Council Communication

Department/Applicant: Community Development Department Case #SAV-09-005	Resolution of Intent No. 09-210 Resolution to Dispose No. _____	City Council: 07/27/09 Planning Commission: 07/14/09 Set Public Hearing: Public Hearing:

Subject/Title

Request of Community Development Department to vacate the West north/south alley in Block 58, Riddles Subdivision. This alley lies east of South 7th Street between 14th and 15th Avenue.

Background

The City of Council Bluffs owns the majority of that part of Block 58, Riddles Subdivision lying between 14th and 15th Avenues, the South Expressway and South 7th Streets. The Community Development Department is proposing to vacate the above named alley so the City owned property can be redeveloped with residential structures. The alley is unopened and dead-ends into a railroad track. It measures 12 feet wide by approximately 235 feet long for a total of 2,820 square feet.

Qwest Communications has underground facilities within the right-of-way and request an easement be retained. No other adverse comments have been received from any utilities or City Departments.

The only other property owners in this block are Burlington Northern Railroad and CBEC Railway, Inc. They own part of Lot 9 on the east side of the alley and Lots 14 and 15 on the west side, as shown on the attached map. No response has been received from any railroad representative regarding the proposed vacation.

Recommendation

In order to allow for the redevelopment of this block, the Community Development Department recommends vacating the West north/south alley in Block 58, Riddles Subdivision, subject to a utility easement being retained until the existing facilities are removed or relocated.

Public Hearing

Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.

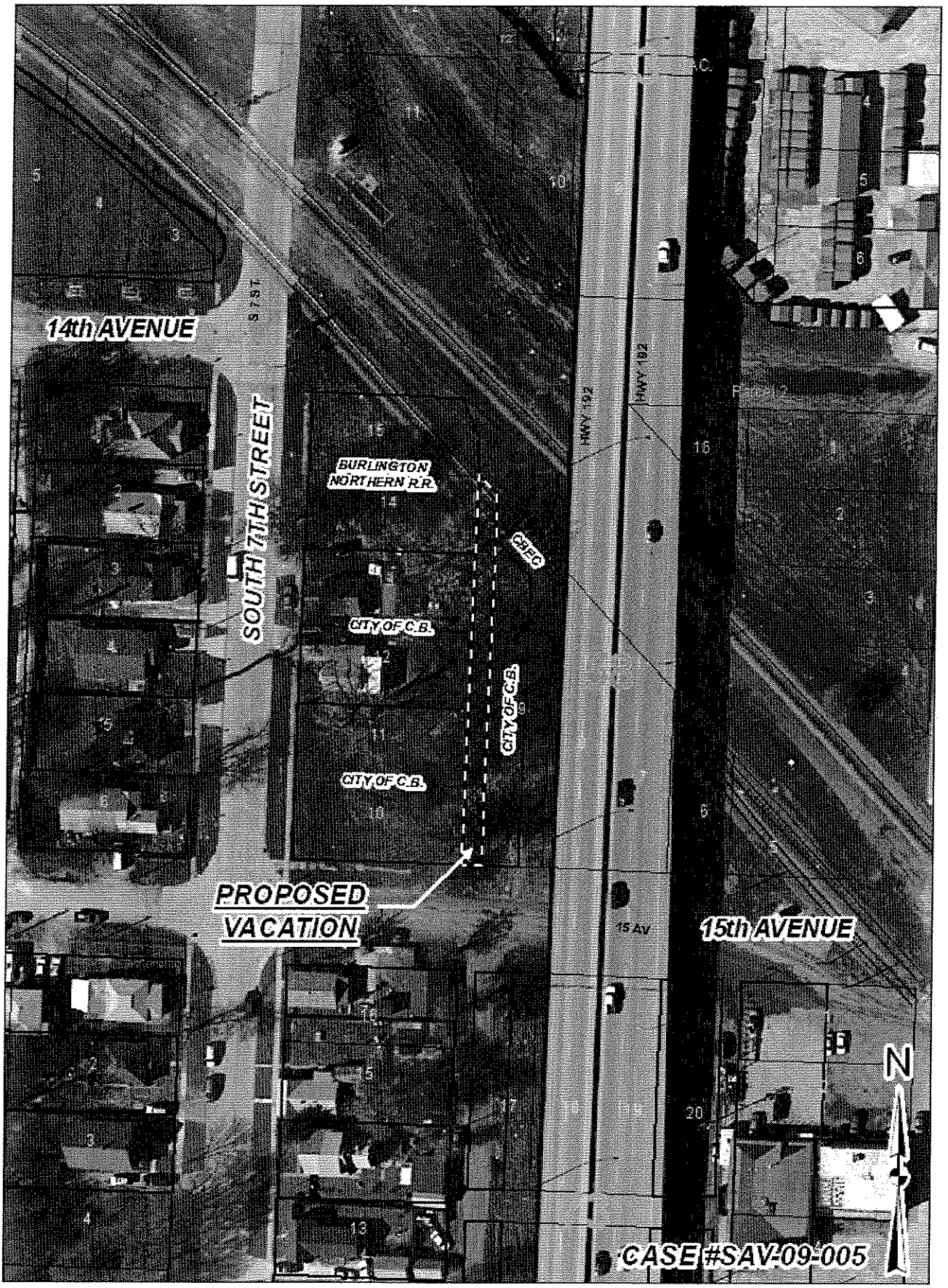
Planning Commission Recommendation

The Planning Commission recommends vacating the west north/south alley in Block 58, Riddles Subdivision subject to retaining a utility easement until the existing facilities are removed or relocated.

VOTE: AYE 8 NAY 0 ABSTAIN 0 ABSENT 3 Motion: Carried

Attachments: Map showing requested right-of-way vacation

Prepared By: Rebecca Sall, Planning Technician, Community Development Department


14th AVENUE
SOUTH 7TH STREET
BURLINGTON NORTHERN R.R.
CBEC
CITY OF C.B.
CITY OF C.B.
CITY OF C.B.
PROPOSED VACATION
15th AVENUE
HWY 192
HWY 192
15 AV
N
CASE #SAV-09-005

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 09-210

A RESOLUTION OF INTENT TO VACATE THE WEST NORTH/SOUTH ALLEY IN BLOCK 58, RIDDLES SUBDIVISION, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the City of Council Bluffs requests vacation of the West north/south alley in Block 58, Riddles Subdivision lying east of South 7th Street between 14th and 15th Avenue; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

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

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for August 10, 2009.

ADOPTED
AND
APPROVED: July 27, 2009

Thomas P. Hanafan Mayor

ATTEST:

Marcia Worden, Acting City Clerk

Planning Case #SAV-09-005

Council Communication

Department: Community Development Case #SAV-09-006 Applicant: David Milner	Resolution of Intent No 09-211 Resolution to Dispose No. _____	City Council: 07/27/09 Planning Commission: 07/14/09 Set Public Hearing: Public Hearing:

Subject/Title

Request of David Milner, 3414 – 2nd Avenue, to vacate the remainder of the east/west alley in Block 13, Ferry Addition, which abuts Lots 11 through 20. This portion of alley lies between 1st and 2nd Avenue and runs west from South 34th Street for 220 feet.

Background

The applicant, David Milner, has erected a 6-foot privacy fence around his property at 3414 – 2nd Avenue. This fence crosses the entire width of the alley. Even though the alley is not improved, the owner of 3420 – 2nd Avenue has indicated that the alley is used as access to the rear of the existing 4-unit apartment building.
Mr. Milner is now requesting vacation of the subject right-of-way. The majority of the alley was previously vacated in August, 1987 as shown on the attached map.

After notifying City departments and utilities, the following response has been received from MidAmerican Energy: "MAC has overhead electric distribution facilities located in the above alley serving customers in the 3400 Block of 2nd Avenue. We need to have access to these facilities. In fact, a new fence at 3414 – 2nd Avenue has impeded our access to the electric line and services. The fence needs to be removed. We are not in favor of the proposed alley vacation."

Qwest has buried cable in the alley and Cox Communications also has facilities in the right-of-way. There is no sanitary or storm sewer.

As stated above, the owners of 3420 – 2nd Avenue, Michael and Julie Richards, are opposed to the request and unwilling to acquire their portion of right-of-way. All other owners are in favor and willing to acquire.

Comments

The City Council approved and adopted the *Policy and Procedures for Alley, Street and Right-of-Way Vacations* by Resolution No. 98-53 on February 1998. Two of the objectives of this Policy is to "ensure that no property owner is deprived of required and reasonable access" and to "protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements". Vacation of this portion of alley will deny reasonable access to the property at 3420 – 2nd Avenue and will impede access to the existing utilities currently located in the alley.

Recommendation

The Community Development Department recommends that the request to vacate the remainder of the east/west alley in Block 13, Ferry Addition which abuts Lots 11 through 20 be denied for the reasons cited above and that the existing 6-foot privacy fence at 3414 – 2nd Avenue be removed from across the right-of-way immediately.

Public Hearing

David Milner, 3414 2nd Avenue, the applicant, appeared before the Planning Commission in favor of the request. Mike Richards, 3420 2nd Avenue, appeared in opposition.

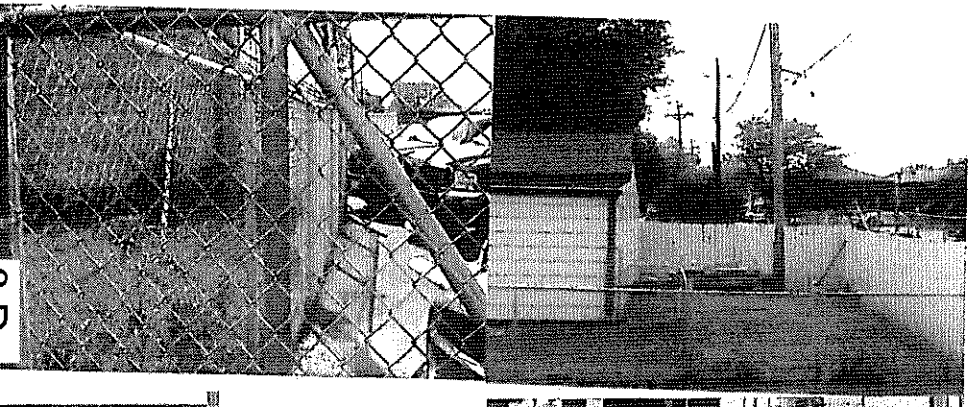
Planning Commission Recommendation

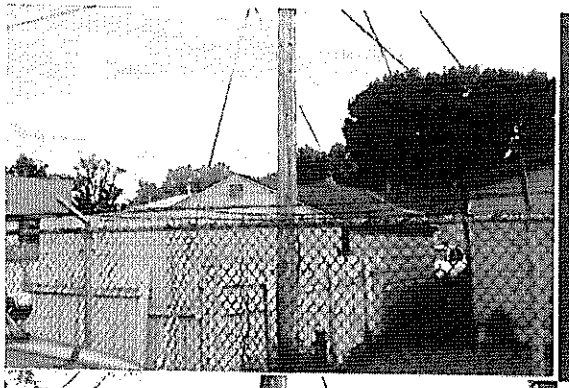
The Planning Commission recommends vacating the remainder of the east/west alley in Block 13, Ferry Addition, abutting Lots 11 through 20, subject to retaining a utility easement.

