

CITY COUNCIL MEETING

City of Davenport, Iowa

Wednesday, April 8, 2020; 5:30 PM

City Hall, 226 W 4th St, Council Chambers

A partially electronic meeting is being held because a fully “in person” meeting is impossible or 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 directing social distancing and placing restrictions on gatherings.

- I. Moment of Silence
- II. Pledge of Allegiance
- III. Roll Call
- IV. Meeting Protocol and Decorum
- V. Approval of Minutes
 1. Approval of the City Council Meeting minutes from March 25, 2020.
 2. Approval of the Special City Council Meeting minutes for March 26, 2020.
- VI. City Administrator Update
- VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for April 1, 2020.
- VIII. Petitions and Communications from Council Members and the Mayor
- IX. Individual Approval of Items on the Discussion Agenda
- X. 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.

 1. Second Consideration: Ordinance amending Davenport Municipal Code Section 12.12.080. [All Wards]
 2. Second Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport. [All Wards]
 3. First Consideration: Ordinance amending Schedule XV of Chapter 10.96 entitled “Pedestrian Traffic Signals” by deleting 2nd Street east of Fillmore Street. [Ward 3]
 4. Resolution approving the contract for the FY20 General Resurfacing Program to Manatts Inc - Eastern Iowa Division of Camanche, IA in the amount of

\$533,490.45, CIP #35042. [Ward 4, 5, & 6]

5. Resolution approving the contract for the Partial Roof Replacement at Davenport Public Works to Jim Giese Commercial Roofing Co, Inc of Dubuque, IA in the amount of \$792,008, CIP #23033. [Ward 7]
6. Resolution awarding the 3 year contract for overhead door service to Raynor Door of the Quad Cities. [All Wards]
7. Resolution approving a preconstruction agreement with the Iowa Department of Transportation for the Kimberly Road Resurfacing project from Brady Street to Elmore Avenue. [Wards 6 & 7]
8. Resolution relating to financing of certain proposed projects to be undertaken by the City of Davenport, Iowa and establishing compliance with reimbursement bond regulations under the Internal Revenue Code. [All Wards]
9. Resolution approving the purchase of a service lube truck for Transit via a GSA Bid contract #FS-30F-018DA from West-Mark of Ceres, CA in the amount of \$141,313.20, CIP #24020. [All Wards]
10. Resolution setting a Public Hearing on the issuance of not-to-exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021. [All Wards]
11. Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B, and the north 15 feet of parcel X1101A22 to the owners of the adjacent original parent parcel. [Ward 8]
12. Resolution setting a Public Hearing to amend the FY20 Operating and Capital Improvement Budgets. [All Wards]
13. Motion approving beer and liquor license applications.

A. Request for exemptions for 19- and 20-year-olds on premises:

Ward 3

Redstone Room (River Music Experience) - 129 Main St, Second Floor Only - License Type: C Liquor

RME Courtyard (River Music Experience) - 131 W 2nd St, Courtyard only - Outdoor Area - License Type: C Liquor

14. Motion approving the purchase of two (2) SUVs for the Fire Department from Courtesy Ford of Davenport, IA in the amount of \$69,992.28. [All Wards]

XI. Other Ordinances, Resolutions and Motions

XII. Public with Business

PLEASE NOTE: At this time individuals may address the City Council on any

matters of City business not appearing on this agenda. This is not an opportunity to discuss issues with the Council members or get information. In accordance with Open Meetings law, the Council can not take action on any complaint or suggestions tonight, and can not respond to any allegations at this time.

Please state your Name and Ward for the record. There is a five (5) minute time limit. Please end your comments promptly.

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
4/8/2020

Subject:

1. Approval of the City Council Meeting minutes from March 25, 2020.

ATTACHMENTS:

Type	Description
Backup Material	CC Min 032520

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/2/2020 - 10:23 AM

City of Davenport, Iowa
City Council Meeting Minutes
Wednesday, March 25, 2020

The City Council of Davenport, Iowa met in regular session on Wednesday, March 25, 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 (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Jobgen, Ald. Lee, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or 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 directing social distancing and placing restrictions on gatherings.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

Approval of the City Council Meeting minutes for March 11, 2020.

VI. City Administrator Update

COVID-19 Status Update

VII. Report on Committee of the Whole

Approval of the Report on Committee of the Whole for March 18, 2020.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, March 18, 2020--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:32 p.m. with Mayor Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Meginnis, Ald. Lee, Ald. Condon, Ald. Peacock, Ald. Dickmann, and Ald. Jobgen). It should be noted that this was a partially electronic meeting because a fully "in person" meeting was impossible or 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 directing social distancing and placing restrictions on gatherings.

The following Public Hearings were held: Community Development: 1) on the recommendations for Year 46 (July 1, 2020 – June 30, 2021) Community Development Block Grant (CDBG) funds; Public Works: 1) on the plans, specifications, form of contract, and estimate of cost for the RiverCenter Door & Hardware Replacement Project, CIP #69014; and Finance: 1) on the proposed conveyance of the vacated right-of-way known as part of Dugan & Rauch's 2nd Addition lying northwesterly of Lot 14 of Dugan & Rauch's 2nd Addition; and 2) on the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Plan.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: Ald. Gripp reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Dunn all items moved to the Consent Agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Ambrose, second by Ald. Meginnis all items moved to the Consent Agenda except

*the annual liquor license renewal for Pints which will be voted on later on the agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Gripp all items moved to the Consent Agenda. Finance: Ald. Dohrmann reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Ambrose item #1 (First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same), item #2 (First Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport), and item #4 (Resolution approving a First Amendment to the Letter of Agreement dated April 24, 2019 with Main Street Iowa, LLC to insert the Workout Room Addition Project into the list of capital improvement projects to be completed at Modern Woodmen Park and directing the City Administrator to amend the FY20 Budget to provide the necessary funding) moved to the Discussion Agenda and all other items moved to the Consent Agenda. Other Ordinances, Resolutions, and Motions: On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye except Ald. Lee, the rules were suspended to vote on the Motion approving the annual liquor license renewal for Pints (Pub @ Utica, LLC) – 5268 Utica Ridge Rd – Outdoor Area – License Type: C Liquor. On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, that Motion passed, **2020-127**.
Council adjourned at 6:47 p.m.*

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2020-128

1. Riverfront Improvement Commission

- Neil Kosman (5th Ward - New Appointment)
- William Ashton (6th Ward - Re-Appointment)

2. Citizens Advisory Committee

- Mark Holloway (Mayoral - Re-Appointment)
- Dave Woods (Mayoral - New Appointment)
- Joseph Obleton (Mayoral - Re-Appointment)
- Austin Bird (Mayoral - Re-Appointment)
- Tushar Patel (Mayoral - New Appointment)
- Jim Hoepner (At-Large 1 - Re-Appointment)
- Regen Johnson (At-Large 2 - Re-Appointment)
- Tami Lord (1st Ward - Re-Appointment)
- Chad Kiefer (2nd Ward - Re-Appointment)
- Joseph Winckler (3rd Ward - New Appointment)
- Elizabeth Hodges (4th Ward - Re-Appointment)
- Kristi Miller (5th Ward - Re-Appointment)

- Dale Gilmour (6th Ward - Re-Appointment)
- Fred Classon (7th Ward - Re-Appointment)
- Christina Kelly (8th Ward - Re-Appointment)

3. Design Review Board

- George Rashid (New Appointment)

4. Plan & Zoning Commission

- Stephen Garrington (Re-Appointment)
- Barbara Maness (Re-Appointment)

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. A motion was introduced to amend the Ordinance reflecting that all bids were rejected as the City plans to pursue a private placement option. That motion was moved by Ald. Ambrose, seconded by Ald. Gripp with all Aldermen voting aye.

On motion by Ald. Gripp, second by Ald. Condon with all Aldermen present voting aye, the Ordinance moved to second consideration as amended.

First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2020-129**

STAFF RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF SECOND AND THIRD CONSIDERATIONS

i. On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the rules were suspended for passage of second and third considerations of the Ordinance.

ii. On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye (Ald. Peacock was attending the meeting electronically and lost the connection during this vote), the Ordinance was adopted as amended.

ORDINANCE NO. **2019-129**

An Ordinance providing for the sale and issuance of \$51,225,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same

WHEREAS, the City of Davenport, in Scott County, Iowa (the "City"), in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its General Obligation Corporate Bonds, Series 2012 (the "Series 2012 Bonds"), and, in the ordinance authorizing the issuance of the Series 2012 Bonds, the City reserved the right to call for early redemption as of June 1,

2020, the maturities of the Series 2012 Bonds coming due after June 1, 2020 (the "Callable Series 2012 Bonds"); and

WHEREAS, the City also has previously issued its General Obligation Refunding Bonds, Series 2012D (the "Series 2012D Bonds"), and, in the ordinance authorizing the issuance of the Series 2012D Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Series 2012D Bonds coming due after June 1, 2020 (the "Callable Series 2012D Bonds"); and

WHEREAS, the City also has previously issued its Taxable General Obligation Refunding Bonds, Series 2012B (the "Taxable Series 2012B Bonds"), and, in the ordinance authorizing the issuance of the Taxable Series 2012B Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Taxable Series 2012B Bonds coming due after June 1, 2020 (the "Callable Taxable Series 2012B Bonds"); and

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of 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 and Refunding Bonds, Series 2020 (the "Series 2020 Bonds") for the purpose of paying costs in connection with various improvements and projects in the City and refunding the Callable Series 2012 Bonds and the Callable Series 2012D Bonds; and

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

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has recommended that, upon review of all bids received for the purchase of the Series 2020 Bonds, all competitive bids be rejected; and

WHEREAS, it is necessary at this time to reject all competitive bids for the Series 2020 Bonds to adopt an ordinance consistent with that recommendation to allow for private placement consideration, and to direct the notification of the holders of such bonds;

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

Section 1. The bids referred to in the preamble hereof are hereby rejected, and the Series 2020 Bonds are not awarded to any Purchaser. Further, the City Council will explore private placement options for consideration.

Section 2. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.
Approved: 3/25/2020, Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. On my motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the following Ordinance moved to second consideration:

First Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport. [All Wards]

MOVED TO SECOND CONSIDERATION

3. Ald. Gripp introduced a Motion to amend the First Amendment to the Letter of Agreement to state that the City's obligation to perform under this First Amendment shall be terminated if the team's affiliation with Minor League Baseball is contracted or terminated due to Professional Baseball Agreement negotiations, seconded by Ald. Condon with all Aldermen present voting aye except Ald. Dunn and Ald. Meginnis.

On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye except Ald. Dunn and Ald. Meginnis, the following Resolution was adopted as amended:

Resolution approving a First Amendment to the Letter of Agreement dated April 24, 2019 with Main Street Iowa, LLC to insert the Workout Room Addition Project into the list of capital improvement projects to be completed at Modern Woodmen Park and directing the City Administrator to amend the FY20 Budget to provide the necessary funding. [Ward 3]

ADOPTED 2020-130

XI. 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 Ald. Ambrose, second by Ald. Gripp with All Aldermen present voting aye, the Consent Agenda was approved as follows:

1. Third Consideration: Ordinance for Case ROW20-01 being the request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of right-of-way located at N Elsie Ave extending north of W 3rd Pl. [Ward 1]

ADOPTED 2020-131

ORDINANCE NO. **2020-131**

ORDINANCE for Case ROW20-01: Request of Schuetzenpark Gilde to vacate 0.0835 acres, more or less, of Right-of-Way located at North Elsie Avenue extended north of W. 3rd Street Place. [Ward 1]

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

Section 1. The following described unit of Scott County, Iowa real estate is hereby vacated (abandoned). The property has the following legal description:

A portion of the subdivision for J.B. Eads as recorded in Book N on page 535 in the office of the Scott County Recorder, more particularly the platted street lying between Lots 1 and 2 of said J.B. Eads and is located in the South ½ of the Southwest ¼ of Section 28 and in the North ½ of the Northwest ¼ of Section 33 all of Township 78 North Range 3 East of the 5th P.M., City of Davenport, Iowa and is more particularly described as follows:

Beginning at the Northeast corner of Lot 2 of the subdivision for J.B. Eads as is recorded in Book N on page 535 in the office of the Scott County Recorder; thence N 88 degrees 10 minutes 21 seconds E along the North line of said J.B. Eads; a distance of 60.22 feet to the Northwest corner of Lot 1 of said J.B. Eads; thence S 00 degrees 27 minutes 38 seconds W along the W line of said Lot 1, a distance of 604.22 feet to the Southwest corner of said Lot 1; thence S 88 degrees, 45 minutes 3 seconds W along the Westerly extension of the South line of said Lot 1, a distance of 60.21 feet to a point on the West line of said Lot 2; thence N 00 degrees 27 minutes 38 seconds E along the East line of said Lot 2, a distance of 603.61 feet to the point of Beginning; containing 0.835 acre.

