (10) days in advance of any closing. Applicant is responsible for notifying the properties adjacent to the closure via door hangers. Street Closures shall be at no expense to the City.
- The contractor must schedule a preconstruction meeting with City Engineering staff prior to construction to provide information concerning the construction methods, traffic control plan, construction schedule, and impacts to the City's right-of-way. The contractor must also provide City Engineering with a construction plan showing handholes, conduit locations, and other appurtenances that will be installed in the City's right-of-way.
- Applicant/contractor shall comply with all city ordinances regulating construction in the public right-of-ways during any maintenance activities on the buried utility system. Applicant agrees to comply with all other ordinances and amendments thereto of the City regulating the use and occupancy of public right-of-way including, but not limited to, Chapter 12.05 of the Sioux City Municipal Code. Construction work shall conform to the current edition of SUDAS and the City of Sioux City Supplement to SUDAS. See Section 7040 regarding pavement patching requirements. All street patching shall use Iowa DOT Class M concrete mix.
- The applicant shall notify Iowa One Call (IOC) at 1-800-292-8989 or www.iowaonecall.com for utility locates prior to excavation. IOC requires 48 hour notification.
- No excavation in the traveled portion of the public right-of-way shall be left opened and with no work in progress for more than five (5) days. No excavation in the parkway shall be left opened and with no progress for more than ten (10) days.
- When an emergency excavation is necessary, a permit application shall be submitted at the earliest opportunity after the work has started, no later than the next business day.
- Contractor shall furnish, erect and maintain the necessary traffic controls such as signs, barricades, flaggers, etc. as required by the City. Traffic controls provided shall be in conformance with the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) as adopted by the Iowa Department of Transportation.
- A complete set of "as built" construction plans in paper and electronic format shall be filed with the City's Engineering Division within fourteen (14) days after completion of the project.
- Applicant shall maintain with the City's Engineering Division a telephone number or numbers to call to locate buried cable and to receive emergency messages at any time.
- Applicant shall relocate any buried utilities, cable, etc. at its expense, to accommodate a public improvement in the public right-of-way.
- All surfacing shall be replaced to its original condition satisfactory to the Public Works Department. Grass surfaces may be seeded and mulched, sodded or treated with erosion mat as determined by the City Engineer or his/her designee. Paved areas will require passing density tests to be provided to City Engineering staff prior to being paved. Call 712-279-6324 to schedule an inspection when sidewalk and street forms are set, at least 24 hours before paving. Paving patches shall have a six (6) inch rock subbase and paving thickness shall match the existing pavement depth plus two (2) inches. Panel patching shall include full panel or half panel replacement. The applicant shall assume the responsibility of maintenance costs for restoring any grassed areas, streets, driveways, and sidewalks due to settlement of the trenches or improperly restored improvements over such trenches for a period of two (2) years, or until the area is reconstructed by the City, whichever is sooner.
- Applicant shall submit a surety bond in the amount of \$10,000 for all right-of-way obstructions/excavations that will likely cause damage to the right-of-way. The bond shall be signed by a good and sufficient surety company authorized to execute such bonds under the laws of the state and upon which service of process may be made in the State of Iowa. Action may be taken on the bond to recover costs associated with repairs to any damages caused to the right-of-way or City utilities, or if the applicant fails to make timely repairs and reopen the right-of-way.
- Applicant agrees to require all general contractors who may perform any work for Applicant under this permit to post a payment bond with a surety by a company licensed to do business in the State of Iowa guaranteeing payment of all subcontractors and suppliers of the general contractor. In the event Applicant does not comply with this paragraph, it shall become a personal guarantor of the general contractor's obligations. This requirement is specifically provided for the benefit of third parties.

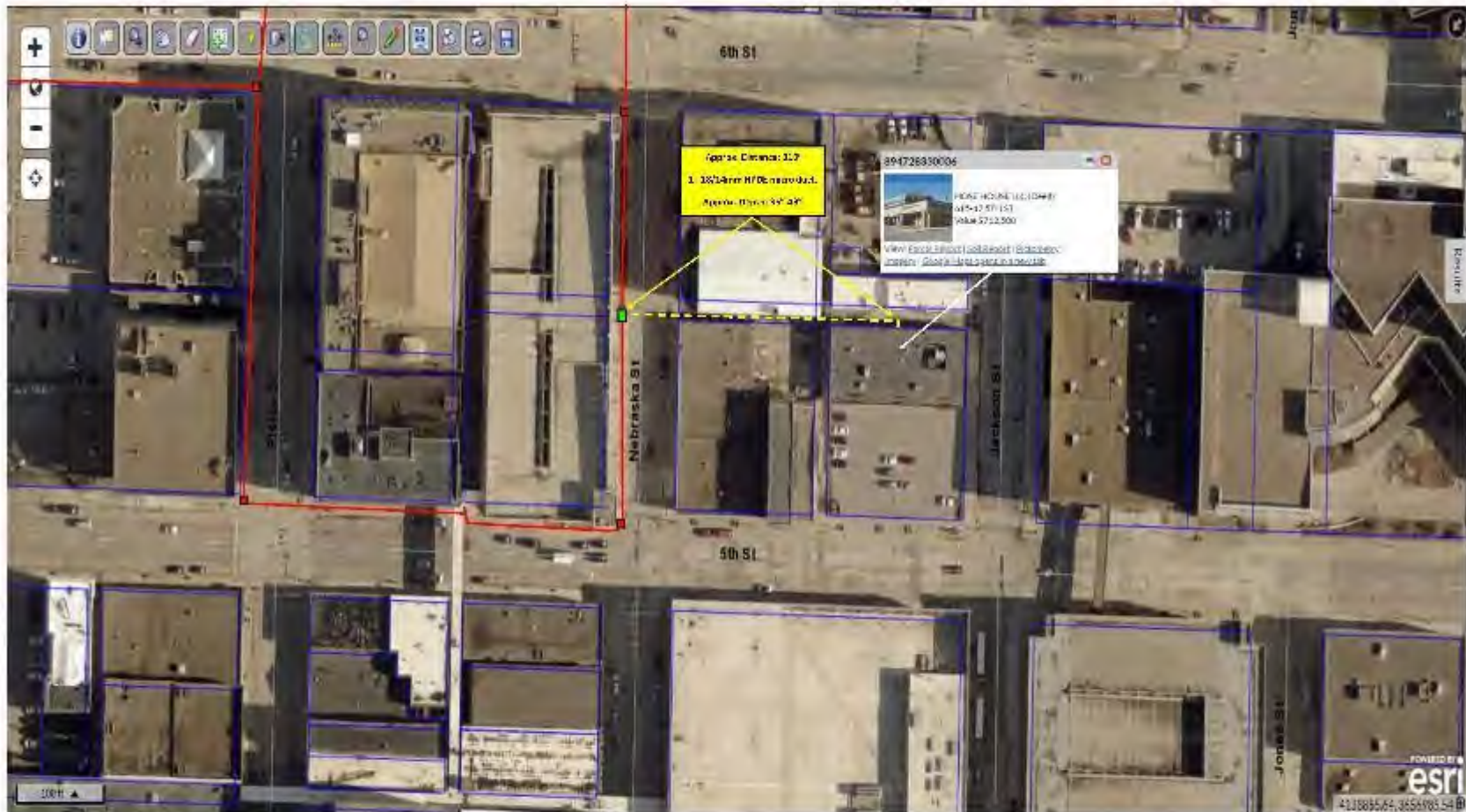
248 West 44th Street, New York, NY 10018-3603

71.207.100



- [illegible]

Applicant's Initials



(12-224-2020)
1805 8th St.
Sioux City, IA 51101

PROJECT: Proposed Fiber Build: 615-17 5th Street (Sedwick Talley)

DATE: March 2020 CONTACT: Tom Hunter, thunter@fibercomm.net SCALE: Not to Scale PAGE: 1 of 1

- Existing FiberComm/Others Hand Hole
- Existing FiberComm Underground Facilities
- Proposed FiberComm Hand Hole
- Proposed FiberComm Underground Facilities



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/1/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MBC-Shethammar-Putz & Associates 117 Pierce Street Suite 200 Sioux City IA 51101		CONTACT NAME Kelli Stettin PHONE (A/C, M, F) (712) 256-2590 FAX (A/C, M, F) (712) 256-2104 E-MAIL ADDRESS kstettin@mbcinsurance.com	
INSURED FibreComm LLC PO Box 416 Sioux City IA 51102-0416		INSURER(S) AFFORDING COVERAGE INSURER A: EMC Property & Casualty INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES		CERTIFICATE NUMBER: C-1910901908		REVISION NUMBER:	
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
TYPE	TYPE OF INSURANCE	INSURER (IND. / AID)	POLICY NUMBER	POLICY EFF. (MM/DD/YYYY)	POLICY EXP. (MM/DD/YYYY)
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAUSE WAIVED ☒ POLLUT ☐ GEN. AGGREGATE LIMIT APPLIES PER POLICY ☐ PER OCC ☐ LTD ☐ OTHER	Y	4021298	10/22/2019	10/22/2020
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ OWNED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ NON-SCHEDULED AUTOS ONLY	Y	4121298	10/22/2019	10/22/2020
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ RETENTION \$ 10,000 ☒ POLLUT ☐ CLAIMS MADE		4121298	10/22/2019	10/22/2020
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ☐ ANY EMPLOYMENT ☐ NON-EMPLOYMENT ☐ DISABILITY BENEFIT EXCLUSIONS ☐ (Specify in Remarks) ☐ DESCRIPTION OF OPERATIONS: 0300	Y / N H / A	4121298	10/22/2019	10/22/2020
LIMITS					
EACH OCCURRENCE				\$ 1,000,000	
DAMAGE TO RENTED PREMISES (Per occurrence)				\$ 100,000	
MED EXP (Per occurrence)				\$ 5,000	
PERSONAL AND FAMILY				\$ 1,000,000	
GENERAL AGGREGATE				\$ 2,000,000	
PRODUCTS / COMPLETED OPERATIONS				\$ 2,000,000	
COMBINED SINGLE LIMIT (Per occurrence)				\$ 1,000,000	
BODILY INJURY (Per person)				\$	
BODILY INJURY (Per accident)				\$	
PROPERTY DAMAGE (Per accident)				\$	
EACH OCCURRENCE				\$ 5,000,000	
AGGREGATE				\$ 5,000,000	
PER STATUTE				YES / NO	
EL EACH ACCIDENT				\$ 300,000	
EL DISEASE - CLAIMS COVER				\$ 500,000	
EL DISEASE - POLICY LIMIT				\$ 300,000	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) The City of Sioux City is listed as an additional insured on General Liability, Automobile Liability, Umbrella Liability Policy, and all policies will be Primary and Noncontributory.					

CERTIFICATE HOLDER The City of Sioux City PO Box 447 Sioux City IA 51102	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

Bond Number: BD 79C0885622

BLANKET PERFORMANCE, PAYMENT, AND MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, FiberComm, LC as Principal (hereinafter called "Principal") and Nationwide Mutual Insurance Company, as Surety are held and firmly bound unto the City of Sioux City, Iowa, as

Obligee, (hereinafter called "Jurisdiction") and to all persons who may be injured by any breach of any conditions of this Bond in the total aggregate penal sum of Ten Thousand Dollars (\$10,000.00), lawful money of the United States, for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, legal representatives and assigns, jointly or severally, firmly by these presents.

The conditions of the above obligations are such that whereas said Principal, following application for a license to pull permits for Fiber/Utility Installation & Maintenance work from the Jurisdiction, intends to enter onto property of the Jurisdiction to perform utility work, including, but not limited to new installation of utilities or service/maintenance of existing utilities.

It is expressly understood and agreed by the Principal and Surety in this bond that the following provisions are a part of this Bond and are binding upon said Principal and Surety, to-wit:

1. **PERFORMANCE:** The Principal shall well and faithfully observe, perform, fulfill, and abide by each and every covenant, condition, and part of said Permit Documents, reference made a part hereof, for the permitted work, and shall indemnify and save harmless the Jurisdiction from all outlay and expense incurred by the Jurisdiction by reason of the Principal's default or failure to perform as required. The Principal shall also be responsible for the default or failure to perform as required under the Permit and Permit Documents by all subcontractors, suppliers, agents, or employees furnishing materials or providing labor in the performance of the permitted work.
2. **PAYMENT:** The Principal and the Surety on this Bond hereby agree to pay all just claims submitted by person, firms, subcontractors, and corporations furnishing materials for or performing labor under the Permit on account of which this Bond is given.
3. **MAINTENANCE:** The Principal and the Surety on this Bond shall, for a two year period and at their own expense:
 - A. To remedy any and all defects that may develop in or result from work to be performed under the Permit.
 - B. To keep all work in continuous good repair; and
 - C. To pay the Jurisdiction's reasonable costs of monitoring and inspection to assure that any defects are remedied, and to repay the Jurisdiction all outlay and expense incurred as a result of Principals and Surety's failure to remedy any defect as required by this section. Including but not limited to claims for all amounts due for any damage, personal or property, caused by the Principal, its contractors, subcontractors, agents or employees in the course of any work performed under the Permit or any work performed on the property of the Jurisdiction.

Principal's and Surety's agreement herein made extends to defects in workmanship or materials not discovered or known to the Jurisdiction at the time of such work was accepted.

It is intended that Principal and Surety will defend and indemnify the Jurisdiction on all claims made against the Jurisdiction on account of Principal's failure to perform as required in the Permits and Permit Documents, that all agreements and promises set forth in the Permits and Permit Documents and in this Bond will be fulfilled, and that

the jurisdiction will be fully indemnified so that it will be put into the position it would have been in had the Permits been complied with in the first instance as required.

In the event that any actions or proceedings are initiated with respect to this Bond, the parties agree that the venue thereof shall be Woodbury County District Court, State of Iowa.

NOW THEREFORE, the condition of this obligation is such that if said Principal shall faithfully perform all the promises of the Principal, as set forth and provided in the Permits and Permit Documents, and in this Bond, then this obligations shall be null and void, otherwise it shall remain in full force and effect during the period for which any fiber/utility installation by such Principal shall have been guaranteed by the Principal, and specifications under which the same were constructed.

When a work term or phrase is issued in this Bond, it shall be interpreted or construed first as defined in this Bond, the Permits or Permit Documents; second, if not defined in the Bond, Permits or Permit Documents, it shall be interpreted or construed as defined in applicable provisions of the Iowa Code; third, if not defined in the Iowa Code, it shall be interpreted or construed according to its generally accepted meaning in the construction industry; and fourth, if it has no generally accepted meaning in the construction industry, it shall be interpreted or construed according to its common usage.

This bond may be terminated by the Surety by the giving of (30) days written notice to the City of Sioux City provided, however, that in the event of such termination, the Surety shall be relieved of liability hereunder only with respect to breaches of Condition occurring on or after the effective date of such termination. The Surety's obligation under this bond shall not exceed 100% of the penal sum of this bond.

Failure to specify or particularize shall not exclude terms or provisions not mentioned and shall not limit liability hereunder. The Permit and Permit Documents are hereby made a part of this Bond.

Dated this 3rd day of April 2020

SURETY:

Nationwide Mutual Insurance Company
Surety Company

By:

Signature Attorney-in-Fact/Officer

Joseph Puetz

Name of Attorney-in-Fact/Officer

Nationwide Mutual Insurance Company
Company Name

1100 Locust Street, Dept. 2006
Company Address

Des Moines, Iowa 50391-2006
City, State, Zip Code

866.387.0457
Company Telephone Number

PRINCIPAL:

Fiber Comm, LC

By:

Signature

Jeff Zyzda

Name (Print/Type)

Manager
Title

PO Box 416
Address

Sioux City, Iowa 51102
City, State, Zip Code

712.224.2020
Telephone Number

Note: All Signatures on this bond must be original signatures in ink; copies of facsimile of any signatures will not be accepted. This bond must be sealed with the Surety's raised, embossing seal. The Certificate or Power of Attorney accompanying this bond must be valid on its face and sealed with the Surety's raised, embossing seal.

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation
Allied Property and Casualty Insurance Company, an Iowa corporation

ANCO Insurance Company, an Iowa corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

KETH M. SHELLHAMMER
LYLE A. KONOPASEK

LYNN A. MILLER
MARK A. LENNON

JOSEPH M. PURDY
CASEY A. MILLS

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

ONE MILLION AND NO/100 DOLLARS

\$ 1,000,000.00

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company:

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

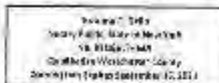
IN WITNESS WHEREOF the Company has caused this instrument to be signed and duly attested by the signature of its officer the 27th day of February, 2019.



Antonio C. Albanese
Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company, ANCO Insurance Company, Allied Property and Casualty Insurance Company

ACKNOWLEDGMENT

STATE OF NEW YORK, COUNTY OF NEW YORK ss:
On this 27th day of February, 2019, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.



Suzanne G. Gile
Suzanne G. Gile, Notary Public
Notary Public for the State of New York
Notary Public for the State of New York
Notary Public for the State of New York

CERTIFICATE

I, Laura B. Goy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution (inclosed therein) is a true and correct transcript from the minutes of the meetings of the board of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company; and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is a full and complete copy of the original power of attorney.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 3rd day of April, 2020.

BCU 1/32-15/00

20713

Laura B. Goy
Laura B. Goy, Assistant Secretary



Nationwide Mutual Insurance Company
Bond Department
1100 Locust Street, Dept. 2006
Des Moines, IA 50391-2006
Phone: 866-387-0457
Email: bondcomm@nationwide.com

VERIFICATION CERTIFICATE

THIS IS TO CERTIFY THAT BOND NUMBER BD 7900685622

ISSUED TO:
FIBERCOMM, LC
PO BOX 416
SIOUX CITY, IA 51102

IN FAVOR OF:
CITY OF SIOUX CITY

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

REMAINS IN FULL FORCE AND EFFECT, SUBJECT TO ALL ITS AGREEMENTS, CONDITIONS AND
LIMITATIONS FOR THE PERIOD FROM: 04/03/2020 TO: 04/03/2021

SIGNED, SEALED AND DATED THIS 5TH DAY OF MARCH, 2020

NATIONWIDE MUTUAL INSURANCE COMPANY



By: Elizabeth Moore

Elizabeth Moore, Attorney-In-Fact



x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 8

FROM: Darrel Bullock, Code Enforcement Manager (TB)

SUBJECT: Resolution fixing the amounts to be assessed against private properties, adopting and levying schedule of assessments for the April 2020 Nuisance Abatement Program, authorizing civil actions and providing for the payments thereof.

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

Staff respectfully requests that the City Council approve a resolution fixing the amounts to be assessed for failure of property owner(s) to abate a public nuisance resulting in the City taking appropriate action to abate the public nuisance. The abatements are assessed against properties.

DISCUSSION:

Assess costs in the amount of \$214,155.77 for abatement of public nuisances against the following properties:

1. 909 Jackson Street - Howard J. Wisse and Alisa A. Wisse and OHP 16 LC - Removed couch, table, chair, recliner, tires, and miscellaneous rubbish and debris from the property - \$535.00
2. 606 W. 5th Street - Dale A. Winter - Boarded up and secured red tagged property - \$585.00
3. 109 Main Street - Richard Leach and Mary Leach, Contract Buyer, and Patricia J. Pirog, Deedholder - Removed chairs, microwave, miscellaneous household items, large tree branches, and tall weeds from the property - \$560.00
4. 2746 Virginia Avenue - Mike Nieman - Removed parts of red tagged retaining wall that had failed and was covering the public sidewalk - \$940.00
5. 2761-65 Court Street - Nieman Properties LLC - Removed several mattresses, a bike tire, trash, and miscellaneous rubbish and debris from red tagged property - \$410.00
6. 1906 W. 3rd Street - Cardinal Properties I LLC - Tested for asbestos, demolished the structure, hauled debris to the landfill, and leveled the lot - \$1,870.00
7. 1518 Douglas Street - Ciudad Cristiana Ministerio Nueva Jerusalem - Boarded up and secured red tagged property - \$460.00
8. 2518 Mc Faul Street - Donald L. Harsma and Lori M. Harsma - Removed recliner, car seat, pieces of lumber, and tree debris from the property - \$410.00
9. 1611 Carlin Avenue - Omar A. Contreras - Tested for asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$6,935.00

10. 1303 W. 6th Street - Elem Ford and Egellow Ford - Filled in cistern and compacted, leveled, and seeded the area on the property - \$610.00
11. 4331 Van Buren Street - Duane A. Bratvold and Donita M. Bratvold and ACC 185 LLC - Tested for asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$8,985.00
12. 1624 Jackson Street - Neia Group - Dug out a sink hole and recompact, seeded, and leveled the area on the property and hauled away the protective border - \$1,010.00
13. 1901 W. Highland Avenue - Michael Steven Speece and Barbara Ellen Sitzman - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$7,685.00
14. 1107 W. 5th Street - Deborah K. Johnson and Mark E. Johnson - Filled in cistern and compacted, leveled, and seeded the area on the property - \$460.00
15. 2023 S. Nicollet Street - Towd Point Mortgage Trust 2016-4 US Bank National Association Indenture Trustee - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$13,685.00
16. 2701 Casselman Street - Mary R. Pickens and James R. Winkler - Boarded up and secured red tagged property - \$1,210.00
17. 4510 Arthur Street - Nancy E. Ingalls - Removed excess mud off public sidewalk, tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$11,885.00
18. 3023 Melrose Avenue - Peter Kenneth Hodges Jr. - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$12,185.00
19. 104 S. Helen Street - Pat Morley and Julie Morley - Boarded up and secured red tagged house, tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - and \$9,245.00
20. 1914 Iowa Street - Mary E. Seiler - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$22,185.00
21. 512-14 Market Street - Paul C. Harmsen, Custodian for Noah Harmsen - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$21,535.00
22. 1220-22 W. 14th Street - End of the Road LLC - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$20,865.00
23. 1120 W. 5th Street - Donna Rae Morton and Colleen Doris Fontenot, Contract Buyer, and John T. Sandman, Deedholder - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$20,020.00
24. 2300 W. 5th Street - Brad Westbrook and Erica Westbrook - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$22,560.00
25. 1310 ½ Iowa Street - Geovany Gonzalez - Removed furniture, household items, and miscellaneous rubbish and debris blocking the alley - \$335.00
26. 2910 13th Street - Jacqueline Terrones and Juventino Terrones - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$10,235.00
27. 1819 Myrtle Street - INOC LLC - Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot - \$10,935.00
28. 1317 Floyd Boulevard - Charlene Burnett - Removed two couches and a mattress from the property - \$406.00

29. 1601 S. Magnolia Street - Paul Conley - Removed wooden pallets, building supplies, various car parts, bicycles, tires, multiple appliances, lawn care equipment, motorcycles (including towing and storage fees), miscellaneous rubbish and debris from the property - \$5,414.77

FINANCIAL IMPACT:

These costs have been paid out of Inspection Services Division funds. It is appropriate that the property owners reimburse the City for these expenditures.

RELATIONSHIP TO STRATEGIC PLAN:

Improve the appearance of City neighborhoods, housing, and major corridors.

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution
Schedule of Assessments
Individual Notices
Individual Report of Total Costs

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED AGAINST PRIVATE PROPERTIES, ADOPTING AND LEVYING SCHEDULE OF ASSESSMENTS FOR THE APRIL 2020 NUISANCE ABATEMENT PROGRAM, AUTHORIZING CIVIL ACTIONS AND PROVIDING FOR THE PAYMENTS THEREOF

WHEREAS, following notice and failure of the property owner(s) to act within a reasonable time to abate a public nuisance, (hereinafter called "the work"), the City thereafter performed the required work necessary to abate the public nuisance; and

WHEREAS, the Code Enforcement Manager has reported to the City Council the total cost of performing the work in written reports attached hereto and by this reference made a part hereof; and

WHEREAS, the work has been fully completed and should be accepted by the City and the costs assessed; and

WHEREAS, the City Council must now fix the amounts to be assessed against the benefited properties; and

WHEREAS, the City Council should authorize the City Attorney to commence civil action against the property owner(s) for collection of the costs of abating the public nuisance.

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

- A. The total cost to be assessed against the benefited properties is \$214,155.77.
- B. The work was fully completed on the dates set forth in the attached schedule of assessments and is hereby accepted.
- C. The City Attorney is authorized to commence a civil action against the property owner(s) herein, at her discretion, for the collection of the costs of abating the public nuisance.
- D. That after full consideration of the schedule of assessments prepared by the Code Enforcement Manager showing the assessments proposed to be made for the work, which was filed in the office of the Clerk on the 6th day of April, 2020, the said schedule of assessments, be and the same are hereby approved and adopted.
- E. That there be and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said work, the respective sums expressed in figures set opposite to each of the same on account of the cost of performing the work.
- F. The assessments shall be payable in one installment and shall bear interest at the rate of eight percent per annum, the rate permitted by law, from the date of the acceptance of the work. The installment, with interest on the assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2020; and shall be paid at the same time and in the same manner as the September semi-annual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in

part and without interest within thirty days after the date of the first publication of the notice of filing of the schedule of assessments with the County Treasurer of Woodbury County, Iowa.

- G. The Clerk be and is hereby directed to certify said schedule of assessments to the County Treasurer of Woodbury County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Sioux City Journal, a newspaper printed wholly in the English language, published in Sioux City, and of general circulation in Sioux City, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule of assessments with the County Treasurer. The Clerk shall also send by mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa. The notice shall be in substantially the form of the Notice attached hereto and by this reference made a part hereof.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

3/31/2020

ASSESSMENTS LISTING - PARCEL ORDER

PAGE 1

APRIL 2020 NUISANCE PROGRAM

ASSR013

PROGRAM PROJECT	PARCEL ADDRESS	RESOLUTION DATE	DATE CERTIFIED	END DATE	COMPLETION DATE	DEF YRS	UNPD ASM AMOUNT	DEFICIENCY AMOUNT
3082	884705206010 1601 S MAGNOLIA ST CONLEY PAUL -	0/00/00	0/00/00	0/00/00	2/27/20		5,414.77	.00
3082	884706238015 2023 S NICOLLET ST VAIL MATTHEW W -	0/00/00	0/00/00	0/00/00	11/05/19		13,685.00	.00
3082	894711177007 4331 VAN BUREN ST BRATVOLD DUANE A -	0/00/00	0/00/00	0/00/00	9/13/19		8,985.00	.00
3082	894711229007 4510 ARTHUR ST INGALLS NANCY E -	0/00/00	0/00/00	0/00/00	11/30/19		11,885.00	.00
3082	894719101002 2701 CASSELMAN ST PICKENS MARY R -	0/00/00	0/00/00	0/00/00	11/26/19		1,210.00	.00
3082	894720335011 1819 MYRTLE ST INOC LLC -	0/00/00	0/00/00	0/00/00	1/13/20		10,935.00	.00
3082	894721202001 2746 VIRGINIA ST NIEMAN MIKE -	0/00/00	0/00/00	0/00/00	7/22/19		940.00	.00
3082	894721202022 2761 COURT ST NIEMAN PROPERTIES LLC -	0/00/00	0/00/00	0/00/00	7/31/19		410.00	.00
3082	894721212014 2518 MC FAUL ST HARMA DONALD L -	0/00/00	0/00/00	0/00/00	9/07/19		410.00	.00
3082	894721360001 1518 DOUGLAS ST MT OLIVE MISSIONARY BAPTIST - CIUDAD CRISTIANA MINISTER -	0/00/00	0/00/00	0/00/00	8/27/19		460.00	.00
3082	894721378001 1624 JACKSON ST NEIA GROUP LLC -	0/00/00	0/00/00	0/00/00	9/27/19		1,010.00	.00
3082	894721427008 1914 IOWA ST SEILER MARY E -	0/00/00	0/00/00	0/00/00	12/12/19		22,185.00	.00
3082	894723353015 3023 MELROSE AVE HODGES PETER KENNETH JR -	0/00/00	0/00/00	0/00/00	11/30/19		12,185.00	.00
3082	894723363010 1611 CARLIN AVE CONTRERAS OMAR A -	0/00/00	0/00/00	0/00/00	9/10/19		6,935.00	.00
3082	894726105001 2910 13TH ST TERRONES JACQUELINE -	0/00/00	0/00/00	0/00/00	1/09/20		10,235.00	.00
3082	894726364004 104 S HELEN ST MORLEY PAT -	0/00/00	0/00/00	0/00/00	12/06/19		9,245.00	.00
3082	894728177009 909 JACKSON ST WISSE HOWARD J -	0/00/00	0/00/00	0/00/00	3/27/19		535.00	.00
3082	894728227004 1310 1/2 IOWA ST LAY LEANGCHHE -	0/00/00	0/00/00	0/00/00	1/09/20		335.00	.00
3082	894728227011 1317 FLOYD BLVD BURNETT CHARLENE -	0/00/00	0/00/00	0/00/00	1/27/20		406.00	.00
3082	894729127001 1222 W 14TH ST END OF THE ROAD LLC -	0/00/00	0/00/00	0/00/00	12/19/19		20,865.00	.00
3082	894729130018 1303 W 6TH ST FORD ELEM -	0/00/00	0/00/00	0/00/00	9/11/19		610.00	.00
3082	894729136013 1107 W 5TH ST JOHNSON DEBORAH K -	0/00/00	0/00/00	0/00/00	10/11/19		460.00	.00
3082	894729178011 1120 W 5TH ST SANDMAN JOHN T - MORTON DONNA RAE -	0/00/00	0/00/00	0/00/00	12/27/19		20,020.00	.00
3082	894729256005 606 W 5TH ST WINTER DALE A -	0/00/00	0/00/00	0/00/00	4/22/19		585.00	.00
3082	894729285006 512 MARKET ST	0/00/00	0/00/00	0/00/00	12/16/19		21,535.00	.00

3/31/2020

ASSESSMENTS LISTING - PARCEL ORDER

PAGE 2

APRIL 2020 NUISANCE PROGRAM

ASSR013

PROGRAM PROJECT	PARCEL ADDRESS	RESOLUTION DATE	DATE CERTIFIED	END DATE	COMPLETION DATE	DEF YRS	UNPD AMOUNT	ASM AMOUNT	DEFICIENCY AMOUNT
3082	894729404018 109 MAIN ST HARMSEN PAUL C CUSTODIAN -	0/00/00	0/00/00	0/00/00	5/17/19		560.00		.00
3082	894730210008 2300 W 5TH ST PIROG PATRICIA J -	0/00/00	0/00/00	0/00/00	1/06/20		22,560.00		.00
3082	894730285005 1906 W 3RD ST LEACH RICHARD L -	0/00/00	0/00/00	0/00/00	8/26/19		1,870.00		.00
3082	894730431014 1901 W HIGHLAND AVE WESTBROOK BRAD - CARDINAL PROPERTIES I LLC - SITZMAN BARBARA ELLEN -	0/00/00	0/00/00	0/00/00	10/10/19		7,685.00		.00
PROGRAM TOTAL							214,155.77*		.00*

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

909 Jackson Street

TO: Howard J. Wisse and Alisa A. Wisse
and
OHP 16 LC

The extent of the work completed on the 27th day of March, 2019, is as follows:

Removed a couch, table, chair, recliner, tires, and miscellaneous rubbish and debris from the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 909 JACKSON STREET**

CITY OF SIOUX CITY

VS.

HOWARD J. WISSE AND ALISA A. WISSE
AND
OHP 16 LC

Description of property to be assessed:

SIOUX CITY EAST E 2/3 LOT 9 BLK 52
PARCEL #894728177009

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 375.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 535.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 909 Jackson Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

606 W. 5th Street

TO: Dale A. Winter

The extent of the work completed on the 22nd day of April, 2019, is as follows:

Boarded up and secured red tagged property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 606 W. 5TH STREET**

CITY OF SIOUX CITY

VS.

DALE A. WINTER

Description of property to be assessed:

SIOUX CITY ADDN E 47 FT 3 IN W 103 F T 3 IN LOT 12 BLK 10
PARCEL #894729256005

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 425.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 585.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 606 W. 5th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

109 Main Street

TO: Richard Leach and Mary Leach - Contract Buyer
And
Patricia J. Pirog - Deedholder

The extent of the work completed on the 17th day of May, 2019, is as follows:

Removed chairs, a microwave, miscellaneous household items, large tree branches, and tall weeds from the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 109 MAIN STREET**

CITY OF SIOUX CITY

VS.

RICHARD LEACH AND MARY LEACH - CONTRACT BUYER
AND
PATRICIA J. PIROG - DEEDHOLDER

Description of property to be assessed:

SIOUX CITY ADDN LOT 14 BLK 7
PARCEL #894729404018

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 400.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 560.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 109 Main Street.

Darrel Bullock
Code Enforcement Manager

NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT

2746 Virginia Street

TO: Mike Nieman

The extent of the work completed on the 22nd day of July, 2019, is as follows:

Removed parts of red tagged retaining wall that had failed and was covering the public sidewalk

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2746 VIRGINIA STREET**

CITY OF SIOUX CITY

VS.

MIKE NIEMAN

Description of property to be assessed:

EASLEYS E 10 FT VAC ST ADJ & LOT 19 BLK 1
PARCEL #894721202001

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 780.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 940.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2746 Virginia Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2761-65 Court Street

TO: Nieman Properties LLC

The extent of the work completed on the 31st day of July, 2019, is as follows:

Removed several mattresses, a bike tire, trash, and miscellaneous rubbish and debris from red tagged property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2761-65 COURT STREET**

CITY OF SIOUX CITY

VS.

NIEMAN PROPERTIES LLC

Description of property to be assessed:

EASLEYS LOT 3 BLK 1
PARCEL #894721202022

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 250.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 410.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2761-65 Court Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1906 W. 3rd Street

TO: Cardinal Properties I LLC

The extent of the work completed on the 26th day of August, 2019, is as follows:

Tested for asbestos, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty-day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1906 W. 3RD STREET**

CITY OF SIOUX CITY

VS.

CARDINAL PROPERTIES I LLC

Description of property to be assessed:

HORNICKS LOT 2 BLK 17
PARCEL #894730285005

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$1,535.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$1,870.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1906 W. 3rd Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1518 Douglas Street

TO: Ciudad Cristiana Ministerio Nueva Jerusalem

The extent of the work completed on the 27th day of August, 2019, is as follows:

Boarded up and secured red tagged property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty-day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1518 DOUGLAS STREET**

CITY OF SIOUX CITY

VS.

CIUDAD CRISTIANA MINISTERIO NUEVA JERUSALEM

Description of property to be assessed:

ROSE HILL LOTS 1-3 BLK 1
PARCEL #894721360001

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 300.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 460.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1518 Douglas Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2518 Mc Faul Street

TO: Donald L. Harsma and Lori M. Harsma

The extent of the work completed on the 7th day of September, 2019, is as follows:

Removed recliner, car seat, pieces of lumber, and tree debris from the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty-day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2518 MC FAUL STREET**

CITY OF SIOUX CITY

VS.

DONALD L. HARSMA AND LORI M. HARSMA

Description of property to be assessed:

MCFAULS BLVD LOT 20
PARCEL #894721212014

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 250.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 410.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2518 Mc Faul Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1611 Carlin Avenue

TO: Omar A. Contreras

The extent of the work completed on the 10th day of September, 2019, is as follows:

Tested for asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty-day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1611 CARLIN AVENUE**

CITY OF SIOUX CITY

VS.

OMAR A. CONTRERAS

Description of property to be assessed:

KELLY PARK LOT 4 BLK 12
PARCEL #894723363010

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$6,600.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$6,935.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1611 Carlin Avenue.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1303 W. 6th Street

TO: Elem Ford and Egellow Ford

The extent of the work completed on the 11th day of September, 2019, is as follows:

Filled in cistern and compacted, leveled, and seeded the area on the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

This Notice is given by direction of the City Council of Sioux City, Iowa, as prescribed by Section 384.60 of the Code of Iowa.

Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1303 W. 6TH STREET**

CITY OF SIOUX CITY

VS.

ELEM FORD AND EGELLOW FORD

Description of property to be assessed:

TREDWAYS E 60 FT LOT 5-6 BK 5
PARCEL #894729130018

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 450.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$ 610.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1303 W. 6th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

4331 Van Buren Street

TO: Duane A. Bratvold and Donita M. Bratvold
And
ACC 185 LLC

The extent of the work completed on the 13th day of September, 2019, is as follows:

Tested for asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 4331 VAN BUREN STREET**

CITY OF SIOUX CITY

VS.

DUANE A. BRATVOLD AND DONITA M. BRATVOLD
AND
ACC 185 LLC

Description of property to be assessed:

LEEDS LOTS 5 & 6 BLK 44
PARCEL #894711177007

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$8,650.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$8,985.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 4331 Van Buren Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1624 Jackson Street

TO: Neia Group

The extent of the work completed on the 27th day of Septmeber, 2019, is as follows:

Dug out a sink hole and recompactd, seeded, and leveled the area on the property and hauled away the protective border

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1624 JACKSON STREET**

CITY OF SIOUX CITY

VS.

NEIA GROUP

Description of property to be assessed:

HIGMANS N 58 FT LOT 1 BLK 12
PARCEL #894721378001

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 850.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$1,010.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1624 Jackson Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1901 W. Highland Avenue

TO: Michael Steven Speece and Barbara Ellen Sitzman

The extent of the work completed on the 10th day of October, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1901 W. HIGHLAND AVENUE**

CITY OF SIOUX CITY

VS.

MICHAEL STEVEN SPEECE AND BARBARA ELLEN SITZMAN

Description of property to be assessed:

RIVERVIEW LOT 16 BLK 9
PARCEL #894730431014

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$7,350.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$7,685.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1901 W. Highland Avenue.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1107 W. 5th Street

TO: Deborah K. Johnson and Mark E. Johnson

The extent of the work completed on the 11th day of October, 2019, is as follows:

Filled in cistern and compacted, leveled, and seeded area on the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1107 W. 5TH STREET**

CITY OF SIOUX CITY

VS.

DEBORAH K. JOHNSON AND MARK E. JOHNSON

Description of property to be assessed:

TREDWAYS W 32 FT E 100 FT LOT 5-6 BK 10
PARCEL #894729136013

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$ 300.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 100.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | <u>\$ 60.00</u> |

GRAND TOTAL \$ 460.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1107 W. 5th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2023 S. Nicollet Street

TO: Towd Point Mortgage Trust 2016-4 US Bank National Association Indenture Trustee

The extent of the work completed on the 5th day of November, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2023 S. NICOLLET STREET**

CITY OF SIOUX CITY

VS.

TOWD POINT MORTGAGE TRUST 2016-4 US BANK NATIONAL ASSOCIATION INDENTURE TRUSTEE

Description of property to be assessed:

PALMERS MORNINGSIDE LOT 4 BLK 12
PARCEL #884706238015

Statement of Costs to be assessed:

- | | |
|--|-----------------|
| 1. Abatement of public nuisance: | \$13,350.00 |
| 2. Costs of serving notices and publication of notices: | \$ 275.00 |
| 3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments": | <u>\$ 60.00</u> |

GRAND TOTAL \$13,685.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2023 S. Nicollet Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2701 Casselman Street

TO: Mary R. Pickens and James R. Winckler

The extent of the work completed on the 26th day of November, 2019, is as follows:

Boarded up and secured red tagged property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2701 CASSELMAN STREET**

CITY OF SIOUX CITY

VS.

MARY R. PICKENS AND JAMES R. WINCKLER

Description of property to be assessed:

LL-SC COMM 89-47 EX N 505 FT & EX E 2 08 FT W 594 FT S 191 FT & 1 09 FT X 178 FT IN SW C
ORNW NW 1 9-89-47
PARCEL #894719101002

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$1,050.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$1,210.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2701 Casselman Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

4510 Arthur Street

TO: Nancy E. Ingalls

The extent of the work completed on the 30th day of November, 2019, is as follows:

Removed excess mud off public sidewalk, tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 4510 ARTHUR STREET**

CITY OF SIOUX CITY

VS.

NANCY E. INGALLS

Description of property to be assessed:

LEEDS LOT 9 BLK 2
PARCEL #894711229007

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$11,550.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 275.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | \$ <u>60.00</u> |

GRAND TOTAL \$11,885.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 4510 Arthur Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

3023 Melrose Avenue

TO: Peter Kenneth Hodges Jr.

The extent of the work completed on the 30th day of November, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 3023 MELROSE AVENUE**

CITY OF SIOUX CITY

VS.

PETER KENNETH HODGES JR.

Description of property to be assessed:

KELLY PARK S 12 FT LOT 8 & LOTS 9 & 10 BLK 6
PARCEL #894723353015

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$11,850.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 275.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | \$ <u>60.00</u> |

GRAND TOTAL \$12,185.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 3023 Melrose Avenue.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

104 S. Helen Street

TO: Pat Morley and Julie Morley

The extent of the work completed on the 6th day of December, 2019, is as follows:

Boarded up and secured red tagged house, tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 104 S. HELEN STREET**

CITY OF SIOUX CITY

VS.

PAT MORLEY AND JULIE MORLEY

Description of property to be assessed:

GAUGHRANS ALL S OF R W LOTS 9- 12 INCL BLK 1
PARCEL #894726364004

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$ 8,910.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 275.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | \$ <u>60.00</u> |

GRAND TOTAL \$ 9,245.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 104 S. Helen Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1914 Iowa Street

TO: Mary E. Seiler

The extent of the work completed on the 12th day of December, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

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**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1914 IOWA STREET**

CITY OF SIOUX CITY

VS.

MARY E. SEILER

Description of property to be assessed:

ORCHARD HILL LOT 16 BLK 14
PARCEL #894721427008

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$21,850.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 275.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | \$ <u>60.00</u> |

GRAND TOTAL \$22,185.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1914 Iowa Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

512-14 Market Street

TO: Paul Harmsen as Custodian for Noah Harmsen

The extent of the work completed on the 16th day of December, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

This Notice is given by direction of the City Council of Sioux City, Iowa, as prescribed by Section 384.60 of the Code of Iowa.

Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 512-14 MARKET STREET**

CITY OF SIOUX CITY

VS.

PAUL HARMSSEN AS CUSTODIAN FOR NOAH HARMSSEN

Description of property to be assessed:

SIOUX CITY ADDN LOT 3 BLK 26
PARCEL #894729285006

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$21,200.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 275.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | \$ <u>60.00</u> |

GRAND TOTAL \$21,535.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 512-14 Market Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1220-22 W. 14th Street

TO: End of the Road LLC

The extent of the work completed on the 19th day of December, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1220-22 W. 14th STREET**

CITY OF SIOUX CITY

VS.

END OF THE ROAD LLC

Description of property to be assessed:

TREDWAYS TREDWAYS KUDRLES REP LAT LOT 2 FRANKLINS 2ND LOTS 6-10 LOTS 9 A & 9
PARCEL #894729127001

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$20,530.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$20,865.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1220-22 W. 14th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1120 W. 5th Street

TO: Donna Rae Morton and Colleen Doris Fontenot - Contract Buyers
And
John T. Sandman - Deedholder

The extent of the work completed on the 27th day of December, 2019, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1120 W. 5TH STREET**

CITY OF SIOUX CITY

VS.