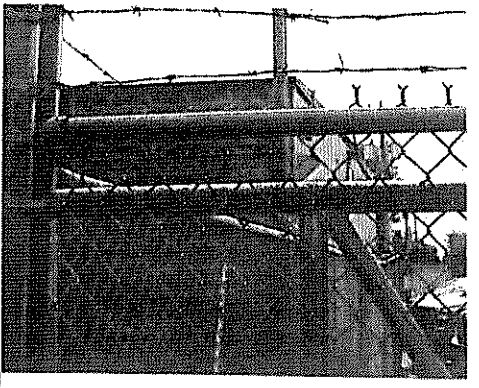
VOTE: AYE 8 NAY 1 ABSTAIN 0 ABSENT 2 Motion: Carried

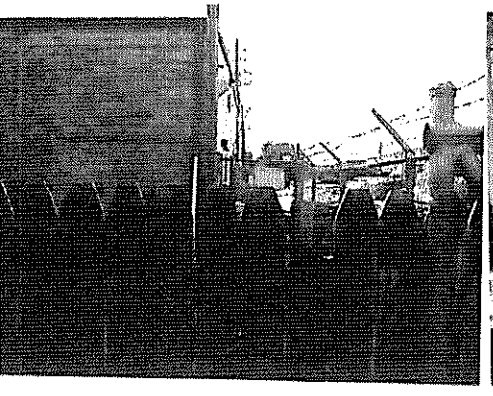
Attachments: Map showing requested right-of-way vacation. Pictures of vacated alley to the west.
Prepared By: Rebecca Sall, Planning Technician, Community Development Department

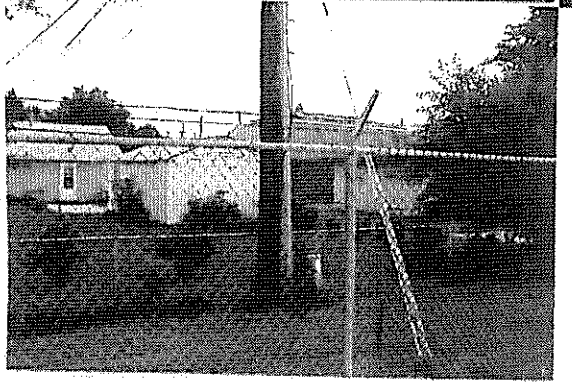
1ST AVENUE
REQUESTED VACATION
Interstate Echo
Previously Vacated
SOUTH 34TH STREET
Richards
Miner
L-T Properties
Swanson
3420
3414
2ND AVENUE
3RD AVENUE
CASE #SAV-09-006
N











Case #SAV-09-006

Prepared by: Community Development Dept., Co. Bluffs, IA 51503 – Phone: 328-4629
Return to: City Clerk, 209 Pearl Street, Co. Bluffs, IA 51503 – Phone: 328-4616

RESOLUTION NO. 09-211

A RESOLUTION OF INTENT TO VACATE THE REMAINDER OF THE EAST/WEST ALLEY IN BLOCK 13, FERRY ADDITION WHICH ABUTS LOTS 11 THROUGH 20, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, David Milner requests vacation of the remainder of the east/west alley in Block 13, Ferry Addition abutting Lots 11 through 20 which lies between 1st and 2nd Avenue and runs west from South 34th Street for 220 feet; and

WHEREAS, this City Council hereby declares its intent to consider disposition of this City right-of-way by conveying and quitclaiming all of its right, title and interest in it to the abutting property owner(s).

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

That this City Council hereby declares its intent to consider disposition of the above described City property; and

BE IT FURTHER RESOLVED

That a public hearing on the City's intent to dispose of this property is hereby set for August 10, 2009.

ADOPTED
AND
APPROVED: July 27, 2009

Thomas P. Hanafan Mayor

ATTEST:

Marcia L. Worden, Acting City Clerk

Planning Case #SAV-09-006

COUNCIL COMMUNICATION

Department: Public Works Ordinance No._____ First Reading July 27, 2009
Case/Project No.: FY10-05E-1 Resolution No._____
Applicant: Greg Reeder, Public Works Director

SUBJECT/TITLE

Council consideration of a resolution setting a public hearing for 7:00 p.m. on August 10, 2009, for the Wastewater Disinfection Ultra Violet Light Equipment Procurement project. Project # FY10-05E-1.

BACKGROUND/DISCUSSION

- The City of Council Bluffs Water Pollution Control Plant (WPCP) was placed into operation in 1973. Over the past 3 decades several additions and upgrades have been undertaken to maintain treatment process, upgrade the system and replace equipment that has reached its service life.

- Disinfection of final effluent was last performed at the WPCP in 1998 based on the then current federal regulations.

- The Iowa Department of Natural Resources (DNR), in accordance with new federal regulations, mandated in a letter dated March 9, 2007, that the City of Council Bluffs WPCP provide for disinfection of its final effluent in accordance with the new federal regulations on or before March 15, 2011.

- The following schedule was developed jointly by the City of Council Bluffs and the IDNR regarding the mandate:

  Monitoring of effluent through December 31, 2008, final effluent disinfection

  Preliminary design submittal for disinfection system on or before April 15, 2009

  Final design submittal for disinfection system on or before December 1, 2009

  Bid contract documents for disinfection system on or before January 31, 2010

  Progress report on construction on or before September 1, 2010

  Substantial completion of disinfection system on or before December 31, 2010

  Effluent to meet new regulations for disinfection March 15, 2011

- The study of the various methods of providing disinfection of the WPCP effluent has been completed. Ultraviolet (UV) light disinfection was determined to be the most cost effective. The consultant will now undertake the detailed equipment procurement and WPCP facility design to incorporate UV disinfection into the treatment process.

- In order to meet the mandated schedule the city will proceed with two projects. FY10-05E-1 – Procurement of U.V. disinfection equipment. FY10-05E-2 – Construction of facilities and installation of U. V. disinfection equipment.

- The schedule for FY10-05E-1 Procurement of disinfection equipment is as followes:

Set Public Hearing	July 27, 2009
Hold Public Hearing	August 10, 2009
Bid Letting	September 3, 2009
Award	September 14, 2009

Once the specific manufacturer is determined through the procurement process, Fox Engineering will proceed with the design of the facilities additions and improvements to house the selected U. V. disinfection equipment.

- The schedule for construction and installation of U. V. equipment will be as follows to meet the mandated schedule set by IDNR.

Set Public Hearing	November 23, 2009
Hold Public Hearing	December 14, 2009
Bid Letting	January 28, 2010
Award	February 8, 2010

- The disinfection project is project FY10-05E in the CIP. Project cost is $3.0 million and will be funded by state Revolving Funds (SRF) available to the city through the Iowa State Clean Water Revolving Fund.

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director

RESOLUTION
NO_____

RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE AND SETTING A PUBLIC HEARING ON THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST ESTIMATE FOR THE WASTEWATER DISINFECTION ULTRA VIOLET LIGHT EQUIPMENT PROCUREMENT FY10-05E-1

WHEREAS, the City wishes to make improvements known as the Wastewater Disinfection Ultra Violet Light Equipment Procurement, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the Wastewater Disinfection Ultra Violet Light Equipment Procurement setting August 10, 2009, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED_____, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia L. Worden, Acting City Clerk

COUNCIL COMMUNICATION

Department: Public Works Ordinance No._____ First Reading July 27, 2009
Case/Project No.: FY10-04B Resolution No.09-213
Applicant: Greg Reeder, Public Works Director

SUBJECT/TITLE

Council consideration of a resolution setting a public hearing for 7:00 p.m. on August 10, 2009, for the Stormwater Relief Wells. Project #FY10-04B.

BACKGROUND/DISCUSSION

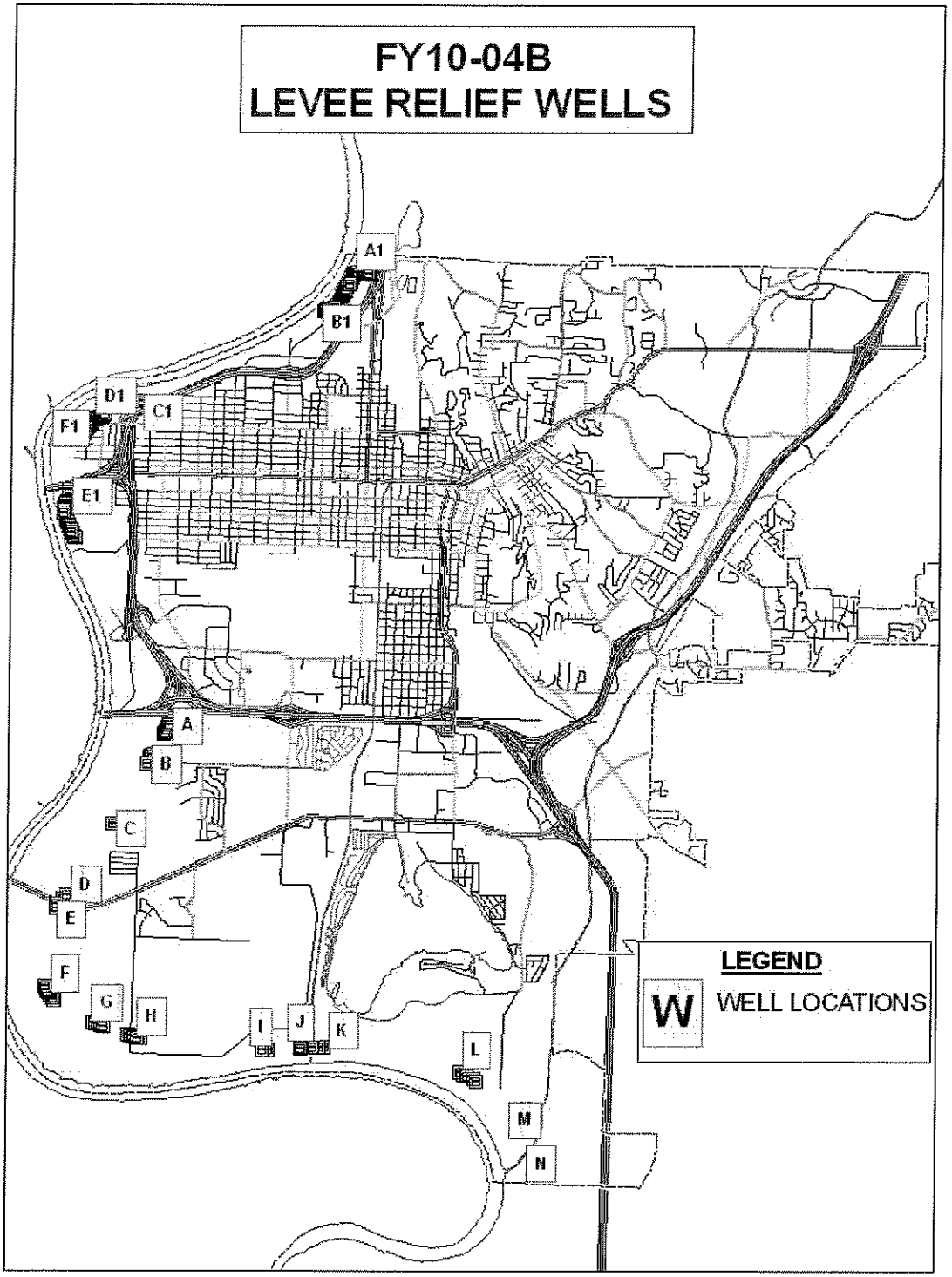
- Missouri River Levee system was completed in the late 1950's.
- Over 170 relief wells were installed with the original levee improvements. The wells are located in various locations all along the dryside of the levee system.
- The relief wells assist with levee stability during high water events, by "relieving" hydraulic ground water pressures between the wet and dry sides of the levee.
- Recent relief well inventory and assessments determined over 138, (80%), of total number of relief wells to be at or near the end of their service life.
- In 2006, the Corps of Engineers through the River Bend Project replaced 22 of the original 170 relief wells.
- Public Works has begun a levee relief well maintenance program to ensure operation of the new wells.
- The City's relief well replacement efforts will begin with this project. It is anticipated that 15-20 wells will be replaced under this project.
- As funds become available, more relief wells will be replaced annually.
- This project is FY10-04B in the CIP. The funding is comprised of the following sources:

FY08-04	$250,000.00	G.O. Bonds
FY09-04B	$150,000.00	G. O. Bonds
FY10-04B	$ 50,000.00	Sales Tax
	$ 50,000.00	Drainage Districts
	$ 26,475.94	Community Disaster Grant Received
Total	$526,475.94	

RECOMMENDATION

Approval of this resolution.