At its public hearing held on January 21, 2020, the Plan and Zoning Commission vote to recommend approval of the right-of-way vacation.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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: 3/25/2020, Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

2. First Consideration: Ordinance amending Davenport Municipal Code Section 12.12.080.
[All Wards] **MOVED TO SECOND CONSIDERATION**

3. Resolution approving Case F19-20 being the request of Build to Suit for a final plat of Crow Valley Plaza 14th Addition on 2.1 acres, being a replat of part of Lot 3 Crow Valley Plaza 2nd Addition located at 5445 & 5465 Utica Ridge Road containing 2 commercial lots.
[Ward 6] **ADOPTED 2020-132**

4. Resolution closing various streets, lanes, or public grounds on the listed dates and times to hold outdoor events. **ADOPTED 2020-133**

Davenport Community School District; High School District Track Meet; Brady Street Stadium, 3603 Brady St; Thursday, May 14, 2020 2:30 p.m. - 7:00 p.m.; **Closure:** E 36th St between Brady St and Davenport Ave. [Ward 7]

5. Resolution accepting the Main St Landing Phase I project completed by Hawkeye Paving Corporation of Bettendorf, IA. The project was completed with a final contract amount of \$625,317.47, CIP #68004. [Ward 3] **ADOPTED 2020-134**

6. Resolution on the plans, specifications, form of contract, and estimate of cost for the RiverCenter Door & Hardware Replacement Project, CIP #69014. [Ward 3] **ADOPTED 2020-135**

7. Resolution introducing the Proposed Resolution of Necessity covering the FY20 Alley Resurfacing Program, CIP #35038. [Wards 4 & 6] **ADOPTED 2020-136**

8. Resolution approving the contract for the Slopertown Reconstruction Division to Harrison, RISE Grant # RMX-1827(682)-9E-82, to K E Flatwork Inc of Eldridge, IA in the amount of \$1,032,197.16, CIP #35033. [Ward 8] **ADOPTED 2020-137**

9. Resolution approving the contract for the Intake Repair Program to Hometown Plumbing & Heating Co Inc of Davenport, IA in the amount of \$149,425.50, CIP #33034. [All Wards] **ADOPTED 2020-138**

10. Resolution awarding a contract to the lowest responsive and responsible vendors for the provision of street materials. [All Wards] **ADOPTED 2020-139**

11. Resolution approving the contract for the CY20 Crack and Seal Program to Hawkeye Paving Corporation of Bettendorf, IA in the amount of \$1,253,852.80, CIP #35042. [All Wards] **ADOPTED 2020-140**

12. Resolution approving the contract for the City Hall Basement Waterproofing project to Emery Construction Group Inc of Moline, IL in the amount of \$176,111, CIP #23047. [Ward 3] **ADOPTED 2020-141**

13. Resolution approving the contract for the FY21 Iowa DOT Full Depth Patch Program to Langman Construction Inc of Rock Island, IL in the amount of \$157,000, CIP #35045. [All Wards]

ADOPTED 2020-142

14. Resolution condemning hatred and divisiveness in all forms in the City of Davenport. [All Wards]

ADOPTED 2020-143

15. Resolution setting a Public Hearing authorizing the City to convey City-owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B, and the north 15 feet of parcel X1101A22 to the owners of the adjacent original parent parcel. [Ward 8]

ADOPTED 2020-144

16. Resolution authorizing the conveyance of vacated right of way known as part of Dugan & Rauch's 2nd Addition lying northwesterly of Lot 14 of Dugan & Rauch's 2nd Addition. [Ward 4]

ADOPTED 2020-145

17. Resolution adopting the FY21 Operating Budget, FY21 Capital Improvement Budget, and the FY21 - FY26 Capital Improvement Plan. [All Wards]

ADOPTED 2020-146

18. Resolution adopting the City Administrator's Workplan for CY20 and CY21. [All Wards]

ADOPTED 2020-147

19. Motion approving the allocations for Year 46 (July 1, 2020 – June 30, 2021) Community Development Block Grant (CDBG) funds and HOME Investment Partnership (HOME) funds. [All Wards]

PASSED 2020-148

20. Motion approving noise variance requests for various events on the listed dates and times.

PASSED 2020-149

J&M Displays Inc; QC River Bandits Post Game Fireworks; Modern Woodmen Park
209 S Gaines St; various dates April through September (see attached list);
Fireworks, over 50 dBa. [Ward 3]

21. Motion approving beer and liquor license applications.

PASSED 2020-150

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

Ward 2

Applebee's Neighborhood Grill & Bar (Apple Corps, LP) - 3005 W Kimberly Rd -
License Type: C Liquor

Ward 3

Palmer College of Chiropractic (Palmer College Foundation) - 1000 Brady St -
Outdoor Area - License Type: Beer/Wine

Ward 4

Hy-Vee Market Cafe (Hy-Vee, Inc) - 2351 W Locust St - License Type: C Liquor

Ward 5

W-Mart (Kuntidharma LLC) - 1205 & 1207 E Locust St - License Type: E Liquor

Ward 6

Camp McClellan Cellars (Julie Keehn) - 2302 E 11th St - License Type: C Beer

Ward 8

Fareway Stores, Inc #987 (Fareway Stores, Inc) - 1635 W 53rd St – License Type: E Liquor

22. Motion approving the contract for the Seawall Railing Repairs contract to Ihrig Works, LLC of Long Grove, IA in the amount of \$99,997. [Ward 3] **PASSED 2020-151**

XII. Other Ordinances, Resolutions and Motions

1. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the rules were suspended to add and vote on the items below:*

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

Resolution authorizing the debt service levy for FY21. [All Wards] **ADOPTED 2020-152**

3. *On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the following Motion passed:*

Motion authorizing the Human Resources Director to implement COVID-19 personnel items as identified, including an emergency leave policy, and authorization to adjust any related collective bargaining agreements as necessary and as required by state or federal legislation. [All Wards] **PASSED 2020-153**

XIII. Public with Business

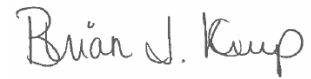
XIV. Reports of City Officials

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

Property taxes	409,280
Other City taxes	2,303,028
Special assessments	-
Licenses & permits	144,136
Intergovernmental	2,228,061

Charges for services	3,370,930
Use of monies & property	141,460
Fines & forfeits	26,576
Bonds/Loan Proceeds	30,198
Miscellaneous	299,391

XV. Adjourn **7:20 p.m.**



Brian J. Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
4/8/2020

Subject:

2. Approval of the Special City Council Meeting minutes for March 26, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	SPCC Min 032620

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/2/2020 - 10:26 AM

City of Davenport, Iowa
Special City Council Meeting Minutes
Thursday, March 26, 2020

The City Council of Davenport, Iowa met in a Special City Council Meeting on Thursday, March 26, 2020 at 4:00 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 (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Jobgen, Ald. Lee, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or 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 directing social distancing and placing restrictions on gatherings.

I. Moment of Silence

II. Pledge of Allegiance

III. Roll Call

IV. Agenda Items

1. *On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the Ordinance moved to second consideration.*

First Consideration: Ordinance providing for the sale and issuance of \$40,290,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2020-154**

**STAFF RECOMMENDS SUSPENSION OF THE RULES AND PASSAGE OF
SECOND AND THIRD CONSIDERATIONS**

- i. *On motion by Ald. Ambrose, second by Ald. Dunn with all Aldermen present voting aye, the rules were suspended for passage of second and third considerations of the Ordinance.*
- ii. *On motion by Ald. Ambrose, second by Ald. Gripp with all Aldermen present voting aye, the Ordinance was adopted.*

ORDINANCE NO. 2020-154

An Ordinance providing for the sale and issuance of \$40,290,000 General Obligation Corporate and Refunding Bonds, Series 2020, and for the levy of taxes to pay the same

WHEREAS, the City of Davenport, in Scott County, Iowa (the "City"), in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its General Obligation Corporate Bonds, Series 2012 (the "Series 2012 Bonds"), and, in the ordinance authorizing the issuance of the Series 2012 Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Series 2012 Bonds coming due after June 1, 2020 (the "Callable Series 2012 Bonds"); and

WHEREAS, the City also has previously issued its General Obligation Refunding Bonds, Series 2012D (the "Series 2012D Bonds"), and, in the ordinance authorizing the issuance of the Series 2012D Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Series 2012D Bonds coming due after June 1, 2020 (the "Callable Series 2012D Bonds"); and

WHEREAS, the City also has previously issued its Taxable General Obligation Refunding Bonds, Series 2012B (the "Taxable Series 2012B Bonds"), and, in the ordinance authorizing the issuance of the Taxable Series 2012B Bonds, the City reserved the right to call for early redemption as of June 1, 2020, the maturities of the Taxable Series 2012B Bonds coming due after June 1, 2020 (the "Callable Taxable Series 2012B Bonds"); and

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of 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 and Refunding Bonds, Series 2020 (the "Series 2020 Bonds") for the purpose of paying costs in connection with various improvements and projects in the City and refunding the Callable Series 2012 Bonds and the Callable Series 2012D Bonds; and

WHEREAS, sealed bids for the purchase of the Series 2020 Bonds were received and canvassed on behalf of the City; and, upon the advice of PFM Financial Advisors, LLC, municipal advisor for the City, the bids were rejected; and

WHEREAS, the City has received a proposal from Key Government Finance, Inc. (the "Lender") for the purchase of the Series 2020 Bonds in the principal amount of \$40,290,000; and

WHEREAS, it is necessary at this time to award the Series 2020 Bonds to the Lender and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2020 Bonds and the levy of taxes to pay the same and to authorize the early redemption of the Callable Series 2012 Bonds, the Callable Series 2012D Bonds and the Callable Taxable Series 2012B Bonds, and to direct the notification of the holders of such bonds;

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

Section 1. The proposal from the Lender referred to in the preamble hereof is hereby accepted, and the Series 2020 Bonds are hereby awarded to the Lender at the price specified in such bid, and the Mayor and City Clerk are hereby authorized to execute such documents as may be necessary on behalf of the City. The Series 2020 Bonds shall be dated as of the date of their delivery to the Lender and shall be payable as to both principal and interest in the manner hereinafter specified.

Section 2. The following terms with or without capitalization shall have the following meanings in this Ordinance unless the text expressly or by necessary implication requires otherwise:

"Bonds" or "Series 2020 Bonds" shall mean the \$40,290,000 General Obligation Corporate and Refunding Bonds, Series 2020, authorized to be issued by this Ordinance.

"Date of Taxability" shall have the meaning given such term in the Series 2020 Bonds.

"Determination of Taxability" shall have the meaning given such term in the Series 2020 Bonds.

"Issuer" shall mean the City of Davenport, Iowa

"Lender" shall mean Key Government Finance, Inc., together with its successors and assigns, as a holder of the Series 2020 Bonds.

"Paying Agent" shall mean the City Finance Director

"Registrar" shall mean the City Finance Director

"Tax Exempt Rate" means 2.04% per annum.

"Taxable Rate" means 2.58% per annum

Section 3. Registrar and Paying Agent. The City Finance Director is hereby designated as the Registrar and Paying Agent for the Series 2020 Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent".

Section 4. Bond Details; Source of Payment. The Series 2020 Bonds shall bear interest at the Tax Exempt Rate, unless a Determination of Taxability shall have occurred, in which case the Series 2020 Bonds shall bear interest at the Taxable Rate from the Date of Taxability. Principal of the Series 2020 Bonds shall be payable in annual installments as set forth in the Series 2020 Bonds. Interest on the Series 2020 Bonds shall be payable in semi-annual installments on June 1 and December 1 of each year, beginning December 1, 2020. Interest shall be calculated as set forth in the Series 2020 Bonds.

Payment of both principal of and interest on the Series 2020 Bonds shall be made to the registered owners appearing on the registration books of the City at the close of business on the fifteenth day of the month next preceding the payment date and shall be paid by electronic means, check or draft mailed to the registered owners at the addresses shown on such registration books. After the final installment of principal and interest on the Series 2020 Bonds, the Lender shall return the original Series 2020 Bonds to the Paying Agent.

The City reserves the right to prepay principal of the Series 2020 Bonds prior to maturity, in whole but not in part, on any date at a price of par plus accrued interest, and, if prepayment occurs prior to a date 60 months after the date of the Series 2020 Bonds, subject to a 2.00% prepayment premium calculated on the outstanding principal balance at the time of the prepayment.

Notice of such prepayment shall be given 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 prepayment date.

Any notice of prepayment may contain a statement that 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 2020 Bonds and that if funds are not available, such prepayment shall be cancelled by written notice to the owners of the Series 2020 Bonds in the same manner as the original prepayment notice was provided, such notice of cancellation to be made at least three days prior to the date fixed for prepayment.

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

The Series 2020 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.

The Series 2020 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, and after such registration, payment of the principal and interest thereof shall be made only to the registered owners, their legal representatives or assigns. The Series 2020 Bonds 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 2020 Bonds may be kept confidential as provided by Section 22.7 of the Code of Iowa.

Section 5. Form of Series 2020 Bonds. The Series 2020 Bonds shall be initially issued as a single Series 2020 Bond and shall be in substantially the following form:

THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT AND MAY NOT BE OFFERED OR SOLD WITHIN THE UNITED STATES OR TO U.S. PERSONS (AS SUCH TERMS ARE DEFINED UNDER THE SECURITIES ACT) EXCEPT PURSUANT TO AN EXEMPTION FROM, OR IN A TRANSACTION NOT SUBJECT TO, THE REGISTRATION REQUIREMENTS OF THE SECURITIES ACT. ACCORDINGLY, THE BOND IS BEING OFFERED AND SOLD ONLY TO (1) "QUALIFIED INSTITUTIONAL BUYERS" (AS DEFINED IN RULE 144A UNDER THE SECURITIES ACT) AND (2) TO A LIMITED NUMBER OF OTHER INSTITUTIONAL "ACCREDITED INVESTORS" (AS DEFINED IN RULE 501(A)(1), (2), (3) OR (7) UNDER THE SECURITIES ACT) THAT EXECUTE AND DELIVER A LETTER CONTAINING CERTAIN REPRESENTATIONS AND AGREEMENTS, AND THE BOND MAY ONLY BE TRANSFERRED IN ACCORDANCE WITH THE SERIES 2019 BOND ORDINANCE.

(Form of Series 2020 Bond)

UNITED STATES OF AMERICA
STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

GENERAL OBLIGATION CORPORATE AND REFUNDING BOND, SERIES 2020

No. 1		\$40,290,000
INTEREST RATE	MATURITY DATE	BOND DATE
2.04%	January 1, 2035	[Date of Delivery]

The City of Davenport, Scott County, State of Iowa, for value received, promises to pay in the manner hereinafter set out, to:

KEY GOVERNMENT FINANCE, INC.

or registered assigns (the "Lender"), the principal sum of Forty Million, Two Hundred Ninety Thousand Dollars together with interest on the outstanding principal hereof at the Interest Rate from the date of this Bond, or from the most recent payment date on which interest has been paid until the Maturity Date, except as the provisions hereinafter set forth with respect to prepayment prior to maturity may be or become applicable hereto.

Interest on this Bond is payable semi-annually on June 1 and December 1 of each year, commencing on December 1, 2020, and will be calculated on the basis of a 360-day year comprised of twelve 30-day months.

Principal of this Bond is payable in annual installments on June 1 of each year, commencing June 1, 2021, in each of the respective years and in the respective installment amounts, and continuing to and including the Maturity Date, subject to earlier prepayment as provided herein:

Principal		Principal	
Year	Amount	Year	Amount
2021	\$4,570,000	2029	\$1,745,000
2022	\$4,505,000	2030	\$1,780,000
2023	\$4,590,000	2031	\$1,820,000
2024	\$4,680,000	2032	\$1,310,000
2025	\$4,780,000	2033	\$1,335,000
2026	\$3,040,000	2034	\$1,360,000
2027	\$1,675,000	2035	\$1,390,000
2028	\$1,710,000		

The City Finance Director is hereby designated as the Bond Registrar and Paying Agent.

