City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, October 28, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, October 28, 2020 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, IA with Mayor Mike Matson presiding and all Aldermen present except Alderwoman Lee (*In person:* Alderman Dunn, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, and Alderman Ambrose; *Via telephone:* Alderman Dohrmann, Alderman Peacock, Alderwoman Dickmann, and Alderman Jobgen). A partially electronic meeting was held because a fully "in person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderman Dunn

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes **APPROVED**

Approval of the City Council Meeting minutes for October 14, 2020.

VI. City Administrator Update

VII. Report on Committee of the Whole **APPROVED**

Approval of the Report on Committee of the Whole for October 21, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, October 21, 2020 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Ambrose. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (In person: Alderman Dunn, Alderwoman Meginnis, Alderman Condon, and Alderman Ambrose; Via telephone: Alderman Dohrmann, Alderwoman Lee, Alderman Gripp, Alderman Peacock, Alderwoman Dickmann, and Alderman Jobgen). A partially electronic meeting was held because a fully "in person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

The following Public Hearings were held: ***Community Development:*** *1) on the proposed conveyance of the Heritage property located at 501 W 3rd Street to Foundation Housing (petitioner).* ***Public Works:*** *1) on the plans, specifications, form of contract, and estimate of cost for the Public Works Lobby Remodel, CIP #23052; and 2) on the plans, specifications, form of contract, and estimate of cost for the Blackhawk Creek Stabilization Project, CIP #33038.*

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) ***Community Development:*** *Alderwoman Meginnis reviewed all items listed. On* *motion by Alderwoman Lee, second by Alderman Ambrose item #1, Resolution approving the proposed conveyance of the Heritage property located at 501 W 3rd Street to Foundation Housing (petitioner), moved to the Discussion Agenda. **Public Safety:** Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderwoman Dickmann all items moved to the Consent Agenda. **Public Works**: Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Ambrose all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Ambrose item #2, First Consideration: Ordinance providing for the sale and issuance of not-to-exceed $50,000,000 General Obligation Corporate Bonds, Series 2020B, and for the levy of taxes to pay the same, moved to the Discussion Agenda with a recommendation by staff for suspension of the rules and passage of second and third considerations, and all other items moved to the Consent Agenda.*

*Council adjourned at **6:41 p.m.***

VIII. Appointments, Proclamations, Etc.

A. Appointments **APPROVED 2020-435**

1. Design Review Board

- Brittany Klarkowski (New Appointment)

B. Proclamations **ISSUED 2020-436**

1. National First Responders Day: October 28, 2020

2. National Adoption Day: November 6, 2020

IX. Presentations **HELD**

A. Davenport Public Works | Snow Presentation

X. Petitions and Communications from Council Members and the Mayor

XI. Individual Approval of Items on the Discussion Agenda

1. First Consideration: Ordinance providing for the sale and issuance of not-to-exceed $50,000,000 General Obligation Corporate Bonds, Series 2020B, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2020-437**

A motion to substitute the Ordinance was moved by Alderman Ambrose, seconded by Alderwoman Meginnis with all Aldermen present voting aye, awarding the bond sale to Piper Sandler & Co. in the principal amount of $21,675,000 with a true interest cost of 1.5699%.

On motion by Alderman Ambrose, second by Alderman Gripp with all Aldermen present voting aye, the substituted Ordinance moved to second consideration.

i. *A motion was moved by Alderman Ambrose, seconded by Alderman Gripp with all Aldermen present voting aye to suspend the rules on recommendation by staff for passage of second and third considerations.*

ii. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the Ordinance was adopted.*

ORDINANCE NO. **2020-437**

An Ordinance providing for the sale and issuance of $21,675,000 General Obligation Corporate Bonds, Series 2020B, and for the levy of taxes to pay the same

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City of Davenport, Iowa (the "City"), notice duly published and a hearing held thereon, the City Council of the City has determined it to be in the best interests of the City to issue General Obligation Corporate Bonds, Series 2020B (the "Series 2020B Bonds") for the purpose of paying costs in connection with various improvements in the City; and

WHEREAS, sealed bids for the purchase of the Series 2020B Bonds were received and canvassed on behalf of the City; and

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has reported that, upon review of all bids received for the purchase of the Series 2020B Bonds, the bid of Piper Sandler & Co., Minneapolis, MN (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2020B Bonds in the principal amount of $21,675,000; and