Greg Reeder, Public Works Director


FY10-04B
LEVEE RELIEF WELLS
A1
B1
D1
C1
F1
E1
A
B
C
D
E
F
G
H
I
J
K
L
M
N
LEGEND
W
WELL LOCATIONS

RESOLUTION
NO 09-213

RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE AND SETTING A PUBLIC HEARING ON THE PLANS, SPECIFICATIONS, FORM OF CONTRACT AND COST ESTIMATE FOR THE STORMWATER RELIEF WELLS FY10-04B

WHEREAS, the City wishes to make improvements known as the Stormwater Relief Wells, within the City, as therein described; and

WHEREAS, the plans, specifications, form of contract and cost estimate are on file in the office of the city clerk.

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

That the City Clerk is hereby ordered to set a public hearing on the plans, specifications, form of contract and cost estimate for the Stormwater Relief Wells setting August 10, 2009, at 7:00 p.m. as the date and time of said hearing.

ADOPTED
AND
APPROVED July 27, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia L. Worden, Acting City Clerk

COUNCIL COMMUNICATION

Department: Public Works
Case/Project No.:
Applicant: Dan Woellhof, CBO

Ordinance No.
Resolution No.09-214

First Reading July 27, 2009

SUBJECT/TITLE

Council consideration of a resolution setting a public hearing for 7:00 p.m. on August 10, 2009, for Assessing of Costs for Securing Certain Buildings within the City.

BACKGROUND/DISCUSSION

- The Building Division found certain vacant and unsecured buildings that were not being maintained by the owners. These buildings were not in compliance with Chapter 8.54 of the Municipal Code. The Building Division abated the nuisance according to code by contracting the buildings to be secured.

- The Contractor was paid from the Capital Project Fund.

- The procedure of assessment of the abated nuisance, is in accordance to the *Uniform Code for the Abatement of Dangerous Buildings* as adopted and amended. The procedure is that when the City Clerk receives an Account of Expense Report, the City Council is to set a date for public hearing assessing the costs. Also, all objections or protests must be filed with the City Clerk **PRIOR** to the public hearing.

- These properties were declared a nuisance that had certain building which were secured as follows:

Property Address	Addition	Blk	Lot	Parcel #	Charged	%10 Admin Fee	Total	Done
1418 28th Avenue	Railroad Addition			7444 02 458 003	$331.00	$33.10	$364.10	05/15/09
3563 5th Avenue	Brown Subdivision	28	15	7544 33 254 001	$199.00	$19.90	$218.90	03/29/09
357 Scott Street	Mill Addition	1	1	7544 25 338 028	$343.00	$34.30	$377.20	02/10/09
1421 2nd Avenue	Beers Subdivision	32	6	7544 35 211 002	$470.00	$47.00	$517.00	01/03/09
1421 2nd Avenue	Beers Subdivision	32	6	7544 35 211 002	$291.40	$29.14	$320.54	05/18/09

RECOMMENDATION

Approval of this resolution

Greg Reeder, Public Works Director

RESOLUTION
NO 09-214

RESOLUTION REQUESTING THE CITY CLERK TO PUBLISH NOTICE AND SET A DATE FOR PUBLIC HEARING ON THE ASSESSING OF COSTS FOR SECURING CERTAIN BUILDINGS WITHIN THE CITY OF COUNCIL BLUFFS, IOWA

WHEREAS: the Building Division of the Public Works Department of the City of Council Bluffs, Iowa, has contracted for the securing of certain buildings; and

WHEREAS: the City now desires to assess the costs for this project back to the properties that had buildings that were secured; and

WHEREAS: the Building Division requests that the City Clerk publish the Notice and set the date of Public Hearing for July 13, 2009, at 7:00 p.m. in the Council Bluffs Council Chambers of City Hall.

WHEREAS: the city clerk received the Building Official's Account of Expense Report dated July, 2009, regarding securing expense at 1418 28th Avenue, 3563 5th Avenue, 357 Scott Street, 1421 2nd Avenue, and again 1421 2nd Avenue.

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

That the City Clerk will publish the Notice and set the date of Public Hearing for August 10, 2009, at 7:00 p.m. in the Council Bluffs Council Chambers of City Hall for the assessment of the costs for certain projects back to the properties that had buildings that were secured.

ADOPTED
AND
APPROVED July 27, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia L. Worden, Acting City Clerk

Council Communication

Department: Parks, Recreation and Public Property Case/Project No. Applicant: Larry N. Foster	Ordinance No. _____ Resolution No. 09-226	Council Date: July 27, 2009 Public Hearing: Aug. 10, 2009

Subject/Title

City Council consideration of a resolution setting Public Hearing on the plans, specifications and form of contract for the Mid-City Trail project on August 10, 2009.

Background/Discussion

The proposed improvement project consists of a 10 foot wide ½ mile recreational trail. The trail runs parallel to 13th Street from Broadway to Avenue G and then runs along Ruth Nelson Road to North 15th Street, where it joins with a new trail section on the east side of the new Lakin Campus.

The project will be let through the Iowa Department of Transportation with the plans available through the IDOT in Ames. Plans were available to contractors on July 22, 2009, with the letting date scheduled for August 18, 2009.

The funding sources are Iowa Department of Transportation Enhancement funding and trail funding as outlined in the City's CIP.

The estimated total cost is $441,976.30.

Recommendation

I recommend that the City Council approve the Public Hearing on the plans, specifications and form of contract for the Mid-City Trail project.

Larry Foster, Director

Thomas P. Hanafan, Mayor

RESOLUTION NUMBER 09-226

RESOLUTION DIRECTING THE CITY CLERK TO PUBLISH NOTICE AND SET PUBLIC HEARING FOR AUGUST 10, 2009 AT 7:00 P.M., TO APPROVE THE PLANS, SPECIFICATIONS, AND FORM OF CONTRACT FOR THE MID-CITY TRAIL PROJECT.

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

That the detailed plans and specifications as prepared by HGM Associates, Inc., engineers for the project, and the form of contract are hereby approved and ordered placed on file in the office of the City Clerk.

ADOPTED
AND
APPROVED _____, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia Worden, Acting City Clerk

Council Communication

Department: Case/Project No. Applicant:	Ordinance No. _____ Resolution No. 09-215	First Reading Second Reading Third Reading

Subject/Title

A resolution authorizing disposal of an interest in City property in connection with the Valley View Drive Extension Project.

Background/Discussion

Nustar Pipeline Operating Partnership is the owner of a pipeline that is located in the Valley View Drive Extension Project area. This project will require that Nustar relocate a portion of their pipeline and it is in the best interest of the City to grant an easement to allow for this relocation.

Recommendation

Staff recommends approval of this resolution.

_____ Department Head Signature

_____ Mayor Signature

RESOLUTION NO. 09-215

A RESOLUTION AUTHORIZING THE DISPOSAL OF CITY PROPRETY BY GRANTING AN EASEMENT TO NUSTAR PIPELINE OPERATING PARTNERSHIP L.P.

WHEREAS, on July 13, the City expressed its intent to dispose of an interest in City property by granting an easement to Nustar Pipeline Operating Partnership L.P.

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

that following public hearing, authorization of this easement is hereby granted under the terms and conditions of the Relocation and License Agreement between the City and Nustar.

ADOPTED
AND
APPROVED July 27, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST:_____
Marcia L. Worden, Acting City Clerk

COUNCIL COMMUNICATION

Department: Public Works | Ordinance No._____ | First Reading July 27, 2009
Case/Project No.:_____ | Resolution No._____
Applicant: Greg Reeder, Public Works Director

SUBJECT/TITLE

After the Public Hearing council consideration of a resolution approving the application and authorizing the Mayor to submit an application to the Iowa Department of Economic Development for the Supplemental Community Disaster Grant, and also the Community Development Block Grant Infrastructure Program (CDGB) Application Supplemental Disaster Recovery Funding.

BACKGROUND/DISCUSSION

- On February 2, 2009, Governor Culver signed into law House File 64 which established the Community Disaster Grant Program. This law appropriated funds to cities and counties within the geographical area covered by Presidential Disaster Declaration DR-1763-IA. Council Bluffs is covered under this Presidential Disaster Declaration and is eligible to receive funding under the Program.

- The Iowa Department of Economic Development (IDED) distribute this supplemental disaster recovery funding for disaster-related infrastructure projects through the Community Block Grant (CBDG) Infrastructure Program.

- Funding may be used to address a need arising from the 2008 disaster or, serve as the best alternative to address the need and meet a national objective under the CBDG program. If a project does not meet the national objective of primarily benefitting persons of low and moderate income, it could potentially meet the national objective of meeting an urgent need in a community.

- Funding may be used for disaster related costs that have not received funding from other federal or non-federal sources. Projects could include a variety of physical rehabilitation activities resulting from storm damage or mitigation activities to lessen the impact of future storms.

- Staff proposed five (5) projects consistent with the program requirements and request clerk publish public notice regarding submittal of application for supplemental CDBG disaster recovery funding for five (5) projects.

- The Public Works Department recommends City Council adopt a resolution authorizing the Mayor to submit an application to the Iowa Department of Economic Development for five (5) disaster-related infrastructure projects through the Community Development Block Grant (CDBG) Infrastructure Program in the amount of $8,166,360.63.

- The funding program offers up to 100% project funding. To enhance the applications the projects will be submitted with a 20% local, match funding.

- Cost estimate for each project is as follows

Playland Park Sanitary Sewer Lining	$1,094,641.88
Lateral #5 Channel Lining and Pump Station Improvements	$1,014,300.00
Missouri River Relief Well Replacement	$3,156,500.00
North 28th Street Pump Station and Outfall	$2,499,668.75
6th Avenue Sanitary Pump Station Emergency Generator	$ 401,250.00
Total	$8,166,360.63

RECOMMENDATION

Approval of this resolution.

_____
Greg Reeder, Public Works Director

North 28th Street Pump Station

Project Description Narrative

Explain the needs arising from the 2008 disaster that will be addressed by the proposed improvements.

Excessively high rainfall during the 2008 disaster generated increased Missouri river to recorded National Weather Service flood levels. Adjacent upland areas that drain to the Missouri river experience storm outfalls that display significantly reduced discharge release under high Missouri river level. When the Missouri river reaches flood levels the outfalls are closed to prevent back flooding from the Missouri river and no release occurs. Reduced or closed outfall release generates local flooding on the adjacent upland areas. Improvement to the outfall discharge release is needed to reduce localized flooding within the adjacent upland areas.

Describe how the proposed improvements are related to the disaster recovery.
During the disaster the project area was hit by localized flooding. Improving the outfall release is part of an overall disaster recovery effort. The adjacent upland areas along the Missouri river are protected by the Missouri river levee. Structural repair to the levee system along with relief well replacement are either under construction or are being prepared for bidding.

Describe how the proposed project considers and / or provides for mitigation to minimize damage in the event of future floods or tornadoes.
Project improvements will minimize localize flooding through outfall capacity and pump station improvements. The improvements will improve outfall discharge release under open and closed outfall conditions. Upland storm collection system will be built as necessary to further reduce localize flooding and provide relief.

Discuss the urgency of the need to complete this project, including any threats to the health, safety or welfare of the residents.
During extensive rainfall periods that display prolonged high Missouri stages, localize flooding damages begin to increase due to poor storm sewer service. Poor service turns streets into pools and places water into private property. The water often ends up in to the sanitary collection system and generates inflow that causes backups. Localize street flooding and subsequent back up complaints are a threat to the health, safety or welfare of the residents.

Identify the proposed improvements, the location of the proposed improvements, the current size/ capacity of the system, and the area served by the system.
The proposed improvements includes 700ft of 72" large diameter outfall with levee and interstate crossing, and a new outfall pump station. The location is Council Bluffs, IA in the northwest corner of the city, bordered by the Missouri River on the north and west sides. The service area is 767 upland acres.

Indicate whether the project will require acquisition of property or easements.
The project does not anticipation acquisition of property or easement. The proposed storm collection system resides within present right of ways and easement under city ownership and control.

Describe how the project relates to existing infrastructure. For example, if you plan to install new sewage collection lines, can the treatment plant handle the increased capacity?
The single family residential areas of the project area is substantially built out. No significant growth is suspected to occur in the land locked single family residential areas. Further storm sewer extension will tie into existing storm lines to provide relief.