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 and Refunding Bonds, Series 2020 (the "Series 2020 Bonds"), issued by the City in the aggregate principal amount of \$40,290,000, 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 2020 Bonds and for the levy of taxes to pay the same for the purpose of paying the cost in connection with various improvements and projects in the City and refunding the outstanding balances of the City's General Obligation Corporate Bonds, Series 2012 and General Obligation Refunding Bonds, Series 2012D, and reference is hereby made to the Ordinance for a more complete statement as to the source of payment of the Bonds and the rights of the Lender. Capitalized terms used but undefined herein shall have the respective meanings ascribed to such terms in the Ordinance.

Upon the occurrence of a Determination of Taxability (as defined hereinafter), the Interest Rate on this Bond shall be automatically increased, effective as of the Date of Taxability (as defined hereinafter), to a rate of 2.58% per annum (the "Taxable Rate"). In such case, the City agrees also to pay to the Lender forthwith an amount equal to the aggregate difference between (i) the amount of interest paid on this Bond during the period in which all or a portion of the interest on this Bond was not excludable from the gross income of the holder (including without limitation any former holder) hereof for federal income tax purposes (the "Taxable Period") and (ii) the amount of interest that would have been payable on this Bond during the Taxable Period had the interest rate on this Bond been the Taxable Rate, together with an additional amount equal to any interest, penalties on overdue interest and additions to tax (as referred to in Subchapter A of Chapter 68 of the Internal Revenue Code of 1986, as amended) owed by the holder (including without limitation any former holder) hereof as a result of the occurrence of a Determination of Taxability. The provisions of this paragraph shall survive the payment of this Bond and the termination of the Ordinance.

A "Determination of Taxability" shall mean that all or a portion of the interest paid or payable on all or any portion of the Bonds is not excludable from the gross income of the holder (or any former holder) thereof for federal income tax purposes, as determined by such holder (or former holder).

The "Date of Taxability" shall mean the date as of which the interest paid or payable on the Bonds is includable in the gross income of the holder thereof for federal income tax purposes.

Attest:

(DO NOT SIGN)
Deputy City Clerk
Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

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

By (DO NOT SIGN)

Finance Director

ABBREVIATIONS

The following abbreviations, when used in this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM	-	as tenants in common	UTMA
TEN ENT	-	as tenants by the entireties	As Custodian for
TEN	-	as joint tenants with right of survivorship and not as tenants in common	(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 Bonds on the books kept for registration thereof with full power of substitution.

Dated: _____

Signature guaranteed:

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 6. 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 2020 Bonds as it falls due on December 1, 2020, 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 2020 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, 2020,

sufficient to produce the net annual sum of \$5,460,409

For collection in the fiscal year beginning July 1, 2021,

sufficient to produce the net annual sum of \$5,233,688;

For collection in the fiscal year beginning July 1, 2022,

sufficient to produce the net annual sum of \$5,226,786;

For collection in the fiscal year beginning July 1, 2023,

sufficient to produce the net annual sum of \$5,223,150;

For collection in the fiscal year beginning July 1, 2024,

sufficient to produce the net annual sum of \$5,227,678;

For collection in the fiscal year beginning July 1, 2025,

sufficient to produce the net annual sum of \$3,390,166;

For collection in the fiscal year beginning July 1, 2026,

sufficient to produce the net annual sum of \$1,963,150;

For collection in the fiscal year beginning July 1, 2027,

sufficient to produce the net annual sum of \$1,963,980;

For collection in the fiscal year beginning July 1, 2028,

sufficient to produce the net annual sum of \$1,964,096;

For collection in the fiscal year beginning July 1, 2029,

sufficient to produce the net annual sum of \$1,963,498;

For collection in the fiscal year beginning July 1, 2030,

sufficient to produce the net annual sum of \$1,967,186;

For collection in the fiscal year beginning July 1, 2031,

sufficient to produce the net annual sum of \$1,420,058;

For collection in the fiscal year beginning July 1, 2032,

sufficient to produce the net annual sum of \$1,418,334;

For collection in the fiscal year beginning July 1, 2033,

sufficient to produce the net annual sum of \$1,416,100;

For collection in the fiscal year beginning July 1, 2034,

sufficient to produce the net annual sum of \$1,418,356.

Section 7. 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 2020 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 2020 Bonds on the first interest payment date.

Section 8. 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 9. The Callable Series 2012 Bonds, the Callable Series 2012D Bonds and the Callable Taxable Series 2012B Bonds are hereby called for redemption as of June 1, 2020 (the "Redemption Date"), and the City Finance Director is hereby authorized and directed to take all action necessary to call the Callable Series 2012 Bonds, the Callable Series 2012D Bonds and the Callable Taxable Series 2012B Bonds for redemption as of the Redemption Date, including giving notice of such redemption to each of the registered owners of any of such Callable Bonds to be redeemed, at the addresses shown in the City's registration records, not less than 30 days prior to the Redemption Date.

Section 10. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2020 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 2020 Bonds which is applicable to that portion of the total Series 2020 Bond issue applicable to such fund. Each year while any of said Series 2020 Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2020 Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2020 Bonds during each year may be used for that purpose, in accordance with the Series 2020 Bond Financing Plan on file with the City Finance Director, 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 2020 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 2020 Bonds issued with respect to such funds.

Section 11. 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 2020 Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2020 Bonds to become taxable as "arbitrage bonds" pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 12. Deposit of Bond Proceeds; Executions of Documents. The Series 2020 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 the Lender, upon receipt of the purchase price thereof, and all action heretofore taken in connection with the issuance of the Series 2020 Bonds is hereby ratified and confirmed in all respects.

The officers of the City are hereby authorized and directed to do all acts and things as may be necessary in connection with the issuance and delivery of the Series 2020 Bonds and to carry out the intent and purposes of this Ordinance.

Section 13. Covenants of the City The City hereby represents, warrants, covenants and agrees with the owner or owners of the Series 2020 Bonds, or any of them, that, as soon as available but not later than 270 days after the end of each fiscal year, commencing with the report for the fiscal year ending June 30, 2020, the City shall provide to each owner of the Bonds an electronic copy of its audited annual financial statements (the "Annual Report") and, within 60 days after the end of each fiscal year, the City shall provide an electronic copy of the operating budget for the next fiscal year. If the City is unable to provide an Annual Report within 270 days of the end of the City's fiscal year, the City shall send a notice to the Lender stating (1) that there has been a failure to provide such information on or before the deadline above-specified and (2) the date by which the City will be able to provide the required information. The City shall provide the Lender such other financial reports as the Lender may reasonably request.

Section 14. Remedies of Bondholders. Except as herein expressly limited, the holder or holders of the Bonds shall have and possess all the rights of action and remedies afforded by the common law, the Constitution and statutes of the State of Iowa, and of the United States of America, for the enforcement of payment of their Bonds and interest thereon.

Upon an occurrence of a Determination of Taxability, the City shall, with respect to future interest payments, begin making payments relating to the Bonds calculated at the Taxable Rate. As set forth in the Bonds, the City shall make immediately a payment to the Lender forthwith an amount equal to the aggregate difference between (i) the amount of interest paid on the Series 2020 Bonds during the period in which all or a portion of the interest on Series 2020 Bonds was not excludable from the gross income of the holder (including without limitation any former holder) of the Series 2020 Bonds for federal income tax purposes (the "Taxable Period") and (ii) the amount of interest that would have been payable on the Series 2020 Bonds during the Taxable Period had the interest rate on the Series 2020 Bonds been the Taxable Rate, together with an additional

amount equal to any interest, penalties on overdue interest and additions to tax (as referred to in Subchapter A of Chapter 68 of the Internal Revenue Code of 1986, as amended) owed by the holder (including without limitation any former holder) of the Series 2020 Bonds as a result of the occurrence of a Determination of Taxability. The provisions of this paragraph shall survive the payment of the Series 2020 Bonds and the termination of this Ordinance.

Payments of principal and interest not paid when due shall bear interest at the rate of 3.00% above the Interest Rate then in effect with respect to the Series 2020 Bonds. In the event a payment of principal or interest is not made on or before 90 days of its due date, the rate of interest on all outstanding principal shall be at the rate of 3.00% above the Interest Rate then in effect with respect to the Series 2020 Bonds until the payment default has been cured, at which time the interest rate will revert back to the rate otherwise then in effect.

Section 15. Tax Exemption. It is the intention of the City that interest on the Series 2020 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 2020 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.

The City does not designate the Series 2020 Bonds as "Qualified Tax Exempt Obligations" as that term is used in Section 265(b)(3)(B) of the Internal Revenue Code.

Section 16. No Continuing Disclosure. 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 the bonds, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the bondholders to provide certain disclosure information to prescribed information repositories on a continuing basis or unless and to the extent the offering is exempt from the requirements of the Rule because the issue is issuable in minimum denominations of \$100,000 (subject to certain qualifications regarding deep discount securities) and (i) are sold in a limited private placement; or (ii) have a maturity of nine months or less; or (iii) are subject to tender at par at the option of the holder at least every nine months.

The Series 2020 Bonds are being issued in minimum denominations of \$100,000 and are being sold in a limited private placement. Consequently, the City hereby finds that the Rule is inapplicable to the Series 2020 Bonds.

Section 17. Disposition of Bond Proceeds; Arbitrage Not Permitted. The City certifies and covenants with the holders of the Series 2020 Bonds from time to time outstanding that the City, through its officers, (a) will make such further specific covenants, representations and assurances as may be necessary or advisable; (b) will comply with all representations, covenants and assurances contained in the tax certificate, which tax certificate shall constitute a part of the contract between the City and the owners of the Series 2020 Bonds; (c) will consult with bond counsel as necessary to comply with the provisions of this Ordinance; (d) will pay to the United States, as necessary, such sums of money representing required rebates of excess arbitrage profits relating to the Series 2020 Bonds; (e) will file such forms, statements and supporting documents as may be required and in a timely manner; and (f) if deemed necessary or advisable by its officers, will employ and pay fiscal agents, financial advisors, attorneys and other persons to assist the City in such compliance.

Section 18. Execution of Documents. The Mayor and Deputy City Clerk (or their designee) are hereby authorized to execute and deliver any and all agreements, documents and instruments required related to the issuance of the Series 2020 Bonds and to carry out the purposes set forth in this ordinance, including but not limited to any tax certificates, closing certificates and purchase agreements.

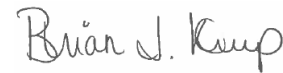
Section 19. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 20. Conflicting Ordinances. All ordinances and orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. No consent or waiver, express or implied, to or of any breach or default in the performance of any obligation under this Ordinance or the Series 2020 Bonds shall constitute a consent or waiver to or of any other breach or default in the performance of the same or any other obligation.

Section 21. Effective Date. This Ordinance shall be in full force and effect immediately upon its adoption, approval and publication, as provided by law.

Passed and approved March 26, 2020; Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

V. Adjourn **4:08 p.m.**

A handwritten signature in cursive script that reads "Brian J. Krup".

Brian J. Krup
Deputy City Clerk

City of Davenport

Agenda Group:
Department: City Clerk
Contact Info: Brian Krup 563-326-6163
Wards:

Action / Date
4/8/2020

Subject:
Approval of the Report on Committee of the Whole for April 1, 2020.

ATTACHMENTS:

Type	Description
▣ Backup Material	COW Report 040120

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	4/2/2020 - 11:30 AM

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, April 1, 2020--The Council observed a moment of silence. Pledge of Allegiance. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present (the following Aldermen were present via telephone: Ald. Dickmann, Ald. Dohrmann, Ald. Jobgen, Ald. Lee, Ald. Meginnis, and Ald. Peacock). A partially electronic meeting was held because a fully "in person" meeting was impossible or 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 directing social distancing and placing restrictions on gatherings.

The following Public Hearings were held: Public Works: 1) on the proposed Resolution of Necessity covering the FY20 Alley Resurfacing Program, CIP #35038; and 2) to review an application for a State Revolving Fund (SRF) Loan related to the proposed improvements to the City's Water Pollution Control Plant UV Disinfection Project, CIP #39005. Finance: 1) authorizing the City to convey City-owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B, and the north 15 feet of parcel X1101A22 to the owners of the adjacent original parent parcel.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) Community Development: No items on the agenda. Public Safety: Ald. Ambrose reviewed all items listed. On motion by Ald. Jobgen, second by Ald. Condon all items moved to the Consent Agenda. Public Works: Ald. Dunn reviewed all items listed. On motion by Ald. Dohrmann, second by Ald. Gripp all items moved to the Consent Agenda. Finance: Ald. Condon reviewed all items listed. On motion by Ald. Peacock, second by Ald. Ambrose all items moved to the Consent Agenda.

Council adjourned at 6:01 p.m.

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Heyer 563-326-7735
Wards:

Action / Date
4/8/2020

Subject:
Second Consideration: Ordinance amending Davenport Municipal Code Section 12.12.080. [All Wards]

Recommendation:
Adopt the Ordinance.

Background:
The purpose of this Ordinance amendment is to remove archaic language from the Davenport Municipal Code.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Ordinance Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Admin, Default	Approved	3/12/2020 - 12:29 PM

ORDINANCE NO.

AN ORDINANCE AMENDING DAVENPORT MUNICIPAL CODE SECTION 12.12.080

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

Section 1. Davenport municipal code section 12.12.080 is amended to read as follow:

12.12.080 Assessment of costs -- Alternate method of collection.

Payment of any special tax or assessment provided for in Sections 12.12.100, 12.12.250, 12.12.310, and 12.12.340 together with any interest and costs accrued thereon, may also be enforced by action in the name of the city against the owner or owners of the lots on which such taxes and assessments may be levied, which action shall be such as is authorized and prescribed by the Code of Iowa and amendments thereto, the provisions of which, so far as applicable, are adopted as a part of this chapter. (Prior code § 35-113).

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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.

First Consideration _____

Second Consideration _____

Approved _____

Mike Matson
Mayor

Attest: _____
Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Mallory Hoyt 563-326-7735
Wards:

Action / Date
3/25/2020

Subject:

Second Consideration: Ordinance amending various sections in Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport. [All Wards]

Recommendation:

Adopt the Ordinance.

Background:

Conversion therapy is an attempt to change someone's sexual orientation or gender identity. The practice of conversion therapy does irreparable harm by portraying sexual orientation and gender identity as mental illness.

The ban on conversion therapy would prohibit providers from advertising or performing conversion therapy. The ban grants subject matter jurisdiction to the Davenport Civil Rights Commission and protects children exposed to conversion therapy by extending the time frame with which complaints may be made to one year beyond their eighteenth birthday.

The American Medical Association and American Psychiatric Association have urged an end to this practice.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance
▣ Backup Material	Ordinance - Redlined

REVIEWERS:

Department	Reviewer	Action	Date
Legal	Warner, Tom	Approved	3/12/2020 - 9:45 AM
Finance Committee		Approved	3/13/2020 - 11:10 AM
City Clerk	Admin, Default	Approved	3/13/2020 - 12:36 PM

ORDINANCE NO. _____

Ordinance amending Chapter 2.58 to ban the practice of conversion therapy in the City of Davenport.