WHEREAS, it is necessary at this time to award the Series 2020B Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2020B Bonds and the levy of taxes to pay the same;

NOW, THEREFORE, Be It Ordained by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2020B Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2020B Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2020B Bonds, dated December 1, 2020, in the denomination of $5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal amount of $21,675,000, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2022	$2,820,000	5.00%	2030	$1,345,000	5.00%
2023	$1,110,000	5.00%	2031	$1,410,000	3.00%
2024	$1,165,000	5.00%	2032	$1,460,000	3.00%
2025	$1,225,000	5.00%	2033	$1,500,000	2.00%
2026	$1,290,000	5.00%	2034	$1,530,000	2.00%
2027	$1,165,000	5.00%	2035	$1,560,000	2.00%
2028	$1,225,000	5.00%	2036	$1,590,000	2.00%
2029	$1,280,000	5.00%			

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2020B Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent".

All of the interest on the Series 2020B Bonds is payable semiannually on the first day of June and December in each year, commencing June 1, 2021. Payment of interest on the Series 2020B Bonds shall be made in lawful money of the United States of America to the registered owners appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owners at the addresses shown on such registration books. Principal of the Series 2020B Bonds shall be payable in lawful money of the United States of America to the registered owners or their legal representatives upon presentation and surrender of the Series 2020B Bond or Bonds at the office of the Paying Agent.

The City reserves the right to call for redemption prior to maturity the Series 2020B Bonds maturing in the years 2030 to 2036, inclusive, in whole or from time to time in part, in one or more units of $5,000, on June 1, 2029, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2020B Bonds of any like maturity are to be redeemed, the particular part of those Series 2020B Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2020B Bonds may be called in part in one or more units of $5,000.

If less than the entire principal amount of any Series 2020B Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2020B Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2020B Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2020B Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2020B Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2020B Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2020B Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2020B Bonds shall cease to be such officer before the delivery of the Series 2020B Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2020B Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2020B Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2020B Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2020B Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2020B Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2020B Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Series 2020B Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Series 2020B Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2020B Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of $5,000 or integral multiples of $5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2020B Bonds.

Ownership interest in the Series 2020B Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2020B Bonds as nominees will not receive certificated Series 2020B Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Series 2020B Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2020B Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

The City will have no responsibility or obligation to such Participants or the persons for whom they act as nominees with respect to payment to or providing of notice for such Participants or the persons for which they act as nominees.

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2020B Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2020B Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

When reference is made to any action which is required or permitted to be taken by the Beneficial Owners, such reference shall only relate to those permitted to act (by statute, regulation or otherwise) on behalf of such Beneficial Owners for such purposes. When notices are given, they shall be sent by the City to DTC, and DTC shall forward (or cause to be forwarded) the notices to the Participants so that the Participants can forward the same to the Beneficial Owners.

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2020B Bonds acquired. Transfers of ownership interest in the Series 2020B Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2020B Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2020B Bonds shall be substantially as follows:

(Form of Series 2020B Bond)

UNITED STATES OF AMERICA
STATE OF IOWA

COUNTY OF SCOTT CITY OF DAVENPORT

GENERAL OBLIGATION CORPORATE BOND, SERIES 2020B

No. ____ $_________

RATE	MATURITY DATE	BOND DATE	CUSIP
_______	________________	December 1, 2020	__________

The City of Davenport (the "City"), in Scott County, State of Iowa, for value received, promises to pay on the maturity date of this Bond to

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

in lawful money of the United States of America upon presentation and surrender of this Bond at the office of the CFO/Assistant City Administrator, Davenport, Iowa (hereinafter referred to as the “Bond Registrar” or the “Paying Agent”), with interest on said sum, until paid, at the rate per annum specified above from the date of this Bond, or from the most recent interest payment date on which interest has been paid, on June 1 and December 1 of each year, commencing June 1, 2021. Interest on this Bond is payable to the registered owner appearing on the bond registration books of the City at the close of business on the fifteenth day of the month next preceding the interest payment date and shall be paid to the registered owner at the address shown on such registration books.

This Bond shall not be valid or become obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Bond Registrar.

This Bond is one of a duly authorized series of General Obligation Corporate Bonds, Series 2020B (the “Series 2020B Bonds”), issued by the City in the aggregate principal amount of $21,675,000, pursuant to and in strict compliance with the laws of the State of Iowa and the special Charter of the City, and all laws amendatory thereof and supplementary thereto, and in conformity with an ordinance (the “Ordinance”) adopted by the City Council of the City providing for the issuance of the Series 2020B Bonds and for the levy of taxes to pay the same for the purpose of paying costs in connection with various improvements in the City.