DONNA RAE MORTON AND COLLEEN DORIS FONTENOT - CONTRACT BUYERS
AND
JOHN T. SANDMAN - DEEDHOLDER

Description of property to be assessed:

TREDWAYS E 50 FT W 100 FT LOT S 18-19-20 BK 15
PARCEL #894729178011

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$19,685.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>
GRAND TOTAL	\$20,020.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1120 W. 5th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2300 W. 5th Street

TO: Brad Westbrook and Erica Westbrook

The extent of the work completed on the 6th day of January, 2020, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2300 W. 5TH STREET**

CITY OF SIOUX CITY

VS.

BRAD WESTBROOK AND ERICA WESTBROOK

Description of property to be assessed:

HORNICKS 3RD LOT 1 BLK 35
PARCEL #894730210008

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$22,225.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>

GRAND TOTAL \$22,560.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2300 W. 5th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1310 ½ Iowa Street

TO: Geovany Gonzalez

The extent of the work completed on the 9th day of January, 2020, is as follows:

Removed furniture, household items, and miscellaneous rubbish and debris blocking the alley

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1310 ½ IOWA STREET**

CITY OF SIOUX CITY

VS.

GEOVANY GONZALEZ

Description of property to be assessed:

SIOUX CITY EAST E 81 FT LOT 4 BLK 96
PARCEL #894728227004

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$ 175.00 |
| 2. Costs of serving notices and publication
of notices: | \$ 100.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | <u>\$ 60.00</u> |

GRAND TOTAL \$ 335.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1310 ½ Iowa Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

2910 13th Street

TO: Jacqueline Terrones and Juventino Terrones

The extent of the work completed on the 9th day of January, 2020, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 2910 13TH STREET**

CITY OF SIOUX CITY

VS.

JACQUELINE TERRONES AND JUVENTINO TERRONES

Description of property to be assessed:

BOOGES & TAYLOR LOTS 7-12 INCL BLK 9
PARCEL #894726105001

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 9,900.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	\$ <u>60.00</u>

GRAND TOTAL \$10,235.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 2910 13th Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1819 Myrtle Street

TO: INOC LLC

The extent of the work completed on the 13th day of January, 2020, is as follows:

Tested for and removed asbestos, disconnected the utilities, demolished the structure, hauled debris to the landfill, and leveled the lot

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1819 MYRTLE STREET**

CITY OF SIOUX CITY

VS.

INOC LLC

Description of property to be assessed:

NORTH SIOUX CITY LOT 2 BLK 9
PARCEL #894720335011

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$10,600.00
2. Costs of serving notices and publication of notices:	\$ 275.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>

GRAND TOTAL \$10,935.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1819 Myrtle Street.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1317 Floyd Boulevard

TO: Charlene Burnett

The extent of the work completed on the 27th day of January, 2020, is as follows:

Removed two couches and a mattress from the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1317 FLOYD BOULEVARD**

CITY OF SIOUX CITY

VS.

CHARLENE BURNETT

Description of property to be assessed:

SIOUX CITY EAST LOT 9 BLK 96
PARCEL #894728227011

Statement of Costs to be assessed:

1. Abatement of public nuisance:	\$ 246.00
2. Costs of serving notices and publication of notices:	\$ 100.00
3. Costs of publication or other service of "Schedule of Assessment for Costs of Abating a Public Nuisance" and "Notice of Filing of the Schedule of Assessments":	<u>\$ 60.00</u>

GRAND TOTAL \$ 406.00

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1317 Floyd Boulevard.

Darrel Bullock
Code Enforcement Manager

**NOTICE OF FILING OF THE SCHEDULE OF ASSESSMENTS
AGAINST BENEFITED PROPERTY(IES) FOR THE
ABATEMENT OF A PUBLIC NUISANCE LOCATED AT**

1601 S. Magnolia Street

TO: Paul Conley

The extent of the work completed on the 27th day of February, 2020, is as follows:

Removed wooden pallets, building supplies, various car parts, bicycles, tires, multiple appliances, lawn care equipment, motorcycles (including towing and storage fees), miscellaneous rubbish and debris from the property

You are hereby notified that the schedule of assessments against your property(ies) for the cost of the work performed has been adopted and levied by the City Council of Sioux City, Iowa, and that said schedule of assessments has been certified to the County Treasurer of Woodbury County, Iowa.

You are further notified that assessments may be paid in full or in part without interest at the Office of the City Treasurer, at any time within thirty days after the date of the first publication of this notice of the filing of the schedule of assessments with the County Treasurer (see date below). Unless said assessments are paid in full within said thirty day period, all unpaid amounts will draw annual interest computed at eight percent commencing on April 6, 2020, (the date of acceptance of the work) computed to the December 1st next following the due date of the assessment. The installment will be delinquent on September 30th following its due date of July 1, 2020. All properties which may be lawfully assessed for the work have been assessed for the cost of performing the work, the amount of each assessment having been set out in the schedule of assessments which are now on file in the Office of the City Clerk of Sioux City, Iowa, and the County Treasurer of Woodbury County, Iowa. For further information you are referred to said schedule of assessments.

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Lisa McCardle
City Clerk

Published in the Sioux City Journal on April 11, 2020 and April 18, 2020

**REPORT OF TOTAL COSTS OF ABATING A PUBLIC NUISANCE
LOCATED AT 1601 S. MAGNOLIA STREET**

CITY OF SIOUX CITY

VS.

PAUL CONLEY

Description of property to be assessed:

MORNINGSIDE LOT 1 BK 8 N 1/2 LOT 2 BK 8
PARCEL #884705206010

Statement of Costs to be assessed:

- | | |
|---|-----------------|
| 1. Abatement of public nuisance: | \$ 5,254.77 |
| 2. Costs of serving notices and publication
of notices: | \$ 100.00 |
| 3. Costs of publication or other service of
"Schedule of Assessment for Costs of
Abating a Public Nuisance" and "Notice
of Filing of the Schedule of Assessments": | <u>\$ 60.00</u> |

GRAND TOTAL \$ 5,414.77

I, Darrel Bullock, Code Enforcement Manager, do hereby state that the above and foregoing is a true and correct statement of costs concerning the assessment to be levied on 1601 S. Magnolia Street.

Darrel Bullock
Code Enforcement Manager

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 9

FROM: Rex Mueller, Chief of Police
Mark Kirkpatrick, Captain

SUBJECT: Resolution awarding a purchase order to Canine Tactical LLC of Chariton, Iowa in an amount not to exceed \$36,500.00 for the purchase of two (2) trained Law Enforcement Dual Purpose canines.

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

RECOMMENDATION:

Staff respectfully requests the City Council award a purchase order to Canine Tactical LLC of Chariton, Iowa in an amount not to exceed \$36,500.00 for the purchase of two (2) trained Law Enforcement Dual Purpose canines. Price includes five (5) weeks of handler training with lodging.

DISCUSSION:

Police Department staff would like to replace two (2) working law enforcement canines currently on staff. One canine has reached the end of his working life and would be retired to his handler. The second canine received a report from his vet suggesting he should end his career due to a medical condition affecting his ability to perform. He, too, will be retired to his owner. These two (2) canines represent 50% of our canine staff.

Request for pricing was obtained from three (3) separate vendors able to provide these canines. The quotes are as follows:

	Canine Tactical Chariton, IA	Vohn Liche Kennels, INC. Denver, IN	Southern Coast K9 INC. New Smyrna Beach, FL
Price	\$36,500.00	\$38,192.00 Canine, training and Lodging @ \$34,510.00 Handler Kit bid separately @ \$3,682.00	\$46,900.00 \$36,400.00 Lodging and Handler Kit not included. Estimate \$7,500.00 Lodging, \$3000 Handler Kit. + \$10,500.00
Price Difference from Low Bid	Not Applicable	\$1,692.00	\$10,400.00
Percentage Difference from Low Bid	Not Applicable	+ 4.53%	+ 24.94%

FINANCIAL IMPACT:

Funds will be paid from Project # 191042, which includes funds which were originally allocated towards the purchase of one (1) canine in FY 2021. Redflex Funds will cover the remaining balance.

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.”
P.1, 2010-2013 City of Sioux City Strategic Plan.

ALTERNATIVES:

Reject the quotes

ATTACHMENTS:

Resolution

Cost Quotes

RESOLUTION NO. 2020 - _____

RESOLUTION AWARDING A PURCHASE ORDER TO CANINE TACTICAL LLC OF CHARITON, IOWA IN AN AMOUNT NOT TO EXCEED \$36,500.00 FOR THE PURCHASE OF TWO (2) TRAINED LAW ENFORCEMENT DUAL PURPOSE CANINES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to Canine Tactical LLC of Chariton, Iowa in an amount not to exceed \$36,500.00 for the purchase of two (2) trained Law Enforcement Dual Purpose canines.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



Canine Tactical, LLC.
41402 state hwy 14
chariton, IA 50049 US
(641) 203-4141
joshuamorton@caninetactical.com
www.caninetactical.com

BILL TO
Sioux City Police Department PO Box 447 Sioux City, IA 51102 USA

INVOICE #	DATE	TOTAL DUE	ENCLOSED
	03/03/2020	\$36,500.00	

ACTIVITY	QUANTITY	RATE	AMOUNT
Canine: Canine Trained Multi-Purpose K9	2	9,000.00	18,000.00
Handler Kit Handler Kit	2	1,104.75	2,209.50
Services 5 - Week K9 Course	2	6,895.25	13,790.50
Canine Training-Overnight Fee Overnight Fee	50	50.00	2,500.00

BALANCE DUE

\$36,500.00

* Includes Lodging
* Handler Kit

Vohne Liche Kennels, Inc.

7953 N Old Rt 31
Denver, IN 46926

Cost Quote

Date	Estimate #
3/4/2020	10819

Bill To
Sioux City Police Dept 601 Douglas St Sioux City, IA 51101

Ship To
Sioux City Police Dept 601 Douglas St Sioux City, IA 51101

P.O. No.	Terms	Due Date	VLK Rep	Contact #
	Net 30	4/3/2020	LAP	
Description		Qty	Rate	Total
Dual-Purpose Narcotic Detector Dog 6-week Class		2	6,000.00	12,000.00
Dual Purpose Pre-trained Narcotics Dog, Untitled. Guarantee: Effective from date of purchase. 100% health 6 Months, Skeletal 12 Months. If a genetic or hereditary problem is found K-9 will be replaced. Vet report must accompany K-9 on return. Workability 3 Months, Compatibility 1 Month.		2	10,000.00	20,000.00
Housing for two student for a six week class		82	55.00	4,510.00
Combo Discount		2	-1,000.00	-2,000.00
TAX ID # 35-2148814				0.00
Finance charges will start accruing at a rate of 2% per month on invoices that are unpaid at 30 days after stated due date.			0.00	0.00
All invoices paid by credit card are subject to a 4% service charge.			0.00	0.00
AKA Lodging Included Equipment Kit Not Included Page 2				
This estimate is good for ninety days. Thank you for your inquiry. (765) 985-2274 Phone (765) 985-2595 Fax www.vohneliche.com			Subtotal \$34,510.00	
			Sales Tax (0.0%) \$0.00	
			Total USD \$34,510.00	

Vohne Liche Kennels, Inc.

7953 N Old Rt 31
Denver, IN 46926

Cost Quote

Date	Estimate #
3/4/2020	10820

Bill To
Sioux City Police Dept 601 Douglas St Sioux City, IA 51101

Ship To
Sioux City Police Dept 601 Douglas St Sioux City, IA 51101

P.O. No.	Terms	Due Date	VLK Rep		Contact #
	Net 30	4/3/2020	LAP		
Description		Qty	Rate	Total	
Dual Purpose Equipment Pack					
6' x 3/4" Black Leather Lead		2	22.00	44.00T	
Choke Chain 22"		2	6.00	12.00T	
30' Black Long Line Lead		2	24.00	48.00T	
Black Leather Tracking Collar 22"		2	25.00	50.00T	
Black Leather Muzzle - Medium		2	100.00	200.00T	
6' Stake Out Chains		2	45.00	90.00T	
Viper Left Bite Sleeve		2	167.00	334.00T	
38 Special Blank Bullets		2	25.00	50.00T	
VLK Patrol Double Girth Harness, VLK Label		2	40.00	80.00T	
Pro 550 E-Collar		2	400.00	800.00T	
Kinetic 32K Ultra Dog, 35#		4	59.00	236.00T	
2 Quart Stainless Steel Bowl		2	7.00	14.00T	
3 Quart Stainless Steel Bowl		2	8.00	16.00T	
Slicker Brush		2	7.00	14.00T	
K-9 #500 Vari-Kennel - Gently Used		2	95.00	190.00T	
Cirrus Wind Indicator Kit		2	52.00	104.00T	
Canine Attic Deployment System		2	700.00	1,400.00T	
				3,682.00	
TAX ID # 35-2148814				0.00	
Finance charges will start accruing at a rate of 2% per month on invoices that are unpaid at 30 days after stated due date.			0.00	0.00	
All invoices paid by credit card are subject to a 4% service charge.			0.00	0.00T	
This estimate is good for ninety days. Thank you for your inquiry.			Subtotal \$3,682.00		
(765) 985-2274 Phone (765) 985-2595 Fax www.vohneliche.com			Sales Tax (0.0%) \$0.00		
			Total USD \$3,682.00		

Delete
Delete

\$2092.00?

PROPOSAL

Date: March 4, 2020

Buyer: Sioux City Police Department
Attn: Sgt. Jake Noltze
601 Douglas St
Sioux City, IA 51101

Two Pre-trained Dual Purpose Drug Detection Dogs@ \$14,500/ea.....	\$29,000.00
(2) Six Week Patrol Handler Courses@4,200/ea.....	\$ 8,400.00
Payment in Net 30 offers Professional Discount@ \$500/ea	\$ 1,000.00
Total:	\$36,400.00

*Assumes
Discount*

(37,400)

*Does Not Include
Lodging @ estimate
\$125 x 60 nights = 7500 -
2,30*

K-9 to be trained in the following odors:

- Marijuana
- Crack Cocaine
- Heroin
- Cocaine
- Methamphetamine

*No Handler Kit
Est. 1500 x 2
3000*

*24,900 - is AN
Equivalent Number*

NOTE: Purchase Order required prior to selection of canine.

All dogs come with one year guarantee on workability, one year on health on hip and elbow dysplasia and copy of health certificate and hip x-rays.

PAYMENT TERMS – NET 30 DAYS

Please make check payable to Southern Coast K9, Inc.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 10A

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant in the amount of \$135,097.00 to the Iowa Department of Transportation to assist in terminal improvements, hangar refurbishment, jetbridge improvements, and potential new hangar construction at the Sioux Gateway Airport/ Brigadier General Bud Day Field.

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

Staff respectfully requests the City Council approve the resolution allowing the Airport Director to submit a grant application to the Iowa Department of Transportation for Commercial Service Vertical Infrastructure funds to assist in terminal improvements, hangar refurbishment, jetbridge improvements, and potential new hangar construction at the Sioux Gateway Airport/Brigadier General Bud Day Field.

The grant application was approved by the Airport Board of Trustees at their March 19, 2020 meeting.

DISCUSSION:

The grant application authorizes funds up to \$135,097.00 to assist in refurbishment and improvements to the Passenger Terminal, jetbridge, Airfield Maintenance Facility, and existing hangars on the Airfield, building site preparation and construction of Airport Facilities. Projects may include passenger capacity, safety, security, and lighting upgrades, floor, ceiling, roof, hangar door, HVAC, and Airport Facilities Development to include engineering, utilities, building/site preparation and construction.

FINANCIAL IMPACT:

The grant will pay 100% of eligible project costs up to \$135,097.00.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility-Infrastructure

ALTERNATIVES:

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

ATTACHMENTS:

Resolution

IDOT Application

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT AN AIRPORT STATE FUNDING APPLICATION FOR A COMMERCIAL SERVICE VERTICAL INFRASTRUCTURE GRANT IN THE AMOUNT OF \$135,097.00 TO THE IOWA DEPARTMENT OF TRANSPORTATION TO ASSIST IN TERMINAL IMPROVEMENTS, HANGAR REFURBISHMENT, JETBRIDGE IMPROVEMENTS, AND POTENTIAL NEW HANGAR CONSTRUCTION AT THE SIOUX GATEWAY AIRPORT/BRIGADIER GENERAL BUD DAY FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Airport Director be and he is hereby authorized and directed to submit an Airport State Funding Application for a Commercial Service Vertical Infrastructure Grant, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation in the amount of \$135,097.00 to assist in terminal improvements, hangar refurbishment, jetbridge improvements, and potential new hangar construction at the Sioux Gateway Airport/Brigadier General Bud Day Field.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

AIRPORT STATE FUNDING APPLICATION CHECKLIST

Fiscal Year 2021

Please attach the following documents with your application:

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

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

Please mail, FAX, or email signed application to:

Iowa Department of Transportation	ATTN: Program Manager
Office of Aviation	email: Shane.Wright@dot.iowa.gov
800 Lincoln Way	515-239-1048 (questions)
Ames, Iowa 50010	FAX: 515-233-7983



Form 105101 (03-08)

MINORITY IMPACT STATEMENT

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

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

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

Describe the positive impact expected from this project.

Indicate which group is impacted:

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

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

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.

Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

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

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

Present the rationale for determining no impact.

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

Name: Mike Collett

Title: Airport Director

Definitions

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

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

b. As used in this subsection:

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

"Disability" does not include any of the following:

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

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.



Form 201114ad (05-15)

AIRPORT STATE FUNDING APPLICATION

Fiscal Year 2021

Airport Name: Sioux Gateway Airport

Airport Sponsor Name: City of Sioux City

Contact Person: Mike Collett

Title: Airport Director

Complete Mailing Address: 2403 Aviation Blvd

Sioux City

IA

51111

Daytime Phone: 712 279 0169

City

State

Zip Code

Email Address: mcollett@sioux-city.org

FAX Number: _____

Project Description – If applying for more than one project, list in order of priority. A separate project application data sheet is needed for each project.	Project Type	Total Project Amount	State Amount Requested	Percent State Share
	Hangar/Terminal work	CSV1	\$135,097	\$135,097
				100%

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

Indicate quantity needed:

____ 18" x 96" ____ 36" x 144"

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

Signature of Authorized Sponsor Representative

Mike Collett

Typed Name

Airport Director

Title

Date

Please mail, FAX, or email application to:

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

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

**AIRPORT STATE FUNDING APPLICATION
PROJECT DATA SHEET
Fiscal Year 2021**

Submit a separate data sheet for each project.

Airport	Sioux Gateway Airport		Date	04/06/2020
Project type (check only one)	☐ Airport Improvement Program (AIP) ☒ Commercial Service Vertical Infrastructure (CSVI) ☐ General Aviation Vertical Infrastructure (GAVI)			
Project description	Refurbish and improvements to the Passenger Terminal, Jetbridge, Airfield Maintenance Facility and existing hangars on the Airfield, building site preparation and construction of Airport Facilities. Projects include passenger capacity, safety, security and lighting upgrades, floor, ceiling, roof, hangar doors, HVAC, refurbishment to the whole building, and/or Airport Facilities Development to include engineering, utilities, building/site preparation and construction.			
Engineering firm (If unknown, write unknown.)	Reynold, Smith and Hills, LLC (if needed)			
Sketch	Attach separate sketch from ALP if applicable.			
Project justification (Include detailed information and data to support need.)	Buildings selected for work include any hangar that the Airport owns that may need repairs. Buildings targeted include any building whose original construction was between the 1940s and the 1970s and any new construction that may be needed for future customers. Improvements are needed to meet ADA requirement, passenger and employee health, lactation room or pod, and wellness and comfort in Airport Structures!!			
Detailed cost estimate (Attach separate sheet if necessary.)	Terminal work		\$125,000	
	Hangar work		\$85,000	
	Engineering for new facilities (design and CA)		\$45,000	
	Total Project Costs (Costs are estimates and actual pricing will vary)		\$255,000	
	Total project cost	\$135,097	(100%)	
	Local share	\$0	(0%)	
	Requested state share	\$135,097	(100%)	
Sponsor signature		Sponsor title		
		Airport Director		

Please mail, fax, or email signed application to:

Attn: Program manager
Office of Aviation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Email: Shane.Wright@iowadot.us
515-239-1048 (questions)
Fax: 515-233-7983

X	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 10B

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to submit an Airport State Funding Application for an Airport Improvement Program Grant in the amount of \$404,000 to the Iowa Department of Transportation to assist in the reconstruction of shoulders between Taxiway C and the FBO Ramp Project at the Sioux Gateway Airport/Brigadier General Bud Day Field.

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

Staff respectfully requests the City Council approve a resolution allowing the Airport Director to submit a grant application to the Iowa Department of Transportation for Airport Improvement Program funds to assist with costs for the reconstruction of shoulders between Taxiway C and the FBO Ramp Project at the Sioux Gateway Airport/Brigadier General Bud Day Field.

The grant application was approved by the Airport Board of Trustees at their March 19, 2020 meeting.

DISCUSSION:

The total project amount is approximately \$505,000.00 with State assistance not to exceed a maximum of \$404,000.00 for a capital improvement project at the Sioux Gateway Airport / Brigadier General Bud Day Field. Funds will be used to reconstruct the existing paved shoulders between Taxiway C and the FBO Ramp that is in poor condition. This shoulder section is a vital piece in snow removal of the FBO Ramp allowing the storage of the snow from this area.

FINANCIAL IMPACT:

The grant will fund 80% of eligible project costs up to \$404,000.00. The Airport has funds programmed for this project in the Annual Airport CIP No. 749-084 for FY20.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility-Infrastructure

ALTERNATIVES:

The alternative would be not applying for the grant which staff does not recommend.

ATTACHMENTS:

Resolution
IDOT Application

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO SUBMIT AN AIRPORT STATE FUNDING APPLICATION FOR AN AIRPORT IMPROVEMENT PROGRAM GRANT IN THE AMOUNT OF \$404,000 TO THE IOWA DEPARTMENT OF TRANSPORTATION TO ASSIST IN THE RECONSTRUCTION OF SHOULDERS BETWEEN TAXIWAY C AND THE FBO RAMP PROJECT AT THE SIOUX GATEWAY AIRPORT/BRIGADIER GENERAL BUD DAY FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Airport Director be and he is hereby authorized and directed to submit an Airport State Funding Application for an Airport Improvement Program Grant, a copy of which is attached hereto and by this reference made a part hereof, to the Iowa Department of Transportation in the amount of \$404,000 for the reconstruction of shoulders between Taxiway C and the FBO Ramp Project at the Sioux Gateway Airport/Brigadier General Bud Day Field.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

AIRPORT STATE FUNDING APPLICATION CHECKLIST

Fiscal Year 2021

Please attach the following documents with your application:

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

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

Please mail, FAX, or email signed application to:

Iowa Department of Transportation	ATTN: Program Manager
Office of Aviation	email: Shane.Wright@dot.iowa.gov
800 Lincoln Way	515-239-1048 (questions)
Ames, Iowa 50010	FAX: 515-233-7983



Form 105101 (03-09)

MINORITY IMPACT STATEMENT

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

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

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

Describe the positive impact expected from this project.

Indicate which group is impacted:

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

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

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.

Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

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

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

Present the rationale for determining no impact.

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

Name: Mike Collett

Title: Airport Director

Definitions

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

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

b. As used in this subsection:

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

"Disability" does not include any of the following:

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

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.



AIRPORT STATE FUNDING APPLICATION

Fiscal Year 2021

Airport Name: Sioux Gateway Airport

Airport Sponsor Name: City of Sioux City

Contact Person: Mike Collett Title: Airport Director

Complete Mailing Address: 2403 Aviation Blvd

Sioux City IA 51111 Daytime Phone: 712.279.0169
City State Zip Code

Email Address: mcollett@sioux-city.org FAX Number: _____

Project Description – If applying for more than one project, list in order of priority. A separate project application data sheet is needed for each project.	Project Type	Total Project Amount	State Amount Requested	Percent State Share
Priority 1 Taxiway C / FBO Ramp grass island shoulder replacement	AIP	\$505,000	\$404,000	80%

Windsocks – Orders may be placed using this form or by calling 515-239-1468	Indicate quantity needed: _____ 18" x 96" _____ 36" x 144"
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The Sponsor certifies that the information contained in this application is accurate and complete to the best of his/her knowledge.

Signature of Authorized Sponsor Representative

Mike Collett

Typed Name

Airport Director

Title

Date

Please mail, FAX, or email application to:

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

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

**AIRPORT STATE FUNDING APPLICATION
PROJECT DATA SHEET
Fiscal Year 2021**

Submit a separate data sheet for each project.

Airport	Sioux Gateway Airport		Date	03/19/2020
Project type (check only one)	☒ Airport Improvement Program (AIP) ☐ Commercial Service Vertical Infrastructure (CSVI) ☐ General Aviation Vertical Infrastructure (GAVI)			
Project description	Remove and replace the existing paved shoulder between Taxiway C and the FBO Ramp			
Engineering firm (If unknown, write unknown.)	Reynold, Smith and Hills, LLC			
Sketch	Attach separate sketch from ALP if applicable.			
Project justification (Include detailed information and data to support need.)	The existing paved shoulder between Taxiway C and the FBO Ramp is in very poor condition. The existing shoulder material has failed. These failures have created FOD hazards, heaving sections (to include light bases) and shrinkage in the asphalt sections. This shoulder section is a vital piece in the snow removal of the FBO Ramp allowing the removal and storage of the snow from this area.			
Detailed cost estimate (Attach separate sheet if necessary.)	Engineering (bid specifications, drawings and CA)	\$80,000		
	Construction	\$425,000		
	Total Project Cost	\$505,000		
	Total project cost	\$505,000	(100%)	
	Local share	\$101,000	(20%)	
	Requested state share	\$404,000	(80%)	
Sponsor signature		Sponsor title		
		Airport Director		

Please mail, fax, or email signed application to:

Attn.: Program manager
Office of Aviation
Iowa Department of Transportation
800 Lincoln Way
Ames, Iowa 50010

Email: Shane.Wright@iowadot.us
515-239-1048 (questions)
Fax: 515-233-7983

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 10C

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution authorizing the Airport Director to apply for a FY2021 Air Service Sustainment Grant from the Iowa Department of Transportation in the amount of \$48,000.00 to assist with marketing efforts at the Sioux Gateway Airport/Brigadier General Bud Day Field.

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

Staff respectfully requests the City Council approve a resolution authorizing the Airport Director to apply for a FY2021 Air Service Sustainment Grant from the Iowa Department of Transportation in the amount of \$48,000.00 to assist with marketing efforts at the Sioux Gateway Airport/Brigadier General Bud Day Field.

DISCUSSION:

The total project amount is \$60,000.00 with State assistance of \$48,000.00 to assist in promoting the airport and air service provided at the Sioux Gateway Airport/Brigadier General Bud Day Field. Funds will be used for advertising print, radio and TV, sponsorships of local events, and any digital marketing services.

The grant application was approved by the Airport Board of Trustees at their March 19, 2020 meeting.

FINANCIAL IMPACT:

The grant will pay 80% of eligible project costs up to \$48,000.00. The additional 20% will be paid by local funds and are budgeted in FY2021 CIP.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility-Economic Opportunity

ALTERNATIVES:

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

ATTACHMENTS:

Resolution
IDOT Application

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AUTHORIZING THE AIRPORT DIRECTOR TO APPLY FOR A
FY2021 AIR SERVICE SUSTAINMENT GRANT FROM THE IOWA DEPART-
MENT OF TRANSPORTATION IN THE AMOUNT OF \$48,000.00 TO ASSIST
WITH MARKETING EFFORTS AT THE SIOUX GATEWAY AIRPORT/BRIGA-
DIER GENERAL BUD DAY FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Airport Director be and he is hereby authorized and directed to apply for an Air Service Sustainment Grant, a copy of which is attached hereto and by this reference made a part hereof, from the Iowa Department of Transportation in the amount of \$48,000.00 to assist with marketing efforts at the Sioux Gateway Airport/Brigadier General Bud Day Field.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



Air Service Development Program Application
Fiscal Year 2021

Airport Name: Sioux Gateway Airport (SUX)

Airport Sponsor Name: City of Sioux City, Iowa

Contact Person: Mike Collett Title: Airport Director

Project Name	Total Project Amount	State Amount Requested	Percent State Share	Local Share
Air Service Development	\$60,000	\$48,000	80%	20%

** Please include a detailed project description and work plan with the application that clearly outlines proposed expenditures for the project. **

A Minority Impact Statement (Form 105101) must accompany the application. The Sponsor certifies that the information contained with this application is accurate and complete to the best of his/her knowledge.

Signature of Authorized Sponsor Representative

Mike Collett
Printed Name

Airport Director
Title

April 6, 2020
Date

Please mail application to:

Iowa Department of Transportation
Aviation Bureau
Attn: Tim McClung
800 Lincoln Way
Ames, Iowa 50010

For further information, contact Tim McClung at 515-239-1689
or e-mail tim.mcclung@iowadot.us



Form 105101 (03-09)

MINORITY IMPACT STATEMENT

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

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

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

Describe the positive impact expected from this project.

Indicate which group is impacted:

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

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

Describe the negative impact expected from this project.

Present the rationale for the existence of the proposed program or policy.

Provide evidence of consultation with representatives of the minority groups impacted.

Indicate which group is impacted:

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

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

Present the rationale for determining no impact.

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

Name: Mike Collett

Title: Airport Director

Definitions

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

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

b. As used in this subsection:

- (1) "*Disability*" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of the individual, a record of physical or mental impairment that substantially limits one or more of the major life activities of the individual, or being regarded as an individual with a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

"*Disability*" does not include any of the following:

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

"State Agency," as defined in Iowa Code Section 8.11, means a department, board, bureau, commission, or other agency or authority of the state of Iowa.

SUX Air Service Development Program Grant

In 2019-20 the Sioux Gateway Airport's primary mission in air service sustainment was customer awareness followed by advertising the convenience and ease of flying out of Sioux Gateway. This year the Airport utilized a digital advertising Expedia campaign, banners, and newspaper advertising to promote the four flights a day from SUX to Chicago and Dallas/Fort Worth offered by American Airlines. With IDOT assistance, SUX plans to continue aggressive marketing techniques using digital platforms.

Sioux Gateway Airport was awarded a Small Community Air Service Development Program Grant for procurement of service to Denver. If successful, we will utilize Air Service Development money to advertise this service via traditional methods and increase our social media presence via Facebook and other outlets. We are allotting \$10,000 for consulting fees anticipating data/analysis that may be required by potential airlines.

Ads will run in Sioux City area newspapers, billboards, and other digital platforms. We will continue to advertise American Airlines, and any additional carriers at Sioux Gateway Airport utilizing all marketing tools listed below. The Airport plans to continue sponsorships of various Sioux City events to promote the use of air service at SUX. Sponsorships for local events include advertising packages of various dollar amounts plus in-kind advertising that is equal to double the amount of the dollar value in the form of radio spots, tv commercials, billboards, and print ads. Also included are Sioux Gateway and American Airlines banners, and t-shirts with American Airlines and Airport logos promoting our air service.

The Sioux Gateway Airport will continue to demonstrate the positive economics of using this airport for business and personal travel. This will include the convenience aspect and the amount of time and money saved not 'traveling somewhere else to travel.' If we secure service to Denver, we will market the 3 hubs available to travelers thus increasing the appeal of flying in and out of Sioux Gateway Airport.

Estimated costs

1. Air Service Consulting \$10,000
2. Multiple Digital Marketing Campaigns -\$36,000
3. Sponsorships-\$12,500
4. WiFi-\$1,500 used by passengers but also our baggage handlers enabling them to conduct business including their communications with the airlines

Total \$60,000

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 11A

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

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Panel Patch Project Phase I (Project No. 7073-719-121).

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

Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Panel Patch Project Phase I (Project No. 7073-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the FY21 Panel Patch Project Phase I. The Project has two sites, Wesley Parkway from 3rd Street to W. 7th Street, and the Heritage Ramp outdoor parking lot located at 312 Jackson Street. The project includes the replacement of damaged paving and reconstruction of sidewalk ramps at both sites.

Site 1: The joints on the paving on Wesley Parkway have severely deteriorated causing the City's Street Division to expend significant maintenance efforts and resources to maintain the street surface in order to keep it passable and prevent further damage to the street.

Site 2: The outdoor lot at the Heritage Parking Ramp has damaged pavement that requires replacement and sidewalk ramps that need reconstruction.

Staff is ready to publish the Notice of Public Hearing on April 11, 2020 and April 18, 2020 and advertise the Notice to Bidders on April 8, 2020. A public hearing will be held on April 20, 2020. Bids will be received on April 21, 2020.

FINANCIAL IMPACT:

This project is funded using transfers in Water Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121 Annual Resurfacing/Panel Patch/Curb and Gutter. The Engineer's opinion of probable construction cost for the work is \$1,175,042.00. The project currently has an available balance of \$983,540.00. Additional funds will be brought forward as part of the FY21 budget to cover the shortfall on this project.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council may request changes to the project documents or schedule.

ATTACHMENTS:

Resolution
Public Notice of Taking Bids
Notice of Public Hearing

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
FY21 PANEL PATCH PROJECT PHASE I (PROJECT NO. 7073-719-121).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the FY21 Panel Patch Project Phase I, in Sioux City, Iowa; and

WHEREAS, the City Engineering Division have prepared the plans, specifications, form of contract, and estimated cost.

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

- A. The plans, specifications, form of contract, and estimated cost, as prepared by the City Engineering Division and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the FY21 Panel Patch Project Phase I in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 P.M., Local Time, April 20, 2020, 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 \$1,175,042.00 for said improvements.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 P.M., Local Time, April 21, 2020 for the proposed construction of said improvements.
- C. The time of 1:00 P.M., Local Time, April 21, 2020, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
- E. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City's Engineering website, located at <https://sioux-city.org/engineering>.

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE FY21 PANEL PATCH PROJECT PHASE I (PROJECT NO. 7073-719-121), IN SIOUX CITY, IOWA.

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, April 21, 2020, for the construction of the project, as described in the construction documents. The project has two sites. Site 1 is Wesley Parkway from 3rd Street to W. 7th Street. Site 2 is Heritage Ramp outdoor parking lot at 312 Jackson Street. The project includes the replacement of damaged paving and reconstruction of sidewalk ramps at both sites.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on April 21, 2020. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

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

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

The Notice of Public Hearing will be published in the Sioux City Journal on April 11, 2020 and April 18, 2020.

The project has two work sites.

Site 1: Wesley Parkway from 3rd Street to W. 7th Street has an early start date of May 18, 2020 and a late start date of June 1, 2020. Work on Site 1 shall be completed within 31 Working Days. This site has a mandatory six-day work week.

Site 2: Heritage Parking Ramp outdoor lot located at 312 Jackson Street has a late start date of July 13, 2020. Work on Site 2 shall be completed within 12 Working Days.

Specifications for this project shall be the 2020 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2020 version of the City of Sioux City Supplement.

Copies of said construction documents are available at the office of the City Clerk of Sioux City for examination by the public. The documents are also available for viewing by the public, or sub-contractors, or suppliers, on the City's Engineering website, under the Projects Out to Bid tab www.siouxx-city.org/engineering. Construction documents for private use, or potential prime contractors may be obtained online at questcdn.com at no charge, or hard copy from the Purchasing

Division, City Hall, upon deposit of fifty dollars (\$50) via check or money order for each set. The deposit will be returned to depositor if the construction documents are returned in good condition within fourteen (14) days from date of award.

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

Post on the Construction Update Plan Room Network's website at www.mbionline.com and on the City's website at www.siuox-city.org/engineering April 8, 2020.

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE FY21 PANEL PATCH PROJECT PHASE I (PROJECT NO. 7073-719-121), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on April 20, 2020 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of \$1,175,042.00 (the construction documents) for the construction of the FY21 Panel Patch Project Phase I. The Project has two sites in Sioux City, Iowa. Site 1 is located at Wesley Parkway from 3rd Street to W. 7th Street. Site 2 is located at Heritage Ramp outdoor parking lot at 312 Jackson Street. This Project includes the replacement of damaged paving and reconstruction of sidewalk ramps at both sites. At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement.

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

Publish in the Sioux City Journal April 11, 2020 and April 18, 2020.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 11B

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

SUBJECT: Resolution adopting plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Annual Resurfacing Project Phase I (Project No. 7105A-719-121).

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

Staff respectfully requests Council adopt plans, specifications, form of contract, and estimated cost for the proposed construction of the FY21 Annual Resurfacing Project Phase I (Project No. 7105A-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the FY21 Annual Resurfacing Project Phase I. This project includes the construction of curb and gutter, sidewalk ramp reconstruction, and asphalt resurfacing. This project has two work sites:

Site 1: Hamilton Boulevard from W. 7th Street to Wesley Parkway has an early start date of May 18, 2020 and a late start date of June 1, 2020. Work on Site 1 shall be completed within 30 Working Days. This site has a mandatory six-day work week.

Site 2: Jackson Street from 5th Street to 14th Street, Jackson Street from 36th Street to 39th Street, and 30th Street from Jackson Street to Jones Street has an early start date of June 13, 2020, and a late start date of July 13, 2020. Work on Site 2 shall be completed within 80 Working Days.

Staff is ready to publish the Notice of Public Hearing on April 11, 2020 and April 18, 2020 and advertise the Notice to Bidders on April 8, 2020. A public hearing will be held on April 20, 2020. Bids will be received on April 21, 2020.

FINANCIAL IMPACT:

This project is funded using transfers in Water Funds, Sewer Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121. The Engineer's opinion of probable construction cost for the work is \$1,720,345.00. The project currently has an available balance of \$983,540.00. FY21 CIP funds will be used for the shortfall

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Council may request changes to the project documents or schedule.

ATTACHMENTS:

Resolution
Public Notice of Taking Bids
Notice of Public Hearing

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE PROPOSED CONSTRUCTION OF THE
FY21 ANNUAL RESURFACING PROJECT PHASE I (PROJECT NO. 7105A-719-
121).

WHEREAS, it is necessary and in the best interests of the City of Sioux City, Iowa to construct the FY 21 Annual Resurfacing Project Phase I, in Sioux City, Iowa; and

WHEREAS, the City Engineering Division has prepared the plans, specifications, form of contract, and estimated cost.

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

- A. The plans, specifications, form of contract, and estimated cost, as prepared by the City Engineering Division and on file in the office of the City Clerk of the City of Sioux City, Iowa, for the proposed construction of the FY 21 Annual Resurfacing Project Phase I, in Sioux City, Iowa, be and the same are hereby adopted and the time of 4:00 P.M., Local Time, April 20, 2020, 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 \$1,720,345.00 for said improvements.
- B. The bids will be received by the City Clerk of the City of Sioux City, Iowa, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in said City until 1:00 P.M., Local Time, April 21, 2020 for the proposed construction of said improvements.
- C. The time of 1:00 P.M., Local Time, April 21, 2020, in the Fourth Floor Clock Tower Conference Room in City Hall, 405 Sixth Street, Sioux City, Iowa, be and it is hereby fixed as the time and place for the opening of bids for the proposed construction of said improvements, and said bids shall be considered and acted upon at a meeting of the City Council in the City Council Chambers thereafter.
- D. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted in a relevant contractor plan room service with statewide circulation, and a relevant construction lead generating service with statewide circulation in a manner prescribed by law.
- E. The City Clerk of the City of Sioux City, Iowa shall cause the attached Notice of Taking Bids to be posted on the City's Engineering website, located at <https://sioux-city.org/engineering>.

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

NOTICE OF TAKING BIDS FOR THE CONSTRUCTION OF THE FY 21 ANNUAL
RESURFACING PROJECT PHASE I (PROJECT NO. 7105A-719-121).

Sealed bids will be received by the City of Sioux City City Clerk, at the Customer Service Center located on First Floor in City Hall, 405 Sixth Street, in Sioux City Iowa, until 1:00 P.M., Local Time, April 21, 2020, for the construction of the project, as described in the construction documents. Site 1 of the Project is located on Hamilton Boulevard from W. 7th Street to Wesley Parkway. Site 2 is located on Jackson Street from 5th Street to 14th Street, Jackson Street from 36th Street to 39th Street, and 30th Street from Jackson Street to Jones Street. Both sites include replacement of curb and gutter, sidewalk ramp reconstruction, and asphalt resurfacing.

Bids received will be opened and tabulated at a public meeting, presided over by a City Engineer, in the 4th Floor Clock Tower Conference Room in the Public Works Department, City Hall, at 1:00 P.M., Local Time, on April 21, 2020. Thereafter, bids will be acted upon by the City Council at such time and place as may be fixed.

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

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

The Notice of Public Hearing will be published in the Sioux City Journal on April 11, 2020 and April 18, 2020.

This project has two work sites.

Site 1: Hamilton Boulevard from W. 7th Street to Wesley Parkway has an early start date of May 18, 2020 and a late start date of June 1, 2020. Work on Site 1 shall be completed within 30 Working Days. This site has a mandatory six-day work week.

Site 2: Jackson Street from 5th Street to 14th Street, Jackson Street from 36th Street to 39th Street, and 30th Street from Jackson Street to Jones Street has an early start date of June 13, 2020, and a late start date of July 13, 2020. Work on Site 2 shall be completed within 80 Working Days.

Specifications for this project shall be the 2020 version of the Iowa Statewide Urban Standard Specifications for Public Improvements modified in accordance with the 2020 version of the City of Sioux City Supplement.

Copies of said construction documents are available at the office of the City Clerk of Sioux City for examination by the public. The documents are also available for viewing by the public, or sub-contractors, or suppliers, on the City's Engineering website, under the Projects Out to Bid tab

www.sioucity.org/engineering. Construction documents for private use, or potential prime contractors may be obtained online at questcdn.com at no charge, or hard copy from the Purchasing Division, City Hall, upon deposit of fifty dollars (\$50) via check or money order for each set. The deposit will be returned to depositor if the construction documents are returned in good condition within fourteen (14) days from date of award.

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

Post on the Construction Update Plan Room Network's website at www.mbsonline.com and on the City's website at www.sioucity.org/engineering April 8, 2020.

NOTICE OF PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COSTS FOR THE CONSTRUCTION OF THE FY21 ANNUAL RESURFACING PROJECT PHASE 1 (PROJECT NO. 7105A-719-121), IN SIOUX CITY, IOWA.

A public hearing will be held before the Sioux City City Council in the Council Chambers, Room 504, City Hall, 405 Sixth Street, Sioux City, Iowa, on April 20, 2020 commencing at 4:00 P.M., Local Time, on the proposed plans, specifications, form of contract, and estimate of cost in the amount of \$1,720,345.00 (the construction documents) for the construction of the FY21 Annual Resurfacing Project Phase 1 in Sioux City, Iowa. At said hearing, any interested person may appear and file objections to the proposed plans, specifications, contract, or estimated cost of the public improvement. The public improvement project has two work sites. Site 1 is located on Hamilton Boulevard from W. 7th Street to Wesley Parkway. Site 2 is located on Jackson Street from 5th Street to 14th Street, Jackson Street from 36th Street to 39th Street, and 30th Street from Jackson Street to Jones Street. Both sites include replacement of curb and gutter, sidewalk ramp reconstruction, and asphalt resurfacing.