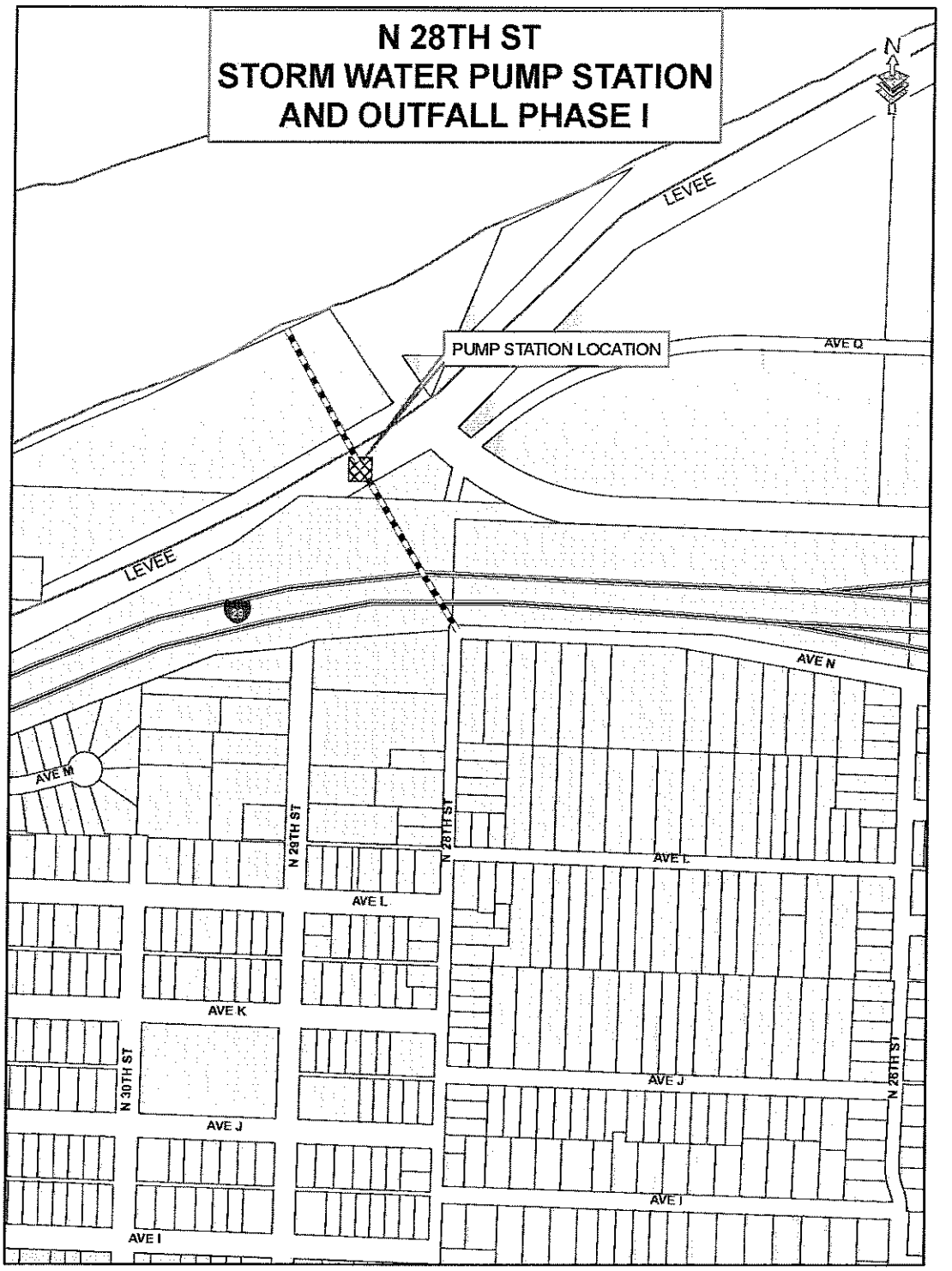
Discuss the options considered to resolve the needs(s) and explain why the option selected is the best for long term benefit of the community.
Improving upland retention and detention in the upland area has been considered. However, with existing service area built out no room exists for placing detention/retention mitigation. Many of the streets have been rehabilitated and are in good structural condition. Placing detention mitigation under streets would increase costs. Improving the outfall discharge release is considered the best alternative for long terrm benefit.

Discuss the the unavailability or lack of timely commitment of other sufficient local, state or federal funds within the required period.
Other federal funds are being attempted to improve upfront match but no available information on status is available. Existing local funding sources are already allocated to other sanitary and storm needs.

Discuss how the use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low – and moderate income households.
Sanitary sewer rates and sales tax revenue is used to improve the storm collection system. The sanitary sewer rates have been raised several time in the last decade to make system improvements and meet federal mandates. Sales tax revenue has been earmarked to reduce the sanitary sewer overflow federal mandate. Sales tax projections appear to be flat for the near future. Increasing either or both sources would place undue burden on residents, especially low – and moderate income households.

What is the timeline for project completion? Please identify your project using only the following major milestones:

- Environmental Assessment/Request for Release of Funds N/A
- Land Acquisition, if applicable N/A
- Completion of final plans and specifications 11/09/09
- Construction permit issued 10/1/09
- Bid letting date 12/17/09
- Bid contract award date 1/11/2010
- Construction start date 2/1/2010
- Construction complete date. 12/1/2010


N 28TH ST
STORM WATER PUMP STATION
AND OUTFALL PHASE I
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AVE I

6th Avenue Pump Station Emergency Generator

Project Description Narrative

Explain the needs arising from the 2008 disaster that will be addressed by the proposed improvements

Inclement weather conditions during the 2008 disaster generated power outages that were experienced at the project location sanitary pump station. The power outages interrupted the station's ability to remove increased disaster wet weather flows continuously from the upland collection system. Upon restored power the station increased pumping rate surged the downstream interceptor sewer and caused many recorded backups.
The proposed improvement will address a need to install back up power to the project location sanitary pump station.

Describe how the proposed improvements are related to the disaster recovery.
Both upland and downstream sanitary sewer capacity improvements are ongoing to and from the project location pump station. Project awards for these sewers have been completed and delivery is expected by end of this calendar year. Further capacity improvements will be designed and built within several of the following calendar years.

Describe how the proposed project considers and / or provides for mitigation to minimize damage in the event of future floods or tornadoes.
Project improvements will eliminate pumping interruption due to electrical power outages during disaster events. Without electrical interruption, pumping surges will be significantly reduced or eliminated. Reducing a downstream pumping surge will aid in reducing interceptor sewer backups.

Discuss the urgency of the need to complete this project, including any threats to the health, safety or welfare of the residents.
Sewer line surges or overloading creates sewer backups which directly threatens the health, safety or welfare of residents. Upland and downstream capacity improvements are ongoing both from and to the pump station. Capacity improvements alone will not completely remove the threat of pumping surges caused by interruption of continuous power.

Identify the proposed improvements, the location of the proposed improvements, the current size/ capacity of the system, and the area served by the system.
The project improvements include installing back up power generation and controls to the 6th Ave sanitary collection pump station. Project location is 6th Ave and 31st St in Council Bluffs, IA. The collection station services 2400 developed acres within the city's west side. The stations peak wet weather flow is over 17.5 MGD and the ultimate down stream capacity is being built to 20 MGD.

Indicate whether the project will require acquisition of property or easements.
The project does not anticipation acquisition of property or easement. The project location sanitary pump station resides within lands under city ownership and control.

Describe how the project relates to existing infrastructure. For example, if you plan to install new sewage collection lines, can the treatment plant handle the increased capacity?

The proposed back up power mitigation is to reduce downstream interceptor wet weather pumping surges caused by power interruption. Upland and downstream interceptor and collector lines are increasing capacity with other ongoing projects. Pumping capacity is adequate to support upland capacity improvements.

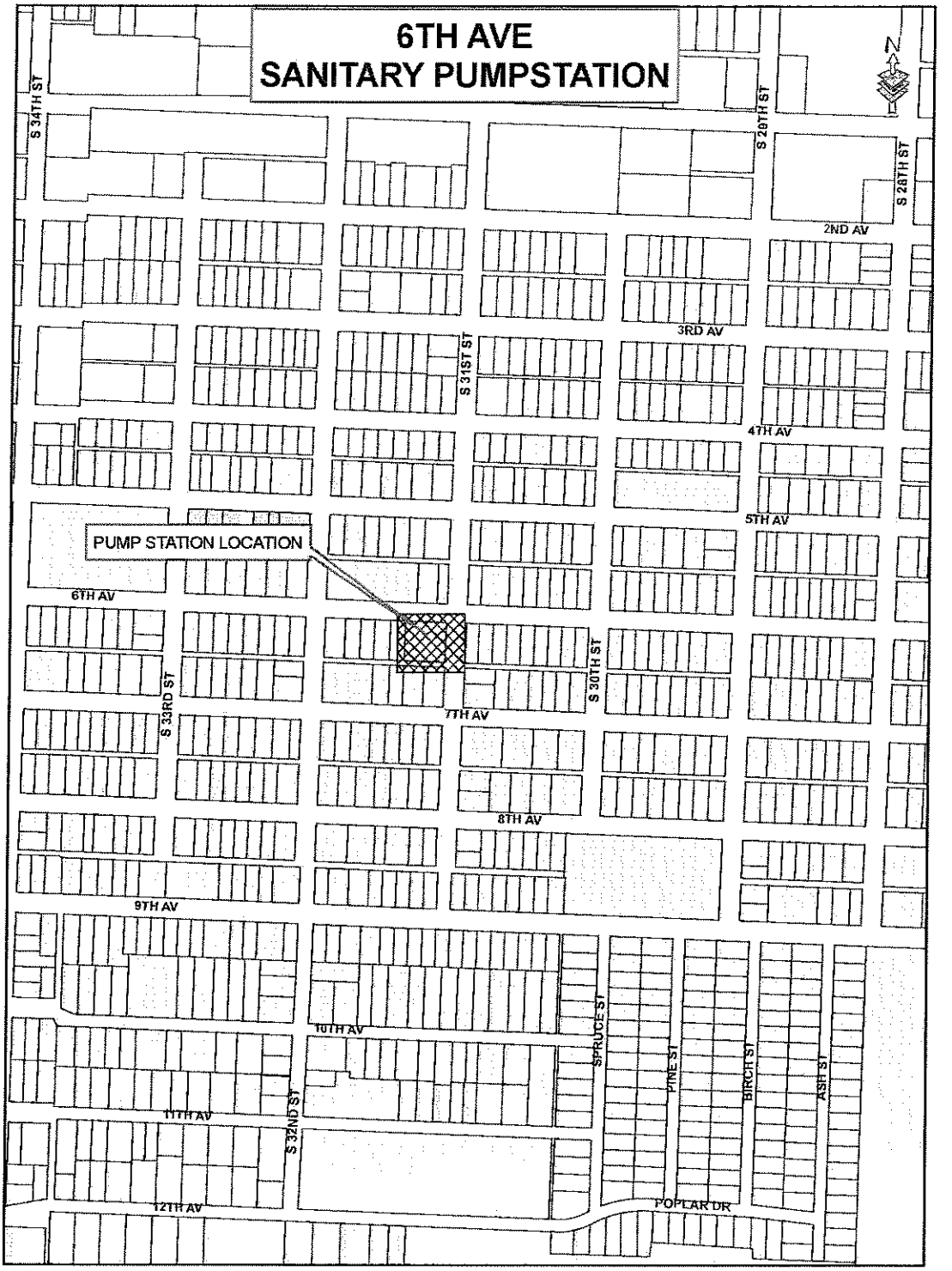
Discuss the options considered to resolve the needs(s) and explain why the option selected is the best for long term benefit of the community.
Pumps require continuous power to provide continuous dry and wet weather service. Back up power provides excellent continuous electrical service reliability to the sanitary collection system.

Discuss the the unavailability or lack of timely commitment of other sufficient local, state or federal funds within the required period.
Local funding sources have been directed toward upstream and downstream sanitary sewer capacity improvements both from and to this project sanitary pump station other collection system needs limit further participation.
Other state and federal funds have been attempted and do not wish to participate in this type of scope.