The City reserves the right to prepay part or all of the principal of the Series 2020B Bonds maturing in each of the years 2030 to 2036, inclusive, prior to and in any order of maturity on June 1, 2029, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2020B Bonds of any like maturity are to be redeemed, the particular part of those Series 2020B Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2020B Bonds may be called in part in one or more units of $5,000. If less than the entire principal amount of any Series 2020B Bond in a denomination of more than $5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2020B Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2020B Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City’s registration books not less than 30 days prior to such redemption date. All of such Series 2020B Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

This Bond is fully negotiable but shall be fully registered as to both principal and interest in the name of the owner on the books of the City in the office of the Bond Registrar, after which no transfer shall be valid unless made on said books and then only upon presentation of this Bond to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form hereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The City, the Bond Registrar and the Paying Agent may deem and treat the registered owner hereof as the absolute owner for the purposes of receiving payment of or on account of principal hereof, premium, if any, and interest due hereon and for all other purposes, and the City, the Bond Registrar and the Paying Agent shall not be affected by any notice to the contrary.

And It Is Hereby Certified and Recited that all acts, conditions and things required by the laws and Constitution of the State of Iowa to exist, to be had, to be done or to be performed precedent to and in the issue of this Bond were and have been properly existent, had, done and performed in regular and due form and time; that provision has been made for the levy of a sufficient continuing annual tax on all the taxable property within the City for the payment of the principal of and interest on this Bond as the same will respectively become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or Charter limitations or provisions.

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of December 1, 2020.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN) ______________________
Mayor

Attest:

(DO NOT SIGN) ______________________
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2020B Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN) ______________________
CFO/Assistant City Administrator

ABBREVIATIONS

TEN COM - as tenants in common
TEN ENT - as tenants by the entireties
JT TEN - as joint tenants with right of survivorship and not as tenants in common

UTMA ______________________________
____
(Custodian)
As Custodian for ______________________
(Minor)
under Uniform Transfers to Minors Act
____
(State)

Additional abbreviations may also be used though not in the list above.

ASSIGNMENT

For valuable consideration, receipt of which is hereby acknowledged, the undersigned assigns this Bond to

____
(Please print or type name and address of Assignee)

____
PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

and does hereby irrevocably appoint ______________________________, Attorney, to transfer this Bond on the books kept for registration thereof with full power of substitution.

Dated: ______________________

Signature guaranteed:

____
____
____
(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar

and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

____

NOTICE: The signature to this Assignment must correspond with the name of the registered owner as it appears on this Bond in every particular, without alteration or enlargement or any change whatever.

Section 7. The Series 2020B Bonds shall be executed as herein provided as soon after the adoption of this ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2020B Bonds is hereby ratified and confirmed in all respects.

Section 8. As required by Chapter 76 of the Code of Iowa, and for the purpose of providing for the levy and collection of a direct annual tax sufficient to pay the interest on the Series 2020B Bonds as it falls due on June 1, 2021, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2020B Bonds or any of them are outstanding, a tax sufficient for that purpose, and in furtherance of this provision, but not in limitation thereof, there is hereby levied on all the taxable property in the City the following direct annual tax for collection in each of the following fiscal years, to-wit:

For collection in the fiscal year beginning July 1, 2021, sufficient to produce the net annual sum of $3,660,950;

For collection in the fiscal year beginning July 1, 2022, sufficient to produce the net annual sum of $1,809,950;

For collection in the fiscal year beginning July 1, 2023, sufficient to produce the net annual sum of $1,809,450;

For collection in the fiscal year beginning July 1, 2024, sufficient to produce the net annual sum of $1,811,200;

For collection in the fiscal year beginning July 1, 2025, sufficient to produce the net annual sum of $1,814,950;

For collection in the fiscal year beginning July 1, 2026, sufficient to produce the net annual sum of $1,625,450;

For collection in the fiscal year beginning July 1, 2027, sufficient to produce the net annual sum of $1,627,200;

For collection in the fiscal year beginning July 1, 2028, sufficient to produce the net annual sum of $1,620,950;

For collection in the fiscal year beginning July 1, 2029, sufficient to produce the net annual sum of $1,621,950;

For collection in the fiscal year beginning July 1, 2030, sufficient to produce the net annual sum of $1,619,700;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of $1,627,400;

For collection in the fiscal year beginning July 1, 2032,
sufficient to produce the net annual sum of $1,623,600;

For collection in the fiscal year beginning July 1, 2033,
sufficient to produce the net annual sum of $1,623,600;

For collection in the fiscal year beginning July 1, 2034,
sufficient to produce the net annual sum of $1,623,000;

For collection in the fiscal year beginning July 1, 2035,
sufficient to produce the net annual sum of $1,621,800.