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

Publish in the Sioux City Journal April 11, 2020 and April 18, 2020.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 12A

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution awarding a Consulting Services Agreement to Kalaher Architecture, LLC, d/b/a PLaN Architecture of Sioux City, Iowa for design services, construction documents, bidding services and construction administration for the Riverside Family Aquatics Center Pool House Renovation Project in a lump sum amount of \$38,100.00 plus reimbursables.

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

Staff respectfully requests Council approve the attached resolution for a Consulting Services Agreement with PLaN Architecture of Sioux City, Iowa for design services, construction documents, bidding services and construction administration for the Riverside Family Aquatics Center Pool House Renovation Project.

DISCUSSION:

The Parks and Recreation staff is coordinating the pool house renovation of the Riverside Family Aquatics Center to update the exterior of the bath house and pump house, updates to the admissions/entry area, create an additional 60 SF of concession area space as well as updates to the interior of the existing concession area, and create an additional 300 SF of small storage. The scope of services for the project will include design services, construction documents, ADA review, bidding services, and construction administration.

FINANCIAL IMPACT:

The Consulting Services Agreement will be covered under General Obligation Bonds in CIP #459-214 "Aquatic Comprehensive Plan" with a FY21 budget of \$200,000.

RELATIONSHIP TO STRATEGIC PLAN:

Explore Destination Sioux City
Grow Sioux City Pride

ALTERNATIVES:

Deny this agreement and require staff to seek services from another firm.

ATTACHMENTS:

Resolution
Consulting Services Agreement

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AWARDING A CONSULTING SERVICES AGREEMENT TO KALAHAR ARCHITECTURE, LLC, D/B/A PLAN ARCHITECTURE OF SIOUX CITY, IOWA FOR DESIGN SERVICES, CONSTRUCTION DOCUMENTS, BIDDING SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE RIVERSIDE FAMILY AQUATICS CENTER POOL HOUSE RENOVATION PROJECT IN A LUMP SUM AMOUNT OF \$38,100.00 PLUS REIMBURSABLES.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that a Consulting Services Agreement, a copy of which is attached hereto and by this reference made a part hereof, be awarded to Kalaher Architecture, LLC, d/b/a PLaN Architecture of Sioux City, Iowa in a lump sum amount of \$38,100.00 plus reimbursables for design services, construction documents, bidding services, and construction administration for the Riverside Family Aquatics Center Pool House Renovation Project.

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

PASSED AND APPROVED: April 6, 2020

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 Kalahar Architecture, LLC, d/b/a PLaN architecture (hereinafter referred to as "Consultant").

WITNESSETH: That whereas the City intends to retain the Consultant to perform professional services for a project known as the Riverside Family Aquatics Center Pool House Renovation Project 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:

Design of the Riverside Family Aquatics Center Pool House Renovation Project including the concession area, admission/entry area, small storage building, and an accessibility review of existing restrooms, to be completed by August 10, 2020 as further described in Exhibits "A" and "B" in a lump sum amount of \$38,100.00 plus reimbursables.

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

Attest:

By: _____
Lisa L. McCordle, City
Clerk

Service Provider

By: 
NATHANIEL KALAHAR
[Print Name]

Title: ARCHITECT, PLAN ARCHITECTURE

Attest:

By: _____

[Print Name]

Title: _____

GENERAL CONDITIONS OF CITY'S CONSULTANT SERVICES AGREEMENT

SECTION 1 CONSULTANT'S SERVICES

1.1. CONSULTANT'S SERVICES.

1.1.1. The Consultant's services consist only of those services performed by the Consultant, Consultant's employees and Consultant's consultants as enumerated in Exhibit "A" of this Agreement.

1.1.2. Consultant represents that the Services and all of its components; shall conform to the requirements of this Contract; shall be suitable for the purposes expressed in this Contract; and shall be performed in accordance with the professional standards of care, practiced by those in the same profession in performing services of a similar nature in existence at the time of performance of the Services in the same or similar location.

Consultant shall be responsible for the quality, technical accuracy, completeness and coordination of all reports, documents, data, information and other items and services under this Contract provided by the Consultant. Consultant shall, promptly and without charge, provide all corrective Services.

Consultant shall be responsible for any and all damages to property or persons as a result of Consultant's errors, omissions, negligent acts and for any losses or costs to repair or remedy any work undertaken by City based upon the Services as a result of any such errors, omissions, and negligent acts. Notwithstanding any other provision of this Contract, Consultant's obligations under this Section shall exist without regard to, and shall not be construed to be waived by, the availability or unavailability of any insurance, either of City or Consultant, to indemnify, hold harmless or reimburse Consultant for such damages, losses or costs.

1.1.3. Consultant shall advise the City of the need or advisability for City to obtain any additional tests or information or other consulting service if any are required to properly design the Project.

1.1.4. Consultant shall exercise usual and customary professional care in its efforts to ensure that the final construction drawings and specifications and other construction documents when submitted to the City or any bidder shall be complete and unambiguous and in compliance with applicable codes and statutes in effect as of the date of execution of this Agreement.

1.1.5. Consultant represents to City that Consultant has sufficient experience and financial resources to complete the services required by this Agreement; and, that the Consultant has visited the site of the Project and thoroughly familiarized itself with the local conditions under which the services required hereunder are to be performed.

1.1.6. The Consultant's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the work. The Consultant shall at all times have access to the Project wherever it is in preparation or progress.

1.1.7. Upon request of the City, the Consultant shall submit for the City's approval a schedule for the performance of the Consultant's services which may be adjusted as the Project

proceeds, and shall include allowances for periods of time required for the City's review and for approval of submissions by authorities having jurisdiction over the Project. Time limits established by this schedule approved by the City shall not, except for reasonable cause, be exceeded by the Consultant or City. In the absence of an approved schedule the services shall be completed by the date set forth in Exhibit "A".

- 1.1.8. Unless specified otherwise in Exhibit "A", the Sioux City Design Standards Manual and Sioux City Standard Specifications for Public Improvements shall be used for any construction contract documents prepared hereunder.

1.2. ADDITIONAL SERVICES.

- 1.2.1. Service requested by the City which is not described on Exhibit "A" as part of the Consultant's services shall be considered as additional services of the Consultant for which Consultant may request additional compensation to be paid. The Consultant shall not perform additional services requiring additional compensation without a written order to do so signed by the Project Manager which contains a mutually agreeable amount of additional compensation for the work. Any work performed by the Consultant for which a written order with a stated amount of compensation has not been issued shall be conclusively presumed to be part of the Consultant's basic services as set forth in Exhibit "A".
- 1.2.2. If Exhibit "A" contains provisions for contingent basic services, such services shall not be performed without a written order to perform the work signed by the Project Manager.

SECTION 2 CITY'S RESPONSIBILITIES

- 2.1. The City shall provide full information regarding requirements for the Project, including a program which shall set forth the City's objectives, schedule, constraints and criteria, including any special requirements, any previous reports or data relative to the Project, flexibility, and expendability of the Project. The City may request the assistance of the Consultant to define the scope of information needed.
- 2.2. The City shall establish and update an overall budget for the Project, and the City's other costs and reasonable contingencies related to all of these costs. The City may request the assistance of the Consultant to estimate project costs.
- 2.3. The City shall designate a city representative as the "Project Manager" authorized to act on the City's behalf with respect to the Project. The City or such authorized city representative shall render decisions and inform the Consultant of the same in a timely manner pertaining to questions or documents submitted by the Consultant in order to avoid unreasonable delay in the orderly and sequential progress of the Consultant's services.
- 2.4. The City shall furnish the services of other consultants when such services are reasonably required by the scope of the Project and are requested by the Consultant if not a part of Consultant's basic services. The Consultant may rely upon the accuracy and completeness thereof, but shall immediately notify the City if it determines the information is inaccurate or inadequate.
- 2.5. The City shall furnish all legal, accounting and insurance counseling services as may be necessary at any time for the Project, including auditing services the City may require to verify

the Consultant's applications for payment.

- 2.6. Prompt written notice shall be given by the City to the Consultant if the City becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents.
- 2.7. City may require and Consultant shall execute, as part of its basic services hereunder, any certificates or certifications customarily, commonly, or reasonably required on projects of this type. The proposed language of any certificates or certifications requested of the Consultant or Consultant's consultants shall be submitted to the Consultant for review and approval at least 14 days prior to execution. The City shall not request certifications beyond the scope of Consultant's services under this Agreement.
- 2.8. Notwithstanding anything to the contrary in this Article 2, the City shall be required to furnish information or services described in this Article 2 only to the extent that such information or service is both reasonably required and actually requested by Consultant in order to perform Consultant's services under this Agreement.

SECTION 3 OWNERSHIP AND USE OF DOCUMENTS

- 3.1. Drawings, plans, specifications, photos, reports, information, observations, calculations, notes and any other reports, documents, data or information, in any form, prepared, collected, or received by Consultant in connection with any or all of the Services are the property of the Consultant; however, the Project is the property of the City, and Consultant may not use the drawings and specifications therefore for any purpose not relating to the Project without City's consent. City shall be furnished with such reproductions of drawings, specifications, photos, reports, information, observations, calculations, notes and any other reports, documents, data or information and specifications as City may reasonably require. Upon completion of the work or any earlier termination of this Agreement under Article 5, if the Consultant has provided construction administration services, the Consultant will request from the Contractor, drawings to reflect changes made during construction and Consultant will promptly furnish the City with one complete set of reproducible record prints. Prints shall be furnished, as an additional service, at any other time required by City. All such reproductions shall be the property of the City who may use them without Consultant's permission for any proper purpose relating to the Project, including, but not limited to, additions to or completion of the Project. However, they are not intended or represented to be suitable for reuse by the City or others on any other Project. Any reuse without written verification or adaptation by Consultant for the specific purpose intended will be at the City's sole risk and without liability or legal exposure to Consultant. City shall indemnify and hold harmless Consultant from all claims, damages, losses and expenses including attorney's fees arising out of or resulting therefrom. Any such verification or adaptation will entitle Consultant to further compensation at rates to be agreed upon by City and Consultant.
- 3.2. Copies of City furnished data that may be relied upon by Consultant are limited to the printed copies (also known as hard copies) that are delivered to the Consultant. Files in electronic media format of text, data, graphics, or of other types that are furnished by City to Consultant are only for convenience of Consultant. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk.
- 3.3. Unless required otherwise in Exhibit "A", copies of documents that may be relied upon by City are limited to the printed copies (also known as hard copies) that are signed or sealed by the Consultant. Files in electronic media format of text, data, graphics, or of other types

that are furnished by Consultant to City are only for convenience of City. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. The Consultant may rely on the existing building drawings, already provided digitally by the City to the Consultant.

SECTION 4 CONSULTANT'S CLAIMS

- 4.1. If any instruction or decision by the Project Manager gives rise to a claim by the Consultant for additional compensation or time to complete the Project, such claim shall be made in writing to the Project Manager. The claim shall state the amount of additional compensation or time requested and the reasons for the claim. The claim must be filed within ten days of the decision or instruction by the Project Manager giving rise to the claim or it shall be deemed waived by the Consultant and shall not be subject to any arbitration or litigation.
- 4.2. In the case of a claim made by the Consultant, the Project Manager shall confer with Consultant for the purpose of resolving the claim by mutual agreement. If the parties are able to agree the Project Manager shall reduce the agreement to writing and it must be signed by both parties to be effective. If the parties are unable to agree the Project Manager shall render a decision in writing. The Project Manager shall make his decision and provide a copy thereof to the Consultant within ten days of the filing of the claim.
- 4.3. The decision of the Project Manager shall be final and binding upon the Consultant unless the Consultant appeals the decision of the Project Manager to the City Council. Such appeal shall be taken within seven days from the Project Manager's decision by filing with the City Clerk a request for review of the Project Manager's decision and full statement of the facts surrounding the claim and the amount of the claim. The City Council shall fix a date, time and place to hear the matter, which date shall be not less than eleven days from receipt of the request for review. If the matter is not heard within eleven days or a decision not rendered by the City Council within seven days of the hearing, the claim shall automatically be deemed denied by the City Council.
- 4.4. The decision of the City Council shall be final and binding upon the Consultant unless within one month from the date of the decision of the City Council or such additional time as the City may agree upon, the City and the Consultant agree in writing to non-binding mediation the Consultant files suit in Woodbury County District Court.
- 4.5. All time limits herein may be extended or shortened by agreement between the City and the Consultant.
- 4.6. Any other dispute not involving additional compensation or time to complete the Project shall be brought to the attention of the City or the Consultant in writing as soon as the party becomes aware a dispute exists. The Project Manager shall confer with the Consultant for the purpose of resolving the dispute by mutual agreement. If the parties are able to agree, the Project Manager shall reduce the agreement to writing and it must be signed by both parties to be effective. If the parties are unable to agree, the Project Manager shall render a decision in writing. The Project Manager shall make the decision and provide a copy thereof to the Consultant within ten days of the presentation of the dispute. Thereafter, the provisions of Sections 4.3 and 4.4. shall apply.
- 4.7. All claims, disputes and other matters in question between the City and the Consultant, arising out of or relating to this Agreement or the breach thereof, may be decided by non-

binding mediation, only if the City and the Consultant can mutually agree in writing upon the time, places, mediators or arbitrators, and various rules of mediation conduct, any other paragraph, law or rule to the contrary notwithstanding.

SECTION 5 TERMINATION, SUSPENSION OR ABANDONMENT

- 5.1. This Agreement may be terminated by either party upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.
- 5.2. If the Project is suspended by the City for more than 30 consecutive days, the Consultant shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Consultant's compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the Consultant's services.
- 5.3. This Agreement may be terminated by the City upon not less than seven days' written notice to the Consultant in the event that the Project is permanently abandoned. If the Project is abandoned by the City for more than 90 consecutive days, the Consultant may terminate this Agreement by giving written notice.
- 5.4. Failure of the City to make payments to the Consultant in accordance with this Agreement shall be considered substantial nonperformance and cause for termination.
- 5.5. This Agreement may also be terminated by the City upon seven days written notice, without regard to any fault or failure to perform by any party, and solely for the City's convenience. In the event of such termination, the Consultant shall be paid compensation in the same manner as set out in Section 5.7, and City shall have no further liability for compensation expenses, or fees to Consultant hereunder except as set out under Section 5.8.
- 5.6. If the City fails to make payment when due the Consultant for services and expenses, the Consultant may, upon seven days' written notice to the City, suspend performance of services under this Agreement. Unless payment in full is received by the Consultant within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, the Consultant shall have no liability to the City for delay or damage caused the City because of such suspension of services.
- 5.7. In the event of termination not the fault of the Consultant, the Consultant shall be compensated for services performed prior to termination, together with reimbursable expenses incurred and due and termination expenses.
- 5.8. In the event of any termination under this Section 5, the Consultant consents to City's selection of another consultant of City's choice to assist the City in any way in completing the Project. Consultant further agrees to cooperate and provide any information requested by City in connection with the completion of the Project. Any services provided by Consultant which are requested by City after termination shall be fairly compensated by City.
- 5.9. In the event of termination due to the failure of the Consultant to abide by the provisions of this agreement, the City may at its option:
 - 5.9.1. Compensate the Consultant for all services satisfactorily performed prior to date of termination plus all reimbursable expenses directly associated therewith, and proceed with

the Project utilizing the services of other consultants, reserving unto itself the right to seek from the Consultant any damages it may be lawfully entitled to receive.

- 5.10. In the event of termination, regardless of cause, the Consultant shall deliver to the City all documents as specified in Section 3.1 for which the City has compensated the Consultant.
- 5.11. Termination expenses are in addition to compensation for basic and additional services, and include expenses which are directly attributable to termination. Termination expenses shall be actual out-of-pocket costs or expenses incurred by Consultant as a result of termination not the Consultant's fault.

SECTION 6 MISCELLANEOUS PROVISIONS

- 6.1. This Agreement shall be governed by the laws of the State of Iowa.
- 6.2. The Woodbury County, Iowa, District Court shall have exclusive jurisdiction of all litigation between the Consultant and the City.
- 6.3. This is a contract for professional services. Therefore, the City shall not be bound to the successors, executors, administrators, assigns or legal representatives of the Consultant in respect to the covenants and obligations of this Agreement absent specific written agreement to be so bound.
- 6.4. Neither the City nor the Consultant shall assign or transfer any rights under or interest in (including, but without limitation, moneys that may become due or moneys that are due) this Agreement without the written consent of the other except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Consultant from employing such independent consultants, associates and subcontractors as he may deem appropriate to assist him in the performance of services hereunder.
- 6.5. This Agreement represents the entire and integrated agreement between the City and Consultant and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the City and Consultant.
- 6.6. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the City or Consultant.
- 6.7. The Consultant shall have the right to include representations of the Project, among the Consultant's promotional and professional materials. The Consultant's materials shall not include the City's confidential or proprietary information if the City has previously advised the Consultant in writing of the specific information considered by the City to be confidential or proprietary. The Consultant shall not use the design materials in any way which may jeopardize the City's entitlement to state or federal funds.
- 6.8. The Consultant agrees to assist and cooperate with the City in any arbitration or litigation involving another person and arising out of services performed by Consultant under this

Agreement. The City agrees to pay the Consultant for all services rendered in accordance with the provisions of Section 8.2.3.3. If, however, negligence by the Consultant is found to exist by the factfinder, the City shall have no obligation to reimburse the Consultant for services rendered in defending that allegation.

- 6.9. Records of the Consultant's direct personnel costs, contracted professional services from special consultant, reimbursable expenses pertaining to the Project, and records of accounts between the Consultant and others, shall be kept on a generally recognized accounting basis and shall be available to the City or its authorized representative, at mutually convenient times.
- 6.10. Neither the Project Manager nor the City's review, approval or acceptance of, nor payment for, any of the services required under this contract shall be construed to operate as a waiver of any rights under this contract or of any cause of action arising out of the performance of this contract, and the Consultant shall be and remain liable to the City in accordance with applicable law for all damages to the City caused by the Consultant's negligent performance of any of the services furnished under this Contract.
- 6.11. The rights and remedies of the City provided for under this contract are in addition to any other rights and remedies provided by law.
- 6.12. Both parties shall be absolved from liability for any act, omission, or circumstances occasioned by any cause whatsoever not within the control of the party affected thereby and which such party could not, by reasonable diligence, have avoided. Such acts, omissions, or circumstances, however, shall not relieve such party of liability in the event of its failure to use reasonable diligence to remedy the situation and remove the cause in an adequate manner and with all reasonable dispatch and to give notice and full particulars of the same in writing to the other party as soon as possible after the occurrence of the caused relied on. The requirement that any force majeure be remedied with all reasonable dispatch shall not require the settlement of strikes or labor controversies by acceding to the demands of the opposing party or parties.
- 6.13. All services described on Exhibit "A" under basic services shall be completed by the time specified in Exhibit "A". If construction administration is a part of basic services, Consultant's obligation under basic services terminates upon the final completion date of construction contract. If the construction is not completed by the scheduled date, the Consultant must continue to provide contract administration but may request additional compensation. Contingent basic services shall be completed within the time specified on Exhibit B-1, the Consultant's Project budget for contingent basic services. If additional services are requested which delay the Consultant in meeting any of these dates, the Consultant shall be entitled to more time to complete the services specified.
- 6.14. The Consultant shall not be responsible for the acts or omissions of the City, the City's other consultant's, the contractor, and subcontractors, any of their agents or employees, or any other persons performing any of the work other than those parties identified in Section 1.1.1. above.
- 6.15. The Consultant shall not have control or charge of, and shall not be responsible for, construction means, methods, techniques, sequences or procedures, for safety precautions and programs in connection with the construction of the project, for the acts or omissions of the City, the contractor, subcontractors, or any other persons performing any of the work on the project, other than the parties identified in Section 1.1.1. above, or for the failure of any

of them to carry out the construction of the project in accordance with the contract documents.

- 6.16. It is recognized that neither the Consultant nor the City has control over the cost of labor materials or equipment, over the Contractor's methods of determining bid prices, or over competitive bidding, market or negotiation conditions. Accordingly, the Consultant cannot and does not warrant or represent that bids or negotiated prices will not vary from the project budget proposed, established or approved by the City, if any, or from any other cost estimate prepared by the Consultant. However, if the Consultant's services require the project to be designed within a set budget, Consultant shall be required to re-design the project to bring the cost within the budget at no additional expense to the City.

SECTION 7 INSURANCE AND INDEMNIFICATION

- 7.1. The Consultant shall procure and maintain during the term of this Agreement and subject to availability and at a comparable price for two years thereafter professional liability [errors and omissions] insurance in the amount of \$1,000,000.00.
- 7.2. The Consultant shall secure and maintain such insurance policies as will protect Consultant from claims for bodily injuries, death or property damage which may arise from the performance of any work under this Agreement. The following insurance policies are required. Policies must be issued by companies rated "A" or better by "Best's Policyholders Ratings Guide." The following insurance policies are required:
- (1) Workers Compensation – A standard Workers Compensation policy approved for use in the State of Iowa shall be issued with the following coverages:
 - (a) Statutory Benefits covering all employees injured on the job by accident or disease as prescribed by Iowa Code Chapter 85.
 - (b) Employer's Liability Insurance with the following limits:

Bodily injury by accident	\$500,000 each accident
Bodily injury by disease	\$500,000 each accident
Bodily injury by disease	\$500,000 policy limit
 - (2) Comprehensive General Liability

(a) Each Occurrence	\$1,000,000
(b) Aggregate	\$2,000,000
(c) Personal and Advertising Injury Limit	\$1,000,000
(d) Products Completed Operations Aggregate Limit	\$2,000,000
(e) Fire Damage Limit (any one fire)	\$50,000
(f) Medical Damage Limit (any one person)	\$5,000
 - (3) Automobile Public Liability and Property Damage –

Combined Single Limit	\$1,000,000
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 - (4) Umbrella Policy

	\$2,000,000
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- 7.3. Certificates of Insurance acceptable to the City indicating insurance required by this Article in force shall be filed with the City prior to commencing any work hereunder. These certificates shall contain a provision that coverage under these policies shall not be canceled until at least thirty days' prior written notice has been given to the City. The City shall be named an additional insured on the Certificate of Insurance for the Comprehensive General

Liability and Automobile coverage and Umbrella Liability. All policies will be primary and non-contributory.

- 7.4. Consultant shall indemnify and save City harmless from liability for damages resulting from the negligent act, error or omission of the Consultant under the terms of this Agreement for the alleged or actual infringement of any patent resulting from the use of apparatus or equipment designed by Consultant or from the use of any process designed by Consultant or effected by said apparatus or equipment, and Consultant shall indemnify and save City harmless from and against all costs, counsel fees, expenses and liabilities incurred in or about any claim of or action for such infringement.
- 7.5. Consultant shall indemnify and save City harmless from all liability for personal injury, death or property damage resulting from the negligent performance of any of the work required by this Agreement by the Consultant, its officers, employees, or agents (including special consultants) and Consultant shall indemnify and save City harmless from and against all costs, counsel fees, expenses and liabilities incurred in or about any claim of or action for such negligent act.
- 7.6. The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold harmless the City, its elected officials, officers, employees and agents (collectively, the "City") against all damages, liabilities or costs, to the extent caused by the Consultant's negligent performance of professional services under this Agreement and that of its subconsultants, if any, or anyone for whom the Consultant is legally liable.
- 7.7. The City agrees, to the fullest extent permitted by the law, to indemnify and hold harmless the Consultant, its officers, directors and employees (collectively, the "Consultant") against all damages, liabilities or costs to the extent caused by the City's negligent acts in connection with the Project and the acts of its contractors, subcontractors, consultants or anyone for whom the City is legally liable.
- 7.8. Neither the City nor the Consultant shall be obligated to indemnify the other party in any manner whatsoever for the other party's negligence.

SECTION 8 PAYMENTS TO THE CONSULTANT

- 8.1. REIMBURSABLE EXPENSES.
 - 8.1.1. Reimbursable expenses are actual expenses incurred by the Consultant and Consultant's employees and consultants in the interests of the Project, as identified in Exhibit "B" "Consultant's Project Budget" or as agreed for additional services. If reimbursable expenses are not itemized on Exhibit "B", no charge for reimbursable expenses may be made by the Consultant for basic services.
- 8.2. METHOD OF PAYMENTS FOR SERVICES AND EXPENSES OF CONSULTANT.
 - 8.2.1. City shall pay Consultant for basic services performed as described on Exhibit "A", under the heading of "Consultant's Services" a maximum amount as set forth on Exhibit "B". Exhibit "B", "Consultant's Project Budget" attached hereto, which is a part of this Agreement, sets forth the costs of services, special consultants, a reimbursable expenses budget, and a grand total. Billings for services shall be on the basis of the charges set forth therein. The absolute

maximum amount payable to the Consultant for the basic services contemplated by the Agreement is the total sum stated on Exhibit "B". Consultant assumes complete responsibility for the accuracy of the budget. City is entitled to any savings in the budgeted figures realized during the course of the Project.

- 8.2.2. City shall pay Consultant for contingent basic services performed as described on Exhibit "A", under the heading of "Description of Contingent Basic Services", if any, a maximum amount as set forth on Exhibit "B". Exhibit "B", "Consultant's Project Budget" under the heading "Contingent Basic Services Fee" attached hereto, which is a part of this Agreement, and which sets forth the costs of services, special consultants, a reimbursable expenses budget and a grand total. If reimbursable expenses are not itemized on Exhibit "B" no charge for reimbursable expenses may be made by the Consultant for contingent basic services. Billings for services shall be on the basis of the charges set forth therein. The absolute maximum amount payable to the Consultant for the contingent basic services contemplated by the Agreement is the total sum stated on Exhibit "B". Consultant assumes complete responsibility for the accuracy of the budget. City is entitled to any savings in the budgeted figures realized during the course of the Project.
- 8.2.3. Additional Services. In the event additional services are desired by the City, the same shall be requested by written order which shall specify the additional services and maximum charge therefore including any special consultants and reimbursable expenses and shall be signed by the Consultant and Project Manager. City shall pay Consultant for additional services rendered under Section 1 as follows:
 - 8.2.3.1. For additional services rendered by Consultant, the charges set forth in Exhibit "B" for basic services shall be the basis for determining the charges for additional services plus agreed upon reimbursable expenses.
 - 8.2.3.2. For additional services and reimbursable expenses of a special consultant employed by Consultant as part of additional services, the amount billed to Consultant therefor.
 - 8.2.3.3. For the services rendered by principals and employees as consultants or witnesses in any litigation, hearing or proceedings in accordance with Section 6.8, at a rate to be negotiated.
- 8.3. Consultant shall submit monthly statements for basic and additional services rendered and for allowable reimbursable expenses incurred to the Project Manager based upon actual work completed during the billing period. City shall make prompt monthly payments in response to Consultant's monthly statements.
- 8.4. If City fails to make any payment due Consultant for services and expenses within thirty days after receipt of Consultant's bill therefor, the amounts due Consultant shall include a charge at the rate of 1% per month from said thirtieth day, and in addition, Consultant may, after giving seven days' written notice to City, suspend services under this Agreement until he has been paid in full all amounts due the Consultant for services and expenses.

SECTION 9 HAZARDOUS ENVIRONMENT

- 9.1. The City has disclosed to the best of its knowledge to the Consultant the existence of all asbestos, PCBs, petroleum, hazardous waste, or radioactive material located at, on, or near the site, including type, quantity and location. No additional compensation to perform the services shall be allowed to the Consultant based upon all disclosed hazardous materials.

Consultant warrants that the Consultant has given due consideration to the disclosure in preparing Exhibit "B".

- 9.2. If there has been no disclosure prior to the date of this agreement, the City represents to the Consultant that to the best of its knowledge a hazardous environmental condition does not exist.
- 9.3. If a hazardous environmental condition is encountered or alleged, Consultant shall have the obligation to notify City and, to the extent of applicable Laws and Regulations, appropriate governmental officials.
- 9.4. If there has been no disclosure of a known hazardous environmental condition, the Consultant's scope of service does not include any services related to a hazardous environmental condition. In the event Consultant or any other party encounters a hazardous environmental condition, Consultant may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until City: (i) retains appropriate specialist consultant(s) or contractor(s) to identify and, as appropriate, abate, remediate, or remove the hazardous environmental condition; and (ii) warrants that the site is in full compliance with applicable laws and regulations.
- 9.5. If Consultant's services under this agreement cannot be performed because of a hazard environmental condition, the existence of the condition shall justify Consultant terminating this agreement for cause on 30 days' notice. The provisions of paragraph 5.7 shall apply.

Exhibit A: Consultant's Services

Basic Services (Included):

The Architect will provide basic services for the design of the Riverside Family Aquatic Center Pool House Renovation. The scope of the project consists of the following:

1. Aesthetic updates to the Admission Control Desk area.
2. Updating paint in areas for both the Bath House and the Pump House at the exterior.
3. Create an addition of approximately 60 SF (about 4LF extension) to the Concessions area and provide aesthetic updates to the existing Concessions interior space.
4. Create a small storage addition (a separate adjacent structure) to the south end of the Bath House. The storage addition is envisioned to be approximately 300 square feet in size and have an OH door.
5. Mechanically, we're assuming we are not adding any cooling and that the buildings will continue to be winterized.
6. The scope does not include improvements to the restroom and bathing areas of the building other than Alteration Level 1 updates in finishes only. ADA review and upgrades in the bathing and toilet areas of the building are not included in the scope of work.
7. The Architect will provide 4 printed sets of plans and specifications.
8. The Architect will review the existing restroom facilities in terms of ADA compliance to help identify non-compliance. This does not include design for these areas.

During the Design Phase, the Architect shall review the Owner's scope of work, budget and schedule and reach an understanding with the Owner of the Project requirements. Based on the approved Project requirements, the Architect shall develop a design. Upon the Owner's approval of the design, the Architect shall prepare Construction Documents indicating requirements for construction of the Project and shall coordinate its services with any consulting services the Owner provides. The Architect shall assist the Owner in filing documents required for the approval of governmental authorities, in obtaining proposals and in awarding contracts for construction.

During the Bidding Phase the City will publish notices hold and disseminate the bidding and construction documents to bidders. The Architect will develop addenda for the bidding documents during this phase.

During the Construction Phase, the Architect's services during construction include interpreting the Contract Documents, reviewing the Contractor's submittals, visiting the site, reviewing and certifying payments, and rejecting nonconforming Work.

The Architect will retain the following sub-consultants:

Structural Engineering consultant and Mechanical and Electrical engineering consultant and a Civil Engineering Consultant.

Notes:

1. The City will provide IT services and any data design. Raceways for Low-voltage can be provided but the City's IT will pull wires and provide terminations.
2. The Architect and the sub-consultants do not provide testing. We will require testing of the concrete to be done by the General Contractor as will be recommended by the Structural Engineer. We will need a soils report information from the City's selected consultant.
3. The Architect will be able to rely on the existing building drawings provided.

Additional Services

Additional Services	Responsible Party	Remarks
Programming	Architect	Included with Basic Service Fee
Multiple preliminary designs	Not Provided	
Measured drawings	Not Provided	
Existing facilities surveys	Not Provided	
Site Evaluation and Planning	Not Provided	
Building Information Modeling (E202™–2008)	Not Provided	
Civil engineering	Architect	Via sub-consultant
Landscape design	Not Included	
Architectural Interior Design	Architect	Included with Basic Service Fee
Value Analysis (B204™–2007)	Not Provided	
Detailed cost estimating	Not Provided	An Opinion of Probable Cost will be provided however with Basic Service Fee.
On-site Project Representation (B207™–2008)	Not Provided	
Conformed construction documents	Not Provided	
As-Designed Record drawings	Not Provided	
As-Constructed Record drawings	Not Provided	Contractor will be requested to provide in the Construction Documents.
Post occupancy evaluation	Not Provided	
Facility Support Services (B210™–2007)	Not Provided	
Tenant-related services	Not Provided	
Coordination of Owner's consultants	Not Provided	
Telecommunications/data design	Not Provided	Any low-voltage will be limited to raceways.
Security Evaluation and Planning (B206™–2007)	Not Provided	
Commissioning (B211™–2007)	Not Provided	
Extensive environmentally responsible design	Not Provided	
LEED® Certification (B214™–2012)	Not Provided	
Fast-track design services	Not Provided	
Historic Preservation (B205™–2007)	Not Provided	
Furniture, Furnishings, and Equipment Design (B253™–2007)	Not Provided	

Any other services not explicitly listed above as being included are not included.

Exhibit B: Consultants Project Budget

Basic Services Fee:

Cost of Services: Lump Sum Fee: Not-to-Exceed \$38,100.00.

The Basic Services Fee will be billed monthly based on progress. Billing Statements will indicate phases below:

Schematic Design: 20% = \$7,620.00

Construction Documents: 70% = \$26,670.00

Bidding Phase: 5% = \$1,905.00

Construction Administration: 5% = \$1,905.00

Contingent Basic Services: Cannot be determined at this time. To be negotiated.

Grand Total for Basic Services: \$38,100.00 including reimbursables.



KALAARC-01

CBOSMAN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
3/23/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER IBC Insurance LLC 412 Water Street Sioux City, IA 51103	CONTACT NAME: Cynthia Bosman	
	PHONE (A/C, No, Ext): (712) 224-7663	FAX (A/C, No): (712) 277-2622
	E-MAIL ADDRESS: cyndi.bosman@ibcins.biz	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: LeMars Insurance Company	14389
INSURED Kalahar Architecture LLC 255 5th Street Sioux City, IA 51101	INSURER B: Admiral Insurance Co	24856
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		BOR0831777	5/3/2019	5/3/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY	X		CLR0831777	5/3/2019	5/3/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000	X		CXR0831777	5/3/2019	5/3/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	WCL0831777	5/3/2019	5/3/2020	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
B	Errors and Omissions			EO0002904205	5/14/2019	5/14/2020	E&O 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Sioux City is listed as additional insured on General Liability, Automobile Liability and Umbrella Liability policy. All policies will be primary & non-contributory.

CERTIFICATE HOLDER

City of Sioux City Iowa
405 6th Street
Sioux City, IA 51101

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 12B

FROM: Mike Collett, Assistant City Manager

SUBJECT: Resolution approving Change Order No. 3 to the contract with Knife River Midwest, LLC in the amount of \$179,798.19 for the additional shoulder replacement in connection with the Runway 17-35 Reconstruction and Shift Project Phase I (Schedule A & B) Construction at the Sioux Gateway Airport/Col. Bud Day Field (AIP 53 City Project No. 749-114).

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

Staff respectfully requests Council approve Change Order No. 3 to the contract with Knife River Midwest, LLC in the amount of \$179,798.19 for the additional shoulder replacement in connection with the Runway 17-35 Reconstruction and Shift Project Phase I (Schedule A & B) Construction at the Sioux Gateway Airport/Col. Bud Day Field (AIP 53 City Project No. 749-114). The Airport Board of Trustees approved this change order at their March 19, 2020 meeting.

DISCUSSION:

A contract for Phase 1 in the amount of \$13,692,794.42 was awarded to Knife River Midwest, LLC on September 10, 2018 under Resolution No. 2018-0722.

Change Order No. 1: \$0.00

On June 13, 2018 the Airport Board approved changes to the project phases and time adjustments with the change order. No direct dollar amounts were adjusted. Airport mandatory construction closure dates were implemented in August and September.

Change Order No. 2 (TW F Repair): \$160,007.34

On June 13, 2018 the Airport Board approved repairs to Taxiway A North at the intersection of Taxiway A and Taxiway F to be made from a previous project. The repairs will be funded using settlement dollars from the previous project. Thirty (30) Calendar Days were added to complete these repairs.

Change Order No. 3: \$179,798.19

On March 19, 2020 the Airport Board approved the recommendation to the City Council for this change order. The Taxiway A shoulders are deemed a necessary addition and were requested by the FAA to prevent the need for additional Runway 18-36 (previously called 17-35) closers on future projects. This Change Order includes 20' of bituminous shoulders to be added to Taxiway A between Runway 18-36 and Taxiway C.

The contract time will be increased from 310 Calendar Days to 350 Calendar Days.

FINANCIAL IMPACT:

The FAA will fund this at 90%. The Airport contribution will be approximately \$1,387,259.26 and was programmed in FY2019 under CIP No. 749-114.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

Defer action to negotiate costs for change order.

ATTACHMENTS:

Resolution
Change Order No. 3

RESOLUTION NO. 2020 - _____
with attachment

RESOLUTION APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT WITH KNIFE RIVER MIDWEST, LLC IN THE AMOUNT OF \$179,798.19 FOR THE ADDITIONAL SHOULDER REPLACEMENT IN CONNECTION WITH THE RUNWAY 17-35 RECONSTRUCTION AND SHIFT PROJECT PHASE I (SCHEDULE A & B) CONSTRUCTION AT THE SIOUX GATEWAY AIRPORT/COL. BUD DAY FIELD (AIP 53 CITY PROJECT NO. 749-114).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Change Order No. 3, a copy of which is attached hereto and by this reference made a part hereof, to the contract with Knife River Midwest, LLC of Sioux City, Iowa in the amount of \$179,798.19 for the additional shoulder replacement in connection with the Runway 17-35 Reconstruction and Shift Project Phase I (Schedule A & B) Construction at the Sioux Gateway Airport/Col. Bud Day Field Project, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Assistant City Manager be and he is hereby authorized and directed to execute said Change Order No. 3 for and on behalf of the City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

CHANGE ORDER - 3

Sioux Gateway Airport
RUNWAY 17 35 RECONSTRUCTION AND SHIFT (6,400 FEET BY 100 FEET)
AND TAXIWAY B, C, AND D RECONSTRUCTION
CITY OF SIOUX CITY PROJECT NUMBER 749-114
RS&H, Iowa PC Project Number 214-9554-036

OWNER: City of Sioux City, Iowa
 2403 Aviation Blvd.
 Sioux City, IA 51111

CHANGE ORDER NO. 3
INITIATION DATE: March 26, 2020

CONTRACT DATE: 09/21/2018

TO: Knife River Midwest
(Contractor) 2220 Hawkeye Drive
 Sioux City, IA 51105

You are directed to make the following changes in this Contract amount as dated September 21, 2018 by and between yourself and the City of Sioux City, in accordance with its conditions:

The work under this Contract shall be changed and the Contract Sum and/or Contract Time adjusted to reflect all additions and/or deletions described and indicated by modifications to the Contract Documents, including any and all drawings and attachments thereto, all of which form a part of this Change Order. The Contract Documents shall apply to this Change Order.

Description:

Taxiway A (between Runway 18-36 to Taxiway C) shall receive 20' bituminous as described in RFP #3. This work is was requested by the FAA to eliminate the need of a future runway closure and to reduce foreign object debris on Taxiway A. An additional 40 Calendar Days shall be added to the contract time for this work. The work shall be coordinated with the existing Runway 17 35 construction to minimize impacts to airport operations. The work shall be completed within 40 calendar days. This additional work is to be funded with FAA, and local funds.

Plan Sheet

Taxiway A Shoulder RFP #3 Exhibits
 Knife River Price for RFP#3.

AIP 53 Contract Price and Time Changes:

The original Contract Sum was _____	\$ 13,692,794.42
Net change by previously authorized Change Order _____	\$ 0.00
The Contract Sum prior to this Change Order was _____	\$ 13,692,794.42
The Amount of this Change Order is _____	\$ 179,798.19
The new Contract Sum including this Change Order will be _____	\$ 13,872,592.61

NON-AIP Contract Price and Time Changes:

The original Contract Sum was _____	\$	0.00
Net change by previously authorized Change Order _____	\$	160,007.34
The Contract Sum prior to this Change Order was _____	\$	0.00
The Amount of this Change Order is _____	\$	0.00
The new Contract Sum including this Change Order will be _____	\$	160,007.34

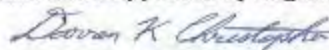
TOTAL Contract Price and Time Changes:

The original Contract Sum was _____	\$	13,692,794.42
Net change by previously authorized Change Order _____	\$	160,007.34
The Contract Sum prior to this Change Order was _____	\$	13,852,801.76
The Amount of this Change Order is _____	\$	179,798.19
The new Contract Sum including this Change Order will be _____	\$	14,032,599.95

The Contract Time is increased to 350 calendar days between AIP 53 & 55. The project completion date is anticipated to be August 2, 2020.

This Change Order is not valid until signed by the Owner. Signature by the Contractor indicates final agreement herewith, including all adjustments in the Contract Sum and/or the Contract Time. The Contractor shall only be paid for work performed at the bid unit price.

Issued and Approved by Engineer:

 03/26/2020

Signature and Date
Printed Name: Darren Christopher
Project Manager
RS&H
4525 Airport Approach Rd.
Duluth, MN 55811

Agreed to by Contractor:

 3-24-20

Signature and Date
Printed Name: Ron Hall
President
Knife River Midwest, LLC.
2220 Hawkeye Drive
Sioux City, IA 51105

Authorized by Owner:

Signature and Date
Printed Name: Mike Collett
Airport Director/Assistant City Manager
City of Sioux City
2403 Aviation Blvd.
Sioux City, IA 51111

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12C

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

SUBJECT: Resolution awarding a Service Provider Agreement to Johnson Controls, Inc. of Sioux Falls, South Dakota in the amount of \$59,875.00 for the Tyson Events Center Damper Actuator Replacement Project (RFB#260796).

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

Staff respectfully requests the City Council approve a Service Provider Agreement to Johnson Controls, Inc. of Sioux Falls, South Dakota in the amount of \$59,875.00 for the Tyson Events Center Damper Actuator Replacement Project (RFB#260796).

DISCUSSION:

City staff, in collaboration with West Plains Engineering, has determined that the Tyson Events Center's smoke control system is in need of repairs in order to comply with smoke control standards. West Plains Engineering has prepared a memo explaining the project. The memo is included in the City Council's homework packet.

Invitations to bid were sent to eleven (11) vendors that specialize in HVAC systems. Two (2) were received. One of the bids was determined non-responsive based on the engineer's review. The responsive bid was submitted by Johnson Controls, Inc. of Sioux Falls, South Dakota.

FINANCIAL IMPACT:

Funds will be available from account #301-8799-433.22-38, EFAB, Capital Improvements, Construction Contract Services, Project 379-010 Tyson Events Center Remodeling and Repair Project, available balance is \$399,250.00.

RELATIONSHIP TO STRATEGIC PLAN:

Relationship complies with City Operational Plans.

ALTERNATIVES:

Reject the bid.

ATTACHMENTS:

Resolution.

Hard Copies of the Following:

Engineer's Letter of Recommendation.

Service Provider Agreement.

Bid Bond.

Performance Bond.