Discuss how the use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low – and moderate income households.
Sewer rates have been raised several time in the last decade to improve plant process capacity and enhance treatment to meet new stricter requirements. Future plant demands and regulatory requirements earmark future rate increases towards these same needs. Increasing rates to include deficient collection system issues at the same time will place undue burden on residents, especially low and moderate income households. Other local sales tax fund sources have been arranged to improve upland and downstream sewer lines capacity and other collection system needs limit further participation

What is the timeline for project completion? Please identify your project using only the following major milestones:

- Environmental Assessment/Request for Release of Funds N/A
- Land Acquisition, if applicable N/A
- Completion of final plans and specifications 8/24/09
- Construction permit issued 10/1/09
- Bid letting date 9/03/09
- Bid contract award date 10/12/09
- Construction start date 11/1/09
- Construction complete date. 12/30/09


6TH AVE
SANITARY PUMPSTATION
N
S 34TH ST
S 29TH ST
S 28TH ST
2ND AV
3RD AV
S 31ST ST
4TH AV
5TH AV
PUMP STATION LOCATION
6TH AV
S 30TH ST
S 33RD ST
7TH AV
8TH AV
9TH AV
10TH AV
SPRUCE ST
PINE ST
BIRCH ST
ASH ST
S 32ND ST
11TH AV
12TH AV
POPLAR DR

Playland Park Sanitary Sewer Lining

Project Description Narrative

Explain the needs arising from the 2008 disaster that will be addressed by the proposed improvements

Excessively high rainfall during the 2008 disaster generated increased Missouri river level to recorded National Weather Service flood levels. Missouri river level and subsequent wet weather sewer collection flows have been linked through study of the collection system. High river levels and high wet weather infiltration flows are in a direct relationship. Flow monitoring reveals over one third of the sanitary sewer flow in the project area comes from infiltration. During high river levels experienced during the disaster the infiltration goes even higher.

Describe how the proposed improvements are related to the disaster recovery.
During the disaster the project area event was hit by many threats. Reducing the high river level relationship within the project area is only part of the recovery. Improving sewer collection capacity to the project area is ongoing. Currently a new collector sewer and pump station tied to the project area has been awarded and winter delivery is expected. Storm sewer extensions within the project area are currently being planned to aid in reducing sanitary sewer wet weather inflow and remove rains from a disaster event.

Describe how the proposed project considers and / or provides for mitigation to minimize damage in the event of future floods or tornadoes.
Project improvements will reduce the high river stage infiltration relationship through infiltration reduction measures. The measures include rehabilitation lining effort towards the sewer collection system mains, manholes. Within the sanitary sewer industry collection system lining has been shown to significantly reduce infiltration.

Discuss the urgency of the need to complete this project, including any threats to the health, safety or welfare of the residents.
Past sewer collection system line collapses within the project area have occurred that have been linked to sewer trench voids caused by excessive infiltration. Increase disaster river level increases infiltration and thus trench voids. Records reveal one or two collapses a year costing over $100,000 each in the project area. Proactive measures are difficult with present assessment means and method to predict collapse locations. Sewer line collapse can impact service which threatens the health safety or welfare of residents.

Identify the proposed improvements, the location of the proposed improvements, the current size/ capacity of the system, and the area served by the system.
The project improvements include lining over 15000 linear feet of sewer main, repair and lining over 65 sewer manholes and repairing over 436 laterals. Project location is Playland Park neighborhood of Council Bluffs, IA. The neighborhood is located in the northwest corner of the city, bordered by the Missouri River on the north and west sides.

Indicate whether the project will require acquisition of property or easements.
The project does not anticipation acquisition of property or easement. The sanitary collection system resides within present right of ways and easement under city ownership and control.

Describe how the project relates to existing infrastructure. For example, if you plan to install new sewage collection lines, can the treatment plant handle the increased capacity?
The proposed project mitigation is to reduce wet weather loading in the collection system. Reducing loading relieves stress throughout the downstream collection system and treatment process. The single family residential areas of the project area is substantially built out. No significant growth is suspected to occur in the land locked single family residential areas. Sewer collection capacity within the project is adequate to support lining mitigation measures.

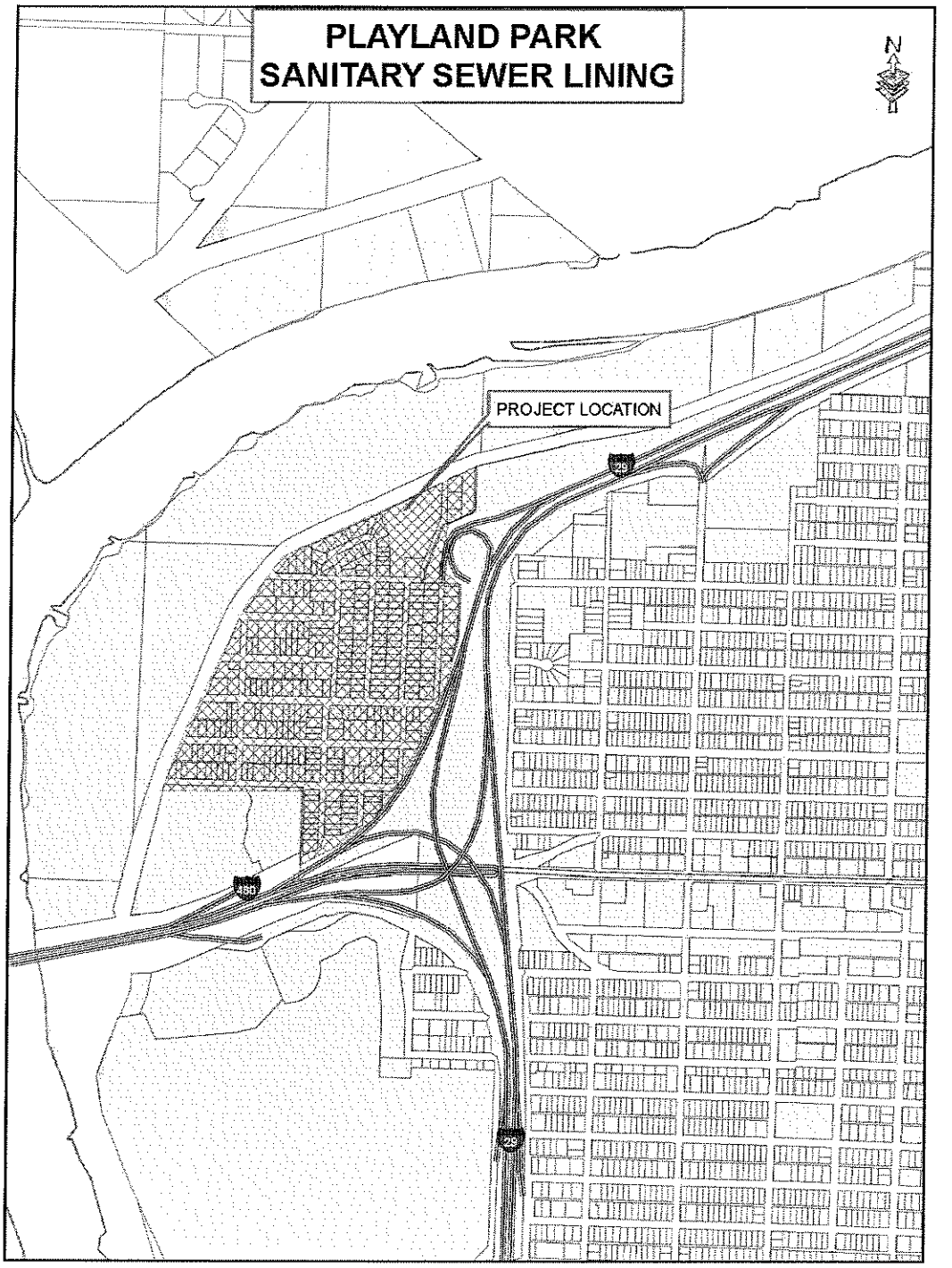
Discuss the options considered to resolve the needs(s) and explain why the option selected is the best for long term benefit of the community.
Project area sewer collection system removal and replacement was considered as an alternative to reduce infiltration. The total sewer collection system removal and replacement would require excessive street removal and replacement within the project area. The streets within the project area have been rehabilitated and are in good structural condition. The project lining mitigation was chosen to minimize street removal and replacement.

Discuss the the unavailability or lack of timely commitment of other sufficient local, state or federal funds within the required period.
This project mitigation is enhancing condition to reduce impact.
Funding sources often prioritize collection and treatment extension and expansion. Neither of these efforts are being completed with this project request.

Discuss how the use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low – and moderate income households.
Sewer rates have been raised several time in the last decade to improve treatment plant process capacity and treatment to meet new stricter requirements. Future plant demands and regulatory requirements earmark future rate increases towards these same needs. Increasing rates to include deficient collection system issues at the same time will place undue burden on residents, especially low and moderate income households.

What is the timeline for project completion? Please identify your project using only the following major milestones:

- Environmental Assessment/Request for Release of Funds N/A
- Land Acquisition, if applicable N/A
- Completion of final plans and specifications 11/09/09
- Construction permit issued 10/1/09
- Bid letting date 12/17/09
- Bid contract award date 01/11/2010
- Construction start date 02/01/2010
- Construction complete date. 12/01/2010


PLAYLAND PARK
SANITARY SEWER LINING
N
PROJECT LOCATION
29
29
29

Lateral #5 Channel Lining and Pump Station Improvements

Project Description Narrative

Explain the needs arising from the 2008 disaster that will be addressed by the proposed improvements

Excessively high rainfall during the 2008 disaster generated increased Missouri river level to recorded National Weather Service flood levels. Adjacent Missouri river tributary upland areas have storm outfalls that display significantly reduced discharge release under high Missouri river level. When the Missouri river reaches flood levels the outfalls are closed to prevent back flooding from the Missouri river and no release occurs. Reduced or closed outfall release generates local flooding on the adjacent upland areas. Improvement to the storm outfall discharge release is needed to reduce localized flooding within the adjacent upland areas.

Describe how the proposed improvements are related to the disaster recovery.
During the disaster the project area was hit by localized flooding. Improving the outfall release is part of an overall disaster recovery effort. The adjacent upland areas along the Missouri river and Mosquito Creek are protected by the Missouri river levee. Structural repair to the levee system along with relief well replacement are either under construction or are being prepared for bidding.

Describe how the proposed project considers and / or provides for mitigation to minimize damage in the event of future floods or tornadoes.
Project improvements will minimize localize flooding through channel outfall capacity and pump station improvements. The improvements will improve outfall discharge release under open and closed Mosquito Creek outfall conditions. Upland storm collection system will be built as necessary to further reduce localize flooding and provide relief.

Discuss the urgency of the need to complete this project, including any threats to the health, safety or welfare of the residents.
During extensive rainfall periods that display prolonged high Missouri and Mosquito Creek levels, localize flooding damages begin to increase due to poor storm sewer service. Poor service turns streets into pools and places water into private property. The water often ends up in to the sanitary collection system and generates inflow that causes backups. Localize street flooding and subsequent back up complaints are a threat to the health, safety or welfare of the residents.

Identify the proposed improvements, the location of the proposed improvements, the current size/ capacity of the system, and the area served by the system.
The proposed improvements includes over 4000 LF of channel and 6000 LF of wall improvement. The project also includes adding one pump to improve downstream storm outfall release rates under disaster conditions. The location is Council Bluffs, IA in the southeast portion of the city, bordered by Mosquito Creek on the south and east sides. The service area is 2244 upland acres.

Indicate whether the project will require acquisition of property or easements.
The project does not anticipation acquisition of property or easement. The proposed storm collection system resides within present right of ways and easement under city ownership and control.

Describe how the project relates to existing infrastructure. For example, if you plan to install new sewage collection lines, can the treatment plant handle the increased capacity?
Improving upland retention and detention in the upland area has been considered and is being implemented . Efforts have been made to keep existing lateral 5 flows in balance within its ultimate capacity improvement. The service area of the project is projected to see further commercial and industrial growth in the north and residential in the south. Further storm sewer extension will tie into the lateral to provide service to the changing land use.