Section 9. A certified copy of this ordinance shall be filed with the County Auditor of Scott County, and the County Auditor is hereby instructed to enter for collection and assess the tax hereby authorized. When annually entering such taxes for collection, the County Auditor shall include the same as a part of the tax levy for Debt Service Fund purposes of the City and when collected, the proceeds of the taxes shall be converted into the Debt Service Fund of the City and set aside therein as a special account to be used solely and only for the payment of the principal of and interest on the Series 2020B Bonds hereby authorized and for no other purposes whatsoever. The amounts received by the City as accrued interest shall be deposited into such special account and used to pay interest due on the Series 2020B Bonds on the first interest payment date.

Section 10. The interest or principal and both of them falling due in any year or years shall, if necessary, be paid promptly from current funds on hand in advance of taxes levied and when the taxes shall have been collected, reimbursement shall be made to such current funds in the sum thus advanced.

Section 11. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2020B Bonds utilized to defray the costs of certain projects related to such funds. Therefore, such funds may be employed and used to the extent available from year to year for the payment of that portion of the principal of and interest on the Series 2020B Bonds which is applicable to that portion of the total Series 2020B Bond issue applicable to such fund. Each year while any of said Series 2020B Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2020B Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2020B Bonds during each year may be used for that purpose, in accordance with the Series 2020B Bond Financing Plan on file with the CFO/Assistant City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2020B Bonds hereby authorized as general municipal obligations, but at the same time permitting the use of such funds for the payment of the principal and interest of that portion of the Series 2020B Bonds issued with respect to such funds.

Section 12. All funds held in any fund or account created or required to be maintained under the terms of this ordinance shall be deposited in lawful depositories of the City or invested in accordance with Chapters 12B and 12C of the Code of Iowa and continuously held and secured as provided by the laws of the State of Iowa relating to the depositing, securing, holding and investing of public funds, or as may be otherwise required to comply with the rebate provisions of the Internal Revenue Code.

All interest received by the City as a result of investments under this section in excess of the amount, if any, required to be paid to the United States Government in order to comply with the rebate provisions of the Internal Revenue Code, shall be deposited into or transferred to the Debt Service Fund subaccount referred to herein and used solely and only for the purpose of paying principal of and/or interest on the Series 2020B Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2020B Bonds to become taxable as “arbitrage bonds” pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 13. The Securities and Exchange Commission (the “SEC”) has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the “Rule”) that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of $1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2020B Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 14. It is the intention of the City that interest on the Series 2020B Bonds be and remain excluded from gross income for federal income tax purposes pursuant to the appropriate provisions of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations in effect with respect thereto (all of the foregoing herein referred to as the “Internal Revenue Code”). In furtherance thereof the City covenants to comply with the provisions of the Internal Revenue Code as they may from time to time be in effect or amended and further covenants to comply with applicable future laws, regulations, published rulings and court decisions as may be necessary to insure that the interest on the Series 2020B Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 15. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
Approved 10/28/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. *On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen present voting aye, the following Resolution was adopted:*

Resolution approving the proposed conveyance of the Heritage property located at 501 W 3rd Street to Foundation Housing (petitioner). [Ward 3] **ADOPTED 2020-438**

XII. Approval of All Items on the Consent Agenda

**NOTE: These are routine items and will be enacted at the City Council Meeting by one roll call vote without separate discussion unless an item is requested to be removed and considered separately.