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AWARDING A SERVICE PROVIDER AGREEMENT TO JOHNSON CONTROLS, INC. OF SIOUX FALLS, SOUTH DAKOTA IN THE AMOUNT OF \$59,875.00 FOR THE TYSON EVENTS CENTER DAMPER ACTUATOR REPLACEMENT PROJECT (RFB#260796).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a Service Provider Agreement, a copy of which is attached hereto and by this reference made a part hereof, be awarded to Johnson Controls, Inc. of Sioux Falls, South Dakota in the amount of \$59,875.00 for the Tyson Events Center Damper Actuator Replacement Project (RFB#260796).

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12D

FROM: Brad Puetz, Water Plant Superintendent
Spero Vlahoulis, Purchasing Manager

SUBJECT: Resolution approving Renewal Option No. 1 with Hawkins, Inc. of Sioux Falls, South Dakota for an additional one (1) year period in connection with the purchase of sulfuric acid commencing April 1, 2020 and ending March 31, 2021 (RFB #256322).

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

Staff respectfully requests the City Council approve Renewal Option No. 1 with Hawkins, Inc. of Sioux Falls, South Dakota for an additional one (1) year period in connection with the purchase of sulfuric acid commencing April 1, 2020 and ending March 31, 2021 (RFB #256322).

DISCUSSION:

City staff entered into a Purchase Order with Hawkins, Inc. to purchase sulfuric acid in the amount of \$1.69 per gallon from April 1, 2019 to March 31, 2020 as approved by Resolution No. 2019-0277. The request for bid allowed for the pricing to be extended for two (2) additional one (1) year periods provided that prices remain the same and both parties agreed to extend. Both parties would like to extend the contract for an additional one year commencing April 1, 2020 and ending March 31, 2021.

FINANCIAL IMPACT:

Account #510-2101-452.30-12 Water Fund Utilities, Zenith Water Plant, Environmental Preservation, Chemicals. City staff anticipates spending \$60,840.00 annually on sulfuric acid.

RELATIONSHIP TO STRATEGIC PLAN:

Relationship complies with City Operational Plans.

ALTERNATIVES:

Reject the extension.

ATTACHMENTS:

Resolution
Renewal Option No. 1

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION APPROVING RENEWAL OPTION NO. 1 WITH HAWKINS, INC.
OF SIOUX FALLS, SOUTH DAKOTA FOR AN ADDITIONAL ONE (1) YEAR PE-
RIOD IN CONNECTION WITH THE PURCHASE OF SULFURIC ACID COM-
MENCING APRIL 1, 2020 AND ENDING MARCH 31, 2021 (RFB #256322).

WHEREAS, on April 1, 2019, pursuant to Resolution No. 2017-0277, the City Council awarded a purchase order to Hawkins, Inc. of Sioux Falls, South Dakota for the purchase of sulfuric acid (RFB #256322); and

WHEREAS, the Request for Proposals allowed for the contract to be extended for two (2) additional one (1) year periods provided that prices remained the same and both parties agreed to extend; and

WHEREAS, there is attached hereto and by this reference made a part hereof, Renewal Option No. 1 with Hawkins, Inc. extending the contract for an additional one (1) year period, which Renewal Option No. 1 should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Renewal Option No. 1 with Hawkins, Inc. of Sioux Falls, South Dakota for an additional one (1) year period in connection with the purchase of sulfuric acid commencing April 1, 2020 and ending March 31, 2021 be and the same is hereby approved.

BE IT FURTHER RESOLVED that the City Manager be and he is hereby authorized and directed to execute said Renewal Option No. 1 for and on behalf of the City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RENEWAL OPTION NO. 1 IN CONNECTION WITH PURCHASE OF SULFURIC
ACID 93% UNTIL MARCH 31, 2021 (RFQ #256322)

On April 1, 2019, the City of Sioux City awarded a contract to Hawkins, Inc. of Sioux Falls, South Dakota in the amount of \$1.69 per gallon for the purchase of sulfuric acid 93% (RFQ #256322).

The Request for Quotation allowed for the contracts to be extended for two (2) additional one (1) year periods provided that prices remained the same and both parties agreed to extend.

Both sides have agreed to extend the contract for an additional one (1) year commencing April 1, 2020 and ending March 31, 2021 in the amount of \$1.69 per gallon for the purchase of sulfuric acid 93%.

All other terms and conditions of the contract shall remain the same.

City of Sioux City Iowa

By: _____
Robert K. Padmore, City Manager

Hawkins, Inc.

By: Brian McGee
[Print Name]

Title: Branch Manager
[Print Title]

Date: _____

Date: 3-31-2020

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12E

FROM: Mark Simms, Utilities Director
Joe Fontenot, Waste Water Treatment Plant Superintendent
Spero Vlahoulis, Purchasing Manager

SUBJECT: **Resolution awarding a Service Provider Agreement to Bert Gurney & Associates of Omaha, Nebraska in the amount of \$36,847.00 to repair a pump at the Waste Water Treatment Plant (RFB#260939).**

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

Staff respectfully requests the City Council approve a Service Provider Agreement to Bert Gurney & Associates of Omaha, Nebraska in the amount of \$36,847.00 to repair a pump at the Waste Water Treatment Plant (RFB#260939).

DISCUSSION:

City staff has determined that a pump in the Waste Water Treatment Plant (WWTP) Blower Building needs to be repaired. City staff estimates that the pump was rebuilt approximately 10 years ago. The pump was originally manufactured by Bert Gurney & Associates.

Invitations to bid were sent to 18 vendors that specialize in pump repairs. Two (2) bids were received. One of the bids was determined non-responsive because the bid was not accompanied by a bid bond. The non-responsive bid was submitted by JCI Industries, Inc. of Lincoln, Nebraska for \$32,316.00. As an alternate, City staff did request the cost to replace the pump. The responsive bid is as follows:

24" Pump Repair at Waste Water Treatment Plant (RFB #260939)	
Bert Gurney & Associates, Inc.	Cost
Item #1 24# Pump Repair	\$36,847.00
Alternate Item Cost and Labor for New Replacement Pump	\$155,654.00

City staff believes it would be cost beneficial to repair the pump rather than replace the pump.

FINANCIAL IMPACT:

Funds will be available from account #520-2301-453.22-09, Sewer Fund, Utilities, Treatment Operations, available balance is \$457,532.00.

RELATIONSHIP TO STRATEGIC PLAN:

Relationship complies with City Operational Plans.

ALTERNATIVES:

Reject the bid.

ATTACHMENTS:

Resolution.

Hard Copies of the following:

Service Provider Agreement.

Bid Bond.

Performance Bond.

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AWARDING A SERVICE PROVIDER AGREEMENT TO BERT GURNEY & ASSOCIATES OF OMAHA, NEBRASKA IN THE AMOUNT OF \$36,847.00 TO REPAIR A PUMP AT THE WASTE WATER TREATMENT PLANT (RFB#260939).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a Service Provider Agreement, a copy of which is attached hereto and by this reference made a part hereof, be awarded to Bert Gurney & Associates of Omaha, Nebraska in the amount of \$36,847.00 to repair a pump at the Waste Water Treatment Plant (RFB#260939).

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12F

FROM: Jeff Hanson, Community Development Operations Manager

SUBJECT: Resolution Approving Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 with the Iowa Department of Transportation (A portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of 0.08 miles)

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

Staff respectfully requests Council approve Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 with the Iowa Department of Transportation.

DISCUSSION:

The Iowa Department of Transportation has requested the City transfer jurisdiction of a portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of 0.08 miles for the intended purpose of becoming a part of Iowa Highway 12.

Improvements to this portion of roadway were completed by the Iowa Department of Transportation as part of the Interstate 29 Reconstruction Project.

FINANCIAL IMPACT:

Reduction in City maintenance costs. The Iowa Department of Transportation will maintain this section of roadway when transferred to the State.

RELATIONSHIP TO STRATEGIC PLAN:

Expand Development Opportunities and Grow Sioux City
Prioritize and invest in the City's infrastructure for current and future needs

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution
Iowa Department of Transportation Request
Agreement

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION APPROVING AGREEMENT FOR TRANSFER OF PUBLIC ROAD JURISDICTION NO. 2019-TJ-002 WITH THE IOWA DEPARTMENT OF TRANSPORTATION (A PORTION OF VIRGINIA STREET FROM GORDON DRIVE SOUTH TO THE I-29 NORTHBOUND FRONTAGE ROAD A LENGTH OF 0.08 MILES)

WHEREAS, as part of the Interstate 29 Reconstruction Project, the Iowa Department of Transportation has made improvements to a portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of 0.08 miles; and

WHEREAS, the Iowa Department of Transportation has requested the City transfer jurisdiction of this portion of Virginia Street for the intended purpose of becoming a part of Iowa Highway 12; and

WHEREAS, the Iowa Department of Transportation has submitted Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 regarding the transfer of jurisdiction, a copy of which is attached hereto and by this reference made a part hereof; and

WHEREAS, said Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 transferring a portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of 0.08 miles, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are thereby authorized and directed to execute said Agreement for Transfer of Public Road Jurisdiction No. 2019-TJ-002 for and on behalf of the City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

January 10, 2020

REF: Woodbury County
TJ-012-1(40)—2M-97
Agreement No. 2019-TJ-002

Gordon Phair, City Engineer
City of Sioux City
P.O. Box 447
Sioux City, IA 51102

Dear Gordon:

Attached are two copies of Transfer of Public Road Jurisdiction Agreement No. 2019-TJ-002 regarding transfer to the State a portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road (approximately 0.08 miles). The transferred portion is intended to become part of IA12.

Please review the agreement and if acceptable, please obtain appropriate signatures on both copies and return them to my office for processing. I will return one fully executed copy to you.

If you have any questions pertaining to this agreement, please feel free to contact me at 712-276-1451.

Sincerely,



Tony G. Lazarowicz
District Engineer

TGL:sc

Enclosure

cc: Lisa McCardle, City Clerk, City of Sioux City, PO Box 447, Sioux City
Hannah Beach, Office of Local Systems, Iowa D.O.T., Ames, IA (w/o enc.)
District File

August 2013

IOWA DEPARTMENT OF TRANSPORTATION
Agreement for
Transfer of Public Road Jurisdiction

County	Woodbury
City	Sioux City
Project No.	TJ-012-1(40)--2M-97
Iowa DOT	
Agreement No.	2019-TJ-002
Commission Order No.	

This Agreement entered into by and between the Iowa Department of Transportation, hereinafter designated the "STATE", and the city of Sioux City, Iowa, a Local Public Agency, hereinafter designated the "LPA"; and in consideration of these premises and the mutual covenants hereinafter set forth, it is hereby agreed as follows:

WITNESSETH, that:

1. In accordance with the provisions of Iowa Code Sections 313.2 and / or 306.42, the LPA hereby agrees to transfer jurisdiction of the following public road segment(s), including all structures and right-of-way, to the STATE:

That portion of Virginia Street from Gordon Drive south to the I-29 northbound frontage road a length of approximately 0.08 miles, as shown on Exhibit A attached. The transfer portion is intended to become part of Iowa 12.

- a. The STATE agrees to accept the road segment(s) described in this Agreement into its road system and maintain them in accordance with all applicable laws, regulations and administrative rules.
- b. The LPA and the STATE have examined the physical condition of the public road segment(s) described in this Agreement and have agreed that:
 - i. The road segment(s) shall be transferred in its(their) present condition.
 - ii. No access points will be allowed in this section of roadway to be transferred as it is to be classified as a Priority 1 access controlled highway.
- c. The STATE shall assume its share of concurrent jurisdiction including maintenance of said public road segment:
 - i. At a time and date specified by the LPA and acceptable to the STATE.

The LPA shall provide copies to the STATE of construction or as-built plans, right-of-way information, local traffic operations ordinances such as speed limits and parking restrictions, etc., and public or private utility plans and agreements or permits for the portions of said public road segment.

2. The STATE has inspected the public road segment(s) described in this Agreement and agrees to accept said road subject to the conditions set forth herein. In accordance with Iowa Code Section 306.42(6), neither the LPA nor the STATE shall be held liable for any claim for damage for any act or omission relating to the design, construction, or maintenance of the public road segment(s) described in this Agreement that occurred prior to the effective date of the transfer.

August 2013

3. The LPA shall transfer to the STATE by quit claim deed all its legal or equitable title or interest in the right-of-way of said public road segment. The STATE shall accept said deed, pursuant to Iowa Code Section 306.42. The LPA and STATE shall coordinate their efforts to effect this transfer of right-of-way in a timely manner.
4. If any section, provision, or part of this Agreement is found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional.
5. This Agreement shall be executed in two counterparts, each of which shall constitute but one and the same instrument.
6. This Agreement including referenced exhibits, constitutes the entire Agreement between the LPA and the STATE concerning this transfer of jurisdiction. Representations made before the signing of this Agreement are not binding, and neither party has relied upon conflicting representations in entering into this Agreement. Any change or alteration to the terms of this Agreement must be in the form of an addendum to this Agreement. Said addendum shall become effective only upon written approval of the STATE and the LPA.

August 2013

IN WITNESS THEREOF, each of the parties hereto has executed agreement No. 2019-TJ-002 as of the date shown opposite its signature hereafter.

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 by virtue of a formal motion passed and adopted by the CITY
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

EXHIBIT A

City of Sioux City

A map of the study area showing the proposed rail alignment. The map includes a grid of streets: ST, 4TH ST, 5TH ST, 2ND ST, 1ST ST, DACE AVE, LEECH AVE, and FLOYD BLVD. The proposed rail alignment is shown as a thick blue line. Key locations marked include 'End Transfer' near Gordon Dr and 'Begin Transfer' near Virginia Street. Other labels include 'JENNINGS ST', 'LARSEN PARK RD', and 'DACE AVE'. A north arrow is located in the top left corner.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12G

FROM: Jill M. Wanderscheid, Neighborhood Services Manager

SUBJECT: Resolution authorizing an Agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR04(198)—8A-00) located at West 19th Street (FRA No. 382076J) in an amount not to exceed \$19,891.43.

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

Staff respectfully requests Council authorize an Agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR04(198)—8A-00) located at West 19th Street (FRA No. 382076J) in an amount not to exceed \$19,891.43.

DISCUSSION:

On May 8, 2017, pursuant to Resolution No. 2017-0419, the City of Sioux City applied for federal funds through the Iowa Department of Transportation to install two automatic gate units, flashing lights, and prediction circuitry at the West 19th Street railroad crossing. Originally the 10% required match was to be split between BNSF Railway Company and the City of Sioux City. However, since the time of application, BNSF Railway Company has informed the City of Sioux City that they will no longer be providing the 5% match. City staff are recommending that the project still move forward with the City covering the full 10% match as these improvements are necessary in order to qualify for a train horn quiet zone in the future. If the project does not move forward at this time, it could be years before this funding is available again.

The Agreement is funded 90% Iowa Department of Transportation, and 10% City of Sioux City. The total estimated cost of the improvements is \$198,914.32. This total includes improvements to the City's curb, gutter, and sidewalks in the area. The City of Sioux City would be responsible for \$19,891.43 while the Iowa Department of Transportation would be responsible for \$179,022.89. Construction of the sidewalks, curb, and gutter would be completed by fall 2020 with gate arm and flashing light installation to begin soon after.

FINANCIAL IMPACT:

This project will be funded under CIP 719-130, "Annual Railroad Crossing Improvement Program" in FY 2020 / 2021.

RELATIONSHIP TO STRATEGIC PLAN:

Grow Sioux City

Expand Development Opportunities and Grow Sioux City

Prioritize and invest in the City's infrastructure for current and future needs

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution

Hard Copies of the Agreement

RESOLUTION NO. 2020 - _____
with attachment

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE IOWA DEPARTMENT OF TRANSPORTATION AND BNSF RAILWAY COMPANY FOR A RAILROAD SIGNAL SAFETY PROJECT (NO. RRP-RR04(198)—8A-00) LOCATED AT WEST 19TH STREET (FRA NO. 382076J) IN AN AMOUNT NOT TO EXCEED \$19,891.43.

WHEREAS, the City Council of the City of Sioux City, pursuant to Resolution No. 2017-0419, has heretofore deemed it necessary to have railroad signal safety improvements installed at the BNSF Railway Company crossing at West 19th Street; and

WHEREAS, 90% of the project cost is to be covered by Federal Aid through the Iowa Department of Transportation, with the City of Sioux City committing to 10%; and

WHEREAS, an Agreement between the City of Sioux City, the Iowa Department of Transportation, and BNSF Railway Company, a copy of which is attached hereto and by this reference incorporated herein, sets forth the responsibilities and obligations of the parties in connection with the Railroad Signal Safety Project (No. RRP-RR04(198)—8A-00); and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Agreement between the City of Sioux City, the Iowa Department of Transportation, and BNSF Railway Company in connection with the Railroad Signal Safety Project (No. RRP-RR04(198)—8A-00) be and the same is hereby approved.

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12H

FROM: Jill M. Wanderscheid, Neighborhood Services Manager

SUBJECT: Resolution authorizing an Agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR05(198)—8A-00) located at Military Road (FRA No. 382078X) in an amount not to exceed \$22,465.38.

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

Staff respectfully requests Council authorize an Agreement with the Iowa Department of Transportation and BNSF Railway Company for a Railroad Signal Safety Project (No. RRP-RR05(198)—8A-00) located at Military Road (FRA No. 382078X) in an amount not to exceed \$22,465.38.

DISCUSSION:

On May 8, 2017, pursuant to Resolution No. 2017-0419, the City of Sioux City applied for federal funds through the Iowa Department of Transportation to install two automatic gate units, flashing lights, and prediction circuitry at the Military Road railroad crossing. Originally the 10% required match was to be split between BNSF Railway Company and the City of Sioux City. However, since the time of application, BNSF Railway Company has informed the City of Sioux City that they will no longer be providing the 5% match. City staff are recommending that the project still move forward with the City covering the full 10% match as these improvements are necessary in order to qualify for a train horn quiet zone in the future. If the project does not move forward at this time, it could be years before this funding is available again.

The Agreement is funded 90% Iowa Department of Transportation, and 10% City of Sioux City. The total estimated cost of the improvements is \$224,653.76. This total includes improvements to the City's curb, gutter, and sidewalks in the area. The City of Sioux City would be responsible for \$22,465.38 while the Iowa Department of Transportation would be responsible for \$202,188.38. Construction of the sidewalks, curb, and gutter would be completed by fall 2020 with gate arm and flashing light installation to begin soon after.

FINANCIAL IMPACT:

This project is proposed to be funded under CIP 719-130, "Annual Railroad Crossing Improvement Program" in FY 2020 / 2021.

RELATIONSHIP TO STRATEGIC PLAN:

Grow Sioux City

Expand Development Opportunities and Grow Sioux City

Prioritize and invest in the City's infrastructure for current and future needs

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution

Hard Copies of the Agreement

RESOLUTION NO. 2020 - _____
with attachment

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE IOWA DEPARTMENT OF TRANSPORTATION AND BNSF RAILWAY COMPANY FOR A RAILROAD SIGNAL SAFETY PROJECT (NO. RRP-RR05(198)—8A-00) LOCATED AT MILITARY ROAD (FRA NO. 382078X) IN AN AMOUNT NOT TO EXCEED \$22,465.38.

WHEREAS, the City Council of the City of Sioux City, pursuant to Resolution No. 2017-0419, has heretofore deemed it necessary to have railroad signal safety improvements installed at the BNSF Railway Company crossing at Military Road; and

WHEREAS, 90% of the project cost is to be covered by Federal Aid through the Iowa Department of Transportation, with the City of Sioux City committing to 10%; and

WHEREAS, an Agreement between the City of Sioux City, the Iowa Department of Transportation, and BNSF Railway Company, a copy of which is attached hereto and by this reference incorporated herein, sets forth the responsibilities and obligations of the parties in connection with the Railroad Signal Safety Project (No. RRP-RR05(198)—8A-00); and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the Agreement between the City of Sioux City, the Iowa Department of Transportation, and BNSF Railway Company in connection with the Railroad Signal Safety Project (No. RRP-RR05(198)—8A-00) be and the same is hereby approved.

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 121

FROM: Gordon Phair, City Engineer
Nate Wing, Civil Engineer

SUBJECT: **Resolution approving a contract with Mark Albenesius Inc. in the amount of \$179,961.50 for the 2020 Phase III Emergency Utility Pavement Repair Project - Grandview Blvd. and 32nd St. (Project No. 7112-519-127).**

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

RECOMMENDATION:

Staff respectfully requests Council approve a contract with Mark Albenesius Inc. of South Sioux City, Nebraska in the amount of \$179,961.50 for the construction of the 2020 Phase III Emergency Utility Pavement Repair Project - Grandview Blvd. and 32nd St. (Project No. 7112-519-127).

DISCUSSION:

This project is located at the intersection of 32nd Street and Grandview Boulevard. There was a water main break in the intersection which may have caused the pavement failure north of the intersection. The project will replace the water main, some storm sewer infrastructure and the street.

As a result of the immediate need for emergency repairs to preserve the health and safety of the public, the City Engineer and City Manager signed a 'Finding of Necessity', on March 6, 2020 per Iowa Code, Chapter 384.103, which authorizes the City Manager to "accept, enter into, and make payment under a contract for emergency repairs without holding a public hearing and advertising for bids, and the provisions of Chapter 26 [Public Construction Bidding] do not apply." Construction completion shall be within 40 working days. The City Manager authorized the contract on March 23, 2020. Today's action is to formally approve the contract.

A Request for Competitive Quotes was sent out on March 13, 2020 and received on March 20, 2020. Two (2) quotes were received for this project.

The quotes are as follows:

Company	City, State	Base Bid
Mark Albenesius Inc.	South Sioux City, Nebraska	\$179,961.50
KP Construction	Sergeant Bluff, Iowa	\$446,846.00
Engineer's Estimate		\$258,248.00

The base bid, submitted by Mark Albenesius Inc. of South Sioux City, Nebraska is 30.3% or \$78,286.50 below the Engineer's Estimate of \$258,248.00.

FINANCIAL IMPACT:

This project is funded using a transfer in water funds under CIP 519-127. The project currently has an available balance of \$177,555.00. FY 21 CIP funds will be used for the shortfall.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

There are no alternatives as the Contract was authorized by the City Manager on March 23, 2020.

ATTACHMENTS:

Resolution
Bid Analysis
Contracts (Hard Copies)

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION APPROVING A CONTRACT WITH MARK ALBENESIUS INC. IN THE AMOUNT OF \$179,961.50 FOR THE 2020 PHASE III EMERGENCY UTILITY PAVEMENT REPAIR PROJECT - GRANDVIEW BLVD. AND 32ND ST. (PROJECT NO. 7112-519-127).

WHEREAS, due to a water main failure located at the intersection of Grandview Boulevard and 32nd Street which needed immediate repairs, it was found essential that the City replace the water main; and

WHEREAS, pursuant to a Finding of Necessity declaring a need for emergency repairs, quotes and proposals were received by the City of Sioux City, Iowa, on March 20, 2020, for the 2020 Phase III Emergency Utility Pavement Repair Project – Grandview Blvd. and 32nd St., in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by the City Engineering Division; and

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

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

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

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

WHEREAS, the contract with Mark Albenesius Inc. previously entered into on March 23, 2020 for the Project should be authorized and approved 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 Project in Sioux City, Iowa, together with necessary accessories and appurtenances, referred to in the preamble hereof, be and the same is hereby ordered. The City Council finds that delay of advertising and public letting might cause serious loss to the City.

Section 2: It is hereby found, determined and declared that the quote of Mark Albenesius Inc. of South Sioux City, Nebraska, in the amount of \$179,961.50 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 quote 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 and previously signed by the City Manager on March 23, 2020, is hereby approved by the City Council for approval and signature by the City.

Section 5: The City Clerk is hereby authorized and directed to execute said contract for and on behalf of the City of Sioux City, Iowa.

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: This contract is awarded pursuant to the authority granted in Section 384.103(2)(a) of the Iowa Code.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



City of Sioux City

Bid Analysis - Item Deviation

7112-519-127

Description Emergency Pavement Replacement. New water main, inlets, storm sewer manhole, street, and sidewalks.

Bid Summary

(1)	ALBENESIUS, MARK INC.	\$179,961.50	Displayed
	Engineer's Estimate	\$258,248.00	Displayed
(2)	KP Construction, Inc.	\$446,846.00	Displayed

Bid Analysis

Compare to Engineer's Estimate

Line Number	Item ID	Description	Unit Price	Quantity	Unit	Extension	Deviation
Section: 1 - Description							
Item %							
0010	2010-108-A-0	Clearing and Grubbing					
	+16.000%	ALBENESIUS, MARK INC.	\$29.000	143.000	UNIT	\$4,147.00	+\$572.00
		Engineer's Estimate	\$25.000	143.000	UNIT	\$3,575.00	
	+736.000%	KP Construction, Inc.	\$209.000	143.000	UNIT	\$29,887.00	+\$26,312.00

Line Number	Item ID	Description	Unit Price	Quantity	Unit	Extension	Deviation
0020	2010-108-G-0	Subgrade Preparation					
	-30.000%	ALBENESIUS, MARK INC.	\$3.500	1,185.000	SY	\$4,147.50	-\$1,777.50
		Engineer's Estimate	\$5.000	1,185.000	SY	\$5,925.00	
	+1240.000%	KP Construction, Inc.	\$17.000	1,185.000	SY	\$20,145.00	-\$14,220.00
0030	2010-108-I-0	Subbase; Modified, 6"					
	-5.000%	ALBENESIUS, MARK INC.	\$9.500	1,185.000	SY	\$11,257.50	-\$592.50
		Engineer's Estimate	\$10.000	1,185.000	SY	\$11,850.00	
	+340.000%	KP Construction, Inc.	\$44.000	1,185.000	SY	\$52,140.00	-\$40,290.00
0040	3010-108-D-0	Replacement of Unsuitable Backfill Material					
	-40.000%	ALBENESIUS, MARK INC.	\$18.000	100.000	CY	\$1,800.00	-\$1,200.00
		Engineer's Estimate	\$30.000	100.000	CY	\$3,000.00	
	+133.333%	KP Construction, Inc.	\$40.000	100.000	CY	\$4,000.00	-\$1,000.00
0050	4040-108-A-0	Subdrain: 6"					
	+52.000%	ALBENESIUS, MARK INC.	\$38.000	270.000	LF	\$10,260.00	-\$3,510.00
		Engineer's Estimate	\$25.000	270.000	LF	\$6,750.00	
	+132.000%	KP Construction, Inc.	\$58.000	270.000	LF	\$15,660.00	-\$8,910.00
0060	4040-108-C-0	Subdrain or Footing Drain Cleanouts: Type B					
		ALBENESIUS, MARK INC.	\$250.000	2.000	EA	\$500.00	\$0.00
		Engineer's Estimate	\$250.000	2.000	EA	\$500.00	
	+1220.000%	KP Construction, Inc.	\$800.000	2.000	EA	\$1,600.00	-\$1,100.00
0070	4040-108-D-0	Footing Drain Outlets and Connections					
	-40.000%	ALBENESIUS, MARK INC.	\$150.000	8.000	EA	\$1,200.00	-\$800.00
		Engineer's Estimate	\$250.000	8.000	EA	\$2,000.00	
	+140.000%	KP Construction, Inc.	\$600.000	8.000	EA	\$4,800.00	-\$2,800.00
0080	5010-108-A-1	Water Main, Trenched: 8" PVC					
	-28.000%	ALBENESIUS, MARK INC.	\$36.000	366.000	LF	\$13,176.00	-\$5,124.00
		Engineer's Estimate	\$50.000	366.000	LF	\$18,300.00	
	+92.000%	KP Construction, Inc.	\$96.000	366.000	LF	\$35,136.00	-\$16,836.00
0090	5010-108-C-1	Fitting: 8"x8" Cross					
	-70.000%	ALBENESIUS, MARK INC.	\$450.000	1.000	EA	\$450.00	-\$1,050.00
		Engineer's Estimate	\$1,500.000	1.000	EA	\$1,500.00	
		KP Construction, Inc.	\$1,500.000	1.000	EA	\$1,500.00	\$0.00

Line Number	Item ID	Description	Unit Price	Quantity	Unit	Extension	Deviation
0100	5010-108-C-1	Fitting: 8"x8"x8" Tee					
	-73.333%	ALBENESIUS, MARK INC.	\$400.000	8.000	EA	\$3,200.00	-\$8,800.00
		Engineer's Estimate	\$1,500.000	8.000	EA	\$12,000.00	
	-26.667%	KP Construction, Inc.	\$1,100.000	8.000	EA	\$8,800.00	-\$3,200.00
0110	5010-108-D-0	Water Service Stub: 1"					
	+80.000%	ALBENESIUS, MARK INC.	\$1,800.000	5.000	EA	\$9,000.00	\$4,000.00
		Engineer's Estimate	\$1,000.000	5.000	EA	\$5,000.00	
	+20.000%	KP Construction, Inc.	\$1,200.000	5.000	EA	\$6,000.00	-\$1,000.00
0120	5020-108-A-0	Valve: 8" with Reducer					
	-28.000%	ALBENESIUS, MARK INC.	\$1,800.000	4.000	EA	\$7,200.00	-\$2,800.00
		Engineer's Estimate	\$2,500.000	4.000	EA	\$10,000.00	
	+25.000%	KP Construction, Inc.	\$3,125.000	4.000	EA	\$12,500.00	\$2,500.00
0130	5020-108-C-0	Fire Hydrant Assembly					
	+44.000%	ALBENESIUS, MARK INC.	\$7,200.000	1.000	EA	\$7,200.00	\$2,200.00
		Engineer's Estimate	\$5,000.000	1.000	EA	\$5,000.00	
	+30.000%	KP Construction, Inc.	\$6,500.000	1.000	EA	\$6,500.00	-\$1,500.00
0140	5020-108-I-0	Fire Hydrant Assembly Removal					
	-50.000%	ALBENESIUS, MARK INC.	\$250.000	1.000	EA	\$250.00	-\$250.00
		Engineer's Estimate	\$500.000	1.000	EA	\$500.00	
	+300.000%	KP Construction, Inc.	\$2,000.000	1.000	EA	\$2,000.00	\$1,500.00
0150	SP	Special Provision Item, Lump Sum: Establish and Maintain Temporary Water Service					
	-85.833%	ALBENESIUS, MARK INC.	\$850.000	1.000	LS	\$850.00	-\$5,150.00
		Engineer's Estimate	\$6,000.000	1.000	LS	\$6,000.00	
	+150.000%	KP Construction, Inc.	\$15,000.000	1.000	LS	\$15,000.00	-\$9,000.00
0151	6010-108-A-0	Manhole: SW-401, 72" diameter, 11.75' deep					
	-35.000%	ALBENESIUS, MARK INC.	\$6,500.000	1.000	EA	\$6,500.00	-\$3,500.00
		Engineer's Estimate	\$10,000.000	1.000	EA	\$10,000.00	
	+80.000%	KP Construction, Inc.	\$18,000.000	1.000	EA	\$18,000.00	\$8,000.00
0160	6010-108-B	Intake: SW-501					
	-14.000%	ALBENESIUS, MARK INC.	\$4,300.000	1.000	EA	\$4,300.00	-\$700.00
		Engineer's Estimate	\$5,000.000	1.000	EA	\$5,000.00	
	+40.000%	KP Construction, Inc.	\$7,000.000	1.000	EA	\$7,000.00	-\$2,000.00

Bid Analysis:

7112-519-127

03/20/2020

Page 3 of 5

Line Number	Item ID	Description	Unit Price	Quantity	Unit	Extension	Deviation
0170	6010-108-B	Intake: SW-503					
	-20.000%	ALBENESIUS, MARK INC.	\$4,800.000	2.000	EA	\$9,600.00	-\$2,400.00
		Engineer's Estimate	\$6,000.000	2.000	EA	\$12,000.00	
	+41.667%	KP Construction, Inc.	\$8,500.000	2.000	EA	\$17,000.00	\$5,000.00
0180	6010-108-E-0	Manhole or Intake Adjustment, Minor					
	-15.000%	ALBENESIUS, MARK INC.	\$850.000	2.000	EA	\$1,700.00	-\$300.00
		Engineer's Estimate	\$1,000.000	2.000	EA	\$2,000.00	
	-25.000%	KP Construction, Inc.	\$750.000	2.000	EA	\$1,500.00	-\$500.00
0190	6010-108-H-0	Remove Manhole or Intake					
	-75.000%	ALBENESIUS, MARK INC.	\$500.000	4.000	EA	\$2,000.00	-\$6,000.00
		Engineer's Estimate	\$2,000.000	4.000	EA	\$8,000.00	
	-25.000%	KP Construction, Inc.	\$1,500.000	4.000	EA	\$6,000.00	-\$2,000.00
0200	7010-108-I-0	Pavement Removal					
	-50.000%	ALBENESIUS, MARK INC.	\$5.000	1,121.000	SY	\$5,605.00	-\$5,605.00
		Engineer's Estimate	\$10.000	1,121.000	SY	\$11,210.00	
		KP Construction, Inc.	\$10.000	1,121.000	SY	\$11,210.00	\$0.00
0210	7030-108-A-0	Removal of Sidewalk, Shared Use Path, or Driveway					
	-58.333%	ALBENESIUS, MARK INC.	\$5.000	115.000	SY	\$575.00	-\$805.00
		Engineer's Estimate	\$12.000	115.000	SY	\$1,380.00	
	+25.000%	KP Construction, Inc.	\$15.000	115.000	SY	\$1,725.00	+\$345.00
0220	7010-108-A-0	Pavement, PCC: 8"					
	-9.375%	ALBENESIUS, MARK INC.	\$43.500	1,121.000	SY	\$48,763.50	-\$5,044.50
		Engineer's Estimate	\$48.000	1,121.000	SY	\$53,808.00	
	+83.333%	KP Construction, Inc.	\$88.000	1,121.000	SY	\$98,648.00	-\$44,840.00
0230	7030-108-E-0	Sidewalk, PCC: 6"					
	-23.636%	ALBENESIUS, MARK INC.	\$42.000	121.000	SY	\$5,082.00	-\$1,573.00
		Engineer's Estimate	\$55.000	121.000	SY	\$6,655.00	
	+54.545%	KP Construction, Inc.	\$85.000	121.000	SY	\$10,285.00	-\$3,630.00
0240	7030-108-G-0	Detectable Warning					
	-75.000%	ALBENESIUS, MARK INC.	\$25.000	80.000	SF	\$2,000.00	-\$6,000.00
		Engineer's Estimate	\$100.000	80.000	SF	\$8,000.00	
	-55.000%	KP Construction, Inc.	\$45.000	80.000	SF	\$3,600.00	-\$4,400.00

Line Number	Item ID	Description	Unit Price	Quantity	Unit	Extension	Deviation
0250	7030-108-H-1	Driveway, Paved; 6"					
	-23.636%	ALBENESIUS, MARK INC.	\$42,000	169,000	SY	\$7,098.00	-\$2,197.00
		Engineer's Estimate	\$55,000	169,000	SY	\$9,295.00	
	+63.636%	KP Construction, Inc.	\$90,000	169,000	SY	\$15,210.00	+\$5,915.00
0260	8030-108-A-0	Temporary Traffic Control					
	-13.333%	ALBENESIUS, MARK INC.	\$2,600,000	1,000	LS	\$2,600.00	-\$400.00
		Engineer's Estimate	\$3,000,000	1,000	LS	\$3,000.00	
	+166.667%	KP Construction, Inc.	\$8,000,000	1,000	LS	\$8,000.00	+\$5,000.00
0270	9010-108-B-0	Seeding, Fertilizing, and Mulching for Hydraulic Seeding					
	+16.667%	ALBENESIUS, MARK INC.	\$3,500,000	1,000	LS	\$3,500.00	+\$500.00
		Engineer's Estimate	\$3,000,000	1,000	LS	\$3,000.00	
	+100.000%	KP Construction, Inc.	\$6,000,000	1,000	LS	\$6,000.00	+\$3,000.00
0280	9040-108-A-2	SWPPP Management					
	-83.333%	ALBENESIUS, MARK INC.	\$500,000	1,000	LS	\$500.00	-\$2,500.00
		Engineer's Estimate	\$3,000,000	1,000	LS	\$3,000.00	
	+66.667%	KP Construction, Inc.	\$5,000,000	1,000	LS	\$5,000.00	+\$2,000.00
0290	11010-108-A	Construction Survey					
	-70.000%	ALBENESIUS, MARK INC.	\$1,500,000	1,000	LS	\$1,500.00	-\$3,500.00
		Engineer's Estimate	\$5,000,000	1,000	LS	\$5,000.00	
	+140.000%	KP Construction, Inc.	\$7,000,000	1,000	LS	\$7,000.00	+\$2,000.00
0300	11020-108-A-0	Mobilization					
	-84.000%	ALBENESIUS, MARK INC.	\$4,000,000	1,000	LS	\$4,000.00	-\$21,000.00
		Engineer's Estimate	\$25,000,000	1,000	LS	\$25,000.00	
	-40.000%	KP Construction, Inc.	\$15,000,000	1,000	LS	\$15,000.00	-\$10,000.00
31 items							

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 12J

FROM: Renae Billings, Business Development Coordinator

SUBJECT: Resolution authorizing and approving a Development Agreement and Minimum Assessment Agreement with Koskovich & Murphy Developments, LLC (Property located at 715 Cunningham Drive)

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

Staff respectfully requests Council approval of the above resolution.

DISCUSSION:

Paul Koskovich and Ben Murphy have partnered together to form Koskovich & Murphy Developments, LLC, with a focus on developing commercial real estate in the Siouxland area. The developers have identified a demand for commercial warehouse space in this market and have designed plans for a spec building with flex contractor space to help fulfill this demand. The developers purchased 2.07 acres of land in the Yards at the end of 2019 with plans to construct two new spec buildings on the site, each consisting of 9,600 square feet. The flex spaces allow for a business to lease a minimum of 2,400 square feet, with the capability of leasing up to 9,600 square feet. The space is being built out as lease agreements are signed with tenants based on their needs. Construction of the spec buildings is underway and will be completed in the summer of 2020.

Proposal

City staff has finalized a development agreement and minimum assessment agreement with Koskovich & Murphy Developments, LLC to provide assistance for the project.

As part of the agreement Koskovich & Murphy Developments, LLC will:

- Commit to constructing two (2) new 9,600 square foot spec buildings on the property.
- Enter into a minimum assessment agreement of \$1.2 million.
- Complete construction of the new buildings no later than December 31, 2020.

As part of the agreement the City will:

- Provide financial assistance in the form of 75% property tax rebate for five years.

FINANCIAL IMPACT:

The City will benefit from increased property taxes resulting from the minimum assessment agreement. The City's financial commitment to this project will be in the form of partial property tax rebates.

RELATIONSHIP TO STRATEGIC PLAN:

To expand development opportunities, develop the resources to support economic growth, and develop new business sites.

ALTERNATIVES:

None recommended

ATTACHMENTS:

Resolution
Development Agreement (Hard Copy)
Minimum Assessment Agreement (Hard Copy)

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AUTHORIZING AND APPROVING A DEVELOPMENT AGREEMENT AND MINIMUM ASSESSMENT AGREEMENT WITH KOSKOVICH & MURPHY DEVELOPMENTS, LLC (PROPERTY LOCATED AT 715 CUNNINGHAM DRIVE)

WHEREAS, Koskovich & Murphy Developments, LLC has identified a demand for commercial warehouse space in the tri-state area; and

WHEREAS, Koskovich & Murphy Developments, LLC have designed plans for a spec building with flex contractor space to help fulfill this demand; and

WHEREAS, Koskovich & Murphy Developments, LLC has committed a significant amount of private financing to construct two new spec buildings on property located at 715 Cunningham Drive; and

WHEREAS, Koskovich & Murphy Developments, LLC has requested property tax rebates to assist with the project and help secure this investment in Sioux City; and

WHEREAS, the City Council believes that it is in the public interest to provide said property tax rebates; and

WHEREAS, there is attached hereto and by this reference made a part hereof, a Development Agreement and Minimum Assessment Agreement by and between the City of Sioux City and Koskovich & Murphy Developments, LLC setting forth the rights and responsibilities of the parties, which Development Agreement and Minimum Assessment Agreement should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY IOWA, that the Development Agreement and Minimum Assessment Agreement between the City of Sioux City and Koskovich & Murphy Developments, LLC, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized and directed to execute said Development Agreement and Minimum Assessment Agreement with Koskovich & Murphy Developments, LLC for and on behalf of the City of Sioux City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 12K 1-2

FROM: Joe Fontenot, Wastewater Treatment Plant Superintendent

Resolution approving Addendum No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia for additional dosing funding running through June 30, 2020 in an amount not to exceed \$55,000.00.

SUBJECT:

Resolution approving Amendment No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia to extend services for one (1) year beginning July 1, 2020 and ending June 30, 2021 in an amount not to exceed \$370,000.00.

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

Staff respectfully requests Council approve Addendum No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC dba USP Technologies for additional dosing funding due to a milder, drier winter, additional dosing during special events, an exposed man-hole at Riverside Lift Station, increased dosing at WWTP headworks due to construction and increased dosing at Darling Ingredients, Inc. for response to citizen complaints at York Lift Station running through June 30, 2020 in an amount not to exceed \$55,000.00.

Staff respectfully requests Council approve Amendment No. 3 to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia to extend services for one (1) year beginning July 1, 2020 and ending June 30, 2021 and in an amount not to exceed \$370,000.00.

DISCUSSION:

The City Council approved a contract with US Peroxide, LLC d.b.a. USP Technologies on April 2, 2012 for Collection System Odor Control Services pursuant to Resolution No. 2012-0217. The initial term of the contract was from May 1, 2012 through April 30, 2013 with the contract being extended for up to a total of four (4) renewals, each for a period of one (1) year upon mutual agreement of the parties. The City Council approved Amendment No. 2 to the contract on March 20, 2017, pursuant to Resolution No. 2017-0256, to extend services for an additional 3 years. The current contract will expire June 30, 2020. In response to an increase in odor complaints near Riverside and York Lift Stations and the WWTP, increased chemical dosage treatment has created a shortfall in the odor control budget for the current year. Staff requests the City Council authorize execution of Addendum No. 3 in an amount not to exceed \$55,000.00.

The increased demand has resulted from: a collapsed manhole on Florence Avenue that allows odors to escape; greater need for odor control at Darling Ingredients; and various construction activities at the WWTP.

The aforementioned contract extension included a stipulation that the amount per year not to exceed \$370,000.00 per fiscal year the first year, with a maximum increase of 4.5% annually thereafter. To date, the WWTP has been under budget since 2016 in a total amount of \$70,076.00 (2016-2017 - \$24,336.00; 2017-2018 - \$29,667.00; 2018-2019 - \$16,073.00).

Staff also requests the City Council extend the contract with USP for one (1) year. With warm weather approaching discontinuation of the contract without a new contract in place is not recommended by staff as it would eliminate all forms of odor and corrosion control and could result in numerous odor complaints. Staff feels that continuity in the odor control program is extremely important. USP has been responsive to the City's needs and has demonstrated that the system currently in place is effective. The contract extension would be in an amount not to exceed \$370,000.00.

FINANCIAL IMPACT:

These charges will be paid for out of the Sewer fund # 520-2301-452.30-12.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council can choose not to approve this Addendum.