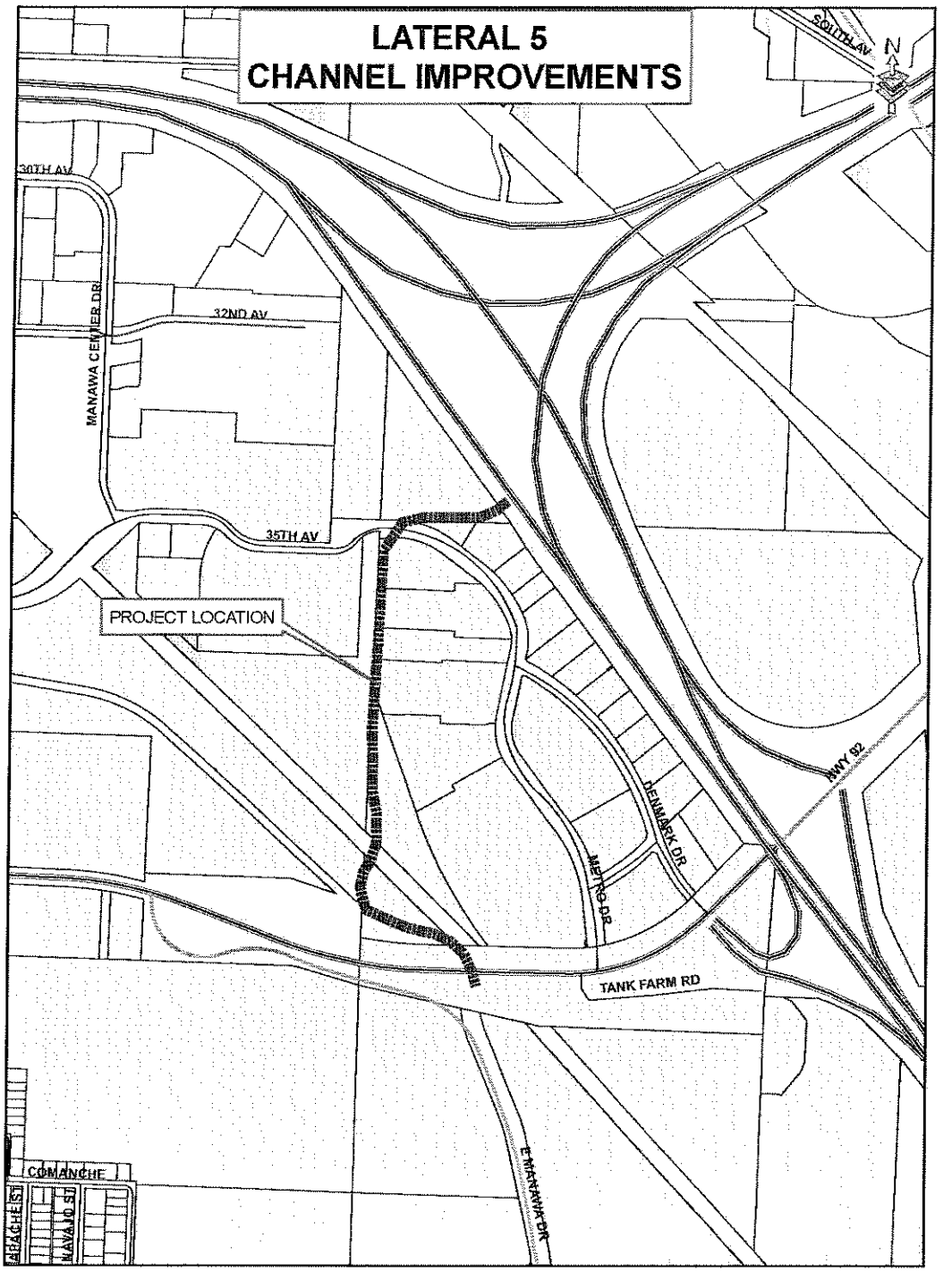
Discuss the options considered to resolve the needs(s) and explain why the option selected is the best for long term benefit of the community.
The ultimate channel capacity improvement and downstream pump improvement is the best alternative to provide level of service within present right of way of existing project area conditions.

Discuss the unavailability or lack of timely commitment of other sufficient local, state or federal funds within the required period.
Other federal funds are being attempted to improve upfront match but no available information on status is available. Existing local funding sources are already allocated to other sanitary and storm needs.

Discuss how the use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low – and moderate income households.
Sanitary sewer rates and sales tax revenue is used to improve the storm collection system. The sanitary sewer rates have been raised several time in the last decade to make system improvements and meet federal mandates. Sales tax revenue has been earmarked to reduce the sanitary sewer overflow federal mandate. Sales tax projections appear to be flat for the near future. Increasing either or both sources would place undue burden on residents, especially low – and moderate income households.

What is the timeline for project completion? Please identify your project using only the following major milestones:

- Environmental Assessment/Request for Release of Funds N/A
- Land Acquisition, if applicable N/A
- Completion of final plans and specifications 11/09/09
- Construction permit issued 10/1/09
- Bid letting date 12/17/09
- Bid contract award date 01/11/09
- Construction start date 02/01/2010
- Construction complete date. 12/01/2010


LATERAL 5
CHANNEL IMPROVEMENTS
N
SOUTH AV
30TH AV
32ND AV
MANAWA CENTER DR
35TH AV
PROJECT LOCATION
HWY 92
DENMARK DR
METRO DR
TANK FARM RD
E MANAWA DR
COMANCHE
APACHE ST
NAVAJO ST

Missouri Levee Relief Wells Replacement

Project Description Narrative

Explain the needs arising from the 2008 disaster that will be addressed by the proposed improvements

Excessively high rainfall during the 2008 disaster generated increased Missouri river level to recorded National Weather Service flood levels. Over 23 miles of levee built on the sandy floodplain protected Council Bluffs from Missouri River disaster flows. Subsequent levee inspections revealed further efforts need to be focused toward replacing the levee system's obsolete relief wells. Over 150 wells are in the inventory and only 22 recent replacements work as necessary

Describe how the proposed improvements are related to the disaster recovery.
Isolated structural levee damage occurred during the disaster event and federal funds are assisting with repairs . The levee repairs have been awarded by the US Army Corps of Engineers and fall completion is anticipated. Several levee storm outfall structures have been identified as obsolete. One storm outfall structure is being delivered this summer and one is anticipated to be delivery by the end of the calendar year. Other structures are being evaluated for replacement and federal funds are being saught.

Relief wells balance pore water pressure in sandy soils and are an integral part of the levee system during disaster flood levels. The proposed improvements will replace all obsolete relief wells to maintain Missouri River levee performance requirements.

Describe how the proposed project considers and / or provides for mitigation to minimize damage in the event of future floods or tornadoes.
Levees built on over and through sandy floodplains require relief wells to reduce the occurrence of sand boils. A sand boil is in essence a sink hole. The levee collapses in the hole and becomes breached. Sand boils are mitigated by maintaining proper functioning relief wells. When a relief well no longer provides proper function it becomes obsolete and requires replacement. Relief wells reduce and minimize breach damage in a disaster river flow event.

Discuss the urgency of the need to complete this project, including any threats to the health, safety or welfare of the residents.

Community pre hazard mitigation plan has already identified the relief well replacement as part of its plan. Moreover, the community is in the process of formulating an action plan for further levee assessment and evaluation to address ultimate FEMA levee certification. Replacing obsolete relief wells to maintain proper relief well performance is anticipated to be a recommendation from the plan.

Obsolete relief wells increase the change of sand boils which increase levee breach. A levee breach would be a threat to the health, safety or welfare of residents.

Identify the proposed improvements, the location of the proposed improvements, the current size/ capacity of the system, and the area served by the system.

The project improvement include replacing over 118 relief wells on the levee dry side in areas of highly porous river sands. The location is Council Bluffs, IA along its 23 miles of levee that provide 19.2 square miles of special flood hazard area protection.

Indicate whether the project will require acquisition of property or easements.
The project does not anticipation acquisition of property or easement. The levees and relief wells resides within present right of ways and easement under city ownership and control.

Describe how the project relates to existing infrastructure. For example, if you plan to install new sewage collection lines, can the treatment plant handle the increased capacity?
The existing relief wells will be abandoned in place following US Army Corps of Engineers procedure. The new relief wells will meet or exceed performance minimums. Flows from relief well release are returned to river upon it return to lower river stage.

Discuss the options considered to resolve the needs(s) and explain why the option selected is the best for long term benefit of the community.
Relief well rehabilitation alternative has been considered. Assessment results determine the wells were beyond rehabilitation and full replacement is required to meet minimum performance requirements.

Discuss the unavailability or lack of timely commitment of other sufficient local, state or federal funds within the required period.
Obsolete relief well replacement efforts do not qualify for structural damage repairs under federal funds or pre hazard mitigation funds. Local available program funds to meet the relief well need rolls deliver out beyond 30 years.

Discuss how the use of additional local taxes or user fees in place of the requested assistance would place undue burden on residents, especially low – and moderate income households.
Sanitary sewer rates and drainage district funds are used to maintain the Council Bluffs levee sanitary program. The sanitary sewer rates have been raised several time in the last decade to make system improvements and meet federal mandates. Drainage district funds have been held constant to hold burdens in check. Increasing either or both sources would place undue burden on residents, especially low – and moderate income households.

What is the timeline for project completion? Please identify your project using only the following major milestones:

- Environmental Assessment/Request for Release of Funds N/A
- Land Acquisition, if applicable N/A
- Completion of final plans and specifications 11/09/09
- Construction permit issued 10/1/09
- Bid letting date 12/17/09
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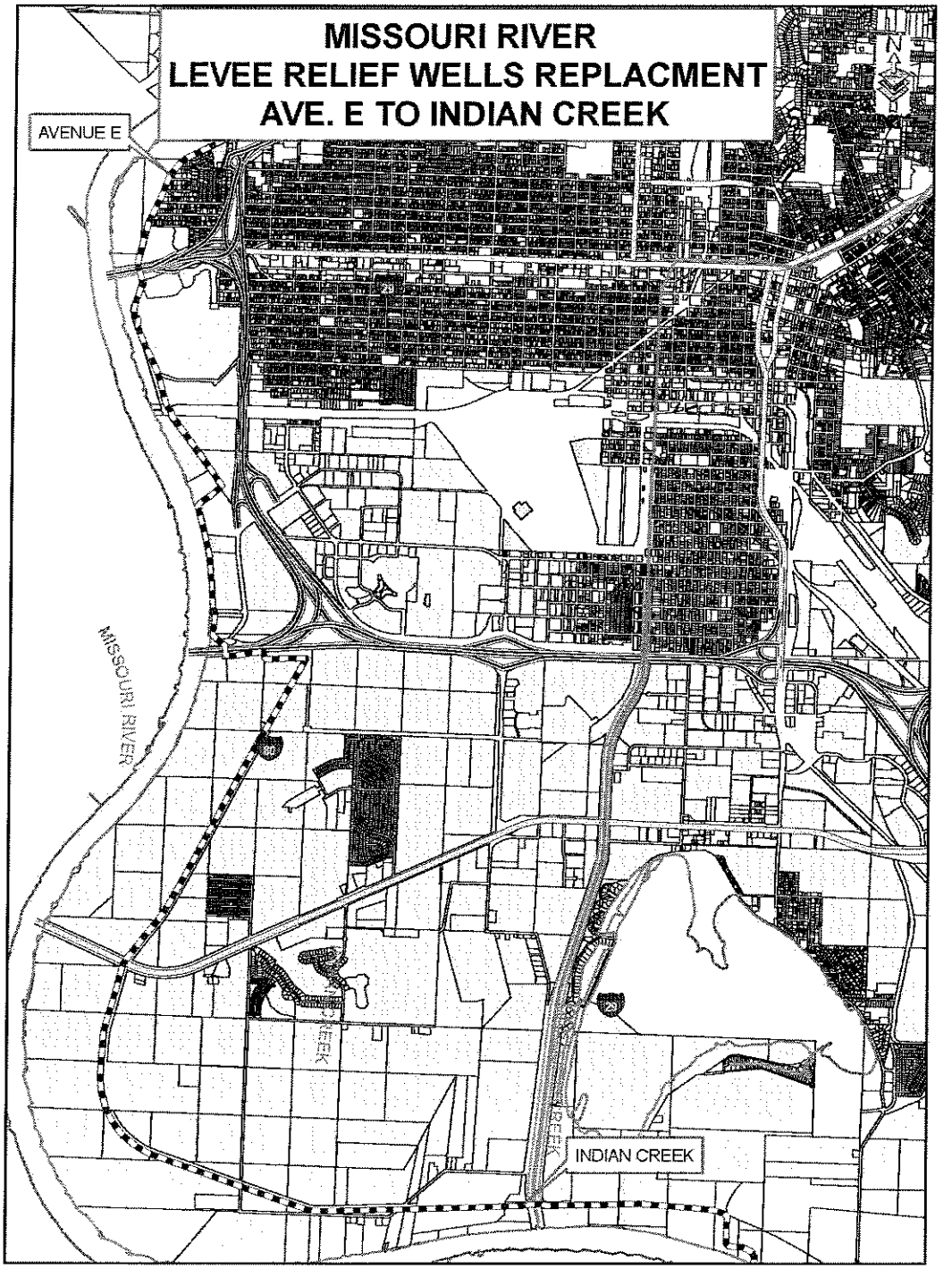
MISSOURI RIVER
LEVEE RELIEF WELLS REPLACMENT
AVE. E TO INDIAN CREEK
AVENUE E
MISSOURI RIVER
INDIAN CREEK
N