On motion by Alderman Ambrose, second by Alderman Dunn with all Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance amending Chapter 13.34.060 entitled "Requirements for Stormwater Management Plans" defining the documentation required prior to COSESCO permit issuance. [All Wards] **ADOPTED 2020-439**

ORDINANCE NO. **2020-439**

Ordinance amending Chapter 13.34.060 entitled "Requirements for Stormwater Management Plans" defining the documentation required prior to COSESCO permit issuance.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

That Chapter 13.34.060 entitled "Requirements for Stormwater Management Plans" is hereby amended to read as follows:

13.34.060 Requirements for stormwater management plans.

A. No application for development will be approved unless it includes a stormwater management plan detailing how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by an individual approved by the City of Davenport, typically the applicant's engineer, and must indicate whether stormwater will be managed on site or off site and the location and type of practices.

B. The stormwater management plan(s) shall be referred for comment to all other interested agencies, and any comments must be addressed in a final stormwater management plan. This final plan must be signed by a professional engineer licensed in the State of Iowa, who will verify that the design of all stormwater management practices meets the submittal requirements outlined in the Davenport Stormwater Manual. No building or COSESCO permits shall be issued until a satisfactory final stormwater management plan, or a waiver, shall have undergone a review and been approved by the City Engineer or their designee after determining that the plan or waiver is consistent with the requirements of this chapter.

C. A stormwater management plan shall be required with all permit applications seeking approval under this Chapter 13.34 of the Davenport Municipal Code and will include sufficient information (e.g., maps, hydrologic calculations, etc.) to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater runoff generated at the project site. The intent of this planning process is to determine the type of stormwater management measures necessary for the proposed project and ensure adequate planning for management of stormwater runoff from future development. The information required in the plan can be found in the Davenport Stormwater Manual. For development or redevelopment occurring on a previously developed site, an applicant shall include within the stormwater plan measures for controlling existing stormwater runoff discharges from the site in accordance with the standards of this chapter to the maximum extent practicable.

D. In addition to the requirements above, a landscaping plan must be submitted as part of the stormwater management concept plan to describe the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. This plan must be approved prior to issuance of a permit for construction of the project.

E. After review of and modifications to the stormwater management plan and the Maintenance & Repair Agreement, as deemed necessary by the City of Davenport, the final Stormwater Management Plan must be submitted for approval. The final stormwater management plan shall include all of the information required in the final stormwater management plan outline found in the Davenport Stormwater Design Manual. One copy of the approved Maintenance & Repair Agreement shall be signed by the owner and notarized and submitted to the City for signature prior to any COSESCO permit issuance and prior to the recording at the Recorders Office of Scott County. After the City of Davenport signs, notarizes, and sends for recording, the recorded copy shall be returned to the owner.

F. The City of Davenport may, at its discretion, require the submittal of a performance security or bond prior to issuance of a building or COSESCO permit in order to insure that the stormwater practices are installed by the permit holder as required by the approved stormwater management plan. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The installation performance security shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed in the State of Iowa that the stormwater practice has been installed in accordance with the approved plan and other applicable provisions of this chapter. The City of Davenport will make a final inspection of the stormwater practice to ensure that it is in compliance with the approved plan and the provisions of this chapter.

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 not illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.
Approved 10/28/2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. Second Consideration: Ordinance amending Schedule I of Chapter 10.96 entitled "Snow Routes" by adding and deleting various streets. [Ward 8]
MOVED TO THIRD CONSIDERATION

3. Second Consideration: Ordinance amending Schedule V of Chapter 10.96 entitled "Four-Way Stop Intersections" by deleting W 6th St at Vine St. [Ward 3]
MOVED TO THIRD CONSIDERATION

4. Second Consideration: Ordinance amending Chapter 2.82 entitled "Management of Public Records." [All Wards] **MOVED TO THIRD CONSIDERATION**

5. Resolution accepting construction work for the FY20 Civic Access (ADA Ramp) Program Project, CIP #28024. [All Wards] **ADOPTED 2020-440**

6. Resolution accepting work completed under Phase I of the Downtown Decorative Streetlight Replacement Project: Holophane Lights Project, CIP #60020. The total contract with Davenport Electric Contracting Co was $131,191.50. [Ward 3] **ADOPTED 2020-441**

7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Public Works Lobby Improvement Project, CIP #23052. [Ward 7] **ADOPTED 2020-442**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Blackhawk Creek Stabilization Project, CIP #33038. [Ward 1] **ADOPTED 2020-443**

9. Resolution setting a Public Hearing for November 4, 2020 at 5:30 p.m. in the Council Chambers for the purpose of amending the North Urban Renewal Plan. [Wards 2, 6, 7, & 8]
ADOPTED 2020-444