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

SECTION 1. That Section 2.58.010 of the Municipal Code of Davenport, Iowa be and hereby is amended to read as follows:

2.58.010 Purposes.

The purposes of the city in enacting the ordinance codified in this chapter are:

- A. To secure for all individuals within the city freedom from discrimination because of race, color, religion, creed, sex, national origin or ancestry, familial status, marital status, age, mental or physical disability, gender identity, or sexual orientation, in connection with employment, public accommodations, housing, education, and credit, and thereby to protect the personal dignity of these individuals, to insure their full productive capacity, to preserve the public safety, health, and general welfare, and to promote the interests, rights and privileges of individual citizens within the city;
- B. To provide for the execution within the city of the policies embodied in the Iowa Civil Rights Act of 1965 and in the Federal Civil Rights Act and to promote the cooperation between the city and the federal agencies enforcing those acts; and
- C. To provide, at the local level, a civil rights commission dedicated to the effective enforcement of this chapter and to serve as a source of information to employers, landlords, businesses, laborers, tenants, and other citizens relative to various civil rights legislation and regulations.
- D. To protect individuals from the serious harms caused by conversion therapy or reparative therapy and protect the physical and psychological well-being of minors through the exercise of the police power of the City for the public safety, health, and welfare by liberally construing this chapter to accomplish that purpose.

SECTION 2. That Section 2.58.030 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.58.030 Definitions.

For the purposes of this chapter, the words set out in this section shall have the following meanings:

- A. "Commission" means the civil rights commission created by this chapter.
- B. "Complainant" means that person filing a complaint with the commission.
- C. "Conciliation" means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent and the commission.
- D. "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.
- E. "Conversion therapy" or "reparative therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. The term "conversion therapy" shall not mean gender confirmation surgery, counseling that provides support and assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.
- F. "Court" means the district court in and for Scott County, Iowa.
- G. "Director" means an employee of the commission who shall have such duties, powers, and authority as may be conferred by this chapter.
- H. "Disability" means, with respect to an individual,
 - 1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual and the condition of an individual with a positive human immunodeficiency virus test result, a diagnosis of acquired immune deficiency syndrome-related complex, or any other condition related to acquired human immunodeficiency syndrome. The inclusion of a condition related to a positive human immunodeficiency virus test result in the meaning of "disability" under provisions of this chapter does not preclude the application of the provisions of this chapter to conditions resulting from other contagious or infectious diseases;
 - 2. A record of such an impairment; or
 - 3. Being regarded as having such impairment, but such term does not include current illegal use of or addiction to a controlled substance as defined in Chapter 124 of the Iowa Code.
- I. "Employee" means any person employed by an employer, but does not include an individual employed by a parent, spouse, or child.

J. "Employer" means the city or any political subdivision, board, commission, department, institution, or school district therein, and every other person employing employees within the city.

K. "Employment agency" means any person or entity undertaking to procure employees or opportunities to work for any other person or any person or entity representing himself or itself to be equipped to do so.

L. "Gender identity" means a gender-related identity of a person regardless of the person's assigned sex at birth.

M. "Labor organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms, or conditions of employment, or of other mutual aid or protection in connection with employment.

N. "Marital status" means the state of being married, single, divorced, separated, or widowed.

O. "Person" includes one or more individuals, partnerships, associations, corporations, legal representatives, labor organizations, trustees, trusts, mutual companies, joint stock companies, unincorporated organizations, trustees in cases under Title 11, receivers, fiduciaries, and the city and all political subdivisions and agencies thereof.

P. "Provider" means any licensed medical or mental health professional including but not limited to licensed mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, and social worker associates, and any physicians, psychologists, psychotherapist, certified chemical dependency professionals, certified chemical dependency professional trainees, counselors, certified counselors, certified advisers and any other designees or agents.

Q. "Public accommodation" means each and every place, establishment, or facility, of whatever kind, nature, or class that caters or offers services, facilities, or goods for a fee or charge to nonmembers of any organization or association utilizing the place, establishment, or facility provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the nonmembers gratuitously shall be deemed a public accommodation if the accommodation receives any governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which by its nature is distinctly private except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the nonmembers for a fee or charge or gratuitously, it shall be deemed a public accommodation during such period.

R. "Respondent" means the person or other entity against whom a complaint has been filed with the commission.

S. "Sexual orientation" means the following:

1. Homosexuality, heterosexuality, and bi-sexuality;
2. Having a record of being homosexual, heterosexual, or bisexual; or
3. Being perceived as being homosexual, heterosexual, or bisexual.

T. "Unlawful practice" or "discriminatory practice" means those practices specified as unlawful or discriminatory in this chapter.

SECTION 3. That Section 2.58.115 of the Municipal Code of Davenport, Iowa, is created and the same is hereby amended to read as follows:

2.58.115 Unfair practices—Conversion therapy.

A. It is a violation for any provider to provide or advertise conversion therapy or reparative therapy to a minor, regardless of whether the provider receives compensation in exchange for such services.

B. If the Director or City Attorney or their designees receives a report of an alleged violation of this Chapter 2.58.115, the Director or City Attorney or their designees may issue a letter notifying the provider that provision of conversion therapy or reparative therapy is prohibited. The act of sending an advisory letter does not preclude any other enforcement power of the commission or other body.

C. In addition to the remaining enforcement powers in this Chapter 2.58, the commission shall also have the authority to recommend revocation of the respondent's business license conferred under Title 5 depending on the severity and pervasiveness of the respondent's actions under 2.58.115.

SECTION 4. That Section 2.58.150 of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

2.58.150 Complaint procedures.

A. The director shall promptly cause investigation to be made of the allegations of unfair or discriminatory practice set forth in a complaint and shall promptly furnish the respondent with a copy of said complaint. Complaints filed in the areas of employment, credit, education, and public accommodation, except complaints for conversion therapy, must be filed within three hundred days after the alleged discriminatory practice occurred. Complaints filed in the area of housing must be filed within one year after the alleged discriminatory practice occurred. Complaints filed in the area of conversion therapy must be filed within one year of the complainant's eighteenth birthday or the date of the discriminatory practice, whichever is later. The director is authorized to administratively close a case when the director finds any of the following: 1) lack of jurisdiction; 2) minimal impact on civil rights in the community; or 3) facts do not warrant further processing.

B. If it is determined after investigation that no probable cause exists for such complaint, the director shall forthwith notify the complainant and the respondent of such determination and the case shall be closed.

C. If it is determined after investigation that probable cause exists for crediting the allegations of the complaint, the director shall promptly endeavor to eliminate any discriminatory or unfair practice by conference, conciliation and persuasion (hereinafter called conciliation).

D. The director may notify the Iowa Civil Rights Commission whenever a finding of probable cause or no probable cause has been made with respect to any case within their jurisdiction or whenever such case is otherwise closed.

E. The commission or the complainant shall have the power to reasonably and fairly amend any complaint. The complaint and the answer may be amended at any time prior to the scheduling of the complaint for a public hearing, and thereafter, only upon the consent of the hearing officer.

F. In any case where the commission finds that a complainant may suffer irreparable injury as a result of a violation of this chapter, the commission may bring an immediate action in the court for a temporary injunction against a respondent.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

Chapter 2.58 CIVIL RIGHTS COMMISSION

Sections:

Division I—General

- 2.58.010 Purposes.
- 2.58.020 Construction.
- 2.58.030 Definitions.
- 2.58.040 Established—Appointment and terms of members.
- 2.58.045 Meetings.
- 2.58.050 Powers and duties.
- 2.58.060 Director—Created— Appointment.
- 2.58.070 Director—Powers and duties.
- 2.58.080 Public meetings, records, and confidentiality.
- 2.58.090 Administrative release.

Division II—Unfair Practices

- 2.58.100 Unfair practices— Employment—Exceptions.
- 2.58.110 Unfair practices— Accommodations or services—Exception.
- 2.58.115 Unfair practices—Conversion therapy.
- 2.58.120 Unfair practices— Credit.
- 2.58.125 Education.
- 2.58.130 Unfair practices—Aiding or abetting.
- 2.58.140 Unfair practices—Retaliation.
- 2.58.150 Complaint procedures.
- 2.58.160 Conciliation.
- 2.58.170 Public hearing.
- 2.58.175 Remedial action.
- 2.58.180 Appeal procedure.
- 2.58.190 Court enforcement of order.
- 2.58.200 through 2.58.290 Reserved.

Division III—Fair Housing

- 2.58.300 Fair housing—Definitions.
- 2.58.305 Fair housing—Prohibitions.
- 2.58.310 Fair housing—Exemptions.
- 2.58.315 Fair housing—Discrimination in residential real estate-related transactions.
- 2.58.320 Fair housing—Discrimination in provision of brokerage services.
- 2.58.325 Fair housing—Administrative enforcement; preliminary matters.
- 2.58.330 Fair housing—Probable cause determination and effect.
- 2.58.335 Fair housing—Subpoenas; giving of evidence.
- 2.58.340 Fair housing—Enforcement by commission.
- 2.58.345 Fair housing—Review by commission; service of final order.
- 2.58.350 Fair housing—Judicial review.
- 2.58.355 Fair housing—Enforcement by private persons.
- 2.58.360 Fair housing—Enforcement by the legal department.
- 2.58.365 Fair housing—Cooperation with state and federal agencies in administering Fair Housing Laws.
- 2.58.370 Fair housing—Interference, coercion or intimidation; enforcement by civil action.

- 2.58.375 Fair housing—Violations; bodily injury.**
2.58.380 Fair housing—Disclaimer of preemptive effect.

Division I—General

2.58.010 Purposes.

The purposes of the city in enacting the ordinance codified in this chapter are:

A. To secure for all individuals within the city freedom from discrimination because of race, color, religion, creed, sex, national origin or ancestry, familial status, marital status, age, mental or physical disability, gender identity, or sexual orientation, in connection with employment, public accommodations, housing, education, and credit, and thereby to protect the personal dignity of these individuals, to insure their full productive capacity, to preserve the public safety, health, and general welfare, and to promote the interests, rights and privileges of individual citizens within the city;

B. To provide for the execution within the city of the policies embodied in the Iowa Civil Rights Act of 1965 and in the Federal Civil Rights Act and to promote the cooperation between the city and the federal agencies enforcing those acts; and

C. To provide, at the local level, a civil rights commission dedicated to the effective enforcement of this chapter and to serve as a source of information to employers, landlords, businesses, laborers, tenants, and other citizens relative to various civil rights legislation and regulations.

D. To protect individuals from the serious harms caused by conversion therapy or reparative therapy and protect the physical and psychological well-being of minors through the exercise of the police power of the City for the public safety, health, and welfare by liberally construing this chapter to accomplish that purpose.

2.58.030 Definitions.

For the purposes of this chapter, the words set out in this section shall have the following meanings:

A. "Commission" means the civil rights commission created by this chapter.

B. "Complainant" means that person filing a complaint with the commission.

C. "Conciliation" means the attempted resolution of issues raised by a complaint, or by the investigation of such complaint, through informal negotiations involving the aggrieved person, the respondent and the commission.

D. "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation.

E. "Conversion therapy" or "reparative therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. The term "conversion therapy" shall not mean gender confirmation surgery, counseling that provides support and assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

FE. "Court" means the district court in and for Scott County, Iowa.

~~GF.~~ "Director" means an employee of the commission who shall have such duties, powers, and authority as may be conferred by this chapter.

~~HG.~~ "Disability" means, with respect to an individual,

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual and the condition of an individual with a positive human immunodeficiency virus test result, a diagnosis of acquired immune deficiency syndrome-related complex, or any other condition related to acquired human immunodeficiency syndrome. The inclusion of a condition related to a positive human immunodeficiency virus test result in the meaning of "disability" under provisions of this chapter does not preclude the application of the provisions of this chapter to conditions resulting from other contagious or infectious diseases;

2. A record of such an impairment; or

3. Being regarded as having such impairment, but such term does not include current illegal use of or addiction to a controlled substance as defined in Chapter 124 of the Iowa Code.

~~IH.~~ "Employee" means any person employed by an employer, but does not include an individual employed by a parent, spouse, or child.

~~IJ.~~ "Employer" means the city or any political subdivision, board, commission, department, institution, or school district therein, and every other person employing employees within the city.

~~KJ.~~ "Employment agency" means any person or entity undertaking to procure employees or opportunities to work for any other person or any person or entity representing himself or itself to be equipped to do so.

~~LK.~~ "Gender identity" means a gender-related identity of a person regardless of the person's assigned sex at birth.

~~ML.~~ "Labor organization" means any organization which exists for the purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning grievances, terms, or conditions of employment, or of other mutual aid or protection in connection with employment.

~~NM.~~ "Marital status" means the state of being married, single, divorced, separated, or widowed.

~~ON.~~ "Person" includes one or more individuals, partnerships, associations, corporations, legal representatives, labor organizations, trustees, trusts, mutual companies, joint stock companies, unincorporated organizations, trustees in cases under Title 11, receivers, fiduciaries, and the city and all political subdivisions and agencies thereof.

P. "Provider" means any licensed medical or mental health professional including but not limited to licensed mental health counselors, mental health counselor associates, marriage and family therapists, marriage and family therapist associates, social workers, and social worker associates, and any physicians, psychologists, psychotherapist, certified chemical dependency professionals, certified chemical dependency professional trainees, counselors, certified counselors, certified advisers and any other designees or agents.

~~QQ.~~ "Public accommodation" means each and every place, establishment, or facility, of whatever kind, nature, or class that caters or offers services, facilities, or goods for a fee or charge to nonmembers of any organization or association utilizing the place, establishment, or facility provided that any place, establishment, or facility that caters or offers services, facilities, or goods to the nonmembers gratuitously shall be deemed a public accommodation if the accommodation receives any governmental support or subsidy. Public accommodation shall not mean any bona fide private club or other place, establishment, or facility which by its nature is distinctly private except when such distinctly private place, establishment, or facility caters or offers services, facilities, or goods to the nonmembers for a fee or charge or gratuitously, it shall be deemed a public accommodation during such period.

RP. "Respondent" means the person or other entity against whom a complaint has been filed with the commission.

SQ. "Sexual orientation" means the following:

1. Homosexuality, heterosexuality, and bi-sexuality;
2. Having a record of being homosexual, heterosexual, or bisexual; or
3. Being perceived as being homosexual, heterosexual, or bisexual.