RESOLUTION
NO 09-216

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR SUPPLEMENTAL COMMUNITY DISASTER GRANT PROGRAM FUNDING FOR 5 PROJECTS IN THE AMOUNT OF $8,166,360.63 AND ALSO A RESOLUTION DIRECTING THE CLERK TO PUBLISH NOTICE AND SETTING A PUBLIC HEARING ON THE PLAYLAND PARK SANITARY SEWER LINING; LATERAL #5 CHANNEL LINING AND PUMP STATION IMPROVEMENTS; MISSOURI RIVER RELIEF WELL REPLACEMENT; NORTH 28th STREET PUMP STATION AND OUTFALL; AND 6th AVENUE SANITARY PUMP STATION EMERGENCY GENERATOR

WHEREAS, the application is on file in the office of the City Clerk of the City of Council Bluffs, Iowa for the an application to the Iowa Department of Economic Development for Supplemental community Disaster Grant Program funding for 5 projects in the amount of $8,166,360.63 on the following projects Playland Park Sanitary Sewer Lining; lateral #5 Channel Lining and Pump Station Improvements; Missouri River Relief Well Replacement; North 28th Street Pump Station and Outfall; and 6th Avenue Sanitary Pump Station Emergency Generator; and

WHEREAS, a Notice of Public hear was published as required by law, and a public hearing was held on July 27, 2009.

WHEREAS, this City Council has determined that an application for said funds is in the best interest of the City.

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

That the Mayor is hereby authorized to submit an application to the Iowa Department of Economic Development for Supplemental Community Disaster Grant Program funding for 5 projects in the amount of $8,166,360.63. City Council directs city clerk to publish notice regarding submittal of an application for supplemental CDBG disaster recovery funding for 5 projects.

ADOPTED
AND
APPROVED July 27, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia L. Worden, Acting City Clerk

Council Communication

Department: Library Case/Project No. Applicant. Barbara Peterson	Ordinance No. Resolution No. 09-217	Council Date: July 13, 2009 Public Hearing: July 27, 2009

Subject/Title

A Resolution for bidding on the construction project of the Teen Center at the Council Bluffs Public Library, 400 Willow Ave, Council Bluffs, IA 51503.

Background/Discussion

The Council Bluffs Public Library has been seeing the need for a space where teenagers can gather, be supervised, and a librarian responsible for programming geared to this age group. The Library Board has been planning for a renovation project on the second-floor Southeast corner. Funding has been secured from the City General Fund, CIP Fund, and a matching grant from Iowa West Foundation for the project. This project will also include relocation of books in that area, taking down of shelving, and demolition of two walls that enclose a storage space. During the renovation project, a temporary wall will surround the work area, two walls with windows for the perimeter will be constructed, an adequate number of electrical outlets will be placed in the room, a small stage area will be constructed, a graffiti board will cover one wall, seating areas will be established along with areas and equipment for video games. This projected is need for the following reasons:

- Staff has seen a need for service to teens for the past few years
- The library currently has staff, great programming, and space for youth through fifth grade
- There is currently no space for youth sixth grade through twelfth grade
- This project would solve the problem of service to the teen population of the area

The following timeline for this project is proposed. In order to proceed, we are asking the City Council to set a public hearing on the plans, specifications and form of contract. This public hearing shall be held on July 27, 2009 at 7:00 p.m. in the City Council chambers. The rest of the timeline shall be as follows: August 19, 2009 – Bid opening; September 14, 2009 – City Council award; September 15, 2009 – Renovation work begin; November 30, 2009 – Renovation work complete.

Recommendation

Approval of the resolution

Prepared By: Barbara Peterson, Council Bluffs Public Library

Department Head Signature

Mayor Signature

RESOLUTION NO. 09-217

A RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, COST ESTIMATE AND FORM OF CONTRACT FOR THE COUNCIL BLUFFS PUBLIC LIBRARY TEEN CENTER RENOVATION.

WHEREAS, The Library wishes to renovate a space on the second-floor for a Teen Center as therein described; and

WHEREAS, This project will involve renovating 2,500 sq. ft. clearing of the space by relocating the books in that area, taking down shelving, removing a storage room wall, and constructing perimeter walls; and

WHEREAS, Such improvements are required to accommodate a space in the library for teens to gather and for teen programming; and

WHEREAS, The plans, specifications, cost estimate and form of contract for the renovation project are on file in the office of the City Clerk; and

WHEREAS, A Notice of Public Hearing was published as required by law and a public hearing was held on July 27, 2009.

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

That the plans, specifications, cost estimate and form of contract for the Council Bluffs Public Library Teen Center are hereby approved and the City Clerk is hereby authorized to advertise for bids for said project.

ADOPTED
AND
APPROVED: July 27, 2009

_____
Thomas P. Hanafan, Mayor

ATTEST: _____
Marcia L. Worden, Acting City Clerk

Council Communication

Department: Community Development Case No.: URN-09-001 Applicant: Community Development Department	Resolution No.: 09-	City Council: 7/27/09 Planning Commission: 7/14/09 First Reading: N/A Second Reading: N/A Third Reading: N/A

Subject/Title

Amendment #2 to the Playland Park Urban Renewal Plan

Location

North and south of the I-480 and 41st Street interchange

Background/Discussion

Background

In June of 2003, City Council adopted the Playland Park Urban Renewal Plan in order to accommodate a high rise condominium project, which never materialized. In June of 2005, the urban renewal plan was amended to add additional land and several new projects, including riverfront development, the development of portions of Playland Park and the redevelopment of the Frito Lay and Dodge Park clubhouse areas. The urban renewal plan is again in need of amending, to add new areas along the Missouri River, update proposed project area activities, including costs and public debt and to modify the effective term of the plan.

Discussion

On June 22, 2009, the City Council passed a resolution of necessity, which directed staff to initiate the process of amending the Playland Park Urban Renewal Plan and Area. This resolution established the following actions and timeframes:

July 2, 2009	Consultation hearing with affected taxing jurisdictions
July 14, 2009	City Planning Commission hearing and review
July 27, 2009	City Council public hearing

The consultation hearing was held on July 2, 2009 and no individuals or groups appeared at the hearing. Additionally, no written correspondence has been received by the Community Development Department either in support or against the proposed amendment. One resident of the area called for additional information.

Iowa statues require the City Planning Commission to review the amended plan for conformity to the comprehensive plan and to forward a recommendation to City Council prior to public hearing. An amendment to the urban renewal plan conforming to the requirements of Chapter 403 of the Iowa Code has been prepared. This amended plan also conforms to the general development plan of the City as a whole and is attached for your review.

Staff Recommendation

The Community Development Department recommends approval of Amendment #2 to the Playland Park Urban Renewal Plan and Area.

Public Hearing

Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.

Planning Commission Recommendation

The Planning Commission recommends approval of Amendment #2 to the Playland Park Urban Renewal Plan and Area, as presented.

VOTE: AYE 9 NAY 0 ABSTAIN 0 ABSENT 2 Motion: Carried

Attachments

Amendment #2 to the Playland Park Urban Renewal Plan and Area

Submitted by: Brenda Carrico, Program Coordinator, Community Development Department
Approved by: Donald D. Gross, Director, Community Development Department

CITY OF COUNCIL BLUFFS

PROCEEDINGS OF THE CONSULTATION BETWEEN THE CITY AND AFFECTED TAXING ENTITIES

AMENDMENT #2 TO THE PLAYLAND PARK URBAN RENEWAL PLAN

The consultation between the City and affected taxing entities on Amendment #2 to the Playland Park Urban Renewal Plan was held on July 2, 2009, at 10:00 a.m. The meeting was held in the Community Development Department Conference Room, 403 Willow Avenue, Council Bluffs, Iowa. Brenda Carrico, the City's Community Development Program Coordinator served as the representative for the consultation meeting.

No individuals or groups appeared at the consultation hearing.

No written correspondence has been received by the Community Development Department prior to the consultation meeting.

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Brenda Carrico, Program Coordinator
Community Development Department

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body:	The City Council of the City of Council Bluffs, State of Iowa.
Date of Meeting:	July 27, 2009.
Time of Meeting:	7 o'clock P.M.
Place of Meeting:	Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, 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 the meeting is as follows:

- Public hearing on the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan.

- Resolution determining an area of the City to be a blighted area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for an Urban Renewal Project; and adopting the Amendment No. 2 to the Playland Park Urban Renewal Plan therefor.

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 the governmental body.

_____
Marcia L. Worden, Acting City Clerk
City of Council Bluffs, State of Iowa

July 27, 2009

The City Council of the City of Council Bluffs, State of Iowa, met in regular session, in the Council Chambers, City Hall, 209 Pearl Street, Council Bluffs, Iowa, at 7 o'clock P.M., on the above date. There were present Mayor Thomas P. Hanafan, in the chair, and the following named Council Members:

_____

_____

Absent: _____

* * * * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan, the Mayor first asked for the report of the Designated Representative with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that no written recommendations were received from affected taxing entities. The report of the Designated Representative with respect to the consultation was placed on file for consideration by the Council.