10. Resolution awarding a contract to create a new park and install playground equipment at the site for Jersey Farms Park to Emery Construction Group of Moline, IL in the amount of $439,799, CIP #64074. [Ward 8] **ADOPTED 2020-445**

11. Resolution accepting the donation of Gabe's All-Inclusive Play Village at Vander Veer Park. [Ward 5] **ADOPTED 2020-446**

12. Resolution approving The Guardian Life Insurance Company of America to be the carrier for the City of Davenport's employee Basic Life, Long-Term Disability (LTD), Accidental Death and Dismemberment (AD&D), and Voluntary Life Insurance coverages. [All Wards] **ADOPTED 2020-447**

13. Motion approving beer and liquor license applications. **PASSED 2020-448**

A. New License, new owner, temporary permit, temporary outdoor area, location transfer, etc (as noted):

Ward 3

Abarrotes Carrillo LLC (Abarrotes Carrillo LLC) - 903 W 3rd St - License Type: B Beer

Carriage Haus (Smoking Haus Entertainment LLC) - 312 W 3rd St - Outdoor Area - New Owner - License Type: C Liquor

Miracle at the Freight House (River Craft, Inc) - 421 W River Dr, Ste 2 - New 2-Month Seasonal License - License Type: C Liquor

Ward 4

The Pour House (Boss Lady, Inc) - Extended Outdoor Area November 14, 2020 "Annual Hawkeye Tailgate Party" - License Type: C Liquor

Rio Grande Mexican Restaurant & Cantina LLC (Rio Grande Mexican Restaurant & Cantina LLC) - 1414 W Locust St - New License – License Type: C Liquor

Ward 6

Nally's Kitchen, Inc (Nassr H. Muhammad) - 2843 E 53rd St - New License - License Type: Beer/Wine

Ward 8

Cracker Barrel #161 (Cracker Barrel Old Country Store, Inc) - 300 Jason Way Ct - New License - Outdoor Area - License Type: Beer/Wine

B. Annual license renewals (with outdoor area renewals as noted):

Ward 1

Dollar General Store #2913 (Dolgencorp, LLC) - 2217 Rockingham Rd – License Type: C Beer

Ward 2

Dhakals LLC (Dhakals LLC) - 3108 W Central Park Ave - License Type: E Liquor

Dollar General Store #4010 (Dolgencorp, LLC) - 3936 N Pine St - License Type: C Beer

Ward 3

Carriage Haus (Carriage Haus, Inc) - 312 W 3rd St - Outdoor Area – License Type: C Liquor

Cathedral Ale (Sacred Heart Cathedral of Davenport, Iowa) - 422 E 10th St - License Type: B Beer

Quad Cities River Bandits (Main Street Iowa, LLC) - 209 S Gaines St – Outdoor Area - License Type: C Liquor

Ward 4

Stoeger's Bar and Grill (Stoeger's Inc) - 1520 Washington St - License Type: C Liquor

Ward 5

Aldi, Inc #15 (Aldi, Inc) - 1702 Brady St - License Type: C Beer

Ward 6

Dollar General Store #254 (Dolgencorp, LLC) - 2170 E Kimberly Rd - License Type: C Beer

Ward 7

Chuck E. Cheese's #957 (CEC Entertainment, Inc) - 903 E Kimberly Rd - License Type: B Beer

Dollar General Store #9381 (Dolgencorp, LLC) - 109 E 50th St – License Type: C Beer

Ward 8

Kwik Star #167 (Kwik Trip, Inc) - 2050 E 53rd St - License Type: C Beer

14. Motion approving the purchase of an alerting system for all fire stations from Tri-City Electric of Davenport, IA in the amount of $64,785. [All Wards] **PASSED 2020-449**

XIII. Other Ordinances, Resolutions and Motions

XIV. Public with Business

XV. Reports of City Officials

Following is a summary of revenue received for the month of September 2020:

Property taxes	3,100,137

Other City taxes	1,722,601
Special assessments	-
Licenses & permits	206,085
Intergovernmental	4,395,057
Charges for services	4,088,878
Use of monies & property	140,907
Fines & forfeits	180,331
Bonds/Loan Proceeds	939,602
Miscellaneous	340,485

XVI. Adjourn **6:18 p.m.**

Brian J. Krup

Brian J. Krup
Deputy City Clerk