TR. "Unlawful practice" or "discriminatory practice" means those practices specified as unlawful or discriminatory in this chapter.

2.85.115 Unfair practices—Conversion therapy.

A. It is a violation for any provider to provide or advertise conversion therapy or reparative therapy to a minor, regardless of whether the provider receives compensation in exchange for such services.

B. If the Director or City Attorney or their designees receives a report of an alleged violation of this Chapter 2.58.115, the Director or City Attorney or their designees may issue a letter notifying the provider that provision of conversion therapy or reparative therapy is prohibited. The act of sending an advisory letter does not preclude any other enforcement power of the commission or other body.

C. In addition to the remaining enforcement powers in this Chapter 2.58, the commission shall also have the authority to recommend the revocation of the respondent's business license conferred under Title 5 depending on the severity and pervasiveness of the respondent's actions under 2.58.115.

2.58.150 Complaint procedures.

A. The director shall promptly cause investigation to be made of the allegations of unfair or discriminatory practice set forth in a complaint and shall promptly furnish the respondent with a copy of said complaint. Complaints filed in the areas of employment, credit, education, and public accommodation, except complaints for conversion therapy, must be filed within three hundred days after the alleged discriminatory practice occurred. Complaints filed in the area of housing must be filed within one year after the alleged discriminatory practice occurred. Complaints filed in the area of conversion therapy must be filed within one year of the complainant's eighteenth birthday or the date of the discriminatory practice, whichever is later. The director is authorized to administratively close a case when the director finds any of the following: 1) lack of jurisdiction; 2) minimal impact on civil rights in the community; or 3) facts do not warrant further processing.

B. If it is determined after investigation that no probable cause exists for such complaint, the director shall forthwith notify the complainant and the respondent of such determination and the case shall be closed.

C. If it is determined after investigation that probable cause exists for crediting the allegations of the complaint, the director shall promptly endeavor to eliminate any discriminatory or unfair practice by conference, conciliation and persuasion (hereinafter called conciliation).

D. The director may notify the Iowa Civil Rights Commission whenever a finding of probable cause or no probable cause has been made with respect to any case within their jurisdiction or whenever such case is otherwise closed.

E. The commission or the complainant shall have the power to reasonably and fairly amend any complaint. The complaint and the answer may be amended at any time prior to the scheduling of the complaint for a public hearing, and thereafter, only upon the consent of the hearing officer.

F. In any case where the commission finds that a complainant may suffer irreparable injury as a result of a violation of this chapter, the commission may bring an immediate action in the court for a temporary injunction against a respondent.

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Gary Statz 563-326-7754
Wards:

Action / Date
4/1/2020

Subject:

First Consideration: Ordinance amending Schedule XV of Chapter 10.96 entitled "Pedestrian Traffic Signals" by deleting 2nd Street east of Fillmore Street. [Ward 3]

Recommendation:

Adopt the Ordinance.

Background:

The buildings at the former site of Kraft Heinz will be removed in the near future. There will be no need for a pedestrian traffic signal at this location. The signal was at the crossing between the parking lot and the factory.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/25/2020 - 12:29 PM
Public Works Committee	Lechvar, Gina	Approved	3/25/2020 - 12:29 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:10 PM

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.96 ENTITLED SCHEDULES OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, BY AMENDING SCHEDULE XV PEDESTRIAN TRAFFIC SIGNALS THERETO BY DELETING 2ND STREET EAST OF FILLMORE STREET.

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

Section 1. That Schedule XV Pedestrian Traffic Signals of the Municipal Code of Davenport, Iowa, be and the same is hereby amended by deleting the following:

2nd Street east of Fillmore Street.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

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.

First Consideration _____

Second Consideration _____

Approved _____

Published in the *Quad City Times* on _____

Attest: _____

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
4/1/2020

Subject:
Resolution approving the contract for the FY20 General Resurfacing Program to Manatts Inc - Eastern Iowa Division of Camanche, IA in the amount of \$533,490.45, CIP #35042. [Ward 4, 5, & 6]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued and sent to contractors on March 10, 2020. On March 23, 2020, the Purchasing Division opened and read three (3) responsive and responsible bids. See bid tab attached.

This project will resurface Jersey Ridge Road from Central Park Avenue to E George Washington Blvd, and W Locust St from Gaines St to Ripley St.

Manatts Inc-Eastern Iowa Division of Camanche was the lowest responsive and responsible bidder.

Funding for this project is from CIP #35042 High Volume St Repair. These funds are from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▢ Cover Memo	PW_RES_FY2020 General Resurfacing Program
▢ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/25/2020 - 4:47 PM
Public Works Committee	Lechvar, Gina	Approved	3/26/2020 - 9:52 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:25 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the FY2020 General Resurfacing Program to Manatts Inc – Eastern Iowa Division of Camanche IA, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the FY2020 General Resurfacing Program; and

WHEREAS, Manatts Inc – Eastern Iowa Division of Camanche IA, submitted the lowest responsive and responsible bid; and

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the FY2020 General Resurfacing Program to Manatts Inc – Eastern Iowa Division of Camanche IA;
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: 2020 GENERAL RESURFACING PROGRAM

BID NUMBER: #20-112

OPENING DATE: MARCH 23, 2020

GL ACCOUNT NUMBER: 70066680 530350 35042

RECOMMENDATION: AWARD THE CONTRACT TO MANATTS INC -EASTERN
IOWA DIVISION OF CAMANCHE IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Manatt's Inc – Easter Iowa Division of Camanche IA	\$533,490.45
Hawkeye Paving Corporation of Bettendorf IA	\$562,444.50
Tri City Blacktop Inc of Bettendorf IA	\$574,534.33

Approved By Kristi Keller 3-25-2020
Purchasing

Approved By Nicole Gleason 3-25-2020
Dept. Director

Approved By Bradi Coy 3-25-2020
Budget/CIP

Approved By Don 3-25-2020
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
4/8/2020

Subject:
Resolution approving the contract for the Partial Roof Replacement at Davenport Public Works to Jim Giese Commercial Roofing Co, Inc of Dubuque, IA in the amount of \$792,008, CIP #23033. [Ward 7]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to Bid was issued and sent to contractors on February 26, 2020. On March 24, 2020, the Purchasing Division opened and read seven responsible and responsive bids. See bid tab attached.

This replacement is for the higher portion of the Public Works Facility that has two stories.

Jim Giese Commercial Roofing Co, Inc of Dubuque, IA has successfully performed work for the City in the past. They were the lowest responsive and responsible bidder.

This project is part of the FY21 budget. Work will not begin until July 1, 2020. These funds are from CIP #23033 Public Works Roof from the sale of General Obligation Bonds.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/25/2020 - 5:01 PM
Public Works Committee	Lechvar, Gina	Approved	3/26/2020 - 9:53 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:27 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the contract for the Partial Roof Replacement at Davenport Public Works to Jim Giese Commercial Roofing Co Inc of Dubuque, IA and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the Partial Roof Replacement at Davenport Public Works; and

WHEREAS, Jim Giese Commercial Roofing Co Inc of Dubuque, IA submitted the lowest responsive and responsible bid; and

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the contract for the Partial Roof Replacement at Davenport Public Works to Jim Giese Commercial Roofing Co Inc of Dubuque, IA;
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
BID TABULATION

DESCRIPTION: PARTIAL ROOF REPLACEMENT AT PUBLIC WORKS

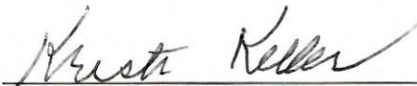
BID NUMBER: #20-104

OPENING DATE: MARCH 24, 2020

GL ACCOUNT NUMBER: 23033

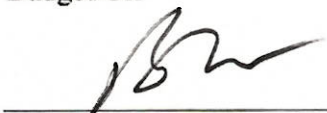
RECOMMENDATION: AWARD THE CONTRACT TO JIM GIESE COMMERCIAL
ROOFING INC OF DUBUQUE IA

<u>VENDOR NAME</u>	<u>BID AMOUNT</u>
Jim Giese Commercial Roofing Inc of Dubuque IA	\$792,008
Hopkins Roofing of Pella IA	\$827,797
Black Hawk Roof Company of Cedar Falls IA	\$846,500
Sterling Commercial Roofing Inc of Sterling IL	\$887,030
Economy Roofing & Insulating C Inc of Bettendorf IA	\$897,270
West Branch Roofing and Tipton Roofing Co Inc of West Branch	\$964,288
T & K Roofing Company of Ely IA	\$979,831

Approved By  3-25-2020
Purchasing

Approved By  3-25-2020
Dept. Director

Approved By  3-25-2020
Budget/CIP

Approved By  3-25-2020
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
4/8/2020

Subject:
Resolution awarding the 3 year contract for overhead door service to Raynor Door of the Quad Cities. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
An Invitation to bid was issued on February 11, 2020 and sent to contractors. On March 4, 2020, the Purchasing Division opened and read two responsible and responsive bids. See bid tab attached.

This contract is used for overhead door repair/replace services at various City-owned properties. Raynor Door of the Quad Cities has successfully performed this contract in the past. After evaluation by a committee of staff, Raynor Door of the Quad Cities scored the highest overall. The criteria used for the evaluation was: 1) Proposed Pricing, 2) Performance History and ability to timely deliver services, 3) Safety Record, 4) Ability, Experience, Qualifications, Expertise of personnel assigned to the City's account, 5) Licensing, and 6) Responsiveness.

Funding for this service contract is from the maintenance accounts for each City-owned building.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution
▣ Cover Memo	Bid Tab for Greensheet

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/25/2020 - 4:52 PM
Public Works Committee	Lechvar, Gina	Approved	3/26/2020 - 9:53 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:39 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION awarding the 3 year contract for overhead door service to Raynor Door of the Quad Cities of Davenport, IA, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the 3 year service agreement for overhead door repairs and maintenance; and

WHEREAS, Raynor Door of the Quad Cities of Davenport, IA scored the highest overall during the RFP evaluation;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Awarding the 3 year contract for overhead door service to Raynor Door of the Quad Cities of Davenport, IA;
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

CITY OF DAVENPORT, IOWA
RFP TABULATION

DESCRIPTION: OVERHEAD DOOR MAINTENANCE AND SERVICE
CONTRACT

RFP NUMBER: #20-94

OPENING DATE: MARCH 4, 2020

GL ACCOUNT NUMBER: VARIOUS ACCOUNTS DEPENDING ON WHICH
BUILDING IT IS IN

RECOMMENDATION: AWARD THE CONTRACT TO RAYNOR DOOR
COMPANY OF BETTENDORF IA

<u>VENDOR NAME</u>	<u>LOCATION</u>
Raynor Door Company	Bettendorf IA
Barron Equipment Company Inc	Davenport IA

Approved By Kristi Keller 3-25-2020
Purchasing

Approved By Nicole Gleason 3-25-2020
Dept. Director

Approved By [Signature] 3-25-2020
Budget/CIP

Approved By [Signature] 3-25-2020
Chief Financial Officer

City of Davenport

Agenda Group:
Department: Public Works - Admin
Contact Info: Brian Schadt 563-326-7923
Wards:

Action / Date
4/8/2020

Subject:
Resolution approving a preconstruction agreement with the Iowa Department of Transportation for the Kimberly Road Resurfacing project from Brady Street to Elmore Avenue. [Wards 6 & 7]

Recommendation:
Adopt the Resolution.

Background:
The Iowa Department of Transportation (IADOT) will be funding and administering a resurfacing project for Kimberly Road from Brady Street to Elmore Avenue. As part of the project, the IADOT will be reimbursing the city for purchasing of video detection camera equipment. The equipment will replace existing detector loops at the traffic signals within the affected corridor. The video detection equipment will be installed by Public Works staff and will integrate into the Intelligent Traffic Management System installed on the corridor. The total reimbursement cost is estimated to be \$108,000.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	PW Pg 2
▢ Backup Material	Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/26/2020 - 3:51 PM
Public Works Committee	Lechvar, Gina	Approved	3/26/2020 - 3:51 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 5:52 PM

Resolution No. _____

Resolution offered by Alderman Dunn

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving a preconstruction agreement with the Iowa Department of Transportation for the Kimberly Road Resurfacing project from Brady Street to Elmore Avenue.

WHEREAS, the City of Davenport (the "City") is a political subdivision organized and existing under the law and the Constitution of the State of Iowa (the "State"); and

WHEREAS, The Iowa Department of Transportation (IADOT) will be funding and administering a resurfacing project for Kimberly Road from Brady Street to Elmore Avenue. ;

WHEREAS, the City approves the signing of the funding agreement with the Iowa Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that appropriate personnel are authorized to sign the funding agreement on behalf of the City and that City staff will execute the agreement during all project stages.

Passed and approved on the 8th day of April, 2020.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

**IOWA DEPARTMENT OF TRANSPORTATION
Preconstruction Agreement
For Primary Road Project**

County	Scott
City	Davenport
Project No.	NHSN-006-9(85)--2R-82
Iowa DOT	
Agreement No.	2020-6-110
Staff Action No.	

This Agreement, is entered into by and between the Iowa Department of Transportation, hereinafter designated the "DOT", and Davenport, Iowa, a Local Public Agency, hereafter designated the "LPA" in accordance with Iowa Code Chapters 28E, 306, 306A and 313.4 as applicable;

The DOT proposes to establish or make improvements to U.S. 6 within Scott County, Iowa; and

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

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

Therefore, it is agreed as follows:

1. Project Information

- a. The DOT will design, let, and inspect construction of the following described project in accordance with the project plans and DOT standard specifications:

Hot Mix Asphalt (HMA) resurfacing from Brady Street to Elmore Avenue. See Exhibit A for location.

- b. As part of the project, the LPA has requested the replacement of loop detectors for video detection cameras, and storm sewer repairs. The cost for the video detection cameras will be reimbursed to the LPA by the DOT; the cost for the storm sewer repairs will be done at no cost to the DOT. (See Exhibit A for location and Exhibit B for costs).
- c. There are loop detectors at the signalized intersections. The LPA desires to upgrade and install the vehicle detection system from loops to video detection cameras. The DOT agrees to reimburse the LPA the actual cost of the video detection camera equipment in exchange for not replacing the detector loop. There are 54 detector loops that will be affected. The cost to replace the loops is estimated at \$2,000 per loop. The total cost is estimated at \$108,000. Upon receipt of properly documented billing, Iowa DOT agrees to reimburse the City the actual cost of the video detection camera equipment. The amount of reimbursement shall not exceed \$2,000 per loop.
- d. All storm sewers constructed by the DOT as part of the project will become the property of the LPA, which will be responsible for their maintenance and operations. The LPA will not make any connections to said storm sewers without the prior written approval of the DOT. The LPA will prevent use of such storm sewers as a sanitary sewer.