City Council can choose not to approve the Amendment. This is not recommended by staff as it would eliminate all forms of odor and corrosion control and could result in numerous odor complaints.

ATTACHMENTS:

Resolution(s)
Addendum No. 3
Amendment No. 3
USP Technologies Request for increase in odor control funding
USP Technologies contract extension for July 2020-June 2021

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION APPROVING ADDENDUM NO. 3 TO THE COLLECTION SYSTEM ODOR CONTROL SERVICES CONTRACT WITH US PEROXIDE, LLC D.B.A. USP TECHNOLOGIES OF ATLANTA, GEORGIA FOR ADDITIONAL DOSING FUNDING RUNNING THROUGH JUNE 30, 2020 IN AN AMOUNT NOT TO EXCEED \$55,000.00

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Addendum No. 3, a copy of which is attached hereto and by this reference made a part hereof, to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia for additional dosing funding running through June 30, 2020 in an amount not to exceed \$55,000.00, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Utilities Director, be and he is hereby authorized and directed to execute said addendum for and on behalf of the City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION APPROVING AMENDMENT NO. 3 TO THE COLLECTION SYSTEM ODOR CONTROL SERVICES CONTRACT WITH US PEROXIDE, LLC D.B.A. USP TECHNOLOGIES OF ATLANTA, GEORGIA TO EXTEND SERVICES FOR ONE (1) YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 IN AMOUNT NOT TO EXCEED \$370,000.00.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that Amendment No. 3, a copy of which is attached hereto and by this reference made a part hereof, to the Collection System Odor Control Services Contract with US Peroxide, LLC d.b.a. USP Technologies of Atlanta, Georgia extending services for one (1) year beginning July 1, 2020 and ending June 30, 2021 in an amount not to exceed \$370,000.00, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Utilities Director, be and he is hereby authorized and directed to execute said Amendment for and on behalf of the City.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



March 25, 2020

City of Sioux City, IA
3100 S. Lewis Blvd.
Sioux City, IA 51106
Attn: Joe Fontenot

RE: USP Technologies request for increase in odor control funding.

USP Technologies is requesting \$55,000 in additional funding for the current fiscal year in order to be able to continue to meet the targets and goals of the odor control program.

Date Range	Amount H2O2 Billed	Amount FeCl2 Billed	Total Billed	Budget Remaining
7/1/19 - 2/25/20	\$310,300.00	\$65,602.45	\$365,902.60	\$4,097.50

As the table shows, we have nearly met the \$370,000 not to exceed amount for the fiscal year with four months of treatment season remaining. The increase in chemical usage is due to a number of factors, including:

1. A milder and drier winter than in previous years.
2. The exposed sewer channel at Riverside LS has required higher dosing rates for both the ferrous chloride dosing system and the peroxide site upstream at Miller LS.
3. Increased peroxide dosing at the VWWTP headworks as a safety measure. With the construction around the plant H₂S levels indoors around the headworks have regularly been significantly elevated and required higher dosing concentrations to address than in the past.
4. Increased dosing demand at the DarPro location to manage odors downstream at York LS.

As USP Technologies approaches the odor control budget limit for the contract year, it was determined that additional funding would be necessary to continue to maintain odor targets. As such, USP is requesting an additional \$55,000 of funding. The breakdown for this is as follows:

1. Four additional deliveries of ferrous chloride to Riverside LS for an average dosage rate of 180 gallons/day through June 30, 2020.
 - a. **Projected cost: \$22,700**
2. 500 gallons of hydrogen peroxide for the 18th Street site for an average dosage of 10 gallons/day.
 - a. **Projected cost: \$2,680**
3. 2200 gallons of hydrogen peroxide for Miller LS for an average dosage of 30 gallons/day. This rate could be reduced to about 15 gallons/day if the exposed flow downstream at Riverside LS was covered. In that case, only 600 gallons would be needed.
 - a. **Projected cost: \$11,770 if sewer remains exposed**
 - b. **Projected cost: \$3,210 if sewer is covered**
4. 2000 gallons of hydrogen peroxide for the system at the waste water treatment plant to control H₂S at the headworks, only as-needed.
 - a. **Projected cost: \$10,700**



5. 2000 gallons for the system at Darling Processing if the system can be moved to York LS. This would allow us to reduce rates and more effectively control odors at York.

a. Projected cost: \$10,700

Based on these proposed rates, USP estimates that an additional \$55,000 is needed. If the sewer that is exposed at Riverside LS can be covered soon then an additional \$47,000 is sufficient.

For reference the odor control expenditures for the previous three fiscal years are presented in the table below.

Fiscal Period	Total Odor Control Program Expenditure	Total Budgeted by City
July 2016 through June 2017	\$345,664	\$370,000 (For May 1, 2016 – June 30, 2017)
July 2017 through June 2018	\$340,333	\$370,000
July 2018 through June 2019	\$353,927	\$370,000

USP remains committed to the City and will take every measure possible to economize and improve our offering. USP suggests and upon approval by the City would immediately begin implementing the following improvements:

1. Moving the peroxide dosing system from DarPro to York LS. Once set up at York LS USP will provide an online H₂S meter that will permit automated dosing of peroxide only when H₂S levels are elevated. USP recently conducted a study that found that chemical dosing needs may be reduced by 30 – 60% through these changes compared with dosing at DarPro.
2. Providing an online H₂S meter at the WWTP headworks that will allow for automated dosing of peroxide only when levels above those determined by the City are measured.

Please let us know if you have any questions.

Agreed to and Accepted on:

Derek Pfeifer
Applications Engineer, Midwest
dpfeifer@usp technologies.com
(612) 760-6642

Date: _____ 2020

by City of Sioux City

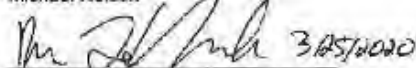
By: _____

&

Name: _____

Michael Nelson

Date: _____

 3/25/2020

Territory Manager, Midwest
mnelson@usp technologies.com
(563) 650-6926

Amendment No. 1



March 18, 2020

City of Sioux City, IA
405 6th St.
Sioux City, IA 51101
Attn: Mark Simms

RE: USP Technologies contract extension for July 2020 – June 2021.

The City of Sioux City, IA and USP Technologies agree to a 1-year extension of the current contract for odor control services. This extension is a continuation of services as provided before, with no change in the price of chemical or the City's annual budget for this service.

The period of this extension runs from July 1, 2020 through June 30, 2021.

Agreed to and Accepted on

Agreed to and Accepted on

Date: March 25, 2020

Date: _____ 2020

by USP Technologies

by City of Sioux City

By: _____

By: _____

Name: Tom Siller

Name: _____

Title: General Manager

Title: _____



5. 2000 gallons for the system at Darling Processing if the system can be moved to York LS. This would allow us to reduce rates and more effectively control odors at York.

a. Projected cost: \$10,700

Based on these proposed rates, USP estimates that an additional \$65,000 is needed. If the sewer that is exposed at Riverside LS can be covered soon then an additional \$47,000 is sufficient.

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USP remains committed to the City and will take every measure possible to economize and improve our offering. USP suggests and upon approval by the City would immediately begin implementing the following improvements:

1. Moving the peroxide dosing system from DarPro to York LS. Once set up at York LS USP will provide an online H₂S meter that will permit automated dosing of peroxide only when H₂S levels are elevated. USP recently conducted a study that found that chemical dosing needs may be reduced by 30 – 80% through these changes compared with dosing at DarPro.
2. Providing an online H₂S meter at the WWTP headworks that will allow for automated dosing of peroxide only when levels above those determined by the City are measured.

Please let us know if you have any questions.

Derek Pfeifer
Applications Engineer, Midwest
dpfeifer@usp-technologies.com
(612) 760-6642

&

Michael Nelson

Michael Nelson 3/15/2020

Territory Manager, Midwest
mnelson@usp-technologies.com
(563) 650-8826

Agreed to and Accepted on:

Date: _____ 2020

by City of Sioux City

By: _____

Name: _____

Date: _____

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 12L

FROM: Mike Collett, Assistant City Manager
Spero Vlahoulis, Purchasing Manager

SUBJECT: Resolution awarding a Service Provider Agreement to Western Waterproofing Company of America dba Western Specialty Contractors of America in the amount of \$51,871.50 for the Martin Luther King, Jr. (MLK) Parking Ramp Repair Project (RFB#260577).

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

Staff respectfully requests the City Council approve a Service Provider Agreement to Western Waterproofing Company of America dba Western Specialty Contractors of America in the amount of \$51,871.50 for the Martin Luther King, Jr. (MLK) Parking Ramp Repair Project (RFB#260577).

DISCUSSION:

City staff has determined that the MLK Parking Ramp is in need of repairs. This project includes traffic topping replacement, project mobilization, floor repair, expansion joint repair, cove sealant, tighten barrier cable turn buckles, reinstalling the eye bolt, and temporary signage

Invitations to bid were sent to six (6) vendors that specialize in parking ramp repairs. The bids are as follows:

	Western Waterproofing Company of America Omaha, NE	Merit Construction Services Farmington, MN	Paragon Restoration II, Prior Lake, MN	Ram Construction Services Blaine, MN	Cy-Con, Inc. St. Paul, MN	McGill Restoration Omaha, NE
Project Cost	\$51,871.50	\$57,708.00	\$63,700.00	\$67,465.00	\$85,562.00	\$93,744.00
Dollar Difference from Low Bid	Not Applicable	\$5,836.50	\$11,828.50	\$15,593.50	\$33,690.50	\$41,872.50
Percentage Difference from Low Bid	Not Applicable	11.25%	22.80%	30.06%	64.94%	80.72%

FINANCIAL IMPACT:

Funds will be available from account #301-8599-473.22-49, Transit, Capital Improvements, Project 739-020 Annual Transit Repairs Project, available balance is \$642,911.01.

RELATIONSHIP TO STRATEGIC PLAN:

Relationship complies with City Operational Plans.

ALTERNATIVES:

Reject the bid.

ATTACHMENTS:

Resolution.

Hard Copies of the Following:

Engineer's Letter of Recommendation.

Service Provider Agreement.

Bid Bond.

Performance Bond.

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION AWARDING A SERVICE PROVIDER AGREEMENT TO WESTERN WATERPROOFING COMPANY OF AMERICA DBA WESTERN SPECIALTY CONTRACTORS OF AMERICA IN THE AMOUNT OF \$51,871.50 FOR THE MARTIN LUTHER KING, JR. (MLK) PARKING RAMP REPAIR PROJECT (RFB#260577).

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a Service Provider Agreement, a copy of which is attached hereto and by this reference made a part hereof, be awarded to Western Waterproofing Company of America dba Western Specialty Contractors of America in the amount of \$51,871.50 for the Martin Luther King, Jr. (MLK) Parking Ramp Repair Project (RFB#260577).

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 13A-B

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

Motion appointing Chase Stockton to the Events Facilities and Tourism Advisory Board to complete the balance of a four-year term expiring June 30, 2022, replacing Mark Baltushis.

SUBJECT: **Motion appointing Andrew Clausen to the Library Board of Trustees to complete the balance of a three-year term expiring June 30, 2022, replacing David Halaas.**

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

Staff respectfully requests that City Council appoint the above applicants to the appropriately listed Boards, Commissions or Committees.

DISCUSSION:

The above-mentioned individuals have completed applications and appeared before the Council to interview for open positions; the Council has indicated their preferences to appoint them.

FINANCIAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC PLAN:

Interviewing and appointing citizens to various Boards, Commissions, and Committees shows our effort to incorporate citizen input in municipal government.

Relates to **Progressive Leadership Vision** - We will use formal and informal methods to engage the Council, our employees, and our customers to promote enhanced organizational engagement and commitment to our shared vision; and the **Strategy** - Develop strong partnerships with our residents, visitors, and business community.

ALTERNATIVES:

Council may approve the appointments as listed or withdraw their preferences for them and wait for additional applications to be submitted for the openings.

ATTACHMENTS:

None

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 14

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

SUBJECT: **A. OFF PREMISE SALES**
 1. CLASS C BEER PERMIT (beer/wine coolers)
 a. Palmer Candy Company, 405 Wesley Parkway (Renewal)

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

Staff respectfully requests and recommends approval of the above Beer and Liquor License.

DISCUSSION:

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

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

Police Records for the establishment were reviewed and the Police Department recommends approval for the applicant unless otherwise noted.

FINANCIAL IMPACT:

The percentage of the local authority share of liquor license fees gathered by the State of Iowa Alcoholic Beverages Division varies from license to license; the City collected \$109,753.48 in FY2019.

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

ACTIVE TRANSPORTATION ADVISORY COMMITTEE

MEETING MINUTES

January 15, 2020

A meeting of the Sioux City Active Transportation Advisory Committee was held this date at 4:00 p.m. at City Hall, 3rd Floor Conference Room, 405 6th Street.

MEMBERS PRESENT

Michelle Bostinelos
Angela Drent
Bob DeSmidt
Korey Smith

MEMBERS ABSENT

Judy Bohnertz
Mike Johnson
Lili Madrid

GUESTS

STAFF MEMBERS

Erin Berzina, Planning
Matt Salvatore, Parks & Rec
Bill Melville, SCPD

1. Call to Order

Michelle Bostinelos, Chair, called the meeting to order at approximately 4:05 p.m.

2. Approval of Minutes from the December 18, 2019 Meeting

Staff provided copies of minutes from the December 18, 2019 meeting. DeSmidt (Drent) moved to approve the minutes. Motion carried. (4-0-0).

3. New Business

a) Mission Statement Draft

Staff developed a draft mission statement based on discussion from the November 20, 2019 meeting. The group perfected the draft to reflect the overall vision of what the group wishes to accomplish and intend to post the mission statement on all agendas to stay focused on the end goals and why this group was formed. The final mission statement reads as follows: "The Mission of the Active Transportation Advisory Committee is to transform our city into a bicycle/pedestrian-friendly community for future generations by: 1.) ensuring that bicycle and pedestrian facilities are included in both private and public development plans submitted to or by the city, 2.) identifying existing locations where current infrastructure hinders bicycle/pedestrian use and propose improvements to make such locations more bicycle/pedestrian-friendly, and 3.) advocating and educating for active transportation." Drent (Smith) moved to approve the mission statement as amended by the Committee. Motion carried. (4-0-0).

b) Overview of Known Potential Funding Sources for Bike/Ped Projects

Using existing grant information gathered from the SIMPCO website as a starting point, staff compiled a draft list of grants that would apply to active transportation projects. The grant that may apply the most for bike/ped projects in the future is the Transportation Alternative Program (TAP) administered by SIMPCO. This program awards federal funding for projects such as bike/ped facilities, trails, and safe routes to schools projects. This funding source is programmed four years in advance. Other alternatives include Wellmark, Gilchrist, MRHD, REAP, and Recreational Trails Programs. Smith also has several ideas on grants from companies related to cycling including QBP (Quality Bicycle Products) Grant, the UP (Union Pacific) Foundation, and Kiewitt Foundation. A grant application schedule can be incorporated into the Bike/Ped/Trail Master Plan to coordinate the timing of projects. There are not many funding sources available for planning documents. SIMPCO has funds available for planning documents and setting the master plan as a priority for the city applications needs to be discussed with City management staff. Active Transportation has an item in the Capital Improvement Plan Public Works section that has

a balance of \$400,000. The funds are currently not programmed into the next four budget years, but a portion of those funds should be requested to move into the next fiscal cycle to use as city match to hire a consultant to complete the master plan. The remaining balance can be used for implementation.

4. Old Business

a) Long Term Projects and 2020 Quick Wins

Staff began a working document based on the 2019 Annual Report Goals, outlining long term, short term, and quick wins under each goal. DeSmidt suggested adding the sidewalk crossing signs added to the South Lakeport/Southern Hills Drive, alerting for pedestrians crossing especially from the Arena building to the Casey's/Hotels across the street. After discussion with Dave Carney and Pete Groetken, a pedestrian pedestal button will be added to that intersection in the future. As part of this discussion, the group would like to meet with the new Council member, Julie Schoenherr, to orientate her with the group and vision. Julie has shown great enthusiasm for bike/ped issues in the SIMPCO MPO group and introducing her to current projects and goals would be beneficial. The Community Development Department will have a meeting with Julie in the coming weeks and staff will see if some time can be devoted to current activities of the Active Transportation Advisory Committee and general bike/ped projects in the area.

b) Bike / Ped Master Plan Update

No update to this project at this time.

5. Staff Site Plan Reviews for Sidewalk Connections (12/19/19 – 01/09/20)

Staff attends Development Review Committee (DRC) meetings to review site plans for sidewalk connections and other active transportation items as staff liaison of the Active Transportation Advisory Committee. Only one applicable item was presented; the Riverfront infrastructure plan and the District 42 apartment plan final plan came forward again. One trail will remain open at all times during the Riverfront construction process, which was a group concern. The sidewalk connections in the District 42 development remain installed as intended and the ADA paths were shown on the new plan set.

6. Roundtable / Future Agenda Items / Other Business

Drent provided a photo of a newer bus stop on W 3rd St / Market St that is not ADA compliant due to passable sidewalk width. Staff forwarded the photo and request to fix to Dave Carney 1/16/20.

DeSmidt asked if this group is going to be one of the sponsors for Bike-to-Work Week. Bostinelos suggested that perhaps the City of Sioux City Active Transportation Advisory Committee be the City sponsor. Drent suggested our role could be providing an education component as part of the week. The group requested that Anne Westra come to the meeting to discuss media planning as related to this group.

7. Adjourn

The meeting concluded 5:13 p.m. The next scheduled meeting will be held February 19, 2020 in the City Hall 3rd Floor Conference Rm. at 4:00 p.m.

AIRPORT BOARD OF TRUSTEES

REGULAR MEETING

February 20, 2020

A meeting of the Airport Board of Trustees was held at 7:30 a.m. in the Conference Room at the Terminal Building, 2403 Aviation Blvd, Sioux City, IA 51111.

MEMBERS PRESENT

Dave Bernstein
Angie Schneiderman
Rita De Jong
Dave Kaplan

STAFF

Mike Collett, Assistant City Manager
Amber Hegarty, Assistant City Attorney
John Backer, Operations Manager
Melissa Uhl, Airport Administrative Asst.

OTHER

Barbara Sloniker
Dave Zimmerman
Lori Pierson
Steven Postolka
Jay Prudence

MEMBERS ELECTRONIC

Larry Christensen

MEMBERS ABSENT

Noelle Jacobs
Joe Kruse

CALL OF THE ROLL

The Airport Board meeting was called to order by Board President Bernstein at 7:31 a.m.

APPROVAL OF MINUTES

Schneiderman moved that the minutes of January 23, 2020 be approved. Seconded by DeJong. Motion Approved Unanimously.

BUSINESS ITEMS

Approve a Recommendation to City Council to Approve Change Order No. 1 with RP Constructors, LLC to allow for additional unit price work due to favorable bids and grant funding available in connection with the North Hangar Area Drainage Basin and Drainage Improvements Project.

A Motion to Approve a Recommendation to the City Council to Approve the Change Order No. 1 with RP Constructors, LLC to allow for additional unit price work due to favorable bids and grant funding available in connection with the North Hangar Area Drainage Basin and Drainage Improvements Project was made by DeJong and Seconded by Schneiderman. Motion Approved Unanimously.

Approve a Recommendation to City Council to Approve Work Order No. 42 with RS&H Iowa, P.C. for the administration construction services for the North Hangar Drainage Basin and Drainage Improvements Project.

A Motion to Approve a Recommendation to the City Council to Approve the Work Order No. 42 with RS&H Iowa, PC to allow for additional unit price work due to favorable bids and grant funding available in connection with the North Hangar Area Drainage Basin and Drainage Improvements Project was made by Schneiderman and Seconded by Christensen. Motion Approved Unanimously.

Select and Approve a Digital Marketing Targeting Strategy with Advance Media.

A Motion to defer to the March Meeting directing staff to refine the Selection and Approval of a Digital Marketing Targeting Strategy with Advance Media was made by Kaplan and Seconded by Schneiderman. Motion Approved Unanimously.

DISCUSSION

Construction Projects Update: The 2020 Airport Terminal Renovation Project is underway. Panel color will remain the same and staff will not be relocated. Phase 2 flooring in the TSA queuing lane will start this Saturday. Temporary flooring will go down during this phase. Staff will be working on the RFP for the replacement of Parking Revenue Equipment and expect to bring before the board next month.

Landscape Plan Improvements Review: Landscaping improvements around the island areas out to the trees and end caps on the medians were discussed. Staff will bring back landscaping proposal for final review before improvements begin. Staff will prepare a plan for seed and fertilizer in the front.

Trego Dugan: Trego now has two supervisors here but are still in need of a station manager. Trego staff were not present to speak on flights or equipment. There were minimal known delays reported for January. Recent problems with their air start equipment availability was mentioned. ABM Parking: ABM staff continue to work with their snow removal contractor who brought in new employees for this year's snow removal.

FINANCIAL REPORT- SUX budget and PFC's are both on target. Farm lease was recently approved by Council. Notice that distribution of awarding entitlement funds was officially released. Staff anticipate those funds to be used in connection with the Taxiway A Reconstruction Project. Grant application was recently submitted for an electronic charging station out front.

MARKETING- SUX enplanement numbers are up 17% for January. New graphics were presented to compare airport numbers. Final banner renderings were approved and are in production. Once the two banners are received we expect to rotate them around in hotel lobbies. The Mead and Hunt conference will be in March to meet with Airlines.

BOARD CONCERNS- None reported.

SET DATE FOR NEXT MEETING- The next meeting is scheduled for March 19, 2020.

ADJOURNMENT

There being no other business, a motion to adjourn at 8:15a.m. was made by DeJong and seconded by Kaplan. Approved unanimously.

Rita DeJong
Board Secretary

ENVIRONMENTAL ADVISORY BOARD MEETING

Regular Meeting Minutes

January 9, 2020

The Environmental Advisory Board held a meeting on this date at 4:00 p.m. at City Hall, 405 6th Street, Sioux City, Iowa at which time the following items were discussed:

<u>MEMBERS PRESENT</u>	<u>MEMBERS ABSENT</u>	<u>STAFF PRESENT</u>	<u>Guests</u>
Carrie Radloff		Mark Simms	Jeannie Bockholt
Adam Wheelock		Debbie Leigh	
Joschua Schanda			
Eric Wissing			
David Hoferer			
Brooke Gilbert			
John Helms			
Sara Steussy			
Audrey Anderson			

CALL TO ORDER

Motion by John Helms to approve the minutes of December 12, 2019, seconded by David Hoferer, all voting aye.

REPORTS & COMMUNICATIONS

Introductions were made to our new member Audrey Anderson.

Family Fun Night – Friday, January 11, 2020 Carrie will set up at Family Fun Night and have a few give-a-ways. She will be set up next the Sierra Club.

Spring Events – ReEvent, Garden Show, Home Show – Inspections has given their Home Show booth to the Census Bureau but we will still have room for some informational brochures, etc. to hand out. Home Show runs from February 27 – March 1st. The group will vote via email next week if they want to set up at the Garden Show this year. Debbie will check on the availability of the Long Lines Parking Lot and with S.E.A.M. to see what dates work best for everyone. The Multi Cultural Fair is March 29th from 1:00 p.m. to 4:00 p.m. at the convention center. Debbie will get the application to them.

Community Discussions – The Chamber of Commerce is working with Downtown Partners to enhance their “Quick Pick up” program. The program motivates people who work in the downtown area to take a few minutes to collect trash around their businesses to keep our downtown looking good. Kristi VerMulm with the Realty Board would like someone to do a brief presentation regarding recycling to a group of about 30 realtors. Adam said he would contact Kristi and set up a time for the presentation.

Earth Day/Month Activities – The EAB will be co-sponsor the Siouxland Earth Day Event at the Delta Hotel Convention Center on Sunday, April 26th.

Other Discussion:

Sara will schedule a tour of the Gill Landfill in Jackson, Nebraska for early spring.

Mark updated the group on the search for a new Environmental Services Program Manager.

Recorded by,
Debbie Leigh
Secretary

Meeting adjourned at 4:43

HISTORIC PRESERVATION COMMISSION

MEETING MINUTES

February 4, 2020

A meeting of the Sioux City Historic Preservation Commission was held this date at 1:15 p.m. at City Hall, 405 6th St. in the Council Chambers, 5th floor.

MEMBERS PRESENT

John Vodochodsky
Mark Custer
Anna Vestweber
Adam Fullerton
Amy Macfarlane
Doug Strohbeen
Larry Obermeyer

MEMBERS ABSENT

Dakota Kenney

GUESTS

STAFF

Erin Berzina
Larissa Carrell

1. Call to Order

John Vodochodsky, Chair, called the meeting to order at 1:15 p.m.

2. New Business

a. Local Landmark- 625 Douglas Street

Staff presented information on the 625 Douglas St Project. Staff talked about the analysis part of the report. J Development, the Owner, and the architect for the Lamb Theater project presented a power point on the history of the building and its current condition. The Commission had a general discussion on the Lamb Theater. The motion passed 7-0.

b. Certificate of Appropriateness- 215 6th Street

Staff presented information on 215 6th Street, going over the staff report. The owner plans on replacing more than 25% of the windows. The applicator answered all general questions the Commission asked. The motion passed 7-0.

3. Certified Local Government Annual Report

Staff provided all Commission members with a copy of the annual report. Staff went over all areas of the report; a general discussion was had about errors and changes. The motion was made to approve the Certified Local Government Annual Report with the changes previously discussed. The motion passed 7-0.

4. Announcements / Other Business

The group discussed meeting attendance and how it impacts meeting a quorum to be able to meet each month. The group will go over the rules of attendance at the January 2020 meeting.

Custer asked about 615 Country Club Blvd. and if the Commission planned on going ahead with the review by SHPO. Staff stated that it was up to the Commission on how they wanted to handle the situation. The Commission motioned to move forward. The motion passed 7-0.

Strohbeen asked about an update on the Historic Preservation Week events and how it all works. Macfarlane gave a brief overview of the events.

There was general discussion amongst the Commission on members and Erin Berzina's resignation with the city.

The meeting adjourned at 2:36 p.m. The next scheduled meeting will be held at City Hall Pre-Council Chambers, on Tuesday, March 3, 2020 at 4:00 p.m.

John Vodochodsky, Chair

-or-

Mark Custer, Vice-Chair



**HUMAN RIGHTS
COMMISSION
Regular Meeting Minutes
January 2, 2020**

A meeting of the Human Rights Commission was held at 5:30 p.m., City Hall, 5th Floor, Council Chambers, 405 6th Street, Sioux City, IA 51101.

Commissioners Present

Julie Berens (Chair)
Kendra Bergenske
Mary Day
Charlotte Gorter
Rev. Richard Moore
Billy Oyadare
Don Scarlett
Steele Welcher
Tracy Winters

Staff Present

Karen Mackey
Sharon Holder
Jessica Ryan
Connie Anstey (Legal)

Staff Absent

Haley Hines (excused)
Tani Russell (excused)

Commissioners Absent

Chris Jensen (unexcused)
Robert Stewart (excused)

1. Roll call

Meeting was called to order by Julie Berens, Chairperson, at 5:34 p.m.

2. Approval of the minutes of the December 5, 2019 meeting.

Ms. Berens moved to approve the minutes from the December 5, 2019 meeting; All voted in favor. Minutes stand approved.

3. Closed Session

Ms. Day moved to go into closed session of the Commission to review or discuss records which are required or authorized by Iowa Code Section 21.5(1)(a) or (f) or federal law to be kept confidential. Mr. Scarlett seconded. All voted in favor.

Mr. Moore moved to return to open session, Ms. Day seconded. All voted in favor

After returning to open session, Mr. Scarlett moved to accept the finding recommendation of Probable Cause agreement in Case 11-1475; Ms. Gorter seconded. All voted in favor.

4. Upcoming Events

a. Faces of Siouxland Multicultural Fair (Sunday, March 29, 2020)

The annual Faces of Siouxland Multicultural Fair will be held Sunday, March 29, 2020 from Noon to 4:00 p.m. at the Sioux City Convention Center. There will be further discussion about areas where commissioners can volunteer. Volunteers will be needed to help set-up the day of the event. Assist with the kids' space, securing entertainment, sit for interviews and to help with advertising the event. Sign-ups for volunteering will be sent out when those times are confirmed.

b. Martin Luther King, Jr. Event

On Monday, January 20th at 7pm there will be a performance of the Community Choir in celebration of Dr. King. It will be held at the First Congregational United Church of Christ.

5. Staff reports

A copy of the Directors' report was included in the monthly packet.

Ms. Mackey shared that our office was again awarded a Tyson/Campus Compact internship. Interviews with interested students will be forthcoming and an intern for the summer will be selected.

6. Old Business

Ms. Mackey shared that the Universal Human Rights Day was a success and thanked commissioners for their assistance and attendance.

None.

7. New Business

None

8. Citizen concerns

None.

9. Adjournment

There being no further business, the meeting was adjourned at 6:35 p.m.

Respectfully Submitted:

Jessica Ryan, Administrative Secretary



**PARKING AND SKYWALK SYSTEM
BOARD OF TRUSTEES
MEETING MINUTES
March 11, 2020**

The Parking and Skywalk System Board of Trustees met at 11:30 a.m. on Wednesday, March 11, 2020, in the Lower Level Conference Room, City Hall, 405 6th Street, Sioux City, Iowa.

<u>MEMBERS PRESENT:</u>	<u>MEMBERS ABSENT:</u>	<u>OTHERS PRESENT:</u>
Alexcia Boggs, Chair	Sam Avery	Dave Carney, Public Works Director
Monette Harbeck	Ragen Cote	Dave Braunger, First Class Security
Mark Reinders	Jeff Lamoreux	Lori Pierson, ABM Parking
Patrick Rosacker		Heidi Farrens, Deputy City Clerk

CALL TO ORDER

Boggs called the meeting to order at 11:37 a.m.

MINUTES

Motion by Reinders, seconded by Rosacker, to approve the minutes of February 19, 2020; all voting aye.

REPORTS & COMMUNICATIONS

Skywalk Operations – Harbeck reported repairs by L&L Builders to the Douglas Street Bridge, which had been damaged by a passing garbage truck, will begin soon.

Parking Operations – Harbeck stated the first phase of Heritage Ramp repairs started again March 2 (after shutting down for the winter). The RFP's for signage at the Discovery Ramp are due April 7 and will be reviewed at the April 15 Board meeting. Discussion was held regarding allowing free parking for events at the Convention Center. The topic will also be discussed at the rescheduled joint meeting with City Council on April 15.

Downtown Informational Report – Cote was absent; report was unavailable.

ABM Parking Services Report – Pierson's report was emailed to the Board. Pierson shared that the project at the Heritage Ramp is displacing approximately 20 monthly parkers. Quotes for cameras at ramp gates were obtained. Pierson reported a cost of approximately \$18,000.

Skywalk Security Update – First Class Security – Braunger reported better communication with the Police Department.

UNFINISHED BUSINESS

Douglas Street Skywalk Bridge Project – Harbeck reported that bids were received for repairs to the HVAC and safety systems, and ceiling replacement of the Douglas Street Skywalk Bridge. The low bid was \$94,700 and will be on the March 16 City Council agenda.

NEW BUSINESS

Approval of costs and distribution to properties for February 2020 – Motion by Rosacker, seconded by Reinders, to approve the costs and distribution to properties for February 2020; all voting aye.

Heritage 2020 Project – Bids for the second phase of the Heritage Parking Ramp Repairs Project will be turned in March 17.

ADJOURNMENT

Being no further discussion, it was motioned by Rosacker, seconded by Reinders, to adjourn the meeting at 12:04 p.m.; all voting aye.

CITY PLANNING AND ZONING COMMISSION

ABBREVIATED MEETING MINUTES

February 25, 2020

A regular meeting of the City Planning and Zoning Commission was held at 4:02 p.m. on this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa. The following Commission members were present on call of the roll: Geary, Ross, Stewart, O'Neill, Anderson, and Glisar. Absent: Bostinelos.

The following staff members were also present: Jeff Hanson, CD Operations Manager, Caleb Christopherson, City Attorney, Chris Madsen, Senior Planner, and Larissa Carrell, Administrative Secretary.

Geary read the opening statement explaining the procedures. He then introduced the Commission members and City staff to the audience. The Commission was asked if any member would be abstaining on any agenda item.

Agenda Item 2020-0018: Requested site plan approval for the property located at 4111 Floyd Boulevard. (Petitioner: Bacon Creek Design)

Madsen presented the requested site plan approval for the property located at 4111 Floyd Boulevard. The Petitioner is planning on adding an approximate 345 square foot addition to the rear of the building. This was heard by the Design Review Committee on February 9, 2020 and denied due to multiple issues. Madsen went over the setbacks, lot coverage, parking, and design standards. Geary asked for clarification on if the designs still need to be reviewed before a permit is issued. Madsen stated no waiver needs to be granted at this point. Stewart asked if staff was recommending approval or denial. Madsen stated that staff doesn't typically make recommendations on site plans since staff had already denied the site plan at the Design Review Committee level.

Petitioner, Doug Vancura, Bacon Creek Design, 220 S. Westcott Street, stated staff did a great job explaining the project. Vancura added that the current impervious space is at 0% so it will not change; they are just adding more offices to the space. O'Neill wanted to know how many offices are currently there. Porter stated five (5) offices and five (5) employees.

Petitioner, Rob Porter, 4111 Floyd Boulevard appeared. Stewart questioned the parking and where the employees park. Porter stated they park at Select Marts spots.

O'Neill (Ross) moved to approve item 2020-0018. Motion carried. 6-1-0 (Yes: Geary, Bostinelos, Stewart, Ross, Glisar, Anderson, No O'Neill: Abstain: 0).

Other Business

- a. Requested Conditional Sign Permit for property located at 2928 Hamilton Boulevard.

Madsen presented the Conditional Sign Permit for property located at 2928 Hamilton Boulevard. The 2015 Zoning Code requires approval of any signage on the site. The Petitioner is requesting three (3) wall signs on the existing building. The proposed signs meet the area requirements of the General Commercial Zone. Madsen stated that the proposal conforms to the minimum Municipal Code requirements. There were general questions and comments on the sign permit among Commission members.

Stewart (O'Neill) moved to approve the Conditional Sign Permit. Motion carried. 7-0-0 (Yes: Geary, Stewart, O'Neill, Ross, Glisar, Anderson, Bostinelos, No: 0 Abstain: 0).

b. Requested Conditional Sign Permit for property located at 1501 Geneva Street.

Madsen presented the Conditional Sign Permit for the property located at 1501 Geneva Street. The property is currently zoned Neighborhood Conservation 4, which requires Planning and Zoning Commission approval for signage. The proposed sign will replace the existing freestanding sign on the property. Madsen stated that the proposed sign does not meet the requirements for the Suburban Commercial Zone and the proposal does not conform to the minimum Municipal Code requirements. Geary questioned the excess square footage of the sign and suggested they go to a smaller sign and add a secondary sign.

Petitioner, John Avery, stated that they would be okay with the two (2) smaller signs rather than one (1) large sign. Commission members wanted to make sure the Petitioner did not need to come back for approval of a second sign and that a motion could be added to approve the additional signage at the smaller square footage. Madsen stated Wording to that effect could be included in the motion.

Ross (Stewart) moved to approve the Conditional Sign Permit with the conditions of maximum square footage of 80 square feet and additional signage up to 37 square footage. Motion carried. 7-0-0 (Yes: Geary, Stewart, O'Neill, Ross, Glisar, Anderson, Bostinelos, No: 0 Abstain: 0).

c. Presentation on the Comprehensive Plan.

Nick Davis from Houseal Lavigne presented the current draft of the Comprehensive Plan. Jeff Hanson, Community Development Operations Manager, outlined the reasons for the Comprehensive Plan. There was general discussion among the Commission Members.

- d. Report by the Chair regarding Planning and Zoning items at the City Council Meeting.
- e. Other items brought forward by the Commission and/or staff.
- f. Approval of the minutes of the February 11, 2020 meeting.

O'Neill (Ross) moved to approve the February 11, 2020 minutes. Motion carried. 6-0-1 (Yes: Geary, Stewart, O'Neill, Ross, Glisar, Anderson, No: 0 Abstain: Bostinelos).

There being no further business, O'Neill motioned, Bostinelos seconded, and with a 7-0-0 vote the meeting was adjourned at 5:12 p.m.

Submitted by Larissa Carrell

CHAIR

PLANNING DIRECTOR

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 16

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

SUBJECT: **Hearing and Ordinance vacating a 17,640± square foot portion of Thirty-Third Street adjacent to 3215 Talbot Road and 3221 Talbot Road. (Petitioner: Todd Harlow). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0024)**

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

Staff respectfully requests City Council approve the requested vacation, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2020-0024: Requested vacation of Thirty-third Street adjacent to 3215 and 3221 Talbot Road. (Petitioner: Todd Harlow)

Madsen presented the requested vacation of Thirty-third Street adjacent to 3215 and 3221 Talbot Road. Thirty-third Street is a 28 foot wide right-of-way, originally platted as part of Spring Hill Addition in 1888 and has not been improved. Madsen stated it is the City's policy to vacate and dispose of unneeded rights-of-way. Madsen stated the property owner to the north called stating they are currently selling and would give the new owner the information on purchasing their half.

Todd Harlow, Pertitioner, 3215 Talbot Road, Sioux City, Iowa, stated he wanted to add the additional property to his property and that is the reason for his request.

O'Neill (Glisar) moved to approve item 2020-0024. Motion carried. 7-0-0 (Yes: Bostinelos, Geary, Ross, Glisar, O'Neill, Anderson, Stewart, No 0: Abstain: 0).

Findings of Fact:

- 1) It is the City's policy to vacate and dispose of unneeded rights-of-way.
- 2) By vacating and disposing of the subject right of way, access would not be denied to abutting property owners.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) None.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.

Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance

Attachment B: General Area Map

Attachment C: Notification Map

Attachment D Site Photos

Attachment E: Application

BACKGROUND REPORT:

The City has received a request from Todd Harlow, petitioner, to vacate approximately 17,640 square feet tract of Thirty-third Street adjacent to 3215 and 3221 Talbot Road. The petitioner intends to add the right of way to his property at 3215 Talbot Road. A general area map is enclosed for your review.

ANALYSIS:

As stated, the petitioner is requesting to vacate Thirty-third Street adjacent to his property at 3215 Talbot Road. The right of way was originally platted as part of Spring Hill Addition in 1888 with a 28 foot wide right of way, with the expectation that the property to the south would develop with the remaining width of the right of way included. No additional platting ever occurred.

The following criteria are used to determine whether to vacate rights-of-way:

- *Cities may vacate streets and alleys but must consider the interests of the public.*
Public notice was mailed to properties within 200 feet, excluding rights-of-way. One response was received from the property owner to the north with interest in purchasing half of the right of way.
- *Streets and alleys should not be vacated for the benefit of private persons if it will probably seriously inconvenience the public.*
The property has been platted as right of way since 1888. No evidence can be found that any street improvements were ever made to Thirty-third Street.
- *The vacation of a street or alley should not deprive the complaining property owner of convenient and reasonable access to or from his property to a substantial degree.*
One phone response has been received in favor of the request from the adjacent property owner to the north. That property is in the process of selling the property, and the new owners may have an interest in purchasing half of the right of way.

- *The City Council must determine whether the street or alley is necessary for public use and convenience and whether they are sufficiently traveled to justify maintenance at public expense.*

The vacation will not impact the transportation system.

- *The right to reasonable ingress and egress to abutting properties may not be totally destroyed; however, as long as one reasonable means of ingress and egress to a lot remains it is not so adversely affected.*

No ingress or egress will be impacted. All properties adjacent have access to Talbot Road.

- *Non-abutting owners have far less standing to challenge a vacation.*

No responses from non-abutting property owners have been received.

EXISTING ZONING AND LAND USE:

AG; Vacant street right of way

EXISTING ZONING REQUIREMENTS:

The AG district is meant for the preservation and continuation of agricultural use of land around the periphery and on the fringes of the City limits where infrastructure is not available and urban development is premature or inappropriate.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: AG ; Single Family Residential

South: AG ; Single Family Residential

East: AG ; Single Family Residential

West: AG ; Vacant

DEPARTMENT COMMENTS

No comments.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Suburban Residential". "Suburban Residential" is defined as development consistent with contemporary design practices that are sensitive to existing environmental characteristics of the location.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is not located in an urban renewal or TIF district.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Three (3) notices were sent within the required timeframe. One phone response was received in favor of the application.

ATTACHMENT A

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318
After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ORDINANCE NO. 2020 - _____

ORDINANCE VACATING A 17,640± SQUARE FOOT PORTION OF THIRTY-THIRD STREET ADJACENT TO 3215 TALBOT ROAD AND 3221 TALBOT ROAD.

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

Thirty-third Street abutting Lots 16 through 30, both inclusive, Block 4, and the intersection of the east one-half of Casselman Avenue (as originally platted) and Thirty-third Street lying south and west of Lot 16, Block 4, all in Spring Hill, an Addition to Sioux City, Woodbury County, Iowa (Contains 17,640 square feet more or less); and

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

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

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

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

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

Section 2: That any and all other ordinances of the City of Sioux City, Woodbury County, Iowa, in conflict herewith, be, and the same are to the extent of such conflict hereby repealed.

Section 3: That this Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE VACATING A 17,640± SQUARE FOOT PORTION OF THIRTY-THIRD STREET ADJACENT TO 3215 TALBOT ROAD AND 3221 TALBOT ROAD.

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance vacates the following described public right of way within the City of Sioux City, Woodbury County, Iowa:

Thirty-third Street abutting Lots 16 through 30, both inclusive, Block 4, and the intersection of the east one-half of Casselman Avenue (as originally platted) and Thirty-third Street lying south and west of Lot 16, Block 4, all in Spring Hill, an Addition to Sioux City, Woodbury County, Iowa (Contains 17,640 square feet more or less).

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

NOTICE OF HEARING ON PROPOSAL TO VACATE PUBLIC

RIGHT-OF-WAY OWNED BY CITY OF SIOUX CITY

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

Thirty-third Street abutting Lots 16 through 30, both inclusive, Block 4, and the intersection of the east one-half of Casselman Avenue (as originally platted) and Thirty-third Street lying south and west of Lot 16, Block 4, all in Spring Hill, an Addition to Sioux City, Woodbury County, Iowa (Contains 17,640 square feet more or less).