The Council also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission previously placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Plan, and the City Clerk reported that _____ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Amendment No. 2 to the Playland Park Urban Renewal Plan and _____ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING AMENDMENT NO. 2 TO THE PLAYLAND PARK URBAN RENEWAL PLAN THEREFOR" and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

_____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE A BLIGHTED AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT; AND ADOPTING AMENDMENT NO. 2 TO THE PLAYLAND PARK URBAN RENEWAL PLAN THEREFOR

WHEREAS, by Resolution No. 03-138, adopted June 23, 2003, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Playland Park Urban Renewal Plan (the "Plan") for the Playland Park Urban Renewal Plan Area (the "Playland Park Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Pottawattamie County; and

WHEREAS, by Resolution No. 05-186, adopted June 27, 2005, this City Council approved and adopted an Amendment No. 1 to the Plan; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

> Lots 174 through 185 in Twin City Gardens an Addition to the City of Council Bluffs, Iowa, part of Government Lot 3 and accretions thereto in the Southwest Quarter of the Southwest Quarter SW1/4SW1/4 of Section 28 and in the Southeast Quarter of the Southeast Quarter SE1/4SE1/4 of Section 29 and part of Government Lot 1 and accretions thereto in the Northeast Quarter of the Northeast Quarter NE1/4NE1/4 of Section 32 and in the Northwest Quarter of the Northwest Quarter NW1/4NW1/4 and Northeast Quarter of the Northwest Quarter NE1/4NW1/4 of Section 33, all in Township 75 North, Range 44 West of the Fifth Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, more fully described as follows:
>
> Beginning at the intersection of the westerly right-of-way line of North 40th Street with the centerline of Avenue B;
>
> thence westerly along said centerline of Avenue B, 2,500 feet, more or less, to the easterly high bank of the Missouri River;
>
> thence southerly, along said easterly high bank of the Missouri River, 1750 feet, more or less, to the southerly right-of-way line of Interstate Route I-480, said southerly right-of-way line also being the northerly right-of-way line of Old West Broadway;
>
> thence easterly and northeasterly along said right-of-way lines, 2000 feet, more or less, to a point on the northerly prolongation of the easterly right-of-way line of 41st Street;
>
> thence along said northerly prolongation and along said easterly right-of-way line, South 24 degrees 17 minutes 58 seconds East, 198.93 feet to a point on a northerly line of property owned by the City of Council Bluffs (Dodge Park Golf Course);

thence along said northerly line, South 65 degrees 46 minutes 10 seconds West, 80.00 feet to a point on the westerly line of the said City of Council Bluffs property;

thence along said westerly line, South 24 degrees 20 minutes 58 seconds East, 303.68 feet;

thence North 80 degrees 28 minutes 59 seconds East, 62.63 feet to a point on a non-tangent curve, concave northwesterly, to which point a radial line bears South 9 degrees 16 minutes 53 seconds East, 257.12 feet;

thence northeasterly, along said curve, through a central angle of 96 degrees 06 minutes 50 seconds, 431.31 feet;

thence North 65 degrees 35 minutes 40 seconds East, 156.25 feet;

thence North 37 degrees 36 minutes 10 seconds East, 87.56 feet;
thence North 69 degrees 17 minutes 02 seconds East, 173.94 feet;

thence South 66 degrees 42 minutes 24 seconds East, 97.62 feet;

thence South 6 degrees 23 minutes 50 seconds East, 518.48 feet;

thence South 0 degrees 09 minutes 15 seconds West, 520.29 feet;

thence South 89 degrees 32 minutes 49 seconds East, 250.00 feet to a point on the southerly prolongation of the westerly line of Ferry Addition to the City of Council Bluffs;

thence along said southerly prolongation, along said westerly line of Ferry Addition and along its prolongation northerly, North 0 degrees 09 minutes 15 seconds East, 1104 feet to a point on the southerly right-of-way line of the South 37th Street Extension;

thence in a general northwesterly and westerly direction along said southerly right-of-way line, 580 feet, more or less, to the intersection with the southerly prolongation of the westerly right-of-way line of said North 40th Street;

thence northerly, along said southerly prolongation and along said westerly right-of-way line 1050 feet, more or less, to the centerline of said Avenue B and the Point of Beginning.

Said parcel contains an area of 76.53 acres, more or less.

WHEREAS, a proposed Amendment No. 2 to the Playland Park Urban Renewal Plan for the area described below has been prepared, which proposed Amendment is on file in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to add new areas along the Missouri River, to update proposed project activities, and to modify the effective term of the Urban Renewal Plan; and

WHEREAS, this proposed Amendment No. 2 to the Urban Renewal Area adds land, as follows:

(SOUTH PARCEL)

A PARCEL OF LAND BEING A PORTION OF THE ACCRETIONS TO GOVERNMENT LOTS 1, 2 AND 3, TOGETHER WITH RIPARIAN RIGHTS IN SECTION 33, TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480) AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE, 2739 FEET (MORE OR LESS) TO A POINT ON THE EASTERLY PROLONGATION OF THE SOUTH BACK-OF-CURB LINE OF HARRAH'S CASINO NORTH PARKING LOT;

THENCE ALONG SAID EASTERLY PROLONGATION, ALONG SAID SOUTHERLY BACK-OF-CURB AND

ALONG IT'S WESTERLY PROLONGATION, SOUTH 64 DEGREES 10 MINUTES 04 SECONDS WEST, 564 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER;

THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 2516 FEET (MORE OR LESS) TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF WEST BROADWAY (I-480);

THENCE EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 675 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 25.6 ACRES, MORE OR LESS.

AND

(NORTH PARCEL)

A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2 SW1/4) IN SECTION 28 AND A PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER (E1/2 SE1/4) OF SECTION 29, ALL IN TOWNSHIP 75 NORTH, RANGE 44 WEST OF THE 5th PRINCIPAL MERIDIAN, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "B" AND THE EAST RIGHT-OF-WAY LINE OF THE COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE ALONG THE WESTERLY PROLONGATION OF SAID NORTH RIGHT-OF-WAY LINE, 895 FEET (MORE OR LESS) TO A POINT ON THE EAST HIGH BANK OF THE MISSOURI RIVER;

THENCE NORTHERLY, ALONG SAID EAST HIGH BANK, 1666 FEET (MORE OR LESS) TO A POINT ON

THE WESTERLY PROLONGATION OF THE NORTH RIGHT-OF-WAY LINE OF AVENUE "G";

THENCE ALONG SAID WESTERLY PROLONGATION, SOUTH 88 DEGREES 34 MINUTES 53 SECONDS EAST, 1369 FEET (MORE OR LESS) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID COUNCIL BLUFFS MISSOURI RIVER LEVEE;

THENCE SOUTHWESTERLY, ALONG SAID EAST RIGHT-OF-WAY LINE, 1793 FEET (MORE OR LESS) TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 45.87 ACRES, MORE OR LESS.

WHEREAS, after Amendment No. 2, the entire Urban Renewal Area, as amended by Amendment No. 1 and Amendment No.2, will include and consist of:

A parcel land being all of Lots 174 through 185 in Twin City Gardens an Addition to the City of Council Bluffs, a portion of the West Half of the Southwest Quarter (W½ of the SW¼) and a portion of Government Lot 3 in the Southwest Quarter of the Southwest Quarter (SW¼ of the SW¼) all in Section 28, a portion of the East Half of the Southeast Quarter (E½ of the SE¼) of Section 29, a portion of the accretions to Government Lots 1, 2, and 3, together with riparian rights in Section 33 and all of Dodge Park Subdivision, all in Township 75 North, Range 44 West of the 5th Principal Meridian, City of Council Bluffs, Pottawattamie County, Iowa, being more fully described as follows:

Beginning at the Southeast corner of said Dodge Park Subdivision;

thence along the boundary of said Dodge Park Subdivision the following 10 courses:

1. North 88 degrees 22 minutes 48 seconds West, 250.0 feet;
2. North 01 degree 19 minutes 16 seconds East, 520.29 feet;
3. North 05 degrees 13 minutes 49 seconds West, 519.59 feet;

4. North 60 degrees 02 minutes 45 seconds West, 94.09 feet;
5. South 68 degrees 57 minutes 04 seconds West, 183.39 feet;
6. South 38 degrees 46 minutes 11 seconds West, 87.56 feet;
7. South 66 degrees 45 minutes 41 seconds West, 156.25 feet to a point on the non-tangent curve, concave Northwesterly, to which point a radial line bears North 75 degrees 46 minutes 17 seconds East, 257.12 feet;
8. Southwesterly, along said curve, through a central angle of 96 degrees 06 minutes 50 seconds, 431.31 feet;
9. South 81 degrees 39 minutes 00 seconds West; 62.63 feet;
10. North 23 degrees 10 minutes 57 seconds West; 469.31 feet to a point on the South right-of-way line of West Broadway (I-480).

Thence along said South right-of-way line the following 4 courses:

1. South 66 degrees 48 minutes 52 seconds West, 99.85 feet;
2. North 84 degrees 52 minutes 33 seconds West, 274.12 feet;
3. South 66 degrees 48 minutes 52 seconds West, 312.82 feet to the beginning of a curve, concave Northwesterly, having a radius of 1375.97 feet;
4. Southwesterly, along said curve through a central angle of 10 degrees 01 minute 23 seconds, 240.70 feet to a point on the East right-of-way line of the Council Bluffs Missouri River Levee.

Thence Southerly along said East right-of-way line, 2739 feet (more or less) to a point on the Easterly prolongation of the South back-of-curb line of Harrah's Casino north parking lot;

thence along said Easterly prolongation, along said Southerly back-of-curb and along its Westerly prolongation, South 64 degrees 10 minutes 04 seconds West, 564 feet (more or less) to a point on the East high bank of the Missouri River;

thence Northerly, along said East high bank, 6068 feet (more or less) to a point on the Westerly prolongation of the North right-of-way line of Avenue G;

thence along said Westerly prolongation, South 88 degrees 34 minutes 53 seconds East, 1369 feet (more or less) to a point on the East right-of-way line of said Council Bluffs Missouri River Levee;

thence Southwesterly along said East right-of-way line, 1793.0 feet (more or less) to a point on the North right-of-way line of Avenue B;

thence along said North right-of-way line, South 88 degrees 53 minutes 42 seconds East, 1196.95 to a point on the West right-of-way line of North 40th Street;

thence along said West right-of-way line and its Southerly prolongation, South 01 degree 17 minutes 58 seconds West, 1073.0 feet (more or less) to a point on said South right-of-way line of West Broadway.

Thence along said South right-of-way line the following 7 courses:

1. North 66 degrees 49 minutes 53 seconds East, 78.48 feet;
2. South 23 degrees 25 minutes 49 seconds East, 12.21 feet;
3. North 76 degrees 08 minutes 29 seconds East, 122.45 feet;
4. North 85 degrees 34 minutes 07 seconds East, 68.92 feet;
5. South 81 degrees 34 minutes 49 seconds East, 129.44 feet;
6. South 76 degrees 34 minutes 03 seconds East, 131.94 feet;
7. South 64 degrees 39 minutes 33 seconds East, 301.93 feet to the Northeast corner of said Dodge Park Subdivision.

Thence along the East line of said Dodge Park Subdivision, South 01 degree 19 minutes 16 seconds West, 1095.20 feet to the point of beginning. Said parcel contains an area of 148 acres, more or less.

WHEREAS, the area contained in the proposed Amendment No. 2 does not include land classified as agricultural land; and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the General Plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, adoption of Amendment No. 2 has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on June 22, 2009, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the Designated Representative filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the "Daily Nonpareil", which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2 to the Playland Park Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

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

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 to the Playland Park Urban Renewal Area concerning the area of the City of Council Bluffs, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

A. Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the Playland Park Urban Renewal Plan Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

B. The Plan, Amendment No. 1 and Amendment No. 2 to the Playland Park Urban Renewal Plan conform to the general plan for the development of the City as a whole; and

C. Acquisition by the City is not expected, however, as to any areas of open land to be acquired by the City included within the Playland Park Urban Renewal Plan Area:

1. Residential use is not expected, however, with reference to any portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

A. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

B. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

C. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or

relocation of industrial and commercial enterprises in this state and its municipalities.

D. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

2. Non-residential use is expected and with reference to those portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the Playland Park Urban Renewal Plan Area is a blighted area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 2 to the Playland Park Urban Renewal Plan of the City of Council Bluffs, State of Iowa, be and the same is hereby approved and adopted as "Amendment No. 2 to the Playland Park Urban Renewal Plan for the City of Council Bluffs, State of Iowa"; Amendment No. 2 to the Playland Park Urban Renewal Plan of the City of Council Bluffs, State of Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That the Playland Park Urban Renewal Plan, as so amended, shall be in full force and effect from the date of this Resolution until the later of the date of termination set forth in the Plan, as so amended, or the date on which payment of all obligations issued or advances made to carry out the purposes thereof shall be fully provided for. The proposed Amendment No. 2 to the Playland Park Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Pottawattamie County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan, as previously amended, not affected or otherwise revised by the terms of Amendment No. 2 thereto, as well as Resolution No. 09-176 previously adopted by this City Council be and the same are hereby ratified, confirmed and approved in all respects.

PASSED AND APPROVED this 27th day of July, 2009.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, Acting City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF POTTAWATTAMIE)

I, the undersigned Acting City Clerk of the City of Council Bluffs, State of Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the City showing proceedings of the City Council, and the same is a true and complete copy of the action taken by the Council with respect to the 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 the 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 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 the 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 the City hereto affixed this _____ day of _____, 2009.

_____
Marcia L. Worden, Acting City Clerk
City of Council Bluffs, State of Iowa

(SEAL)

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