2. Project Costs

- a. The net reimbursement from the DOT to the LPA is estimated to be \$103,306.25 (\$108,000 less \$4,693.65).
- b. The DOT will bear all costs except those allocated to the LPA under other terms of this Agreement.

3. Traffic Control

- a. U.S. 6 through-traffic will be maintained during the construction.
- b. If it becomes necessary to temporarily close LPA side roads during construction, the DOT will furnish and install the required barricades and signing for the closure at project cost and shall remove same upon completion of the project also at no expense or obligation to the LPA. The DOT will work in close cooperation with the LPA and the contractor to accommodate emergency services and local access across the project during construction. Any detours which may be necessary for project related LPA road closures will be the responsibility of the LPA all at no expense or obligation to the DOT.
- c. If this project causes the temporary closure of a road during construction, the DOT shall meet with the LPA to determine whether said closure(s) will cause increased traffic on other LPA roads. The DOT and the LPA shall determine a plan, and the costs thereof, for the LPA to perform dust control on said LPA roads with increased traffic, should dust control become necessary. In that event, the LPA shall inform the DOT prior to performing said dust control. The DOT shall reimburse the LPA for the cost of said dust control measures following the receipt of a bill for the agreed upon costs (see Iowa Code section 313.4 subsection 1.b.).

4. Right of Way and Permits

- a. Subject to the provisions hereof, the LPA in accordance with 761 Iowa Administrative Code Chapter 150.3(1)c and 150.4(2) will remove or cause to be removed (within the corporate limits) all encroachments or obstructions in the existing primary highway right of way. The LPA will also prevent the erection and/or placement of any structure or obstruction on said right of way or any additional right of way which is acquired for this project including but not limited to private signs, buildings, pumps, and parking areas.
- b. The DOT will be responsible for the coordination of utility facility adjustments for the primary road project.
- c. The LPA agrees to relocate all city-owned utilities necessary for construction which are located within the existing street or alley right of way, subject to the approval of and without expense to the DOT and in accordance with 761 Iowa Administrative Code Chapter 150.4(5) and the DOT Utility Accommodation Policy.
- d. With the exception of service connections no new or future utility occupancy of project right of way, nor any future relocations of or alterations to existing utilities within said right of way will be permitted or undertaken by the LPA without the prior written approval of the DOT. All work will be performed in accordance with the Utility Accommodation Policy and other applicable requirements of the DOT.

5. Construction & Maintenance

- a. Upon completion of the project, no changes in the physical features thereof will be undertaken or permitted without the prior written approval of the DOT.

- b. Future maintenance of the primary highway within the project area will be carried out in accordance with the terms and conditions contained in 761 Iowa Administrative Code Chapter 150.
- c. Structures built by the DOT over or under a primary road will be maintained structurally sound by the DOT, including repairs to floors and railing and painting. For structures serving roadways which are not on the primary road system, the cleaning and removal of snow, debris and foreign objects from local road traffic lanes, sidewalks or walkways within the project limits (if any) including pedestrian overpasses or underpasses will be the responsibility of the LPA.

6. General Provisions

- a. If the LPA has completed a Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the FIS is modified, amended or revised in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the modification, amendment or revision to the DOT. If the LPA does not have a detailed Flood Insurance Study (FIS) for an area which is affected by the proposed Primary Highway project and the LPA does adopt an FIS in an area affected by the project after the date of this Agreement, the LPA shall promptly provide notice of the FIS to the DOT.
- b. The LPA will comply with all provisions of the equal employment opportunity requirements prohibiting discrimination and requiring affirmative action to assure equal employment opportunity as required by Iowa Code Chapter 216. No person will, on the grounds of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, pregnancy, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which State funds are used.
- c. It is the intent of both parties that no third party beneficiaries be created by this Agreement.
- d. If any section, provision, or part of this Agreement shall be found to be invalid or unconstitutional, such finding shall not affect the validity of the Agreement as a whole or any section, provision, or part thereof not found to be invalid or unconstitutional, except to the extent that the original intent of the Agreement cannot be fulfilled.
- e. This Agreement may be executed in (two) counterparts, each of which so executed will be deemed to be an original.
- f. This Agreement, as well as the unaffected provisions of any previous agreement(s), addendum(s), and/or amendment(s); represents the entire Agreement between the LPA and DOT regarding this project. All previously executed agreements will remain in effect except as amended herein. Any subsequent change or modification to the terms of this Agreement will be in the form of a duly executed amendment to this document.

July 2014

IN WITNESS WHEREOF, each of the parties hereto has executed Agreement No. 2020-6-110 as of the date shown opposite its signature below.

CITY OF DAVENPORT:

By: _____ Date _____, 20____.
Title: Mayor

I, _____, certify that I am the Clerk of the City, and that
_____, who signed said Agreement for and on behalf of
the City was duly authorized to execute the same on the ____ day of _____, 20____.

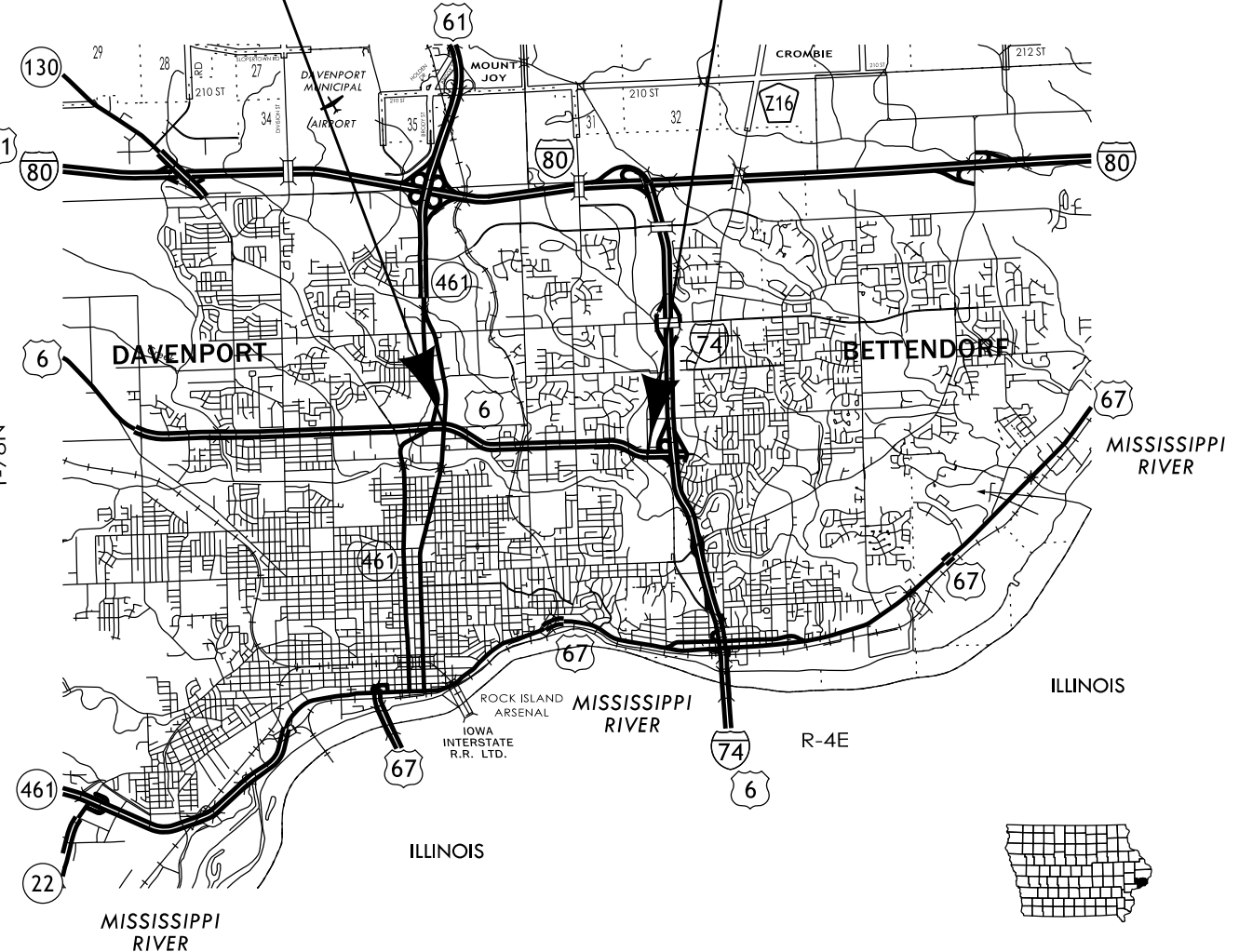
Signed: _____
City Clerk of Davenport, Iowa

IOWA DEPARTMENT OF TRANSPORTATION:

By: _____ Date _____, 20____.
James Schnoebelen
District Engineer
District 6

EXHIBIT A

PIN 19-82-006-010



ESTIMATED STORM SEWER COSTS**HMA Resurfacing U.S. 6 from Brady St to Elmore Ave in Davenport****DAVENPORT, IA IOWA DOT PROJECT NO. NHSN-006-9(85)--2R-82**

ITEM #		DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	Total
1	2506-4984000	FLOWABLE MORTAR	8	CY	\$ 251.25	\$ 2,010.00
2	2503-0114224	STORM SWR G-MAIN,TRENCHED, RCP 2000D,24"	8	LF	\$ 139.00	\$ 1,112.00
3	2503-0200036	RMV STORM SWR PIPE LESS THAN 36"	8	LF	\$ 32.30	\$ 258.40
4	2435-0700020	CONNECTION TO EXISTING INTAKE	1	EACH	\$ 1,313.25	\$ 1,313.25
						\$ 4,693.65

Notes: The actual amount of reimbursement will be based on the items used to repair the storm sewer and the contract unit price.

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Linda Folland 563-328-6789
Wards:

Action / Date
4/8/2020

Subject:
Resolution relating to financing of certain proposed projects to be undertaken by the City of Davenport, Iowa and establishing compliance with reimbursement bond regulations under the Internal Revenue Code. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The City's FY21 Capital Improvement Budget becomes effective July 1, 2020. Projects will be underway before the sale of bonds, using available resources from the capital improvement fund. In order to comply with IRS regulations, the Council must indicate the City's desire to reimburse itself from future bond proceeds should this be the case. The Series 2021 bond sale will be used to fund a variety of capital projects in the FY21 CIP. A listing of projects to be financed is attached.

ATTACHMENTS:

Type	Description
▢ Resolution Letter	RESOLUTION AND PROJECT LIST

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Folland, Linda	Approved	3/26/2020 - 12:04 PM
Finance Committee	Folland, Linda	Approved	3/26/2020 - 12:04 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:14 PM

RESOLUTION NO. _____

Resolution relating to financing of certain proposed projects to be undertaken by the City of Davenport, Iowa; establishing compliance with reimbursement bond regulations under the Internal Revenue Code

BE IT RESOLVED by the City Council (the “Council”) of the City of Davenport, Iowa (the “City”), as follows:

Section 1. Recitals.

(a) The Internal Revenue Service has issued Section 1.150-2 of the Income Tax Regulations (the “Regulations”) dealing with the issuance of bonds, all or a portion of the proceeds of which are to be used to reimburse the City for project expenditures made by the City prior to the date of issuance.

(b) The Regulations generally require that the City make a prior declaration of its official intent to reimburse itself for such prior expenditures out of the proceeds of a subsequently issued borrowing and that the borrowing occur and the reimbursement allocation be made from the proceeds of such borrowing within a certain period after the payment of the expenditure or the date the projects are placed in service.

(c) The City desires to comply with requirements of the Regulations with respect to certain projects hereinafter identified.

Section 2. Official Intent Declaration.

(a) The City proposes to undertake the following projects and to make original expenditures with respect thereto prior to the issuance of bonds, notes or other obligations (the “Series 2021 Bonds”) and reasonably expects to issue the Series 2021 Bonds for such projects in the maximum principal amounts shown below:

<u>Projects</u>	<u>Maximum Amount of Bonds Expected to be Issued for Each Project</u>
-----------------	---

(ATTACHED LIST OF PROJECTS AND AMOUNTS FOLLOW)

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Series 2021 Bonds or (ii) expenditures made not earlier than sixty days prior to the date of this Resolution or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Series 2021 Bonds or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this resolution.

(c) This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 3. Budgetary Matters.

As of the date hereof, there are no City funds reserved, allocated on a long term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long term basis or otherwise set aside) to provide permanent financing for the expenditures related to the projects, other than pursuant to the issuance of the Series 2021 Bonds. This resolution, therefore, is determined to be consistent with the City's budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof, all within the meaning and content of the Regulations.

Section 4. Reimbursement Allocations.

The City's chief financial officer shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Series 2021 Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the projects. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Series 2021 Bonds, shall specifically identify the actual prior expenditure being reimbursed or, in the case of reimbursement of a fund or account, the fund or account from which the expenditure was paid, and shall be effective to relieve the proceeds of the Series 2021 Bonds from any restriction under the bond resolution or other relevant legal documents for the Series 2021 Bonds, and under any applicable state statute, which would apply to the unspent proceeds of the Series 2021 Bonds.

Section 5. Repealer.

All resolutions, parts of resolutions, or actions of the City Council in conflict herewith are hereby repealed, to the extent of such conflict.

Page 3

Passed and approved April 8, 2020.