(A 17,640± square foot portion of Thirty-Third Street adjacent to 3215 Talbot Road and 3221 Talbot Road.) (2020-0024)

That said Ordinance and proposal to vacate said real estate will come on for final hearing and action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, on April 6, 2020, at the council meeting commencing at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered. At said hearing interested persons may appear and be heard for or against said proposed vacation.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 30, 2020

ATTACHMENT B



GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



View Looking East from Talbot Road

SITE PHOTOS

ATTACHMENT E

CITY OF SIOUX CITY

Applicant Profile Form

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

720-02

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

**SIOUX
CITY**

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

PETITIONER/APPLICANT INFORMATION

Name <u>Todd Harlow</u>					
Street Address <u>3215 Talbot Rd</u>					
City	<u>Sioux City</u>	State	<u>Iowa</u>	ZIP	<u>51103</u>
Phone	<u>712 259-2069</u>	E-mail Address	<u>Tharlow@wccweb.org</u>		
Petitioner's Interest in the property	Owner ☐	Contract Buyer ☐	Architect ☐	Engineer ☐	Other: ☐

PROPERTY OWNER (IF DIFFERENT)

Name		
Street Address		
City	State	ZIP
Phone	E-mail Address	

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

PLANNING AND ZONING DIVISION REQUESTS

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

☒ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness
☐ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Aviation Permit
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development
☐ Text Amendment	☐ Interpretation		☐ Preliminary/Final Plat

SIGNATURE

Property Owner's Signature: <u>Todd Harlow</u>	Application Date: <u>3/6/2020</u>
--	-----------------------------------

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/sioux-city-ia/index.aspx>. See Subsection 25.06.070 for the complete review procedures.

For Office Use Only

File Number:

Staff Reviewer:

PAID
3/6/20 CC #27503

CITY OF SIOUX CITYApplication for a Vacation or Easement of Public Ground
(Complete along with the Applicant Profile Form)Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447**SUBJECT PROPERTY INFORMATION**

Owner	Todd Harlow		
Street Address	3215 Talbot Rd S.C.Ia 51103		
Zoning District	Ag	Lot Area	
Existing Use			

REQUEST

Requested Approval	☒ Vacation of public ground (\$275 filing fee)	☐ Easement of public ground (\$275 filing fee)	☐ Easement clearing title (\$300 filing fee)
Existing Use	☐ Public street	☐ Public alley	☐ Other public ground

WRITTEN STATEMENT OF REQUEST

Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public:

Add Property

INFORMATION CHECKLIST

☐	☐ N/A	A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.
☐		A completed offer to purchase the entire legally described vacation unless an abutting property owner requests to purchase the half abutting their property. Please include the contact information of purchaser if requesting vacation.
☐		A general area map showing the subject area and request.
☐		Completed Applicant Profile Form
☐		Filing fee of \$275 for vacations and easements, \$300 for an easement clearing title.

SIGNATURE

Owner/Petitioner's Signature:	Todd Harlow	Application Date:	3/6/2020
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*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 17

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

SUBJECT: Hearing and Ordinance rezoning 3100 Idaho Avenue from Zone Classification AG (Agriculture, 20 acres per unit minimum) to Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum) and repealing Ordinance No. 2020-0182. (Petitioner: Justin Donaghu). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0014).

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

Conduct a public hearing and approve the ordinance rezoning 3100 Idaho Avenue from Zone Classification AG to Zone Classification NC.2 and rescind Ordinance 2020-0182.

DISCUSSION:

On the agenda for Monday is an ordinance rezoning 3100 Idaho Avenue. The rezoning was originally approved by Ordinance 2020-0182 on February 24, 2020. It was recently discovered the proper notification had not been published in the Sioux City Journal. Proper notice has now been published and staff is requesting that Council rescind Ordinance 2020-0182 and approve the ordinance on Monday's agenda.

FINANCIAL IMPACT:

This is a housekeeping item.

RELATIONSHIP TO STRATEGIC PLAN:

This project supports the Strategic Focus Areas of Growing Sioux City, including expanding development opportunities.

ALTERNATIVES:

None Recommended

ATTACHMENTS:

Propose ordinance

ORDINANCE NO. 2020 - _____

ORDINANCE REZONING 3100 IDAHO AVENUE FROM ZONE CLASSIFICATION AG (AGRICULTURE, 20 ACRES PER UNIT MINIMUM) TO ZONE CLASSIFICATION NC.2 (NEIGHBORHOOD CONSERVATION, 12,000 SQUARE FEET PER UNIT MINIMUM) AND REPEALING ORDINANCE NO. 2020-0182.

WHEREAS, on February 24, 2020, pursuant to Ordinance No. 2020-0182, the City rezoned the property at 3100 Idaho Avenue from Zone Classification AG (Agriculture, 20 acres per unit minimum) to Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum); and

WHEREAS, it has come to the City's attention that notice of the proceedings initiated by said ordinance did not get published; and

WHEREAS, the City Council is advised and does believe that said Ordinance No. 2020-0182 should be repealed and a new ordinance passed and approved after notice and hearing.

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

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

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1371 of said Ordinance No. 2015-0215 as amended:

25.02.030.1371: The following described real property shall be changed FROM Zone Classification AG (Agriculture, 20 acres per unit minimum) TO Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum):

Lots Twenty-eight (28), Twenty-nine (29) and Thirty (30), in Block One (1), Idlewood Park, an Addition to Sioux City, Woodbury County, Iowa, and

Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Block Thirty (30), Highland Park, an Addition to Sioux City, Woodbury County, Iowa, and

All that part of vacated California Avenue lying North of a line extending from the Southwest corner of Lot 3, Block 29, to the Southeast corner of Lot 11, Block 30, and all abutting said Block 30, all in Highland Park, an Addition to Sioux City, Woodbury County, Iowa; and also all that part of vacated Seattle Avenue lying West of the East line of Lot 8, extended South, Block 28, Highland Park, an Addition to Sioux City, Woodbury County Iowa, and extending to the center line of abutting right-of-way.

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

Section 4: That all Ordinances, or part of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 5: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

Section 6: That Ordinance No. 2020-0182 passed and approved February 24, 2020, be and the same is hereby repealed.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE REZONING 3100 IDAHO AVENUE FROM ZONE CLASSIFICATION AG (AGRICULTURE, 20 ACRES PER UNIT MINIMUM) TO ZONE CLASSIFICATION NC.2 (NEIGHBORHOOD CONSERVATION, 12,000 SQUARE FEET PER UNIT MINIMUM) AND REPEALING ORDINANCE NO. 2020-0182.

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance rezones the following described property within the City of Sioux City, Woodbury County, Iowa, from Zone Classification AG (Agriculture, 20 acres per unit minimum) to Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum) and repeals Ordinance No. 2020-0182:

Lots Twenty-eight (28), Twenty-nine (29) and Thirty (30), in Block One (1), Idlewood Park, an Addition to Sioux City, Woodbury County, Iowa, and

Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Block Thirty (30), Highland Park, an Addition to Sioux City, Woodbury County, Iowa, and

All that part of vacated California Avenue lying North of a line extending from the Southwest corner of Lot 3, Block 29, to the Southeast corner of Lot 11, Block 30, and all abutting said Block 30, all in Highland Park, an Addition to Sioux City, Woodbury County, Iowa; and also all that part of vacated Seattle Avenue lying West of the East line of Lot 8, extended South, Block 28, Highland Park, an Addition to Sioux City, Woodbury County Iowa, and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE**

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered on April 6, 2020, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1371: The following described real property shall be changed FROM Zone Classification AG (Agriculture, 20 acres per unit minimum) TO Zone Classification NC.2 (Neighborhood Conservation, 12,000 square feet per unit minimum):

Lots Twenty-eight (28), Twenty-nine (29) and Thirty (30), in Block One (1), Idlewood Park, an Addition to Sioux City, Woodbury County, Iowa, and

Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Block Thirty (30), Highland Park, an Addition to Sioux City, Woodbury County, Iowa, and

All that part of vacated California Avenue lying North of a line extending from the Southwest corner of Lot 3, Block 29, to the Southeast corner of Lot 11, Block 30, and all abutting said Block 30, all in Highland Park, an Addition to Sioux City, Woodbury County, Iowa; and also all that part of vacated Seattle Avenue lying West of the East line of Lot 8, extended South, Block 28, Highland Park, an Addition to Sioux City, Woodbury County Iowa, and extending to the center line of abutting right-of-way.

(3100 Idaho Avenue) (2020-0014)

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

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 30, 2020.

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 18-19

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

Hearing and Ordinance vacating the alleys in the blocks bounded by Walnut Street, Garfield Avenue, 1st Street, and Cornelia Street; Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and 3rd Street lying east of Garfield Avenue. (Petitioner: Hands Property of Siouxland – Sam Moos). The Planning and Zoning Commission recommends approval of this item with conditions. (File No. 2020-0022)

SUBJECT: Hearing and Ordinance rezoning property lying within the 100 block of Hidden View Drive and within the 100 and 200 blocks of Cornelia Street from Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification UR (Urban Residential, 4,500 square feet per unit minimum). (Petitioner: Hands Property of Siouxland – Sam Moos). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0023)

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

Staff respectfully requests City Council approve the requested vacations and rezoning, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2020-0022: Requested vacation of 2nd Street, Walnut Avenue, 3rd Street, and the north/south alleys adjacent to 130 Hidden View Drive and 120 and 210 Cornelia Street. (Petitioner: Hands Property of Siouxland - Sam Moos)

Agenda Item 2020-0023: Requested rezoning of 100-140 Hidden View Drive and 120 and 210 Cornelia Street from NC.4 and NC.5 to UR. (Petitioner: Hands Property of Siouxland - Sam Moos)

Madsen presented the requested vacation of 2nd Street, Walnut Avenue, 3rd Street, and the north/south alleys adjacent to 130 Hidden View Drive and 120 and 210 Cornelia Street and the rezoning of 100-140 Hidden View Drive and 120 and 210 Cornelia Street together. Madsen stated the rezoning will allow for an additional 52 units in the Hidden View Acres development. The petitioner is requesting the zone change to Urban Residential (UR) to allow for the town-

house/apartment style house. Madsen noted the units do not meet the City's definition of apartment due to the lack of shared hallways, but the units are being treated as such. Madsen shared the petitioner's preliminary plat with a brief overview noting that the plat has not yet been approved at staff level.

Madsen stated it is the City's policy to vacate and dispose of unneeded rights-of-way. Madsen stated that the City Engineering staff had a concern regarding the proposed vacation of 3rd Street. When the property to the east develops, 3rd Street would be the most ideal for looping a street and necessary utilities. Staff would recommend approval with the condition of removing 3rd Street from the request to allow for future street and utility connections.

O'Neill asked if the petitioner had been informed of the removal of 3rd Street and if the petitioner was agreeable to that removal. Madsen stated the Petitioner was informed, but the petitioner would have to answer as to his feelings on the removal. Geary questioned if an easement could be granted if 3rd Street was still vacated. Madsen stated that is an option, but it would have to be put as a condition of approval. Geary also needed clarification on why we are rezoning the current units. Madsen stated if the development came forward today it would need to be Urban Residential and for consistency staff is recommending rezoning of the entire development. There was general discussion between Commission members about an easement.

Sam Moos, petitioner, 3225 46th Street, Sioux City, Iowa, stated that he was okay with the removal of 3rd Street from the application. O'Neill asked why he had originally requested 3rd Street. Moos stated that it would have given him more room to work with, but he can make it work without 3rd Street.

O'Neill (Glisar) moved to approve item 2020-0022 with the removal of 3rd Street from the application request. Motion carried. 7-0-0 (Yes: Bostinelos, Geary, Ross, Glisar, O'Neill, Anderson, Stewart, No 0: Abstain: 0).

O'Neill (Glisar) moved to approve item 2020-0023. Motion carried. 7-0-0 (Yes: Bostinelos, Geary, Ross, Glisar, O'Neill, Anderson, Stewart, No 0: Abstain: 0).

Findings of Fact:

- 1) Three responses have been received from the notification.
- 2) It is the City's policy to vacate and dispose of unneeded right of ways.
- 3) No access would be denied to abutting property owners.
- 4) Rezoning will allow for an additional 52 units in the Hidden View Acres development.
- 5) The property would operate as an apartment complex.
- 6) The petitioner's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) Remove the portion of 3rd Street from the request to allow for future street and utility connections.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance – Vacation

Attachment B: Ordinance – Rezoning

Attachment C: General Area Map – Vacation

Attachment D: General Area Map – Rezoning

Attachment E: Notification Map

Attachment F: Preliminary Site Plan

Attachment G: Application

BACKGROUND REPORT:

The City has received a request from Hands Property of Siouxland – Sam Moos, petitioner, to vacate approximately 2.7 acres of right of way and rezone property from NC.4 (Neighborhood Conservation) and NC.5 (Neighborhood Conservation) to UR (Urban Residential) in the area generally bounded by 1st Street, 3rd Street, Cornelia Street, and the Hidden View Acres development. The petitioner is proposing to expand the existing Hidden View apartment / townhouse development. A general area map is enclosed for your review.

ANALYSIS:

As stated, the petitioner is requesting vacation and rezoning approval to expand the Hidden View Acres development in the Greenville neighborhood. The City Council approved vacation of right of ways (Ordinance No. 2012-0865) and rezoning (Ordinance No. 2012-0866) on December 17, 2012. The petitioner built sixteen units in the development. The petitioner is requesting to further the development with an additional 52 apartment / townhouse units on the property to the north and west of the existing Hidden View Acres development. The petitioner is requesting rezoning to Urban Residential (UR) to allow the development of townhouses with more than 4 units on a single lot. The property would operate similar to an apartment complex. A preliminary site plan can be found in Attachment D.

City Engineering has noted a concern with the vacation of 3rd Street, stating that when the property to the east were to develop, 3rd Street would be ideal for a looping street and utility connection. Staff visited the site, and noted a significant grade change on 3rd Street, being approximately 70' in elevation change over roughly 300 feet, or a 25% slope. Engineering would still prefer 3rd Street remain open to allow for future utility connections as there is a watermain in 3rd Street. Staff did receive one phone response from the property owner to the north that he would be in favor of vacating 3rd Street if he can purchase half.

The petitioner will bring forward a final plat at a later date to combine all of their property and acquired right of way into a single lot. As stated earlier, the development would operate as an apartment complex and each unit could not be parceled and sold individually.

EXISTING ZONING AND LAND USE:

NC.4 and NC.5 ; Hidden View Development and Vacant Land

EXISTING ZONING REQUIREMENTS:

The NC.4 district is meant for a variety of housing types in a mixed housing neighborhood.

The NC.5 district is meant for a variety of housing types and other allowed uses in a mixed-use environment, with improved standards for compatibility through conditional use approval.

PROPOSED ZONING REQUIREMENTS:

The UR district developed as the Cottage type is meant for a variety of single-family detached and attached developments on small lots, with either street or, in a traditional neighborhood development, alley access.

SURROUNDING ZONING AND LAND USE:

North: NC.4 ; Single Family Residential

South: NC.4 ; Single Family Residential

East: AG ; Vacant

West: PI ; Iglesia Bautista Hispana Monte Sinai

DEPARTMENT COMMENTS

City Engineering: Engineering objects to the right-of-way vacation of 3rd Street east of the existing S. Glass St. Vacation of this portion of 3rd Street will inhibit traffic flow in the development of the property to the east of this location.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Urban Residential". "Urban Residential" is defined as older areas of higher density where infill and redevelopment are in forms and densities similar to existing urban development types and densities within these areas.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

Portions of the subject property are located in the Greenville Urban Renewal Area.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea / corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Twenty-three (23) notices were sent within the required timeframe. Three phone responses and one mail response were received to the notification.

The property owner at 3307 4th Street is in favor of vacating 3rd Street if they can purchase the portion adjacent to their property.

The property owner at 3300 3rd Street is in opposition to vacating Walnut Street. This property has frontage on 3rd Street.

The property owner at 3409 1st Street is in favor of the vacations if they can purchase the alley that bisects their property. They are the only adjacent owners and would be able to purchase the entire alley adjacent to their property.

Your Name: Floyd Leaver

Agenda Date: 03/24/2020

Address: 250 No Paxton

Agenda Item No. : 2020-0022 & 2020-0023

Your Comments Regarding This Item:

I Vote NO - Don't want
taxes increased
Don't want the Land
up. Don't want any New streets
Sam Mads to get Lost I want to Buy
Walnut Ave on the so side of my
PROPERTY-

ATTACHMENT A

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318
After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ORDINANCE NO. 2020 - _____

ORDINANCE VACATING THE ALLEYS IN THE BLOCKS BOUNDED BY WALNUT STREET, GARFIELD AVENUE, 1ST STREET, AND CORNELIA STREET; GARFIELD AVENUE FROM THE NORTH LINE OF 1ST STREET TO THE NORTH LINE OF 3RD STREET AND 3RD STREET LYING EAST OF GARFIELD AVENUE.

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

All of 2nd Street (originally platted as Monroe Street) lying between Blocks 6 and 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

All of Walnut Street (originally platted as Lincoln Street) lying between Blocks 11 and 14, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

The north/south alley in Block 6, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

The north/south alley in Block 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

All of Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and abutting Blocks 6, 11, and 14, Millers Addition to Sioux City, Woodbury County, Iowa, including the intersection of Garfield Avenue and 2nd Street; and including the intersection of Garfield Avenue and Walnut Street; and including the intersection of Garfield Avenue and 3rd Street. (Containing 58,920 square feet more or less).

AND

All of 3rd Street abutting Hidden View Acres Addition, a Re-plat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East ½ of the SE ¼ of the SW ¼ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa. (Containing 16,954 square feet more or less); and

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

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

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

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

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

Section 2: That any and all other ordinances of the City of Sioux City, Woodbury County, Iowa, in conflict herewith, be, and the same are to the extent of such conflict hereby repealed.

Section 3: That this Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on
April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE VACATING THE ALLEYS IN THE BLOCKS BOUNDED BY WAL-
NUT STREET, GARFIELD AVENUE, 1ST STREET, AND CORNELIA STREET;
GARFIELD AVENUE FROM THE NORTH LINE OF 1ST STREET TO THE NORTH
LINE OF 3RD STREET AND 3RD STREET LYING EAST OF GARFIELD AVENUE.

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance vacates the following described public right of way within the City of Sioux City, Woodbury County, Iowa:

All of 2nd Street (originally platted as Monroe Street) lying between Blocks 6 and 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

All of Walnut Street (originally platted as Lincoln Street) lying between Blocks 11 and 14, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

The north/south alley in Block 6, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

The north/south alley in Block 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

All of Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and abutting Blocks 6, 11, and 14, Millers Addition to Sioux City, Woodbury County, Iowa, including the intersection of Garfield Avenue and 2nd Street; and including the intersection of Garfield Avenue and Walnut Street; and including the intersection of Garfield Avenue and 3rd Street. (Containing 58,920 square feet more or less).

AND

All of 3rd Street abutting Hidden View Acres Addition, a Re-plat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa. (Containing 16,954 square feet more or less).

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

NOTICE OF HEARING ON PROPOSAL TO VACATE PUBLIC

RIGHT-OF-WAY OWNED BY CITY OF SIOUX CITY

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

All of 2nd Street (originally platted as Monroe Street) lying between Blocks 6 and 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

All of Walnut Street (originally platted as Lincoln Street) lying between Blocks 11 and 14, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 15,960 square feet more or less).

AND

The north/south alley in Block 6, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

The north/south alley in Block 11, Millers Addition to Sioux City, Woodbury County, Iowa. (Containing 4,800 square feet more or less).

AND

All of Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and abutting Blocks 6, 11, and 14, Millers Addition to Sioux City, Woodbury County, Iowa, including the intersection of Garfield Avenue and 2nd Street; and including the intersection of Garfield Avenue and Walnut Street; and including the intersection of Garfield Avenue and 3rd Street. (Containing 58,920 square feet more or less).

AND

All of 3rd Street abutting Hidden View Acres Addition, a Re-plat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa. (Containing 16,954 square feet more or less).

(Alleys in the blocks bounded by Walnut Street, Garfield Avenue, 1st Street, and Cornelia Street; Garfield Avenue from the north line of 1st Street to the north line of 3rd Street and 3rd Street lying east of Garfield Avenue.) (2020-0022)

That said Ordinance and proposal to vacate said real estate will come on for final hearing and action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, on April 6, 2020, at the council meeting commencing at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered. At said hearing interested persons may appear and be heard for or against said proposed vacation.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 30, 2020

ATTACHMENT B

ORDINANCE NO. 2020 - _____

ORDINANCE REZONING PROPERTY LYING WITHIN THE 100 BLOCK OF HIDDEN VIEW DRIVE AND WITHIN THE 100 AND 200 BLOCKS OF CORNELIA STREET FROM ZONE CLASSIFICATION NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) AND NC.5 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLASSIFICATION UR (URBAN RESIDENTIAL, 4,500 SQUARE FEET PER UNIT MINIMUM)

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

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

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1373 of said Ordinance No. 2015-0215 as amended:

25.02.030.1373: The following described real property shall be changed FROM Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) TO Zone Classification UR (Urban Residential, 4,500 square feet per unit minimum):

Lots 3 through 10, both inclusive, Block 6 and all of Block 11, Millers Addition to Sioux City, Woodbury County, Iowa, and all of Hidden View Acres Addition, a Replat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

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

Section 4: That all Ordinances, or part of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 5: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE REZONING PROPERTY LYING WITHIN THE 100 BLOCK OF HIDDEN VIEW DRIVE AND WITHIN THE 100 AND 200 BLOCKS OF CORNELIA STREET FROM ZONE CLASSIFICATION NC.4 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) AND NC.5 (NEIGHBORHOOD CONSERVATION, 5,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLASSIFICATION UR (URBAN RESIDENTIAL, 4,500 SQUARE FEET PER UNIT MINIMUM)

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance rezones the following described property within the City of Sioux City, Woodbury County, Iowa, from Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) to Zone Classification UR (Urban Residential, 4,500 square feet per unit minimum):

Lots 3 through 10, both inclusive, Block 6 and all of Block 11, Millers Addition to Sioux City, Woodbury County, Iowa, and all of Hidden View Acres Addition, a Re-plat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE**

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered on April 6, 2020, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1373: The following described real property shall be changed FROM Zone Classification NC.4 (Neighborhood Conservation, 5,000 square feet per unit minimum) and NC.5 (Neighborhood Conservation, 5,000 square feet per unit minimum) TO Zone Classification UR (Urban Residential, 4,500 square feet per unit minimum):

Lots 3 through 10, both inclusive, Block 6 and all of Block 11, Millers Addition to Sioux City, Woodbury County, Iowa, and all of Hidden View Acres Addition, a Replat of Blocks 5, 12, and 13 and vacated streets and alleys therein, Millers Addition, lying in the East $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26 T89 R47W, Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

(Property lying within the 100 Block of Hidden View Drive and within the 100 and 200 Blocks of Cornelia Street) (2020-0023)

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

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 30, 2020.

[illegible]

GENERAL AREA MAP - VACATION

ATTACHMENT D



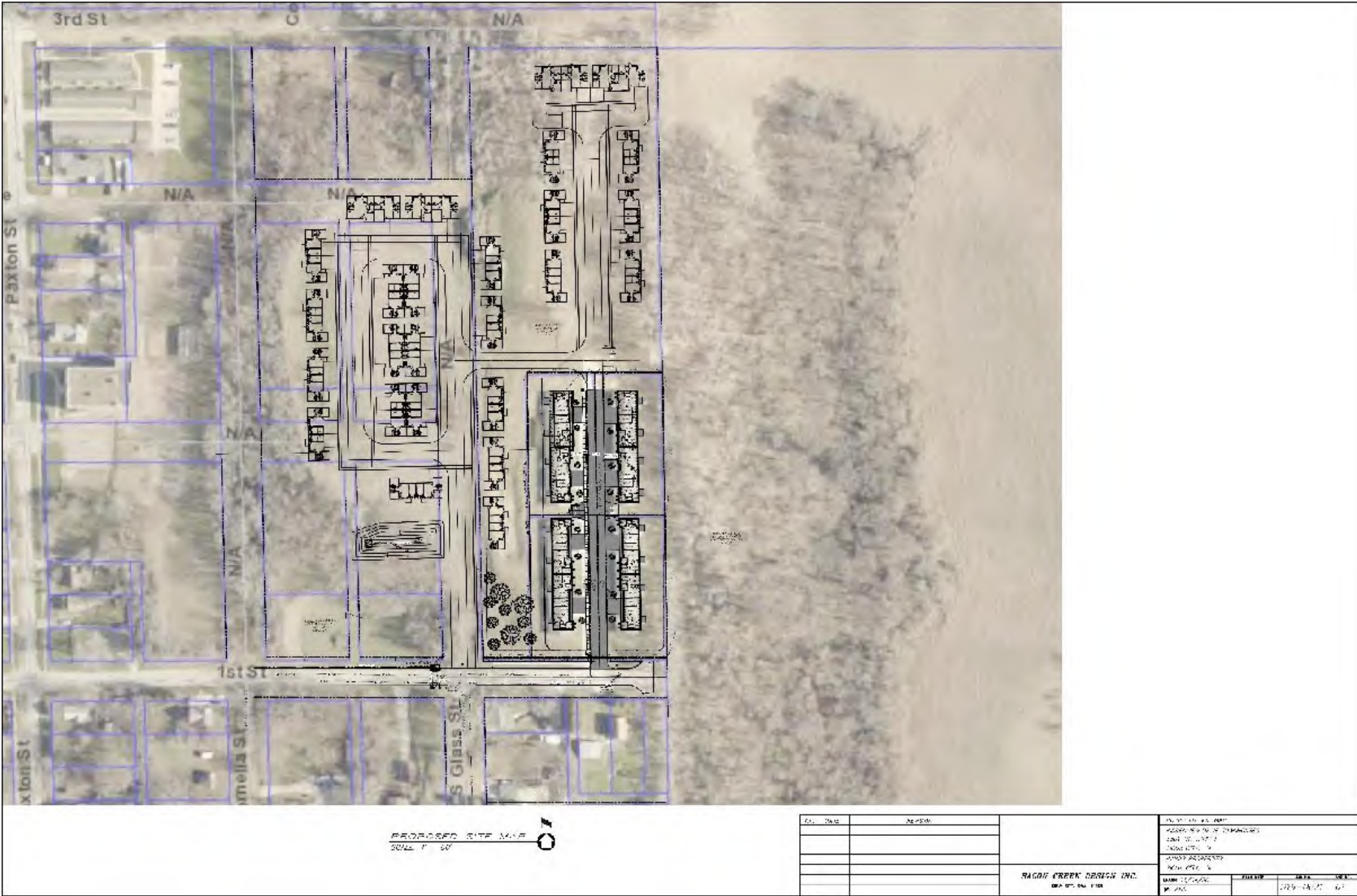
GENERAL AREA MAP - REZONING

ATTACHMENT E



NOTIFICATION MAP

ATTACHMENT F



PRELIMINARY SITE PLAN

ATTACHMENT G

20-022

20-023

CITY OF SIOUX CITY**Applicant Profile Form***(Complete along with the appropriate application form. Not required with the Design Review Committee Request Form)*

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447



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

PETITIONER/APPLICANT INFORMATION

Name Hands Properties of Sioux land - Sam Moos
 Street Address 3225 46th St
 City Sioux State IA ZIP 51108
 Phone 712 635 1900 E-mail Address 66 Moos St 6 mai '1
 Petitioner's interest in the property Owner ☒ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: ☐

PROPERTY OWNER (IF DIFFERENT)

Name _____
 Street Address _____
 City _____ State _____ ZIP _____
 Phone _____ E-mail Address _____

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)**PLANNING AND ZONING DIVISION REQUESTS**

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

☒ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness
☒ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Avigation Permit
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development
☐ Text Amendment	☐ Interpretation		☐ Preliminary/Final Plat

SIGNATURE

Property Owner's Signature: Sam Moos Application Date: 3/4/20

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>. See *Subsection 25.06.070* for the complete review procedures.

For Office Use Only

File Number:

Staff Reviewer:

PAID"To Be Billed"

CITY OF SIOUX CITYApplication for a Vacation or Easement of Public Ground
(Complete along with the Applicant Profile Form)Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

SUBJECT PROPERTY INFORMATION			
Owner	Hanks Properties		
Street Address	3225 46th St		
Zoning District	NC 4 - NCS	Lot Area	
Existing Use	Rental units - vacant		
REQUEST			
Requested Approval	☒ Vacation of public ground (\$275 filing fee)	☐ Easement of public ground (\$275 filing fee)	☐ Easement clearing title (\$300 filing fee)
Existing Use	☐ Public street	☐ Public alley	☐ Other public ground
WRITTEN STATEMENT OF REQUEST			
Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public: Add to property for development			
INFORMATION CHECKLIST			
☐	☒ N/A	A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.	
☐		A completed offer to purchase the entire legally described vacation unless an abutting property owner requests to purchase the half abutting their property. Please include the contact information of purchaser if requesting vacation.	
☒		A general area map showing the subject area and request.	
☒		Completed Applicant Profile Form	
☐		Filing fee of \$275 for vacations and easements, \$300 for an easement clearing title.	
SIGNATURE			
Owner/Petitioner's Signature:			Application Date: 3-4-20
*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx			

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITY

Application for a Zone Change (Includes Restricted Use Overlay Districts)

(Complete along with the Applicant Profile Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447**SUBJECT PROPERTY INFORMATION**

Owner	Hards Properties		
Street Address	130 Hiddenview Dr		
Current Zoning District	NC4 NC5	Proposed Zoning District	Urban Res
Existing Use	Residential/Vacant	Proposed Use	Town House Apts

WRITTEN STATEMENT OF REQUEST

Describe the need and justification for the proposed zone change, including the conformity of the proposal with the Comprehensive Plan. (Refer to Subsection 25.06.090.15 Zone Change (Map Amendment, including Restricted Use Planned Developments) of the Sioux City Zoning and Sign Code):

Want to Expand Existing units

INFORMATION CHECKLIST

- | | |
|---|---|
| ☒ N/A | A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property. |
| ☒ | A general area map or site plan showing the area requested to be rezoned. |
| ☒ | Completed Applicant Profile Form. |
| ☐ | A filing fee of \$350. |
| ☒ N/A | A zone change to a Historic Area District requires an application for a Local Historic District or Landmark for review by the Historic Preservation Commission and State Historic Preservation Office prior to approving the request. |
| ☒ N/A | Other information as requested by the Administrator prior to submittal of the application, including whether a Restricted Use Overlay District is required (Subsection 25.06.090.13 Restricted Use Overlay District): |

SIGNATURE

Owner/Petitioner's Signature:

Application Date:

3/4/20

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

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 20-21

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

Hearing and Ordinance rezoning property located in the 4200 block of Fremar Drive from Zone Classification NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) to Zone Classification NC.3 (Neighborhood Conservation, 7,000 square feet per unit minimum). (Petitioner: Lakeport View LLC). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0020)

SUBJECT:

Resolution accepting and approving the Final Plat for Country Club View, 4th Filing, an Addition to Sioux City, Woodbury County, Iowa, a replat of Lots 7, 8, and Lots 22 thru 26, inclusive, Country Club View, 2nd Filing Addition to Sioux City, Woodbury County, Iowa. (Petitioner: Lakeport View LLC). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0021)

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

Staff respectfully requests City Council approve the requested rezoning and final plat, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2020-0020: Requested rezoning of property located in the 4200 Block of Fremar Drive from NC.2 to NC.3. (Petitioner: Lakeport View LLC)

Agenda Item 2020-0021: Requested final plat of Country Club View, 4th Filing located in the 4200 block of Fremar Drive. (Petitioner: Lakeport View LLC)

Madsen presented the requested rezoning and final plat of the property located in the 4200 block of Fremar Drive together. The rezoning will allow for five (5) twin-homes and one (1) 3-unit townhome. The final plat would increase the total dwelling units from seven (7) to thirteen (13). Madsen gave a brief history of the subject property. Madsen stated the rezoning is an extension of an existing NC.3 Zone adjacent to the subject property. Madsen noted that both the rezoning and the final plat proposal conform to the minimum Municipal Code requirements. Staff would recommend approval.

Stewart stated, after reading the citizen response on these items, she will also be abstaining on both items 2020-0020 and 2020-0021.

Brad Cummings, petitioner, Orchard, Nebraska, clarified that the triplex is a continuation of the current triplex located on the property and the remainder will be twin-homes.

O'Neill (Glisar) moved to approve item 2020-0020. Motion carried. 5-0-2 (Yes: Bostinelos, Geary, Ross, Glisar, O'Neill, No 0: Abstain: Anderson, Stewart).

O'Neill (Glisar) moved to approve item 2020-0021. Motion carried. 5-0-2 (Yes: Bostinelos, Geary, Ross, Glisar, O'Neill, No 0: Abstain: Anderson, Stewart).

Findings of Fact:

- 1) The rezoning will allow for five twin-homes and one 3-unit townhome.
- 2) The rezoning is an extension of an existing NC-3 Zoning adjacent to the proposal.
- 3) The petitioner's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) None

Staff:

- 1) Approval of the subject final plat, based on the following findings;

Findings of Fact:

- 1) The final plat would increase the total dwelling units from 7 to 13
- 2) The no build line established in the original Country Club 2nd Final Plat continues to appear on the subject plat.
- 3) The petitioner's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:

- 1) None

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Economic Opportunity.

Focus Area: Expand Development Opportunities and Grow Sioux City.

#3 Grow a vibrant and balanced economy.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance - Rezoning
Attachment B: Resolution – Final Plat
Attachment C: General Area Map – Rezoning
Attachment D: General Area Map – Final Plat
Attachment E: Notification Map
Attachment F: Final Plat
Attachment G: Site Photos
Attachment H Application

BACKGROUND REPORT:

The City has received a request from Lakeport View LLC, petitioner, to rezone and replat seven lots in the 4200 block of Fremar Drive. The property had a preliminary plat and rezoning approved on June 11, 2012 pursuant to Motion No. 2012-0398 and Ordinance No. 2012-0399. The final plat was approved on October 14, 2013 pursuant to Resolution No. 2013-0778. The rezoning of Lot 9 and final plat of Lots 9-17 were approved by City Council on June 6, 2016 pursuant to Ordinance No. 2016-0508 and Resolution No. 2016-0509. These last items allowed for an additional townhouse unit from the original plat and for up to 3-unit attached townhouse units to be built.

ANALYSIS:

As stated, the petitioner is requesting rezoning and final plat to property in the 4200 block of Fremar Drive. The petitioner would like to construct twin-home and 3-unit townhouse units on the property. This is an extension of the approvals in 2016 that allowed the same type of development adjacent on Fremar Drive. The petitioner is proposing five twin-homes and one 3-unit townhome for a total of 13 units in the proposal. This would be an increase of six units from the current zoning and lot arrangement.

City Engineering did note that the petitioner will need to add new service lines to the additional units being proposed, as only one service line was originally installed to each lot. The petitioner will need to replace entire street panels, similar to the Eagle Ridge developments recently approved that also increased density from the original lot configurations.

City Staff would recommend approval of the rezoning and final plat, as it is consistent with the approvals in the development, and the “100’ no build zone” is being maintained on the north lots to the existing development north of the development.

EXISTING ZONING AND LAND USE:

NC.2 and NC.3; vacant land

EXISTING ZONING REQUIREMENTS:

NC.2: Single-family detached dwellings: low density, single-family detached neighborhoods on moderate sized lots.

PROPOSED ZONING REQUIREMENTS:

NC.3: Single-family detached and single-family attached dwellings: a mixture of single-family detached and single-family attached dwellings on small lots.

SURROUNDING ZONING AND LAND USE:

North: NC.2; Single Family Residential
South: NC.5; Country Club Apartments
East: NC.3; Single Family Attached
West: NC.2; vacant

DEPARTMENT COMMENTS

MidAmerican Energy: There are existing facilities in the area. Any relocation of those facilities would be at the cost of the developer.

Engineering Department: Engineering would like it noted to the developer the lot splits on Country Club View will require new sewer service laterals to be installed for each lot. These new service lateral lines are required to be installed to the sewer main and not the existing manholes.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Mixed Use Neighborhood". "Mixed-Use Neighborhood" is defined as areas that consist of a small commercial/retail center providing locally focused services that may include a residential component. The primary commodities and services that are provided within neighborhood centers are convenience goods, such as grocery stores, personal services (dry cleaning, beauty salon, bank), restaurants, gas stations, and small office uses.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is not located in an urban renewal or TIF District.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Twenty (20) notices were sent within the required timeframe. One response was received in opposition.

Planning and Zoning Commission

Agenda Item No: 2020-0020 & 2020-0021

Agenda Date: 03/24/2020

From: Gary and Nancy Wenell

4225 Fremar Dr.

Sioux City, IA 51104

We purchased our home on Lot 6 in May 2017. Although the duplexes and triplexes on the cul-de-sac were under construction at that time, we were hopeful other single family homes (not attached units) would be built around the home we purchased in order to develop a neighborhood of like structures.

We recognize that lots 7 and 8 most likely require joint development (due to the needed dirt work and retaining wall), but not necessarily rezoning. However, if rezoning does occur, it would seem that two duplexes on those lots, instead of five units, would provide some transition to the greater density around the cul-de-sac. It would also help retain the value of our investment as well as encouraging additional single family homes on lots 5, 4, 3, etc.

It is not surprising that duplexes are proposed to continue westward from the cul-de-sac on the south side of Fremar Dr as those lots lose elevation at their rear. However, we object to lot 26 being included in this proposed rezoning. Ending with lot 25 would make the transition more consistent with the north side of the street. Perhaps a triplex across from the triplex already built on the north side of the street would promote consistency and lessen the economic impact on the project if lot 26 is not rezoned. We assume lots 20 and 21 are included in the development although not included in this rezoning.

Thank you for your consideration of our comments.

Gary and Nancy Wenell

Gary Wenell
Nancy Wenell
3/20/2020

ATTACHMENT A

ORDINANCE NO. 2020 - _____

ORDINANCE REZONING PROPERTY LOCATED IN THE 4200 BLOCK OF FREMAR DRIVE FROM ZONE CLASSIFICATION NC.2 (NEIGHBORHOOD CONSERVATION, 7,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLASSIFICATION NC.3 (NEIGHBORHOOD CONSERVATION, 7,000 SQUARE FEET PER UNIT MINIMUM)

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

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

Section 2: That Ordinance No. 2015-0215, as amended, also known and identified as the Sioux City Zoning and Sign Ordinance, is hereby amended by adding thereto the following to be known as Section 25.02.030.1372 of said Ordinance No. 2015-0215 as amended:

25.02.030.1372: The following described real property shall be changed FROM Zone Classification NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) TO Zone Classification NC.3 (Neighborhood Conservation, 7,000 square feet per unit minimum):

Lots 7 and 8 and Lots 22 through 26, both inclusive, Country Club View, Second Filing, a Replat of Part of Country Club View, an Addition to the City of Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

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

Section 4: That all Ordinances, or part of Ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 5: That this Ordinance shall be and become effective upon its passage, approval and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE REZONING PROPERTY LOCATED IN THE 4200 BLOCK OF FRE-
MAR DRIVE FROM ZONE CLASSIFICATION NC.2 (NEIGHBORHOOD
CONSERVATION, 7,000 SQUARE FEET PER UNIT MINIMUM) TO ZONE CLAS-
SIFICATION NC.3 (NEIGHBORHOOD CONSERVATION, 7,000 SQUARE FEET
PER UNIT MINIMUM)

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance rezones the following described property within the City of Sioux City, Woodbury County, Iowa, from Zone Classification NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) to Zone Classification NC.3 (Neighborhood Conservation, 7,000 square feet per unit minimum):

Lots 7 and 8 and Lots 22 through 26, both inclusive, Country Club View, Second Filing, a Replat of Part of Country Club View, an Addition to the City of Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT
TO SIOUX CITY ZONING AND SIGN ORDINANCE**

Notice is hereby given that at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered on April 6, 2020, in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, there will be conducted a public hearing by the City Council on the proposed amendment to the Zoning and Sign Ordinance of the City of Sioux City, Iowa, proposing the following change:

25.02.030.1372: The following described real property shall be changed FROM Zone Classification NC.2 (Neighborhood Conservation, 7,000 square feet per unit minimum) TO Zone Classification NC.3 (Neighborhood Conservation, 7,000 square feet per unit minimum):

Lots 7 and 8 and Lots 22 through 26, both inclusive, Country Club View, Second Filing, a Replat of Part of Country Club View, an Addition to the City of Sioux City, Woodbury County, Iowa and extending to the center line of abutting right-of-way.

(Property located in the 4200 Block of Fremar Drive) (2020-0020)

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

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 30, 2020.

ATTACHMENT B

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ACCEPTING AND APPROVING THE FINAL PLAT FOR COUNTRY CLUB VIEW, 4TH FILING, AN ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA, A REPLAT OF LOTS 7, 8, AND LOTS 22 THRU 26, INCLUSIVE, COUNTRY CLUB VIEW, 2ND FILING ADDITION TO SIOUX CITY, WOODBURY COUNTY, IOWA

WHEREAS, the City of Sioux City did file with the City Clerk of the City of Sioux City, Iowa, a certain plat designated "Country Club View, 4th Filing, an Addition to Sioux City, Woodbury County, Iowa, a Replat of Lots 7, 8, and Lots 22 thru 26, inclusive, Country Club View, 2nd Filing Addition to Sioux City, Woodbury County, Iowa"; and

WHEREAS, the Planning and Zoning Commission, at their March 24, 2020 meeting, has recommended the acceptance and approval of said plat.