Attest:

Deputy Clerk

Mayor

City of Davenport, Iowa
2021 Bond Issue
(\$ Thousands)
3/9/2020

15-Year General Obligation Bonds	Amount	
Airport Improvements	100	
Bridge Repair and Maintenance	520	
Citizen Health & Welfare	215	
City Facility Improvements	3,660	
Municipal Housing Projects	1,655	
Parks Improvements	2,250	
Public Safety Equipment	550	
Sewer Improvements	355	
Street Improvements	11,025	
Streetscape Improvements/Sidewalks & Paths	690	
Subtotal 15-Year GO Bonds		\$ 21,020
5-Year Equipment Bonds (GO)		
Acquisition of Parks Vehicles/Equipment	125	
Acquisition of Streets Vehicles/Equipment	325	
City Information Technology Network Improvements	300	
Library Equipment	525	
Public Safety Equipment	300	
Subtotal 5-Year Equipment Bonds		\$ 1,575
15-Year Bonds Abated by Other Sources (GO)		
Sewer Improvements (Sewer Fund)	7,500	
Water Pollution Control Plant Improvements (WPCP Fund)	7,365	
Subtotal 15-Year Bonds Abated by Other Sources		\$ 14,865
5-Year Bonds Abated by Other Sources (GO)		
Solid Waste Equipment (Solid Waste Fund)	930	
Subtotal 5-Year Bonds Abated by Other Sources		\$ 930
Total Proposed 2021 Bond Issue - Projected		<u>\$ 38,390</u>
Estimated Cost of Issuance and Underwriting Discount		\$ 559
Total 2021 Bond Issue - Not-to-Exceed		<u><u>\$ 38,949</u></u>

City of Davenport, Iowa
2021 Bond Issue
(\$ Thousands)
3/9/2020

Essential Corporate Purpose	Amount	
Acquisition of Streets Vehicles/Equipment	325	
Airport Improvements	100	
Bridge Repair and Maintenance	520	
Public Safety Equipment	850	
Municipal Housing Projects	1,655	
Parks Improvements	2,250	
Sewer Improvements	7,855	
Street Improvements	11,025	
Streetscape Improvements/Sidewalks & Paths	690	
Water Pollution Control Plant Improvements	<u>7,365</u>	\$ 32,635
 General Corporate Purpose		
Acquisition of Parks Vehicles/Equipment	125	
Citizen Health & Welfare	215	
City Facility Improvements	3,660	
City Information Technology Network Improvements	300	
Library Equipment	525	
Solid Waste Equipment	<u>930</u>	\$ 5,755
 Total Proposed 2021 Bond Issue - Projected		<u>\$ 38,390</u>
 Estimated Cost of Issuance and Underwriting Discount		\$ 559
 Total 2021 Bond Issue - Not-to-Exceed		<u><u>\$ 38,949</u></u>

2021 Bonding Detail

<u>Funding Source</u>	<u>Program</u>	<u>CIP#</u>	<u>Project</u>	<u>Amount</u>
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS001	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	1,250,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS002	SEWER LATERAL REPAIR PROGRAM	1,000,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS005	LIFT STATION REHABILITATION (SANITARY)	50,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS006	SANITARY SEWER LINING PROGRAM	1,000,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS007	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	4,200,000
BONDS ABATED BY SOLID WASTE FUND	FLEET	FL002	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	930,000
BONDS ABATED BY WPCP	SANITARY SEWERS	SS007	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	365,000
BONDS ABATED BY WPCP	WPCP	WP003	DISINFECTION OF TREATMENT PLANT EFFLUENT	7,000,000
EQUIPMENT BONDS	FLEET	FL004	DUMP TRUCK REPLACEMENT PROGRAM	325,000
EQUIPMENT BONDS	FLEET	FL005	GROUND MAINTENANCE REPLACEMENT PROGRAM	125,000
EQUIPMENT BONDS	FLEET	FL007	MOBILE PRECINCT UNIT	300,000
EQUIPMENT BONDS	INFORMATION TECHNOLOGY	IT001	IT CAPITAL IMPROVEMENT PROGRAM	250,000
EQUIPMENT BONDS	INFORMATION TECHNOLOGY	IT002	CITY FIBER NETWORK MAINTENANCE PROGRAM	50,000
EQUIPMENT BONDS	LIBRARY SERVICES	LIB01	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	110,000
EQUIPMENT BONDS	LIBRARY SERVICES	LIB02	LIBRARY MATERIALS PROGRAM	415,000
GO BONDS	AIRPORT	AIR01	TAXIWAY A REHABILITATION	100,000
GO BONDS	BRIDGES	BR001	BRIDGE REPAIR FOR TRAIL AND PEDESTRIAN WAYS	120,000
GO BONDS	BRIDGES	BR004	BRIDGE MAINTENANCE PROGRAM	400,000
GO BONDS	FACILITIES MAINTENANCE	FM001	CAPITAL IMPROVEMENTS AT MWP	375,000
GO BONDS	FACILITIES MAINTENANCE	FM002	POLICE STATION PUMP REPLACEMENTS	50,000
GO BONDS	FACILITIES MAINTENANCE	FM005	GTC CONCRETE REPLACEMENT	50,000
GO BONDS	FACILITIES MAINTENANCE	FM007	PUBLIC WORKS ROOF REPLACEMENT	900,000
GO BONDS	FACILITIES MAINTENANCE	FM008	SKYBRIDGE REPAIRS AND PAINTING	100,000
GO BONDS	FACILITIES MAINTENANCE	FM011	FIRE STATION ALERTING SYSTEM UPGRADE	410,000
GO BONDS	FACILITIES MAINTENANCE	FM012	FIRE TRAINING CENTER RELOCATION	150,000
GO BONDS	FACILITIES MAINTENANCE	FM025	HERITAGE HIGHRISE FIRE PUMP & CONTROLS	50,000
GO BONDS	FACILITIES MAINTENANCE	FM026	SECURITY ENHANCEMENTS AT CITY HALL	150,000
GO BONDS	FACILITIES MAINTENANCE	FM029	MWP HVAC SYSTEM REPLACEMENT	900,000
GO BONDS	FLEET	FL001	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	550,000
GO BONDS	GENERAL GOVERNMENT	GG002	DAVENPORT NOW	915,000
GO BONDS	GENERAL GOVERNMENT	GG003	URBAN REVITALIZATION PROGRAM	740,000
GO BONDS	GENERAL GOVERNMENT	GG010	IA WATER FLOODWALL REPAIR AND RETROFIT	215,000
GO BONDS	PARKS & RECREATION	PK001	PARK DEVELOPMENT PROGRAM	350,000
GO BONDS	PARKS & RECREATION	PK004	GOLF COURSE IMPROVEMENTS PROGRAM	300,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT001	CREATING CONNECTIONS PROGRAM	200,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT002	CIVIC ACCESS PROGRAM	250,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT004	VETERANS MEMORIAL PARKWAY TRAIL EXTENSION	240,000
GO BONDS	RIVERCENTER/ADLER	RC004	RIVERCENTER SOUTH COMPLEX ROOF	525,000
GO BONDS	RIVERFRONT	RF001	MAIN STREET LANDING IMPROVEMENTS	100,000
GO BONDS	RIVERFRONT	RF002	CB&Q PARKING LOT REHABILITATION	200,000
GO BONDS	RIVERFRONT	RF004	RIVER HERITAGE PARK RIVERWALK EXTENSION	1,000,000
GO BONDS	RIVERFRONT	RF005	CHANNEL CAT BOAT DOCK REPLACEMENT	300,000
GO BONDS	STORMWATER	SW001	CONTRACT SEWER REPAIR PROGRAM (STORM)	300,000
GO BONDS	STORMWATER	SW003	LIFTSTATION REHABILITATION (STORM)	25,000
GO BONDS	STORMWATER	SW007	HIGHWAY 61 BRIDGE OVER HIGHWAY 22	30,000
GO BONDS	STREETS	ST001	HIGH VOLUME STREET REPAIR PROGRAM	4,000,000
GO BONDS	STREETS	ST002	NEIGHBORHOOD STREET REPAIR PROGRAM	2,000,000
GO BONDS	STREETS	ST004	CONTRACT MILLING PROGRAM	200,000
GO BONDS	STREETS	ST005	ALLEY REPAIR PROGRAM	250,000
GO BONDS	STREETS	ST007	53RD STREET RECONSTRUCTION	1,000,000
GO BONDS	STREETS	ST010	STURDEVANT STREET/STORM SEWER RECON.	500,000
GO BONDS	TRAFFIC ENGINEERING	TF003	6TH & VINE TRAFFIC CIRCLE	75,000

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Nicole Gleason 563-327-5150
Wards:

Action / Date
4/8/2020

Subject:
Resolution approving the purchase of a service lube truck for Transit via a GSA Bid contract #FS-30F-018DA from West-Mark of Ceres, CA in the amount of \$141,313.20, CIP #24020. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
The current service truck used for the bus fleet needs to be replaced. The vehicle repairs exceed the vehicle value in its current state.

The GSA is a cooperative government bidding group. They processed a bid for these vehicles. All the required FTA paperwork was completed.

This is a lube truck configured on a Ford F-550 chassis.

Funding for this vehicle is from CIP #24020 from federal grants.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	3/25/2020 - 5:17 PM
Public Works Committee	Lechvar, Gina	Approved	3/26/2020 - 9:53 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:23 PM

Resolution No. _____

Resolution offered by Alderman Dunn.

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving the purchase of a service lube truck for the bus fleet for Transit Division from the GSA Bid contract number GS-30F-018DA, from West-Mark of Ceres, CA in the amount of \$141,313.20, and authorizing Mayor Mike Matson or designee to sign and manage any related agreements.

WHEREAS, the City needs to contract for the purchase of a new service truck for the bus fleet; and

WHEREAS, West-Mark of Ceres, CA was awarded the GSA Bid contract for lube trucks and met all Federal Transportation Authority requirements;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Davenport, Iowa, that:

1. Approving the purchase of a service lube truck for the bus fleet for Transit Division from the GSA Bid contract number GS-30F-018DA from West-Mark of Ceres, CA; and
2. Mayor Mike Matson or designee is authorized to sign and manage any related agreements;

Attest:

Approved:

Brian Krup
Deputy City Clerk

Mike Matson
Mayor

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Linda Folland 563-328-6789
Wards:

Action / Date
4/8/2020

Subject:
Resolution setting a Public Hearing on the issuance of not-to-exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
A Public Hearing on the issuance of bonds to finance the FY21 Capital Improvement Program (CIP) is required prior to the sale of bonds later this year. This will be the first of several legal proceedings required to issue the bonds. A Resolution providing for the issuance of bonds and for the levy of property taxes in FY21 in order to make debt service payments on the provided bonds will be prepared for the April 15, 2020 Council cycle.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	RESOLUTION LETTER
▣ Backup Material	PROJECT LIST

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Folland, Linda	Approved	3/26/2020 - 12:15 PM
Finance Committee	Folland, Linda	Approved	3/26/2020 - 12:15 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:18 PM

SET DATE FOR HEARING ON
ISSUANCE OF GENERAL OBLIGATION
CORPORATE AND REFUNDING
BONDS, SERIES 2021 AND ADOPT
REIMBURSEMENT RESOLUTION

629872-88

Davenport, Iowa

April 8, 2020

The City Council of the City of Davenport, Iowa, met on April 8, 2020, at 5:30 p.m. at the Council Chambers, City Hall, Davenport, Iowa. The Mayor presided and the roll was called showing the following Aldermen present and absent:

Present: _____

Absent: _____.

The City Council took up for consideration a resolution setting a date for public hearing on the proposed issuance of not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021.

Alderman _____ introduced the resolution hereinafter next set out and moved its adoption, seconded by Alderman _____; and after due consideration thereof by the City Council, the Mayor put the question upon the adoption of said resolution, and the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

The resolution, as hereinafter set out, was signed by the Mayor as evidence of approval, was attested by the Deputy Clerk and was declared to be effective.

• • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

Deputy Clerk

RESOLUTION NO. _____

Resolution to fix meeting date for hearing on the issuance of not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021

WHEREAS, the City of Davenport, in Scott County, Iowa (the “City”), in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City, has previously issued its General Obligation Corporate and Refunding Bonds, Series 2013A (the “Series 2013A Bonds”), and, in the ordinance authorizing the issuance of the Series 2013A Bonds, the City reserved the right to call for early redemption as of June 1, 2021, the maturities of the Series 2013A Bonds coming due after June 1, 2021; and

WHEREAS, the City, in accordance with the Charter of the City and Chapter 384 of the Code of Iowa, hereby proposes to issue not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021 (the “Bonds”), for the purpose of paying costs in connection with making improvements to sanitary sewers, sewage treatment works, storm sewers, streets, streetscapes, sidewalks and paths, airport, municipal housing projects, fire and police department facilities, parks and golf course, riverfront and municipal buildings and facilities; acquisition of equipment for fire and public safety, streets, solid waste, sewage treatment, parks and library; bridge repair and maintenance, vehicle maintenance, information technology and economic development projects; and to pay the cost of refunding the maturities of the Series 2013A Bonds that will come due after June 1, 2021; and

WHEREAS, it is necessary to fix a date for a hearing on the issuance of the Bonds, and to give proper notice thereof;

NOW, THEREFORE, It Is Resolved by the City Council of the City of Davenport, Iowa, as follows:

Section 1. The City Council shall meet as the Committee-of-the-Whole on April 15, 2020, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 o’clock p.m., at which time and place any resident or property owner of the City may present oral or written comments with respect to the issuance of the Bonds, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 o’clock p.m., on April 22, 2020, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

Section 2. The Deputy Clerk is hereby directed to give notice of the proposed action for the issuance of the Bonds, setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, and not less than 4 nor

more than 20 days prior to the meeting, in the *Quad City Times*. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS FOR THE ISSUANCE OF NOT TO EXCEED \$50,000,000
GENERAL OBLIGATION CORPORATE AND REFUNDING BONDS, SERIES 2021

The City Council of the City of Davenport, Iowa, will meet as the Committee-of-the-Whole on April 15, at the Council Chambers, City Hall, Davenport, Iowa, at 5:30 p.m., for the purpose of holding a public hearing and instituting proceedings for the issuance of not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021, for the purpose of paying costs in connection with improvements to sanitary sewers, sewage treatment works, storm sewers, streets, streetscapes, sidewalks and paths, airport, municipal housing projects, fire and police department facilities, parks and golf course, riverfront and municipal buildings and facilities; acquisition of equipment for fire and public safety, streets, solid waste, sewage treatment, mass transit, parks and library; bridge repair and maintenance, vehicle maintenance, information technology and economic development projects; and to pay the cost of refunding the maturities of the City's General Obligation Corporate and Refunding Bonds, Series 2013A

At that time and place, oral or written comments from any resident or property owner of the City may be presented, and all comments will be considered by the City Council at its regular meeting to be held at 5:30 p.m., on April 22, 2020, at the Council Chambers, City Hall, at which time the City Council will take additional action for the issuance of the Bonds.

The Bonds, when issued, will constitute general obligations of the City, payable from taxes levied upon all taxable property in the City.

By order of the City Council of Davenport, Iowa.

Brian Krup
Deputy Clerk

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Passed and approved April 8, 2020..

Mayor

Attest:

Deputy Clerk

Alderman _____ introduced and moved the adoption of the resolution hereinafter set out relating to compliance with Internal Revenue Code reimbursement regulations. The motion was seconded by Alderman _____ and the Mayor put the question on the motion and, the roll being called, the following named Aldermen voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the motion duly carried and said resolution adopted, as follows:

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that attached hereto is a true and correct copy of the proceedings of the City Council of the City relating to the fixing of a date for the hearing on the issuance of not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021.

WITNESS MY HAND this _____ day of _____, 2020.