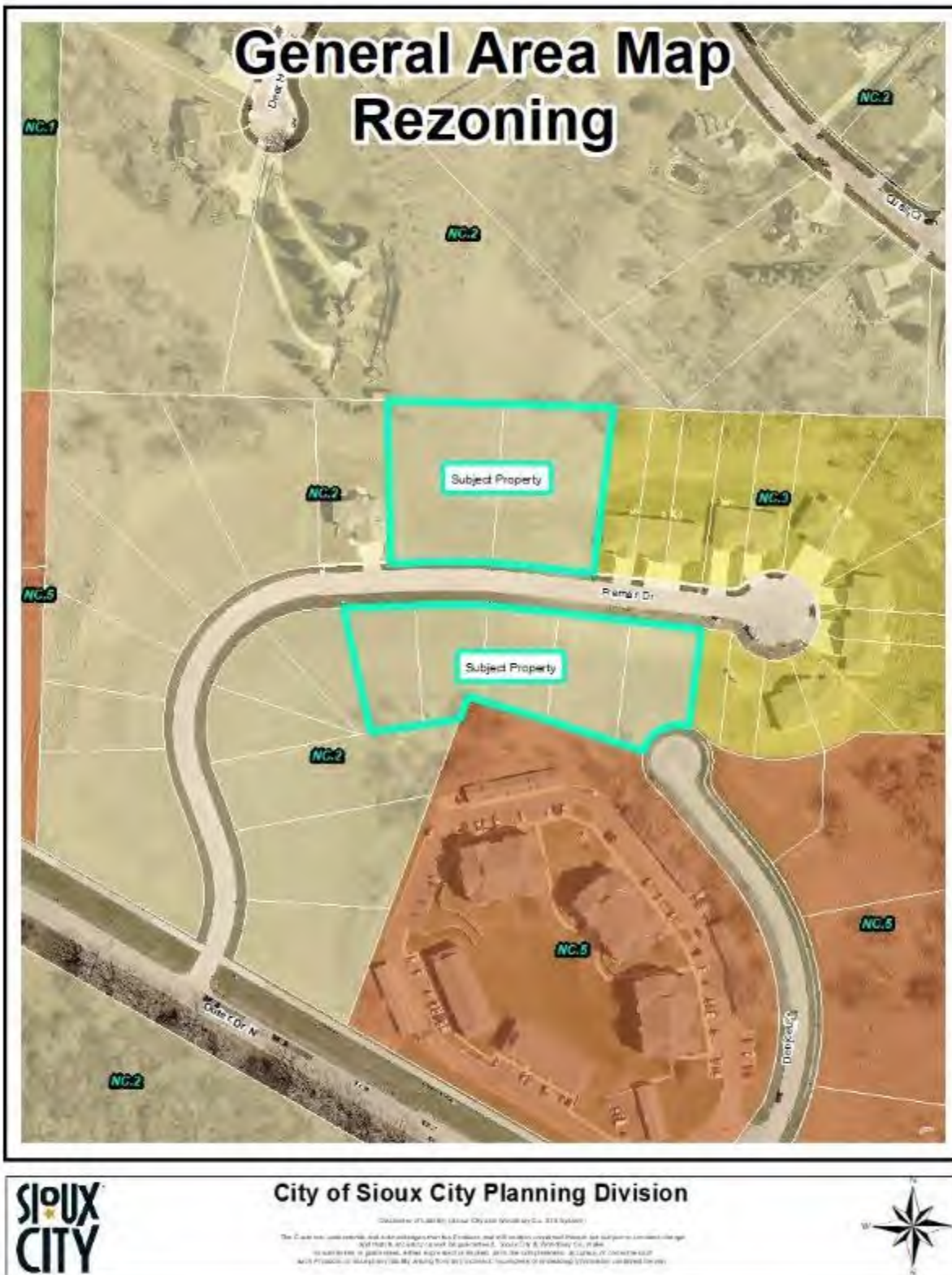
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that said Final Plat for "Country Club View, 4th Filing, an Addition to Sioux City, Woodbury County, Iowa, a Replat of Lots 7, 8, and Lots 22 thru 26, inclusive, Country Club View, 2nd Filing Addition to Sioux City, Woodbury County, Iowa," as hereto attached and forming part of this Resolution, be, and the same hereby is, accepted and approved, and the Mayor and the City Clerk are hereby directed to furnish to the proprietors a certified copy of this resolution, as required by law.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

ATTACHMENT C



GENERAL AREA MAP - REZONING

ATTACHMENT D



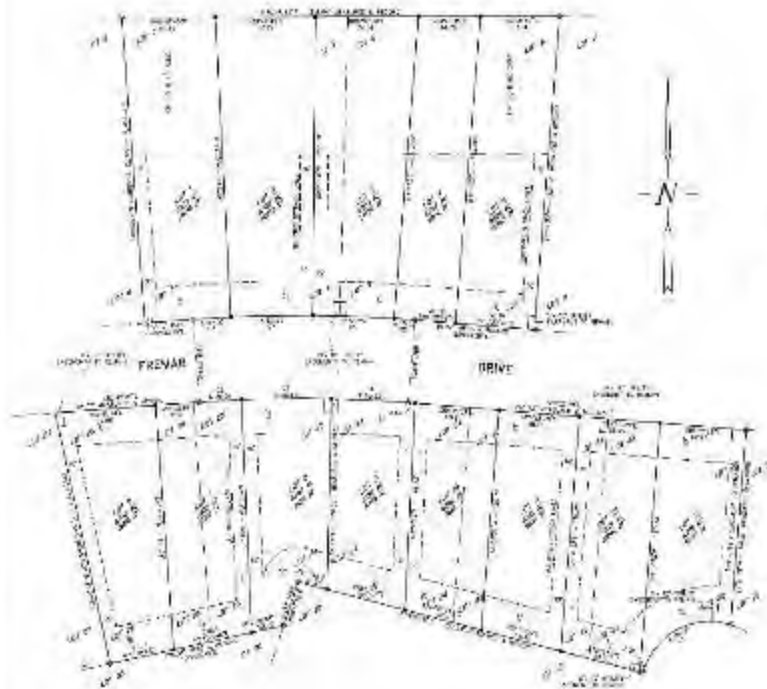
GENERAL AREA MAP – FINAL PLAT

ATTACHMENT E



NOTIFICATION MAP

IDEAL MAP OF
COUNTRY CLUB VIEW, 4th FILING, AN ADDITION TO
SIOUX CITY, WOODBURY COUNTY, IOWA
A REPLY OF JOHN C. W. AND JOHN DE WITT DE COLLECTOR, COUNTRY CLUB
VIEW, 2ND FILING, A REPLY OF FIRST OF COUNTRY CLUB VIEW, AS ADJUDGED
TO SIOUX CITY, WOODBURY COUNTY, IOWA

[illegible]

2017 年 12 月 31 日

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Journal of Internal Medicine 247: 111–118

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1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.
 2. *Journal of the American Medical Association*, 1997; 277: 1006-1010.
 3. *Journal of the American Medical Association*, 1997; 277: 1011-1015.
 4. *Journal of the American Medical Association*, 1997; 277: 1016-1020.

[illegible]

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Journal compilation © 2005 Blackwell Publishing Ltd

Year	Area	Base	Rate	Amount	County
1970	100	100	100	100	100
1971	100	100	100	100	100
1972	100	100	100	100	100
1973	100	100	100	100	100
1974	100	100	100	100	100
1975	100	100	100	100	100
1976	100	100	100	100	100
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2019	100	100	100	100	100
2020	100	100	100	100	100

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2020年，中国科学院
2021年，中国科学院
2022年，中国科学院

MUS & Associates, P.L.C.
253 Douglas Street
Stark City, IA 51301
(712) 265-6844
musa@comcast.net

FINAL PLAT

ATTACHMENT G



View Looking SW on Fremar Drive



View Looking NW on Fremar Drive

SITE PHOTOS

ATTACHMENT H

20-020

CITY OF SIOUX CITY**Applicant Profile Form**

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

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

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

PETITIONER/APPLICANT INFORMATION

Name Lakeport View LLC
 Street Address 701 Pierce St. Suite 100
 City Sioux City State IA ZIP 51101
 Phone 712-224-4100 E-mail Address DICK@saletmrealestate.biz
 Petitioner's interest in the property Owner ☒ Contract Buyer ☐ Architect ☐ Engineer ☐ Other: _____

PROPERTY OWNER (IF DIFFERENT)

Name _____
 Street Address _____
 City _____ State _____ ZIP _____
 Phone _____ E-mail Address _____

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

Lots 7&8 and Lots 22 thru 26, Country Club View
2nd Filing

PLANNING AND ZONING DIVISION REQUESTS

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

☐ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness
☒ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Avigation Permit
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development
☐ Text Amendment	☐ Interpretation		☐ Preliminary/Final Plat

SIGNATURE

Property Owner's Signature:

Application Date: 2/27/2020

*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>. See *Subsection 25.06.0.10* for the complete review procedures.

For Office Use Only

File Number:

Staff Reviewer:

PAID
2/27/20 V#1315 \$30.00

CITY OF SIOUX CITY

Application for a Zone Change (Includes Restricted Use Overlay Districts)

(Complete along with the Applicant Profile Form)

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447**SUBJECT PROPERTY INFORMATION**

Owner	Lakeport View L.L.C.		
Street Address	701 Pierce St. Suite 100		
Current Zoning District	NC. 3	Proposed Zoning District	NC. 3
Existing Use	Vacant	Proposed Use	Attached Housing

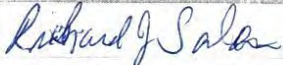
WRITTEN STATEMENT OF REQUEST

Describe the need and justification for the proposed zone change, including the conformity of the proposal with the Comprehensive Plan. (Refer to Subsection 25.06.090.15 Zone Change (Map Amendment, including Restricted Use Planned Developments) of the Sioux City Zoning and Sign Code):

INFORMATION CHECKLIST

- | | | |
|-------------------------------------|------------------------------|---|
| ☐ | ☐ N/A | A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property. |
| ☐ | | A general area map or site plan showing the area requested to be rezoned. |
| ☐ | | Completed Applicant Profile Form. |
| ☒ | | A filing fee of \$350. |
| ☐ | ☐ N/A | A zone change to a Historic Area District requires an application for a Local Historic District or Landmark for review by the Historic Preservation Commission and State Historic Preservation Office prior to approving the request. |
| ☐ | | Other information as requested by the Administrator prior to submittal of the application, including whether a Restricted Use Overlay District is required (Subsection 25.06.090.13 Restricted Use Overlay District): |
| ☐ | ☐ N/A | |

SIGNATURE

Owner/Petitioner's Signature:		Application Date:	2/27/2020
-------------------------------	---	-------------------	-----------

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

For Office Use Only

File Number:

Staff Reviewer:

CITY OF SIOUX CITYApplication for a Preplat, Preliminary Plat, or Final Plat
(Complete along with the Applicant Profile Form)

20-021

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

SUBJECT PROPERTY INFORMATION			
Owner	Lakeport View LLC		
Street Address	701 Pierce St. Suite 100		
Zoning District	NC-2	Existing Use	Vacant
Lot Size		Proposed Lots	
Proposed Use			
REQUEST			
	Include the following:		
☐	Completed Applicant Profile Form		
☐ Preplat	☐ A reproducible copy and five (5) copies of the preliminary plat ☐ As per Chapter 24.12.010, any owner, developer or agent wishing to subdivide a parcel of land shall contact the Planning Director and arrange for a Preplat Conference. This conference is to determine general requirements to be included in the subdivision. If the subdivision does not involve new streets or utilities, the conference may be waived by the Planning and Zoning Commission. For additional information regarding conference, see the Subdivision Regulations Manual.		
☐ Preliminary Plat	☐ One digitally formatted copy and five (5) paper copies of the Grading Plan. ☐ Is the preliminary plat prepared in conformity with the Sioux City Subdivision Ordinance? ☐ Yes ☐ No If no, list requested waivers on back of form.		
☒ Final Plat	☐ One digitally formatted copy and five (5) paper copies of the Final Plat. ☐ Engineer's statement that the public improvements have been completed or are bonded for. ☐ The mylar copy may be submitted for signatures following Council action. ☐ Is the final plat prepared in conformity with the Sioux City Subdivision Ordinance? ☐ Yes ☐ No If no, list requested waivers on back of form.		

For Office Use Only

File Number:

Staff Reviewer:

Final Plat Checklist

See Section 24.10.040 for complete final plat filing requirements.

- | | |
|--|---|
| <ul style="list-style-type: none"> ☐ Completed application with filing fee (\$250). ☐ Final plat (30 copies for "Minor Subdivisions" or 10 copies for "Major Subdivision") prepared by a professional land surveyor meeting the requirements of Iowa Code Sections 354.6, 354.11 and 355.8 in a size acceptable to the county recorder (in Woodbury County, 22½" x 24½") containing: <ul style="list-style-type: none"> ☐ Title with words "Final Plat of (name of subdivision)." The subdivision name cannot duplicate any existing subdivision in the county. Resubdivisions must be labeled as such in a subtitle. ☐ Legal description with reference to U.S. public land survey or existing recorded subdivision monuments and statement of area rounded to the nearest 0.01 acre. ☐ Certification by the land surveyor as required in Iowa Code Chapter 355. ☐ Name, address, telephone number for owner, subdivider, and land surveyor. ☐ North arrow and graphic scale. ☐ Map of the final plat at scale of 1" = 100' (unless different scale is acceptable to the Planning Director) containing: <ul style="list-style-type: none"> ☐ Layout in plan view showing sequentially numbered lots, outlots, block, rights-of-way, and easements. ☐ All dimensions, bearings and curve data indicated to the nearest 0.01 foot and to the nearest second of angular measurement. ☐ Locations of benchmarks and monumentation found and set. ☐ Street names. ☐ Adjacent lots and subdivision names shown in dotted or dashed lines and lettering. | <ul style="list-style-type: none"> ☐ Either on the face of the final plat map or attached sheets, the following documents (to be executed prior to or at the recording of the plat.: <ul style="list-style-type: none"> ☐ Consent of the owners to the platting including a dedication of land and improvements to public use. ☐ Consent of mortgage or lien holders to the platting. ☐ An attorney's title opinion regarding the land in the subdivision plat. ☐ A certificate of the County Treasurer that the land is free from special assessments or unpaid taxes (or secured by bond). ☐ A certified resolution of the City Council either accepting and approving the plat or waiving the right to review. The following are required certifications for City Council acceptance and approval: <ul style="list-style-type: none"> ☐ For "minor subdivisions", resolution of the Planning and Zoning Commission stating its recommendation on the plat. ☐ For extraterritorial subdivisions, an agreement by the owner to annex when permissible by State Code. ☐ City Engineers certification that public improvements have either been or will be installed in conformance with city standards. ☐ Flood hazard addendum if appropriate. ☐ Fill addendum if appropriate. ☐ Graphic materials prepared on CAD also to be submitted on digital format media. |
|--|---|

SIGNATURE

Owner/Petitioner's Signature:

Richard J. Salen

Application Date:

2/27/2020

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

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 22

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

SUBJECT: Ordinance vacating the north/south and east/west alleys adjacent to 705 Douglas Street. (Petitioner: HarKay Development). The Planning and Zoning Commission recommends approval of this item. (File No. 2020-0019) (First Consideration passed March 23, 2020)

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

RECOMMENDATION:

Staff respectfully requests City Council approve the requested vacation, subject to the following findings.

Planning and Zoning Commission:

Agenda Item 2020-0019: Requested vacation of the alleys adjacent to 705 Douglas Street. (Petitioner: HarKay Development)

Madsen presented the requested vacation of the alleys adjacent to 705 Douglas Street. Madsen stated it is in the City's policy to vacate and dispose of unneeded rights-of-way. The Petitioner would like only these portions of the alley vacated as part of the Benson Building rehabilitation and to add access for underground parking. Madsen stated he received one comment from MidAmerican stating they have utilities at this location. Madsen stated staff would recommend approval.

Susan McGuire, Center for Siouxland, 715 Douglas Street, had general concerns and questions regarding the east/west alley. McGuire's main concerns were about the ability to purchase their half, who would maintain the alley if the Petitioner owned the abutting alley and concerns about garbage pickup. Madsen explained the sale process on the vacated alley. Ross confirmed that there would still be access for garbage pickup. Madsen confirmed the item will be going to the City Council on March 23, 2020 at 4:00pm.

Bostinelos (O'Neill) moved to approve item 2020-0019. Motion carried. 6-0-0 (Yes: Bostinelos, Stewart, Ross, Glisar, Anderson, O'Neill, No 0: Abstain: 0).

Findings of Fact:

- 1) It is the City's policy to vacate and dispose of unneeded rights-of-way.
- 2) By vacating and disposing of the subject right of way, access would not be denied to abutting property owners.
- 3) The applicant's proposal conforms to the minimum Municipal Code requirements.

Recommended Conditions of Approval:
1) None.

DISCUSSION:

See Analysis

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility: Quality of Life.
Focus Area: Enhance Public/Private Partnerships.

ALTERNATIVES:

None.

ATTACHMENTS:

Attachment A: Ordinance
Attachment B: General Area Map
Attachment C: Notification Map
Attachment D: Site Photos
Attachment E: Application

BACKGROUND REPORT:

The City has received a request from Harkay Development, petitioner, to vacate approximately 4,800 square feet adjacent to 705 Douglas Street. The petitioner intends to add the right of way to their property as part of the Benson Building rehabilitation. A general area map is enclosed for your review.

ANALYSIS:

As stated, the petitioner, Harkay Development, is requesting to vacate the alleys adjacent to 705 Douglas Street. The petitioner intends to rehabilitate the Benson Building on the property and is requesting the vacation of the abutting alleys as part of that rehab work. The petitioner is proposing to develop the Benson Building for mixed use commercial and residential.

The east/west alley, lying on the north side of 705 Douglas Street, is needed for environmental air exhausts to the exterior of the building per the 2015 International Mechanical Code. The Code requires that these exhaust outlets be located: *"For all environmental air exhaust: 3 feet from property lines; 3 feet from operable openings into buildings for all occupancies."*

The north/south alley, located to the west of the property at 705 Douglas Street, is being requested for vacation to allow for a ramp that would lead to underground parking to the building.

The following criteria are used to determine whether to vacate rights-of-way:

- *Cities may vacate streets and alleys but must consider the interests of the public.*
Public notice was mailed to properties within 200 feet, excluding rights-of-way. No responses were received, and the property is not needed in the transportation system.

- *Streets and alleys should not be vacated for the benefit of private persons if it will probably seriously inconvenience the public.*
The alleys are not used as part of the transportation system.
- *The vacation of a street or alley should not deprive the complaining property owner of convenient and reasonable access to or from his property to a substantial degree.*
MidAmerican Energy Company and CenturyLink responded to the PreAgenda with comments that there are underground utilities in the alleys. The petitioner will need to work with MidAmerican Energy regarding any possible relocation of the utilities. All sales of City right-of-way include easement rights for existing utilities.
- *The City Council must determine whether the street or alley is necessary for public use and convenience and whether they are sufficiently traveled to justify maintenance at public expense.*
The vacation will not impact the transportation system.
- *The right to reasonable ingress and egress to abutting properties may not be totally destroyed; however, as long as one reasonable means of ingress and egress to a lot remains it is not so adversely affected.*
The subject vacation does not eliminate access to any abutting properties.
- *Non-abutting owners have far less standing to challenge a vacation.*
No responses were received from non-abutting property owners.

EXISTING ZONING AND LAND USE:

DC; Benson Building

EXISTING ZONING REQUIREMENTS:

The DC district is meant for an urban setting of a traditional (and historical) downtown with vertically mixed use buildings that are built to the street and where parking is provided mostly on-street or in structured parking garages, with surface parking for multiple uses.

PROPOSED ZONING REQUIREMENTS:

N/A

SURROUNDING ZONING AND LAND USE:

North: GC ; Center for Siouxland

South: DC ; Lamb Theatre

East: PI ; Law Enforcement Center

West: GC ; Petitioner owned parking lot

DEPARTMENT COMMENTS

CenturyLink: CenturyLink does have facilities in this location.

Under Iowa Code section 306.22 and Sioux City's municipal code section 12.03.060, vacation of a right-of-way requires the City to grant CenturyLink a utility easement to allow for continued use of the right-of-way. If relocation of CenturyLink's facilities from that easement is required, the party requesting the relocation will be required to reimburse the relocation expense.)

MidAmerican Energy Electric: There are existing underground lines in the alley MidAmerican will require that an easement is maintained. Any required relocations of our facilities would be subject to reimbursement.

COMPREHENSIVE PLAN:

The 2005 Comprehensive Plan indicates this area as "Downtown". "Downtown" is an example of a true "mixed-use center". It contains a mix of cultural, financial, governmental, institutional, entertainment, residential, and recreational uses. Continued growth of all types of land uses is appropriate.

URBAN RENEWAL / URBAN REVITALIZATION / TIF:

The subject property is located in the CBD-North Subarea of the Combined Central Sioux City – CBD Urban Renewal Area.

SUBAREA / CORRIDOR PLAN:

The subject property is not located in a subarea or corridor plan.

FLOOD PLAIN:

The subject property is not located in a flood plain.

CITIZEN RESPONSE:

Ten (10) notices were sent within the required timeframe. No responses were received in opposition.

ATTACHMENT A

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318
After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ORDINANCE NO. 2020 - _____

**ORDINANCE VACATING THE NORTH/SOUTH AND EAST/WEST ALLEYS
ADJACENT TO 705 DOUGLAS STREET.**

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

All of the north/south alley abutting Lots 4-6 and Lots 7-9 and all of the east/west alley abutting Lots 9 and 10, Block 37, Sioux City East Addition to Sioux City, in the County of Woodbury and the State of Iowa. (Contains approximately 4,800 square feet more or less.); and

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

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

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

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

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

Section 2: That any and all other ordinances of the City of Sioux City, Woodbury County, Iowa, in conflict herewith, be, and the same are to the extent of such conflict hereby repealed.

Section 3: That this Ordinance shall be in full force and effect from and after its passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

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

The undersigned does hereby certify the foregoing is a correct copy of Ordinance No. 2020-_____ adopted by the City Council of Sioux City on _____, 2020. Signed this _____ day of _____, 2020.

Lisa L. McCardle, City Clerk

I hereby certify that a summary of the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

ORDINANCE VACATING THE NORTH/SOUTH AND EAST/WEST ALLEYS
ADJACENT TO 705 DOUGLAS STREET.

This is a summary of Ordinance Number 2020-_____ passed by the Sioux City City Council on _____, 2020 and is effective today. A complete copy of the ordinance is available at the office of the City Clerk in City Hall, 405 6th Street, Sioux City, Iowa, Monday through Friday, 8:00 a.m. to 4:30 p.m. This ordinance vacates the following described public right of way within the City of Sioux City, Woodbury County, Iowa:

All of the north/south alley abutting Lots 4-6 and Lots 7-9 and all of the east/west alley abutting Lots 9 and 10, Block 37, Sioux City East Addition to Sioux City, in the County of Woodbury and the State of Iowa. (Contains approximately 4,800 square feet more or less.)

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal _____, 2020.

NOTICE OF HEARING ON PROPOSAL TO VACATE PUBLIC

RIGHT-OF-WAY OWNED BY CITY OF SIOUX CITY

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

All of the north/south alley abutting Lots 4-6 and Lots 7-9 and all of the east/west alley abutting Lots 9 and 10, Block 37, Sioux City East Addition to Sioux City, in the County of Woodbury and the State of Iowa. (Contains approximately 4,800 square feet more or less.)

(North/south and east/west alleys adjacent to 705 Douglas Street) (2020-0019)

That said Ordinance and proposal to vacate said real estate will come on for final hearing and action before the City Council in the Council Chambers, Room 504, City Hall, 405 6th Street, Sioux City, Iowa, on March 23, 2020, at the council meeting commencing at 4:00 P.M., Local Time, or as soon thereafter as the matter may be considered. At said hearing interested persons may appear and be heard for or against said proposed vacation.

CITY OF SIOUX CITY, IOWA

/s/ Lisa L. McCardle, City Clerk

Publish in the Sioux City Journal March 16, 2020

[illegible]

GENERAL AREA MAP

ATTACHMENT C



NOTIFICATION MAP

ATTACHMENT D



View Looking North from 7th Street



View Looking West from Douglas Street

SITE PHOTOS

ATTACHMENT E

CITY OF SIOUX CITY 20-019

Applicant Profile Form

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

Date Received: 2/18/2020

Date Recorded: 2/20/2020

Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447SIOUX
CITY

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

PETITIONER/APPLICANT INFORMATION

Name	Harkay Development		
Street Address	705 Douglas ST		
City	Sioux City	State	IA ZIP 51102
Phone	712-224-4232	E-mail Address	steve@nelsoncc.net
Petitioner's Interest in the property	Owner ☒	Contract Buyer ☐	Architect ☐ Engineer ☐ Other: ☐

PROPERTY OWNER (IF DIFFERENT)

Name	Harkay Development		
Street Address	2805 W 4th ST		
City	Sioux City	State	IA ZIP 51103
Phone	712-224-4232	E-mail Address	steve@nelsoncc.net

LEGAL DESCRIPTION (IF LEGAL IS TOO LONG, NOTE BELOW AND ATTACH TO THE APPLICATION)

North / south alley adjacent to Lots 4-6 & 7-9, Block 37
East / west alley adjacent to Lots 9 and 10, Block 37

Date 3/18/20

Signed [Signature]

PLANNING AND ZONING DIVISION REQUESTS

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

☒ Vacation	☐ Site Plan / Development Concept Plan	☐ Conditional/Limited Use Permit	☐ Certificate of Appropriateness
☐ Zone Change	☐ Major changes to a Site/Concept Plan	☐ Temporary Use Permit	☐ Designation of Historic Site/Landmark
☐ Sign Permit	☐ Minor Changes to a Site/Concept Plan	☐ Appeal	☐ Accessory Dwelling Unit
☐ Minor Modification	☐ Zoning Compliance Certificate	☐ Variance	☐ Aviation Permit
☐ Right-of-Way Encroachment	☐ Sign Design Program		☐ Interchange Development
☐ Text Amendment	☐ Interpretation		☐ Preliminary/Final Plat

SIGNATURE

Property Owner's Signature: [Signature]	Application Date: 2-13-2020
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*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: <http://online.encodeplus.com/regs/siouxcity-ia/index.aspx>. See Subsection 25.06.070 for the complete review procedures.

For Office Use Only

File Number:

Staff Reviewer:

PAID
2/18/20 V#2 \$2700

CITY OF SIOUX CITYApplication for a Vacation or Easement of Public Ground
(Complete along with the Applicant Profile Form)Planning Division
Room 308
405 6th Street
P.O. Box 447
Sioux City, IA 51102-0447

SUBJECT PROPERTY INFORMATION			
Owner	HarKay Development		
Street Address	705 Douglas ST		
Zoning District	Lot Area	44,325	
Existing Use	Commercial office space		
REQUEST			
Requested Approval	☒ Vacation of public ground (\$275 filing fee)	☐ Easement of public ground (\$275 filing fee)	☐ Easement clearing title (\$300 filing fee)
Existing Use	☐ Public street	☒ Public alley	☐ Other public ground
WRITTEN STATEMENT OF REQUEST			
Describe the reason for requesting a vacation or easement, including why the subject property is not needed for the public:			
I own the properties on both sides of the alley that runs north and south. I plan to develop the building into a multi use (residential and commercial) structure and have underground parking for the tenants. I would like to vacate and construct a ramp for underground parking at the alley location that runs north and south. City code restricts me from venting a dryer or furnace onto a public right-of-way; I would like to vacate the east/west alley to allow for the discharge of my vents. I would grant an easement for continued use of the alley.			
		Date	2/18/20
		Signed	
INFORMATION CHECKLIST			
☐	☒ N/A	A survey by a Certified Land Surveyor licensed in the State of Iowa if necessary to describe the property.	
☐	A completed offer to purchase the entire legally described vacation unless an abutting property owner requests to purchase the half abutting their property. Please include the contact information of purchaser if requesting vacation.		
☒	A general area map showing the subject area and request.		
☒	Completed Applicant Profile Form		
☒	Filing fee of \$275 for vacations and easements, \$300 for an easement clearing title.		
SIGNATURE			
Owner/Petitioner's Signature:			
		Application Date: 2-13-2020	
*For additional assistance please contact the City Planning and Zoning Division either before or after submission of the application. A copy of the entire Sioux City Zoning and Sign Code is available in the Planning Division office or under Title 25 online at: http://online.encodeplus.com/regs/siouxcity-ia/index.aspx			

For Office Use Only

File Number:

Staff Reviewer:

APPLICATION

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 23

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

SUBJECT: **Hearing and Resolution approving proposal to sell certain real property and authorizing a City Deed (the vacated intersection of vacated 43rd Street and vacated Monroe Street abutting 3515 43rd Street) (Petitioner: Kurtis Lee Bradham) (Purchase price: \$900.00 plus costs).**

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

Staff respectfully requests Council approve the proposed resolution.

DISCUSSION:

On the agenda for Monday the City Council will be asked to conduct a public hearing and approve the proposal to sell that part of the vacated intersection of vacated 43rd Street and vacated Monroe Street abutting 3515 43rd Street to Kurtis Lee Bradham. This portion of street was vacated by Ordinance No. 86/T-4470 on April 7, 1986. Mr. Bradham owns the abutting properties and would like to add the vacated right of way to the property that he owns.

The resolution on Monday's agenda authorizes the issuance of a city deed to Kurtis Lee Bradham.

FINANCIAL IMPACT:

The amount of \$900.00 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. 2020 - _____
with attachments

RESOLUTION APPROVING PROPOSAL TO SELL CERTAIN REAL PROPERTY
AND AUTHORIZING A CITY DEED (THE VACATED INTERSECTION OF
VACATED 43RD STREET AND VACATED MONROE STREET ABUTTING 3515
43RD STREET) (PETITIONER: KURTIS LEE BRADHAM) (PURCHASE PRICE:
\$900.00 PLUS COSTS).

WHEREAS, the City Council of the City of Sioux City, Iowa, set forth its proposal to sell the following described real property in Resolution No. 2020-0234, passed and approved March 16, 2020:

The vacated intersection of vacated 43rd Street and vacated Monroe Street, all lying west and south of Block 45, Leeds Second Filing, Sioux City, Woodbury County, Iowa; and

WHEREAS, a public hearing was held on said proposal on April 6, 2020, 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 Kurtis Lee Bradham in accordance with the terms and conditions set forth in Resolution No. 2020-0234, passed and approved March 16, 2020.

BE IT FURTHER RESOLVED that the city deed attached hereto conveying said property to Kurtis Lee Bradham, 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: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318
After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102

ADDRESS TAX STATEMENT: Kurtis Lee Bradham, P. O. Box 1022, Sioux City IA 51102

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of NINE HUNDRED DOLLARS AND NO CENTS (\$900.00) in hand paid by Kurtis Lee Bradham of the County of Woodbury and State of Iowa, does hereby release, remise, convey and quit claim unto the said Kurtis Lee Bradham 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 vacated intersection of vacated 43rd Street and vacated Monroe Street, all lying west and south of Block 45, Leeds Second Filing, Sioux City, Woodbury County, Iowa

This deed is subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation, maintenance, and replacement of any presently existing and installed public utility, above, below or beneath the ground, and subject to the same right on the part of public utility companies operating under franchise or special permit in the City of Sioux City, Iowa.

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

IN WITNESS WHEREOF, the City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 6th day of April, 2020.

CITY OF SIOUX CITY, IOWA

BY: _____
Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

STATE OF IOWA)
 : ss
WOODBURY COUNTY)

On this 6th day of April, 2020, 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. 2020-_____ passed on the 6th day of April, 2020, and that Robert E. Scott and Lisa L. McCardle acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the City.

BY: _____
Notary Public in and for Iowa

Exempt from Transfer Tax pursuant to Chapter 428A.2(6).

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

The undersigned do hereby offer to purchase the following vacated street, alley, or other public right-of-way (common description): The intersection of vacated 43rd Street and vacated Monroe Street.

And legally described as follows: The intersection of vacated 43rd Street and vacated Monroe Street, all lying west and south of Block 45, Leeds Second Filing, Woodbury County, Iowa. (Containing 3,600 square feet more or less).

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

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

Formula Price \$900.00 plus costs (DO NOT SEND PAYMENT AT THIS TIME).

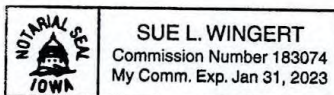
Please print the exact name and mailing address you would like the title to the property place in, in the event the City Council approves your offer to purchase the vacated public right-of-way.

Kurtis Lee Bradham
This offer respectfully submitted with a full understanding of the above provisions on this 5th day of March, 2020.

By: Kurtis Lee Bradham
Phone: 712-635-1715

Subscribed and sworn before me this 5th day of March, 2020

Sue Wingert
Notary Public in and for the State of Iowa





☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 24

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

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the FY21 Correctionville Road Overlay Project (Paxton Street to City Limits) (Project No. 7071-719-121).**

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

Staff respectfully requests the City Council conduct a public hearing and approve the construction documents for the FY21 Correctionville Road Overlay Project (Paxton Street to City Limits) (Project No. 7071-719-121).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the FY21 Correctionville Road Overlay Project (Paxton Street to City Limits). This project includes the construction of PCC fillets on unpaved side roads, sidewalk ramp reconstruction, and the asphalt resurfacing of Correctionville Road.

A bid opening will take place on April 7, 2020. This project shall be completed within 35 working days, which is anticipated to be in August of 2020.

FINANCIAL IMPACT:

This project is funded using transfers in Water Funds, Sewer Funds, Sales Tax Infrastructure, and GO Bonds under CIP 719-121. The Engineer's opinion of probable construction cost for the work is \$480,000.00. The project currently has an available balance of \$983,540.00.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2020 - _____

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR CONSTRUCTION OF THE FY21 CORRECTIONVILLE ROAD OVERLAY PROJECT (PAXTON STREET TO CITY LIMITS) (PROJECT NO. 7071-719-121).

WHEREAS, on the 23rd day of March 2020, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the FY21 Correctionville Road Overlay Project (Paxton Street to City Limits), within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the FY21 Correctionville Road Overlay Project (Paxton Street to City Limits) be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 25

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

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive (Project No. 7107A-519-127).**

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

Staff respectfully requests the City Council conduct a public hearing and approve the construction documents for the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive (Project No. 7107A-519-127).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive. This project includes the removal and replacement of watermain, damaged storm sewer, and damaged street paving.

A bid letting will take place April 7, 2020. This project shall be completed within 25 working days, which is anticipated to be in July of 2020.

FINANCIAL IMPACT:

This project is funded using transfers in water funds under CIP 519-127. The Engineer's opinion of probable construction cost for the work is \$200,000.00. The project currently has an available balance of \$177,555.00, FY21 CIP funds will be used for the shortfall.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2020 - _____

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR CONSTRUCTION OF THE 2020 PHASE I UTILITY PAVEMENT REPAIR PROJECT SYLVIAN WAY AND PELLETIER DRIVE (PROJECT NO. 7107A-519-127).

WHEREAS, on the 23rd day of March 2020, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the 2020 Phase I Utility Pavement Repair Project Sylvian Way and Pelletier Drive be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 26

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

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for construction of the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue (Project No. 7107B-519-127).**

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

Staff respectfully requests the City Council conduct a public hearing and approve the construction documents for the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue (Project No. 7107B-519-127).

DISCUSSION:

The City Engineering Division has completed plans and specifications for the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue. This project includes the removal and replacement of watermain, damaged storm intakes, and damaged street paving.

A bid letting will take place April 7, 2020. This project shall be completed within 35 working days, which is anticipated to be in August of 2020.

FINANCIAL IMPACT:

This project is funded using transfers in water funds under CIP 519-127. The Engineer's opinion of probable construction cost for the work is \$200,000.00. The project currently has an available balance of \$177,555.00, FY21 CIP funds will be used for the shortfall.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

City Council may choose to not approve construction documents for this project. This would stop the project from moving forward.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2020 - _____

RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATED COST FOR CONSTRUCTION OF THE 2020 PHASE II UTILITY PAVEMENT REPAIR PROJECT ROYCE STREET AND RIDGE AVENUE (PROJECT NO. 7107B-519-127).

WHEREAS, on the 23rd day of March 2020, plans, specifications, form of contract and estimated cost were filed with the Clerk of Sioux City, Iowa, for construction of the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue, within the corporate limits; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the construction of the 2020 Phase II Utility Pavement Repair Project Royce Street and Ridge Avenue be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 27

FROM: Renae Billings, Business Development Coordinator

SUBJECT: **Hearing and Resolution accepting the proposal of Koskovich & Murphy Developments, LLC for the purchase of certain land in the Donner Park Urban Renewal Area, and authorizing a development agreement and minimum assessment agreement (Property located at 5304 Al Haynes Drive)**

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

Staff respectfully requests Council conduct a public hearing and approve the above resolution.

DISCUSSION:

Paul Koskovich and Ben Murphy have partnered together to form Koskovich & Murphy Developments, LLC, with a focus on developing commercial real estate in the Siouxland area. The developers have identified a demand for commercial warehouse space in this market and have designed plans for a spec building with flex contractor space to help fulfill this demand. The developers have considered several locations in the Siouxland area to construct spec buildings and have identified 2.15 acres of city-owned land along Al Haynes Drive in Expedition Business Park as an ideal location.

The developers plan to construct two new spec buildings on the site, each consisting of 12,000 square feet. The flex spaces will allow for a business to lease a minimum of 2,400 square feet, with the capability of leasing up to 12,000 square feet. The space will be built out as lease agreements are signed with tenants based on their needs. Construction of the spec buildings is anticipated to begin in the spring of 2020 and be completed in the fall of 2020.

Proposal

City staff has finalized a development agreement and minimum assessment agreement with Koskovich & Murphy Developments, LLC to provide assistance for the project.

As part of the agreement Koskovich & Murphy Developments, LLC will:

- Purchase the city-owned property for a price of \$15,000 per acre, or total price of \$32,250.
- Commit to constructing two (2) new 12,000 square foot spec buildings on the property.
- Enter into a minimum assessment agreement of \$1.2 million.
- Complete construction of the new buildings no later than December 31, 2020.

As part of the agreement the City will:

- Sell the city-owned property to Koskovich & Murphy Developments, LLC for a price of \$15,000 per acre in exchange for the improvements made to the property.
- Provide financial assistance in the form of 50% property tax rebate for five years.

The initial step to start the 30-day notice period and set a date for final Council consideration of the development and minimum assessment agreements and sale of land was approved by Council on March 2, 2020.

FINANCIAL IMPACT:

The City will benefit from increased property taxes resulting from the minimum assessment agreement. The City's financial commitment to this project will be in the form of partial property tax rebates.

RELATIONSHIP TO STRATEGIC PLAN:

To expand development opportunities, develop the resources to support economic growth, and develop new business sites.

ALTERNATIVES:

None recommended

ATTACHMENTS:

Resolution
Site Map
Development Agreement (Hard Copy)
Minimum Assessment Agreement (Hard Copy)

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ACCEPTING THE PROPOSAL OF KOSKOVICH & MURPHY DEVELOPMENTS, LLC FOR THE PURCHASE OF CERTAIN LAND IN THE DONNER PARK URBAN RENEWAL AREA, AND AUTHORIZING A DEVELOPMENT AGREEMENT AND MINIMUM ASSESSMENT AGREEMENT (PROPERTY LOCATED AT 5304 AL HAYNES DRIVE)

WHEREAS, in furtherance of the objectives of Chapter 403 of the Code of Iowa, the City of Sioux City, Iowa, has undertaken a program of redevelopment of blighted areas in the City, and in this connection has instituted the Donner Park Urban Renewal Project; 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, Koskovich & Murphy Developments, LLC has submitted a proposal to the City for the purchase of the following described property in the Donner Park Urban Renewal Area:

Lot 2, Expedition Business Park, Fourth Filing to the City of Sioux City, Woodbury County, Iowa (containing 2.15 acres more or less)

WHEREAS, pursuant to Resolution No. 2020-0192 passed and approved by the City Council on March 2, 2020, the City indicated its intent to accept said proposal of Koskovich & Murphy Developments, LLC, 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, the City Council evaluated all timely proposals, taking into account such factors as it considers appropriate, including but not limited to, the following:

Quality of the Proposed Development:

- (1) The total cost of the proposed project.
- (2) The types of materials to be used in the construction of the project.
- (3) Overall project amenities.

Economic Feasibility of the Proposed Development:

- (1) The economic return to the City provided by the proposed development, including but not limited to, the amount of revenue generated for the City, the property taxes to be generated and the encouragement of related development in the area.
- (2) The ability of the prospective developer to finance and timely complete the project as proposed, including any contingencies on such performance.

- (3) The financial impact of the proposed development upon the City's operating budget and capital improvement plan, particularly as it related to the construction and maintenance of any required public improvements; 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 Koskovich & Murphy Developments, LLC for the purchase of said property and that accepting such proposal is in the public interests; and

WHEREAS, a Development Agreement and Minimum Assessment Agreement have 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 Development Agreement and Minimum Assessment Agreement attached hereto providing for the sale of said property to Koskovich & Murphy Developments, LLC 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 along with all necessary exhibits to said Development Agreement for and on behalf of the City of Sioux City, Iowa.

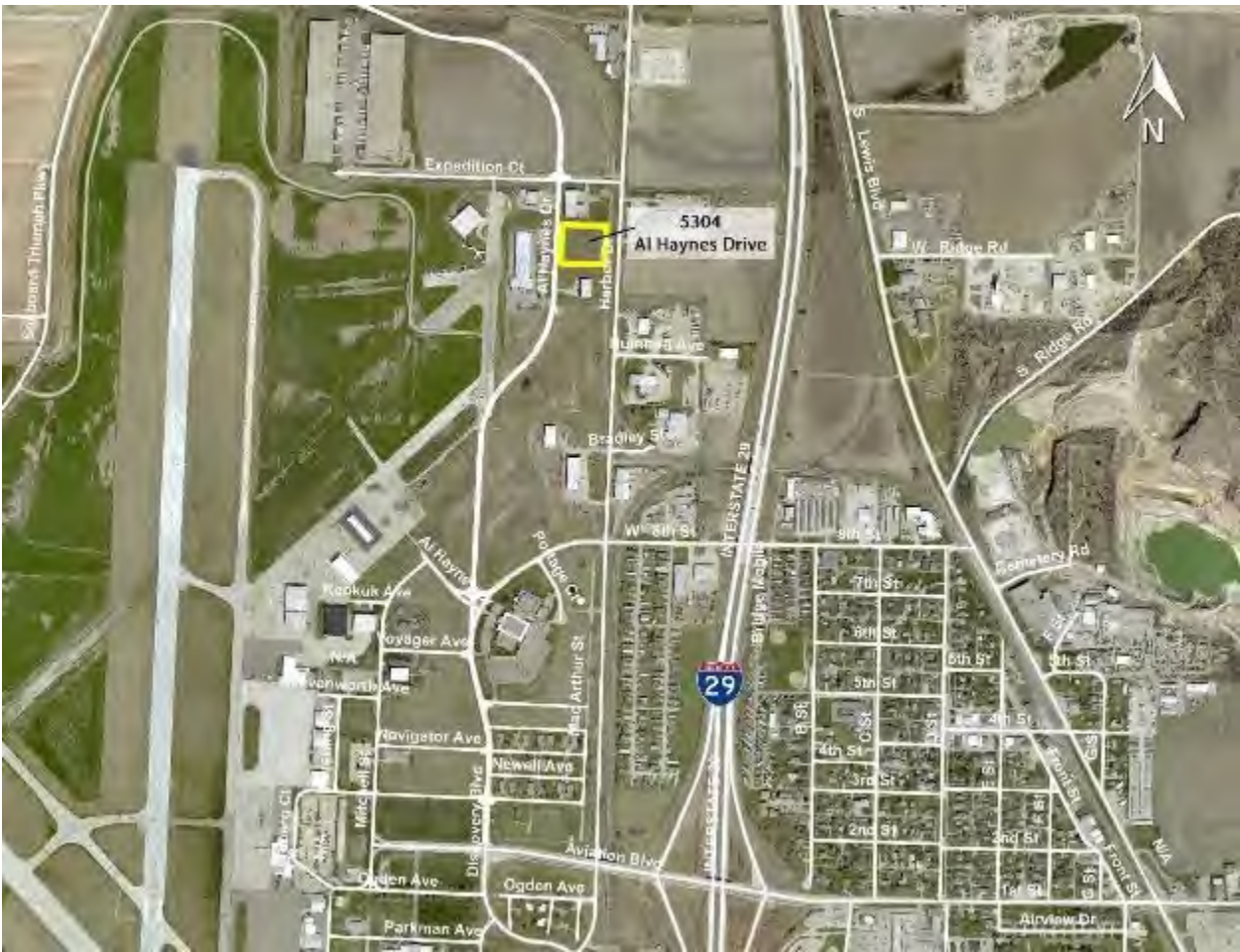
BE IT FURTHER RESOLVED that upon receipt of the consideration fixed in said Development Agreement and Minimum Assessment Agreement and the costs incurred in this sale that the Development Agreement and Minimum Assessment Agreement be delivered to Koskovich & Murphy Developments, LLC.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

Site Map



☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 28

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: **Hearing and Resolution approving plans, specifications, form of contract, and estimated cost for the Chris Larsen Park-Riverfront Development Project. (Project No. 7090-459-136)**

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

Staff respectfully requests Council conduct a public hearing and approve the plans, specifications, form of contract, and estimated cost for the Chris Larsen Park-Riverfront Development Project.

DISCUSSION:

The Chris Larsen Park-Riverfront Development Project is a public improvement project located at 700 Larsen Park Road and includes roadway, parking lot demolition, site grading, concrete trail pavement construction, park shelter construction, electrical improvements, and sewer, water and storm utilities improvements.

Bids will be received on April 21, 2020. The work on this project shall commence upon issuance of the Notice to Proceed and be fully completed by May 30, 2022.

FINANCIAL IMPACT:

Funding for the Chris Larsen Park-Riverfront Development Project will utilize a combination of funding including Tax Increment Financing, grant funds, and private contributions covered under #459-136 "Riverfront Recreational Upgrades" with a CIP budget of \$3,463,588.98 and an additional \$2,000,000.00 in Tax Increment Financing plus \$500,000.00 in grants and private contributions projected in FY'22. The consultant's estimate of probable cost is \$6,000,000.00.

RELATIONSHIP TO STRATEGIC PLAN:

Health and Safety
Explore Destination Sioux City

ALTERNATIVES:

City Council may request staff make changes to the project documents and construction schedule.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2020 - _____

**RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT,
AND ESTIMATED COST FOR THE CHRIS LARSEN PARK-RIVERFRONT
DEVELOPMENT PROJECT. (PROJECT NO. 7090-459-136)**

WHEREAS, on the 23rd day of March 2020, plans, specifications, form of contract, and estimated cost were filed with the Clerk of Sioux City, Iowa, for the Chris Larsen Park-Riverfront Development Project; and

WHEREAS, notice of hearing on plans, specifications, form of contract, and estimated cost was published as required by law; and

WHEREAS, the City Council is advised and does believe that said plans, specifications, form of contract and estimated cost should be approved.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA that the plans, specifications, form of contract and estimated cost for the Chris Larsen Park-Riverfront Development Project be and the same are hereby approved as the plans, specifications, form of contract and estimated cost for said improvements for said project.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 29

FROM: Amy Tooley, Housing Services Division Manager

SUBJECT: **Hearing and Resolution adopting the 5-Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program and authorizing the Mayor to execute required assurances and certifications in connection therewith.**

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

Staff respectfully requests that the City Council approve the proposed resolution.

DISCUSSION:

The Public Housing Reform Act requires the submission of a 5-Year Plan and Annual Plan by every Housing Authority across the nation. The Public Housing Authority (PHA) Plan is a comprehensive guide to PHA policies, programs, and strategies for meeting local housing needs. There are two parts to the Public Housing Authority Plan: the 5-Year Plan, which each Public Housing Authority submits to HUD once every 5th fiscal year, and the Annual Plan, which is submitted every year to HUD.

The 5-Year Plan and Annual Plan being submitted to HUD this year states the PHA's mission and strategy for serving the needs of low-income, very low-income, and extremely low-income families in the Sioux City Housing Authority's jurisdiction for the next five years. The Plan identifies SCHA's goals and objectives that will enable the PHA to serve the needs of families over the next 5 years, as well as progress made in meeting the goals and objectives described in the previous 5-Year Plan.

The Sioux City Housing Authority is required to hold a public hearing to discuss the Plan and receive comments on the Public Housing Authority Plan each year. The Public Housing Authority's board of commissioners, which in Sioux City is the City Council, must conduct this public hearing in a location that is accessible to residents served by Sioux City Housing Authority. The Sioux City Housing Authority will incorporate pertinent public comments from the hearing into the Public Housing Authority Plan. Sioux City Housing Authority may also receive written comments from the Resident Advisory Board (RAB) on the plan. Sioux City Housing Authority will then use the public comments and RAB recommendations to revise the plan as necessary.

After revisions, if any, are completed, the completed Public Housing Authority Plan template is electronically submitted to HUD by the Sioux City Housing Authority. HUD will review the plan and may request additional information or a revision to the Public Housing Authority Plan from the Housing Authority. HUD will inform the Public Housing Authority when the plan is approved.

FINANCIAL IMPACT:

Future funding is subject to timely submission of the 5-Year Plan and Annual Plan.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Quality of Life

Focus Area – Enhance Public / Private Partnerships

7 Continue efforts to eliminate and prevent homelessness.

ALTERNATIVES:

None recommended.

ATTACHMENTS:

Resolution

Hard Copy - PHA 5-Year Plan and Annual Plan and Certifications

RESOLUTION NO. 2020 - _____
with attachments

RESOLUTION ADOPTING THE 5 YEAR PLAN AND ANNUAL PLAN FOR THE
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM AND AUTHORIZING
THE MAYOR TO EXECUTE REQUIRED ASSURANCES AND CERTIFICA-
TIONS IN CONNECTION THEREWITH.

WHEREAS, the United States Department of Housing and Urban Development requires local Housing Authorities to adopt a written 5 Year Plan and Annual Plan that establishes local policies for administration of it programs; and

WHEREAS, the Public Housing Reform Act necessitates reviewing and updating the 5 Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program; and

WHEREAS, a public hearing having been held on the 5 Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program on the 6th day of April, 2020, a copy of which is on file in the office of the City Clerk and by this reference incorporated herein; and

WHEREAS, the City Council having heard all proponents and objectors, is of the opinion that the 5 Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program should be approved and adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the 5 Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program, referred to in the preamble hereof, be and the same are approved and adopted.

BE IT FURTHER RESOLVED that the Mayor, be and he is hereby authorized to execute such assurances and certifications required by the United States Department of Housing and Urban Development in connection with the 5 Year Plan and Annual Plan for the Section 8 Housing Choice Voucher Program.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 30-31

FROM: Nicole DuBois, City Attorney

SUBJECT: Resolution adopting the 2020 First Quarter Supplement to the Sioux City Municipal Code covering ordinances through Ordinance No. 2020-0270.
Ordinance amending Chapter 1.01 entitled "Code Adoption" of the Sioux City Municipal Code to provide for the adoption of the municipal code.

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

Staff respectfully requests Council:

Approve a resolution adopting the 2020 First Quarter Supplement to the Sioux City Municipal Code.

Adopt an ordinance adopting the Municipal Code to update the sections to recognize incorporation of supplements.

DISCUSSION:

Section 380.8 of the Iowa Code, as amended, provides that all ordinances and amendments which have become effective after the adoption of the City Code may be compiled as supplements to the City Code, and upon adoption of the supplement by resolution, become a part of the City Code of Ordinances.

The City Council is advised the 2020 First Quarter Supplement to the Municipal Code should be approved as to form and content and made a part of the City Code of Sioux City, Iowa.

Section 380.8 also provides that an adopted Code of Ordinances compiled and maintained at least annually is presumptive evidence of the passage, publication, and content of the ordinances codified therein as of the date of the clerk's certification of the ordinance adopting the code or supplement.

Therefore, on Monday's agenda, there will appear a resolution adopting the 2020 First Quarter Supplement to the Municipal Code of Sioux City and an ordinance adopting the Municipal Code current with all supplements to date. Council approval of the resolution and adoption of the ordinance is a housekeeping measure only and does not approve or modify any existing ordinance or policy.

FINANCIAL IMPACT:

N/A

RELATIONSHIP TO STRATEGIC PLAN:

MUNICIPAL RESPONSIBILITIES

- Progressive Leadership

ALTERNATIVES:

None since we are following Iowa law pursuant to Section 380.8 of the Iowa Code.

ATTACHMENTS:

Proposed resolution

Proposed ordinance

RESOLUTION NO. 2020 - _____

**RESOLUTION ADOPTING THE 2020 FIRST QUARTER SUPPLEMENT
TO THE SIOUX CITY MUNICIPAL CODE COVERING ORDINANCES
THROUGH ORDINANCE NO. 2020-0270.**

WHEREAS, pursuant to Ordinance No. 2019-0290, passed April 1, 2019, the City of Sioux City, Iowa, adopted the Sioux City Municipal Code; and

WHEREAS, Section 380.8 of the Code of Iowa, as amended, provides that all ordinances and amendments which have become effective after the adoption of the City Code may be compiled as supplements to the City Code, and upon adoption of the supplement by resolution, become a part of the City Code of Ordinances; and

WHEREAS, the City of Sioux City has received the 2020 First Quarter supplement covering the ordinances adopted in the months of January, February, March to the Sioux City Municipal Code, copies of which are now on file in the Clerk's Office, and by this reference made a part hereof, which is a codification of all general and permanent ordinances passed by the City Council of the City of Sioux City, Iowa between the dates of January 1, 2020 through March 31, 2020, covering all ordinances through Ordinance No. 2020-0270; and

WHEREAS, the City Council is advised and does believe the 2020 First Quarter supplement to the Sioux City Municipal Code should be approved as to form and content and made a part of the City Code 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 2020 First Quarter supplement covering the ordinances adopted in the months of January, February, and March, be and the same is hereby approved and adopted and made a part of the Sioux City Municipal Code.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

ORDINANCE NO. 2020 - _____

ORDINANCE AMENDING CHAPTER 1.01 ENTITLED "CODE ADOPTION" OF THE SIOUX CITY MUNICIPAL CODE TO PROVIDE FOR THE ADOPTION OF THE MUNICIPAL CODE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA¹:

Section 1: Section 1.01.010 of the Sioux City Municipal Code is amended to read as follows:

1.01.010 Adoption of the Municipal Code. The ordinances of the city, up through Ordinance ~~2019-0264~~ 2020-0270 as amended which are codified in this volume entitled "Municipal Code of Sioux City, Iowa", shall constitute the Municipal Code of Sioux City, Iowa. Pursuant to Iowa Code Section 380.5, grade ordinances, bond ordinances, zoning map ordinances, ordinances vacating public rights of way and ordinances containing legal descriptions of urban revitalization areas and urban renewal areas are excluded from this code. Ordinances and amendments which become effective after the effective date of this ordinance shall be compiled as supplements to the Code and upon adoption of the supplement by resolution become a part of this code.

Section 2: Section 1.01.030 of the Sioux City Municipal Code is amended to read as follows:

1.01.030 Effect of code on past actions and obligations. The adoption of the updated Municipal Code provided for in Section 1.01.010 shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, on any contract, or right established or accruing before the ~~6th~~ 11th day of April, ~~2019~~ 2020, nor shall such appeal affect any ordinances, or portions thereof, not heretofore specifically repealed, it being the intention of the city council that all ordinances or provisions thereof, heretofore enacted and not contained or included in this code shall remain in full force and effect, any statements in Chapter 1.01 of the Municipal Code of Sioux City, Iowa, to the contrary notwithstanding.

Section 3: Severability Clause: If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

Section 4: Repealer: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are: Ordinance No. 2019-0290 of the Sioux City Municipal Code.

Section 5: Effective Date: This ordinance shall be in full force and effect from and after its final passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

¹ Proposed additions to text of Municipal Code are indicated by underline; proposed deletions from text of Municipal Code are indicated by ~~strike through~~.

I hereby certify that the foregoing was published in the Sioux City Journal on
April 11, 2020

Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 32

FROM: Mike Collett, Assistant City Manager

SUBJECT: Ordinance amending Chapter 2.28 of the Sioux City Municipal Code entitled "Transit System Advisory Board" to allow for the option to appoint one member to the board from either Sergeant Bluff, Iowa, South Sioux City, Nebraska or North Sioux City, South Dakota. (First Consideration approved March 23, 2020)

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

Staff respectfully request the City Council adopt an ordinance to allow for the option to appoint one member to the board from either Sergeant Bluff, Iowa, South Sioux City, Nebraska or North Sioux City, South Dakota.

DISCUSSION:

The Transit System Advisory Board is a five-member board for the purposes of advising the City Council on the operation of the municipal transit system in Sioux City and surrounding communities and has been in existence since 1992.

Currently, to be eligible to be appointed a member of the board, the appointee must be a qualified resident elector of Sioux City. Staff is proposing an amendment that would give the City Council the option to appoint one member to the board from either Sergeant Bluff, South Sioux City or North Sioux City since Sioux City currently has transportation services into these communities.

FINANCIAL IMPACT:

None

RELATIONSHIP TO STRATEGIC PLAN:

This is part of the City Infrastructure Vision; Commit to providing a public transit system to connect residents with affordable and accessible mobility regarding social, medical, educational, and economic purposes.

ALTERNATIVES:

Make no changes to the appointment and qualification requirements in Section 2.28.020 of the Municipal Code.

ATTACHMENTS:

Ordinance

ORDINANCE NO. 2020 - _____

ORDINANCE AMENDING CHAPTER 2.28 OF THE SIOUX CITY MUNICIPAL CODE ENTITLED "TRANSIT SYSTEM ADVISORY BOARD" TO ALLOW FOR THE OPTION TO APPOINT ONE MEMBER TO THE BOARD FROM EITHER SERGEANT BLUFF, IOWA, SOUTH SIOUX CITY, NEBRASKA OR NORTH SIOUX CITY, SOUTH DAKOTA.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA²:

Section 1: Section 2.28.020 of the Sioux City Municipal Code is amended to read as follows:

2.28.020 Appointment and qualifications. The members of the board shall be appointed by a majority vote of the city council. Four members must be qualified resident electors of Sioux City, Iowa. The fifth member may be a qualified resident elector of either Sioux City, Iowa, Sergeant Bluff, Iowa, North Sioux City, South Dakota or South Sioux City, Nebraska. ~~To be eligible to be appointed a member of the board, the appointee must be a qualified resident elector of Sioux City.~~ Before assuming the duties of office, each member shall file with the city clerk an oath for the faithful performance of the member's duties, and a disclosure of his ownership or control or prior ownership and control within the preceding two years of any interest, direct or indirect, in any property included or planned to be included in an urban renewal project.

Section 2: Severability Clause. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

Section 3: Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. These are: Section 2.28.020 of the Sioux City Municipal Code.

Section 4: Effective Date. This ordinance shall be in full force and effect from and after its final passage and publication as by law provided.

PASSED BY THE CITY COUNCIL ON, AND APPROVED ON: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

I hereby certify that the foregoing was published in the Sioux City Journal on April 11, 2020

Lisa L. McCardle, City Clerk

² Proposed additions to text of Municipal Code are indicated by underline; proposed deletions from text of Municipal Code are indicated by ~~strikethrough~~

☒	Regular Session
☐	Study Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 33

FROM: Darrel Bullock, Code Enforcement Manager

SUBJECT: Resolution amending Resolution No. 2020-0058 relating to the Hearing on Manager's report on demolition of and Resolution declaring a certain structure to be dangerous or dilapidated as defined by the Municipal Code and authorizing the City Manager to carry out such order to demolish said structure by authorizing a 90 day delay in demolition. (Address: 1711 W. 3rd Street) (Property Owner: Juan Alamillo and Amelia Alamillo)

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

Staff respectfully requests the City Council to approve the proposed Resolution.

DISCUSSION:

The placarded dwelling located at 1711 W. 3rd Street was ordered demolished at the January 16, 2020 Placard Hearing. The owner has provided the required documentation and a cashier's check in the amount of \$10,000.00.

Staff recommends a 90 day Stay of Demolition with Bond.

FINANCIAL IMPACT:

Demolition funds will be expended on other more seriously dilapidated structures.

RELATIONSHIP TO STRATEGIC PLAN:

Improve the appearance of City neighborhoods, housing, and major corridors.

ALTERNATIVES:

Council may require staff to continue with demolition order.

ATTACHMENTS:

Resolution

Prepared by: Nicole M. DuBois, P.O. Box 447, Sioux City, Iowa 51102 Telephone No. (712) 279-6318
After recording return to: City of Sioux City, Iowa, P.O. Box 447, Sioux City, Iowa 51102
Grantor: City of Sioux City, Iowa Grantee: Juan Alamillo and Amelia Alamillo

RESOLUTION NO. 2020 - _____

RESOLUTION AMENDING RESOLUTION NO. 2020-0058 RELATING TO THE HEARING ON MANAGER'S REPORT ON DEMOLITION OF AND RESOLUTION DECLARING A CERTAIN STRUCTURE TO BE DANGEROUS OR DILAPIDATED AS DEFINED BY THE MUNICIPAL CODE AND AUTHORIZING THE CITY MANAGER TO CARRY OUT SUCH ORDER TO DEMOLISH SAID STRUCTURE BY AUTHORIZING A 90 DAY DELAY IN DEMOLITION. (ADDRESS: 1711 W. 3RD STREET) (PROPERTY OWNER: JUAN ALAMILLO AND AMELIA ALAMILLO)

WHEREAS, due, proper and timely notice has been given to all parties in interest concerning the following property:

1711 W. 3rd Street legally described as Lot 10, Block 14, Hornicks Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, said notice was served as set out in the Municipal Code; and

WHEREAS, on January 16, 2020, pursuant to Resolution No. 2020-0058, said structure was declared a dangerous or dilapidated structure as defined in the Municipal Code and ordered demolished; and

WHEREAS, since January 16, 2020, owner has provided the required documentation and a cashier's check in the amount of \$10,000.00; and

WHEREAS, the City Council is advised and does believe that said Resolution No. 2020-0058 should be amended to give the owner an additional 90 days to complete the required repairs and have the placard removed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that Resolution No. 2020-0058 be and the same is hereby amended to permit the owner an additional 90 days from the date of this resolution to complete the required repairs of the property at 1711 W. 3rd Street.

BE IT FURTHER RESOLVED that the owner executes and delivers to the City an Agreement and Bond in compliance with Section 20.06.110 of the Sioux City Municipal Code. If the Owner completes the repairs and rehabilitation of the above described property in accordance with the said Agreement and Section 20.06.110, the City Manager may forego demolition of said structure. If the Owner violates the terms and provisions of the Agreement, the City Manager shall immediately proceed to demolish said structure.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

AGREEMENT

This Agreement made by and between the City of Sioux City, Iowa, a municipal corporation, (herein "City") and Juan Alamillo and Amelia Alamillo, (herein "Owner")

RECITALS

WHEREAS, Owner is the owner of 1711 W. 3rd Street which has been red-tagged by the City of Sioux City, Iowa, and is more particularly described as Lot 10, Block 14, Hornicks Addition, Sioux City, Woodbury County, Iowa; and

WHEREAS, on January 16, 2020, pursuant to Resolution No. 2020-0058, said structure was declared a dangerous or dilapidated structure as defined in the Municipal Code and ordered demolished; and

WHEREAS, since January 16, 2020, owner has provided the required documentation and a cashier's check in the amount of \$10,000.00; and

WHEREAS, the Owner has requested additional time to bring said structure up to city code; and

WHEREAS, the City is willing to amend said Resolution No. 2020-0058 to grant the additional time to repair and rehabilitate the structure under the following terms and conditions:

AGREEMENT

1. The Owner agrees to make all necessary repairs to the above described premises within 90 days of April 6, 2020. The repairs required are set forth on the attached document labeled Exhibit "A".
2. The Owner, by this document, does hereby authorize and permit the City to enter onto the premises described above and demolish the structure without further notice or further hearing being granted to the Owner in the event the repairs that are required to be made as set forth on Exhibit "A" are not completed within the said 90 days or if, in the opinion of the City, substantial progress towards the completion of the repairs have not been achieved in the 90 days that have been granted herein by the City to complete repairs and rehabilitation. The Owner agrees to reimburse the City for all expenses incurred in the demolition of the above described property.
3. The Owner agrees to pay the City the sum of \$25.00 for each day the repairs take beyond 90 days to compensate the City for additional administration and inspection work incurred in connection with the repair and rehabilitation of the above described property. This paragraph will only be in effect if the City determines that substantial progress has been made towards the repairs and rehabilitation of the property and that said repairs and rehabilitation can be completed within a reason time after the 90 days that have been granted herein. This paragraph does not prohibit the City from proceeding under paragraph 2 above in the event the City determines in its sole discretion that there has been insufficient progress made in completing the necessary repairs and rehabilitation of the above described property and that the same cannot be completed within a reasonable period of time after the expiration of the 90 days herein granted.
4. The Owner hereby agrees to file with the City a performance bond with such sureties, terms and conditions as are satisfactory to the City in the amount of \$10,000.00 to be used

by the City to reimburse the costs of demolition of the above described property in the event the Owner does not pay the costs of demolition to the City. The bond may also be used to pay the per diem cost incurred, if any, should the Owner fail or refuse to reimburse the City for the additional administrative costs incurred because the repairs were not completed within 90 days as allowed above. If the bond is not presented to the City by the close of business on April 15, 2020, the City shall have the right to proceed with demolition of the above described structure without any further notice, hearing or consent of the Owner and shall be permitted to come on the above described premises with City employees or agents of the City to demolition said structure.

5. Owner by this Agreement gives the City the full access to the property described above at all reasonable times and place with or without notice to monitor the repair and rehabilitation of the structure.

CITY OF SIOUX CITY, IOWA

OWNER

By: _____
Darrel Bullock
Code Enforcement Manager

By: _____

[Please Print Name]

By: _____

[Please Print Name]

STATE OF IOWA)
 : ss.
COUNTY OF WOODBURY)

On this _____ day of _____, 2020, before me, the undersigned a Notary Public in and for said State, personally appeared Darrel Bullock to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

(SEAL)

NOTARY PUBLIC in and for said COUNTY and STATE

STATE OF _____)
 : ss.
COUNTY OF _____)

On this _____ day of _____, 2020, before me, the undersigned a Notary Public in _____ and _____ for _____ said _____ State, _____ personally _____ appeared

_____ to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

(SEAL)

NOTARY PUBLIC in and for said COUNTY and STATE

COMBINED PERFORMANCE AND PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, _____ as Principal (hereinafter called "Owner"), and _____ as Surety (hereinafter called Surety), are held and firmly bound unto the City of Sioux City, Iowa, as Obligee, (hereinafter called "City") in the amount of _____ Dollars (\$_____) for the payment of which sum of money we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly, severally and firmly by these presents.

WHEREAS, Owner has by written agreement dated April 6, 2020, entered into an Agreement with the City wherein Owner has agreed to repair and rehabilitate Owner's property at 1711 W. 3rd Street to avoid demolition of said structure which Agreement is by reference made a part hereof, and is hereinafter referred to as "the Agreement"; and

WHEREAS, Owner is required to furnish a Performance and Payment Bond in connection with said Agreement pursuant to the terms and provisions as set forth herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that:

1. If Owner shall in all respects well and truly keep and perform the said Agreement on Owner's part in accordance with the terms and provisions of all of the Agreement documents comprising said Agreement, and in the time and manner therein prescribed; and,
2. If Owner shall pay to the City all sums due to the City under the terms and provisions of said Agreement then this obligation shall be null and void, otherwise it shall remain in full force and effect.

Every surety on this bond shall be deemed and held, any contract to the contrary notwithstanding, to consent without notice:

- A. To any extension of time beyond the Agreement completion date necessary for the Owner to perform the Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on _____.

(SEAL)

By:

Owner

Witness:

Title:

(SEAL)

By:

Surety

Witness:

Title:

Address:

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020

ACTION ITEM # 34

FROM: Janelle Bertrand, Human Resources Director

SUBJECT: **Resolution approving a Drug and Alcohol Testing Program Consulting Services Agreement with Iowa Health System d.b.a. St. Luke's Health Resources of Sioux City, Iowa**

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

Staff respectfully request the City Council approve a four (4) year agreement with Iowa Health System d.b.a. St. Luke's Health Resources of Sioux City, Iowa.

DISCUSSION:

Invitations to bid were sent to eight (8) vendors able to provide drug and alcohol testing program services for City employees. Two (2) bids were received. The qualifying bids are as follows:

	UnityPoint Health – St. Luke's Health Resources Sioux City, IA	MercyOne Health Services Sioux City, IA
Drug & Alcohol Testing Program 4-year contract	\$80,958.00*	\$115,708.00

*This amount is based on set unit cost and an estimate of the number of units the City will need during the term of the agreement.

In order to be in conformance with Federal law, the City implemented a drug and alcohol testing program in 1995. The City is mandated to comply with Federal law for controlled substances and alcohol testing. The City is required to perform drug and alcohol testing of (over 190) employees who are required to have a Commercial Driver's License (CDL). The required tests include pre-employment, random alcohol, random drugs, return to duty and follow-up, post-accident and reasonable suspicion.

Drug and alcohol abuse in the workplace has been shown to have a significant effect on organizational productivity. Safety can be seriously compromised by workplace drug abuse.

We appreciate the Mayor and Council's recommendation and on-going dedication to our employees.

FINANCIAL IMPACT:

The amount of \$24,000.00 or \$6,000.00 per year will be satisfied by the operating budget in 605-0620-482.20-02, Professional & Technical / Professional Services over the course of the 4-year agreement. The remaining \$56,958.00 will be paid by each department over the course of the 4-year agreement dependent on the department's need for the service provided. This agreement is effective from July 1, 2020 – June 30, 2024.

RELATIONSHIP TO STRATEGIC PLAN:

This is part of the Progressive Management Cluster in the City's core operations plan, "Our municipal organization will be characterized by progressive management and leadership, modern policies and practices, a customer-oriented attitude, and continuous improvement.

ALTERNATIVES:

N/A

ATTACHMENTS:

Resolution

Hard copies of the agreement will be provided

RESOLUTION NO. 2020 - _____
with attachments

**RESOLUTION APPROVING A DRUG AND ALCOHOL TESTING PROGRAM
CONSULTING SERVICES AGREEMENT WITH IOWA HEALTH SYSTEM D.B.A.
ST. LUKE'S HEALTH RESOURCES OF SIOUX CITY, IOWA**

WHEREAS, the City wishes to provide for a program of drug and alcohol testing services for its employees; and

WHEREAS, Iowa Health System d.b.a. St. Luke's Health Resources of Sioux City, Iowa has submitted a Drug and Alcohol Testing Program Consulting Services Agreement to provide such services, a copy of which agreement is attached hereto and by this reference incorporated herein, and which should be approved as to form and content.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, that the attached Drug and Alcohol Testing Program Consulting Services Agreement with Iowa Health System d.b.a. St. Luke's Health Resources of Sioux City, Iowa for drug and alcohol testing services, as referred to in the preamble hereof, be and the same is hereby approved as to form and content.

BE IT FURTHER RESOLVED that the Mayor and City Clerk be and they are hereby authorized and directed to execute said Drug and Alcohol Testing Program Consulting Services Agreement for and on behalf of the City of Sioux City, Iowa.

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk

☒	Regular Session
☐	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 35

Bob Padmore, City Manager

FROM: Jessica Johnson, Project Management Specialist
Spero Vlahoulis, Purchasing

SUBJECT: Resolution awarding a purchase order to Institutions Services Inc. d.b.a. IS Restaurant Design Equipment & Supply of Sioux Falls, South Dakota in an amount not to exceed \$97,793.00 for the purchase of a transportable bar to be used at the Tyson Events Center.

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

Staff respectfully requests Council award a purchase order to Institutions Services Inc. d.b.a. Restaurant Design Equipment & Supply of Sioux Falls, South Dakota in an amount not to exceed \$97,793.00 for the purchase of a transportable bar to be used at the Tyson Events Center.

DISCUSSION:

City staff and Spectra staff are requesting to purchase a portable bar to be used at the Tyson Events Center. The main location of the bar will be at the northwest corner of the concourse. Initial design includes a structure that will measure 60" in height by 17'1½", will include two (2) refrigerated back bar cabinets, nine (9) 30" x 48" laminated table tops, twelve (12) bar stools, six (6) televisions, and the required electrical work. Event staff will be able to assemble and disassemble the bar at various locations in the Tyson Events Center depending on each Event's needs. Staff are open to design suggestions. Staff anticipates the purchase will enhance event experience.

FINANCIAL IMPACT:

Funds are available from account #301-8799-432.31-02, EFAB, Capital Improvements, Project 379-002 Tyson/Spectra Capital, available balance is \$150,000.

RELATIONSHIP TO STRATEGIC PLAN:

Relationship complies with City Operational Plans.

ALTERNATIVES:

Reject the bid.

ATTACHMENTS:

Resolution.
Artist Rendering.

RESOLUTION NO. 2020 - _____

RESOLUTION AWARDING A PURCHASE ORDER TO INSTITUTIONS SERVICES INC. D.B.A. IS RESTAURANT DESIGN EQUIPMENT & SUPPLY OF SIOUX FALLS, SOUTH DAKOTA IN AN AMOUNT NOT TO EXCEED \$97,793.00 FOR THE PURCHASE OF A TRANSPORTABLE BAR TO BE USED AT THE TYSON EVENTS CENTER

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that a purchase order be issued to Institutions Services Inc. d.b.a. IS Restaurant Design Equipment & Supply of Sioux Falls, South Dakota in an amount not to exceed \$97,793.00 for the purchase of a transportable bar to be used at the Tyson Events Center.

PASSED AND APPROVED: April 6, 2020

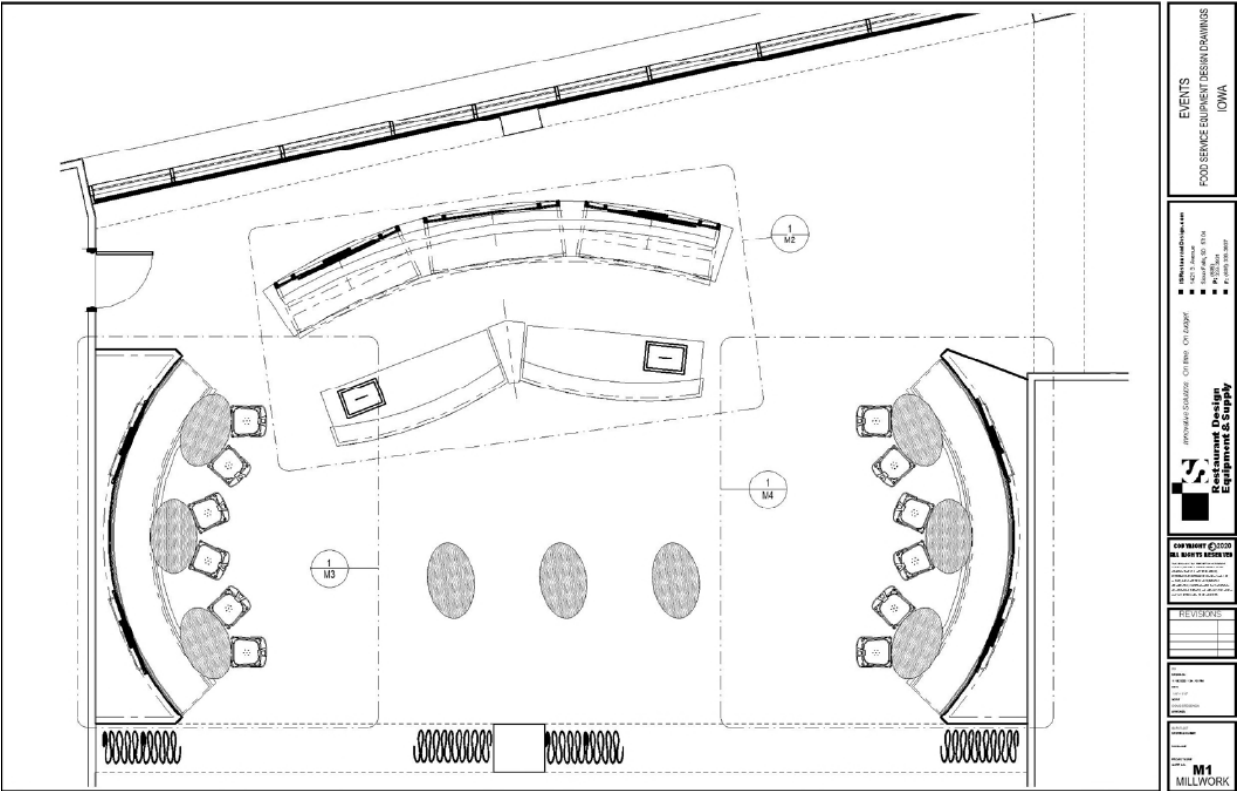
Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



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EVENTS
FOOD SERVICE EQUIPMENT DESIGN DRAWINGS
IOWA

1/2" = 1' SCALE
DATE: 10/1/14
BY: [signature]
CHECKED: [signature]

PROFESSIONAL SEAL: [signature]
PROJECT: [signature]
DATE: 10/1/14
BY: [signature]
CHECKED: [signature]

REVISIONS

DATE: 10/1/14
BY: [signature]
CHECKED: [signature]

M1
MILLWORK



Restaurant Design Equipment & Supply

Formerly Institutions Services, Inc.

Quote

03/13/2020

Project:

Spectra Tyson Events Center - Revised
3-12

From:

IS Restaurant Design Equipment &
Supply
Doug Stegenga
1421 B. Avenue
Sioux Falls, SD 57104-0315
605-339-3931
(605)339-3931 0000 (Contact)
doug@isdakota.com

Item	Qty	Description	Sell	Sell Total
1	1 ea	SIDE WALL & WEDGE Millwork Fabricators Side Curved Walls(2), Wedges & Top, Back Bar Top. Provide Walls ready for Vinyl Includes Liquor Steps	\$33,040.00	\$33,040.00
	1 ea	Graphics at Side Walls	\$3,750.00	\$3,750.00
ITEM TOTAL:				\$36,790.00
2	2 ea	BOOTH Custom Curved booth per drawing supplied In house black vinyl Unfinished outside back Bar Height Footrail NOT included Top caps, end cap with welting CAD drawing will need to be provided before manufacturing	\$5,778.00	\$11,556.00
ITEM TOTAL:				\$11,556.00
3	1 ea	FRAME STAINLESS FABRICATION Back Bar Angle Iron Frame Support	\$8,400.00	\$8,400.00
	1 ea	Acrylic Panels with cut etched frosted vinyl	\$3,415.00	\$3,415.00
ITEM TOTAL:				\$11,815.00
4	2 ea	BACK BAR CABINET, REFRIGERATED Nor-Lake  AdvantEDGE™ Refrigerated Back Bar Storage Cabinet, three-section, 80-3/4" W, 27.9 cubic feet, (3) glass doors with locks, magnetic door gaskets, (6) epoxy coated shelves, adjustable temperature control, interior LED light, stainless steel top, black vinyl coated exterior, front, sides and back, galvanized steel interior with stainless steel floor, NSF for bottle/prepackaged goods, side mounted self-contained refrigeration, R290 Hydrocarbon refrigerant, 3/8 HP, 115v/60/1-ph, 3.5 amps, NEMA 5-15P, UL, cUL, ETL-Sanitation	\$3,286.00	\$6,572.00

Spectra Tyson Events Center - Revised
3-12

Initial: _____
Page 1 of 3

IS Restaurant Design Equipment & Supply

03/13/2020

Item	Qty	Description	Sell	Sell Total
	2 ea	Standard warranty: 3 year parts and labor warranty, 5 year compressor		
	2 ea	Replacement Parts warranty: 90 day warranty on replacement parts		
	2 ea	Caster kit (fits BC95, BB79, BB95, BB72N, BB72NG, DD79, DD95)	\$62.00	\$124.00
		ITEM TOTAL:		\$6,696.00
5	1 ea	FRONT BARS		
		EXISTING		
		Front Bars by Owner		
	1 ea	IS Front Bar Steel Panels	\$420.00	\$420.00
		ITEM TOTAL:		\$420.00
6		SPARE NO.		
7		SPARE NO.		
8	9 ea	LAMINATE TABLE TOP	\$325.00	\$2,925.00
		Custom		
		Table Top, 30" x 48", 1" thick, laminate surface, engineered wood panel construction, eased edge		
		Custom: Oval Shape		
	9 ea	Oak Street Stormy skies laminate / Storm gray stain		
		ITEM TOTAL:		\$2,925.00
8A	9 ea	METAL TABLE BASE	\$67.00	\$603.00
		Custom		
		Table Base, 22" x 30" base spread, 3" steel column, 40-3/4" bar height, non-marring adjustable black levelers, stamped steel, black Sandtex finish		
	9 ea	Oak Street WARNING: This product can expose you to chemicals including Bisphenol A (BPA), which is known to the State of California to cause birth defects and/or other reproductive harm. For more information go to www.P65Warnings.ca.gov .		
	9 ea	Oak Street 1 yr. warranty against defects in material and workmanship, std.		
		ITEM TOTAL:		\$603.00
8B	9 ea	TABLE PARTS & HARDWARE	\$44.00	\$396.00
		Custom		
		Foot Ring, 3", for bar height table bases, stamped steel, black Sandtex finish		
	9 ea	Oak Street WARNING: This product can expose you to chemicals including Bisphenol A (BPA), which is known to the State of California to cause birth defects and/or other reproductive harm. For more information go to www.P65Warnings.ca.gov .		
	9 ea	Oak Street 1 yr. warranty against defects in material and workmanship, std.		
		ITEM TOTAL:		\$396.00
9	12 ea	BAR STOOL	\$99.00	\$1,188.00

IS Restaurant Design Equipment & Supply

03/13/2020

Item	Qty	Description	Sell	Sell Total
		Oak Street		
		Bar Stool, indoor/outdoor, metal back & seat, metal frame, footrest, non-marring nylon glides, black matte paint		
			ITEM TOTAL:	\$1,188.00
10	6 ea	TELEVISIONS	\$826.00	\$4,956.00
		Custom Televisions		
			ITEM TOTAL:	\$4,956.00
11	1 ea	ELECTRICAL WORK ALLOWANCE	\$10,000.00	\$10,000.00
		Custom ELECTRICAL WORK ALLOWANCE		
			ITEM TOTAL:	\$10,000.00
12	4 ea	BEVERAGE BIN	\$862.00	\$3,448.00
		Iowa Roto Plastics, Inc		
		Beverage Bin 51" Wide x 24"D x 38"H - Arctic - "ICE COLD BEVERAGES"		
		Graphic Only. Includes Locking Lid		
			ITEM TOTAL:	\$3,448.00
			Merchandise	\$90,793.00
			Freight	\$4,000.00
			Installation	\$3,000.00
			Subtotal	\$97,793.00
			Total	\$97,793.00

Sales Tax is not included and will be added.

Acceptance: _____ Date: _____
 Printed Name: _____

x	Regular Session
	Study Session
	Closed Session

CITY OF SIOUX CITY REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: April 6, 2020 **ACTION ITEM #** 36

FROM: Matt Salvatore, Parks and Recreation Director

SUBJECT: Resolution awarding a contract to ScoreVision, LLC of Omaha, Nebraska in the amount of \$212,841.00 for the Siouxland Expo Center Video and Scoreboard Project. (Project No. 7106-663-238) (Deferred from March 23, 2020)

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

Staff respectfully requests Council award a contract to ScoreVision, LLC of Omaha, Nebraska in the amount of \$212,841.00 for the Siouxland Expo Center Video and Scoreboard Project. (Project No. 7106-663-238)

DISCUSSION:

This public improvement project is located at 550 South Lafayette Street, Sioux City, Iowa and includes a Video and Scoreboard System at the Siouxland Expo Center. The Notice to Bidders was advertised on February 12, 2020 and the Notice of a Public Hearing was advertised on February 15, 2020 and February 22, 2020. A public hearing was held on February 24, 2020. The project was bid on March 3, 2020. A total of three (3) bids were received.

Company	City, State	Total Base Bid
ScoreVision, LLC	Omaha, Nebraska	\$212,841.00
Daktronics, Inc.	Sioux Falls, South Dakota	\$231,000.00
Avery Brothers Sign Company	Sioux City, Iowa	\$233,310.00
Engineer's Estimate		\$295,000.00

The low bid of \$212,841.00 submitted by ScoreVision, LLC of Omaha, Nebraska is \$82,159.00 or 27.85% below the engineer's estimate of \$295,000.00. The bid is responsive to the terms of the bid requirements. The work on this project shall commence upon issuance of the Notice to Proceed and fully completed by July 3, 2020.

FINANCIAL IMPACT:

The funding for this is covered utilizing Floyd Valley TIF and General Obligation Bonds under CIP #663-238 "Reinvestment District – Siouxland Expo Center." The project budget is \$300,000. The amount of \$250,000 is allocated in FY21.

RELATIONSHIP TO STRATEGIC PLAN:

Municipal Responsibility – Infrastructure
Focus Area – Grow Sioux City

ALTERNATIVES:

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

ATTACHMENTS:

Resolution
Letter of Recommendation from Consultant

RESOLUTION NO. 2020 - _____

RESOLUTION AWARDDING A CONTRACT TO SCOREVISION, LLC OF OMAHA, NEBRASKA IN THE AMOUNT OF \$212,841.00 FOR THE SIOUXLAND EXPO CENTER VIDEO AND SCOREBOARD PROJECT. (PROJECT NO. 7106-663-238)

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 March 3, 2020, for the Siouxland Expo Center Video and Scoreboard Project, in Sioux City, Iowa, (the Project) together with necessary accessories and appurtenances, all in accordance with the plans and specifications heretofore prepared by Engineering Design Associates, Inc. of Sioux Center, Iowa; and

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

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 ScoreVision, LLC of Omaha, Nebraska in the amount of \$212,841.00 for construction of the Project in Sioux City, Iowa, as provided in the plans and specifications referred to in the preamble hereof is the lowest and/or best bid received and the same is hereby accepted and the contract awarded to said bidder.

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

Section 4: The contractor is directed to execute the contract and submit the same to the City Engineering Division with all of the supporting documents within ten days for approval and signature by the City.

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

PASSED AND APPROVED: April 6, 2020

Robert E. Scott, Mayor

ATTEST: _____
Lisa L. McCardle, City Clerk



Engineering Design Associates, Inc.

385 12th Street, NE
Sioux Center, Iowa 51250

Phone: 712-722-0228
Fax: 712-722-0238

www.edaengineers.com

March 5, 2020

Mr. Matthew Salvatore
Parks and Recreation Director
City of Sioux City
401 Gordon Dr.
Sioux City, IA 51102

RE: EXPO BUILDING VIDEOBOARD/SCOREBOARD – SIOUX CITY, IOWA
ELECTRICAL BID RECOMMENDATION

Dear Matthew,

At the bid opening for the Expo Building Videoboard/Scoreboard which occurred on March 3, 2020, at 1:00 PM, the following bids were accepted:

ScoreVision LLC:	\$212,841.00
Daktronics Inc:	\$231,000.00
Avery Brothers Sign Company:	\$233,310.00

All bidders acknowledged Addendum #1 and included a Bid Bond of 10% with their bids. The low bid of \$212,841.00 by ScoreVision LLC appeared to be in good order.

After a review of the bid submittals, we recommend that the City of Sioux City award the bid to ScoreVision LLC in the amount of \$212,841.00.

Please let me know if you have any questions or concerns.

Sincerely,

EDA INC.

Andy Landman, P.E.

Cc: File(alms-030520.L)
City of Sioux City – Ann Marie Skaggs