Deputy Clerk

STATE OF IOWA
COUNTY OF SCOTT
CITY OF DAVENPORT

SS:

I, the undersigned, Deputy Clerk of the City of Davenport, Iowa, do hereby certify that pursuant to the resolution of its Council fixing a meeting date for the hearing on and taking of additional action for the issuance of not to exceed \$50,000,000 General Obligation Corporate and Refunding Bonds, Series 2021, the notice, of which the printed slip attached to the publisher's affidavit hereto attached is a true and complete copy, was published in the *Quad City Times* on the date specified in such affidavit, which newspaper has a general circulation in the City.

WITNESS MY HAND this _____ day of _____, 2020.

Deputy Clerk

(Attach here publisher's original affidavit with a clipping of the notice as published.)

City of Davenport, Iowa
2021 Bond Issue
(\$ Thousands)
3/9/2020

15-Year General Obligation Bonds	Amount	
Airport Improvements	100	
Bridge Repair and Maintenance	520	
Citizen Health & Welfare	215	
City Facility Improvements	3,660	
Municipal Housing Projects	1,655	
Parks Improvements	2,250	
Public Safety Equipment	550	
Sewer Improvements	355	
Street Improvements	11,025	
Streetscape Improvements/Sidewalks & Paths	690	
Subtotal 15-Year GO Bonds		\$ 21,020
5-Year Equipment Bonds (GO)		
Acquisition of Parks Vehicles/Equipment	125	
Acquisition of Streets Vehicles/Equipment	325	
City Information Technology Network Improvements	300	
Library Equipment	525	
Public Safety Equipment	300	
Subtotal 5-Year Equipment Bonds		\$ 1,575
15-Year Bonds Abated by Other Sources (GO)		
Sewer Improvements (Sewer Fund)	7,500	
Water Pollution Control Plant Improvements (WPCP Fund)	7,365	
Subtotal 15-Year Bonds Abated by Other Sources		\$ 14,865
5-Year Bonds Abated by Other Sources (GO)		
Solid Waste Equipment (Solid Waste Fund)	930	
Subtotal 5-Year Bonds Abated by Other Sources		\$ 930
Total Proposed 2021 Bond Issue - Projected		<u>\$ 38,390</u>
Estimated Cost of Issuance and Underwriting Discount		\$ 559
Total 2021 Bond Issue - Not-to-Exceed		<u><u>\$ 38,949</u></u>

City of Davenport, Iowa
2021 Bond Issue
(\$ Thousands)
3/9/2020

Essential Corporate Purpose	Amount	
Acquisition of Streets Vehicles/Equipment	325	
Airport Improvements	100	
Bridge Repair and Maintenance	520	
Public Safety Equipment	850	
Municipal Housing Projects	1,655	
Parks Improvements	2,250	
Sewer Improvements	7,855	
Street Improvements	11,025	
Streetscape Improvements/Sidewalks & Paths	690	
Water Pollution Control Plant Improvements	<u>7,365</u>	\$ 32,635
 General Corporate Purpose		
Acquisition of Parks Vehicles/Equipment	125	
Citizen Health & Welfare	215	
City Facility Improvements	3,660	
City Information Technology Network Improvements	300	
Library Equipment	525	
Solid Waste Equipment	<u>930</u>	\$ 5,755
 Total Proposed 2021 Bond Issue - Projected		<u>\$ 38,390</u>
 Estimated Cost of Issuance and Underwriting Discount		\$ 559
 Total 2021 Bond Issue - Not-to-Exceed		<u><u>\$ 38,949</u></u>

2021 Bonding Detail

<u>Funding Source</u>	<u>Program</u>	<u>CIP#</u>	<u>Project</u>	<u>Amount</u>
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS001	CONTRACT SEWER REPAIR PROGRAM (SANITARY)	1,250,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS002	SEWER LATERAL REPAIR PROGRAM	1,000,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS005	LIFT STATION REHABILITATION (SANITARY)	50,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS006	SANITARY SEWER LINING PROGRAM	1,000,000
BONDS ABATED BY SEWER FUND	SANITARY SEWERS	SS007	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	4,200,000
BONDS ABATED BY SOLID WASTE FUND	FLEET	FL002	SOLID WASTE EQUIPMENT REPLACEMENT PROGRAM	930,000
BONDS ABATED BY WPCP	SANITARY SEWERS	SS007	1930'S SANITARY SEWER RIVERFRONT INTERCEPTOR	365,000
BONDS ABATED BY WPCP	WPCP	WP003	DISINFECTION OF TREATMENT PLANT EFFLUENT	7,000,000
EQUIPMENT BONDS	FLEET	FL004	DUMP TRUCK REPLACEMENT PROGRAM	325,000
EQUIPMENT BONDS	FLEET	FL005	GROUND MAINTENANCE REPLACEMENT PROGRAM	125,000
EQUIPMENT BONDS	FLEET	FL007	MOBILE PRECINCT UNIT	300,000
EQUIPMENT BONDS	INFORMATION TECHNOLOGY	IT001	IT CAPITAL IMPROVEMENT PROGRAM	250,000
EQUIPMENT BONDS	INFORMATION TECHNOLOGY	IT002	CITY FIBER NETWORK MAINTENANCE PROGRAM	50,000
EQUIPMENT BONDS	LIBRARY SERVICES	LIB01	LIBRARY ELECTRONIC REPLACEMENT PROGRAM	110,000
EQUIPMENT BONDS	LIBRARY SERVICES	LIB02	LIBRARY MATERIALS PROGRAM	415,000
GO BONDS	AIRPORT	AIR01	TAXIWAY A REHABILITATION	100,000
GO BONDS	BRIDGES	BR001	BRIDGE REPAIR FOR TRAIL AND PEDESTRIAN WAYS	120,000
GO BONDS	BRIDGES	BR004	BRIDGE MAINTENANCE PROGRAM	400,000
GO BONDS	FACILITIES MAINTENANCE	FM001	CAPITAL IMPROVEMENTS AT MWP	375,000
GO BONDS	FACILITIES MAINTENANCE	FM002	POLICE STATION PUMP REPLACEMENTS	50,000
GO BONDS	FACILITIES MAINTENANCE	FM005	GTC CONCRETE REPLACEMENT	50,000
GO BONDS	FACILITIES MAINTENANCE	FM007	PUBLIC WORKS ROOF REPLACEMENT	900,000
GO BONDS	FACILITIES MAINTENANCE	FM008	SKYBRIDGE REPAIRS AND PAINTING	100,000
GO BONDS	FACILITIES MAINTENANCE	FM011	FIRE STATION ALERTING SYSTEM UPGRADE	410,000
GO BONDS	FACILITIES MAINTENANCE	FM012	FIRE TRAINING CENTER RELOCATION	150,000
GO BONDS	FACILITIES MAINTENANCE	FM025	HERITAGE HIGHRISE FIRE PUMP & CONTROLS	50,000
GO BONDS	FACILITIES MAINTENANCE	FM026	SECURITY ENHANCEMENTS AT CITY HALL	150,000
GO BONDS	FACILITIES MAINTENANCE	FM029	MWP HVAC SYSTEM REPLACEMENT	900,000
GO BONDS	FLEET	FL001	FIRE APPARATUS AND EQUIPMENT REPLACEMENT	550,000
GO BONDS	GENERAL GOVERNMENT	GG002	DAVENPORT NOW	915,000
GO BONDS	GENERAL GOVERNMENT	GG003	URBAN REVITALIZATION PROGRAM	740,000
GO BONDS	GENERAL GOVERNMENT	GG010	IA WATER FLOODWALL REPAIR AND RETROFIT	215,000
GO BONDS	PARKS & RECREATION	PK001	PARK DEVELOPMENT PROGRAM	350,000
GO BONDS	PARKS & RECREATION	PK004	GOLF COURSE IMPROVEMENTS PROGRAM	300,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT001	CREATING CONNECTIONS PROGRAM	200,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT002	CIVIC ACCESS PROGRAM	250,000
GO BONDS	PEDESTRIAN TRANSPORTATION	PT004	VETERANS MEMORIAL PARKWAY TRAIL EXTENSION	240,000
GO BONDS	RIVERCENTER/ADLER	RC004	RIVERCENTER SOUTH COMPLEX ROOF	525,000
GO BONDS	RIVERFRONT	RF001	MAIN STREET LANDING IMPROVEMENTS	100,000
GO BONDS	RIVERFRONT	RF002	CB&Q PARKING LOT REHABILITATION	200,000
GO BONDS	RIVERFRONT	RF004	RIVER HERITAGE PARK RIVERWALK EXTENSION	1,000,000
GO BONDS	RIVERFRONT	RF005	CHANNEL CAT BOAT DOCK REPLACEMENT	300,000
GO BONDS	STORMWATER	SW001	CONTRACT SEWER REPAIR PROGRAM (STORM)	300,000
GO BONDS	STORMWATER	SW003	LIFTSTATION REHABILITATION (STORM)	25,000
GO BONDS	STORMWATER	SW007	HIGHWAY 61 BRIDGE OVER HIGHWAY 22	30,000
GO BONDS	STREETS	ST001	HIGH VOLUME STREET REPAIR PROGRAM	4,000,000
GO BONDS	STREETS	ST002	NEIGHBORHOOD STREET REPAIR PROGRAM	2,000,000
GO BONDS	STREETS	ST004	CONTRACT MILLING PROGRAM	200,000
GO BONDS	STREETS	ST005	ALLEY REPAIR PROGRAM	250,000
GO BONDS	STREETS	ST007	53RD STREET RECONSTRUCTION	1,000,000
GO BONDS	STREETS	ST010	STURDEVANT STREET/STORM SEWER RECON.	500,000
GO BONDS	TRAFFIC ENGINEERING	TF003	6TH & VINE TRAFFIC CIRCLE	75,000

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Mike Atchley 563-327-5149
Wards:

Action / Date
4/1/2020

Subject:

Resolution authorizing the Mayor to execute the necessary documents to convey City-owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B, and the north 15 feet of parcel X1101A22 to the owners of the adjacent original parent parcel. [Ward 8]

Recommendation:

Adopt the Resolution.

Background:

The Oak Brook 7th Addition Subdivision Plat identifies the land in question as a utility easement and not a separate parcel. Scott County shows the land as separate parcels owned by the City of Davenport, identified with their own parcel number. All of these parcels are encumbered 100% by a utility easement. It is in the City's best interest to convey these parcels to the owners of the original parent parcel with the utility easement remaining in place. The owners of Lot 282 and Lot 287 have declined being conveyed the land.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Resolution to Convey Parcels
▣ Cover Memo	Aerial Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	3/25/2020 - 4:39 PM
Public Works Committee	Lechvar, Gina	Approved	3/25/2020 - 4:39 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:20 PM

Resolution No. _____

Resolution offered by Alderman Condon.

RESOLUTION authorizing the Mayor and City Clerk to execute the necessary documents to convey city owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B & the North 15 feet of parcel X1101A22, to the owners of the adjacent original parent parcel.

RESOLVED by the City Council of the City of Davenport.

WHEREAS, Community and Economic Development, Public Works, Parks and the Davenport Fire Department have no need for these parcels.

WHEREAS, the Oak Brook 7th Addition Subdivision Plat does not show these parcels to be owned by the City.

WHEREAS, removing these parcels from the mowing contract will reduce operating costs.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor and City Clerk are authorized to execute all documents necessary to convey city owned parcels X1101A23B, X1101A24B, X1101A25B, X1101B02B, X1101B03B, X1101B04B, X1101B05B & the North 15 feet of parcel X1101A22, to the owners of the adjacent original parent parcel

Passed and approved this 8th day of April, 2020.

Approved:

Attest:

Mayor Mike Matson

Brian J. Krup, Deputy City Clerk



City of Davenport

Agenda Group:
Department: Finance
Contact Info: Linda Folland 563-326-6789
Wards:

Action / Date
4/8/2020

Subject:
Resolution setting a Public Hearing to amend the FY20 Operating and Capital Improvement Budgets. [All Wards]

Recommendation:
Adopt the Resolution.

Background:
This resolution sets the Public Hearing for the purpose of amending the FY20 Operating and Capital Improvement Budgets.

The Operating Budget is amended to incorporate new programs, budget changes to revenue estimates, budget grant funding, transfer funds between programs, and adopt full-time personnel adjustments. The Capital Improvement Budget is amended to close out completed projects, adjust grant funding levels, and move unspent bonded financing sources forward to the current year.

This Resolution formally sets the Public Hearing for Wednesday, May 20, 2020 at 5:30 p.m. at the Committee of the Whole meeting. Specific amendment information will be provided with the agenda item appearing on that Council cycle.

ATTACHMENTS:

Type	Description
□ Resolution Letter	Resolution setting Public Hearing for FY 2020 Budget Amendment

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Folland, Linda	Approved	3/26/2020 - 10:19 AM
Finance Committee	Folland, Linda	Approved	3/26/2020 - 10:19 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:21 PM

Resolution No. _____

Resolution offered by Alderman Condon:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION setting a public hearing for amending the FY 2020 Operating and Capital Improvement Budgets.

WHEREAS, amending the Operating Budget is necessary to incorporate new programs, budget changes to revenue estimates, budget grant funding, transfer funds between programs, and adopt full-time personnel adjustments; and

WHEREAS, amending the Capital Budget is necessary to close out completed projects, adjust grant funding levels, and move unspent bonded financing sources forward to the current year; and

WHEREAS, a public hearing is necessary prior to the amendment of the Operating and Capital Improvement Budgets;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that a public hearing to amend the FY 2020 Operating and Capital Improvement Budgets is set for Wednesday, May 20, 2020 at 5:30 p.m.

Approved:

Attest:

Mike Matson, Mayor

Brian Krup, Deputy City Clerk

City of Davenport

Agenda Group:
Department: Public Safety
Contact Info: Sherry Eastman 563-326-7795
Wards:

Action / Date
4/8/2020

Subject:
Motion approving beer and liquor license applications.

A. Request for exemptions for 19- and 20-year-olds on premises:

Ward 3

Redstone Room (River Music Experience) - 129 Main St, Second Floor Only - License Type: C Liquor

RME Courtyard (River Music Experience) - 131 W 2nd St, Courtyard only - Outdoor Area - License Type: C Liquor

Recommendation:
Pass the Motion.

Background:
The following applications have been reviewed by the Police, Fire, and Zoning Departments.

REVIEWERS:

Department	Reviewer	Action	Date
Finance		Approved	3/26/2020 - 4:40 PM
Finance Committee		Approved	3/26/2020 - 4:41 PM
City Clerk	Admin, Default	Approved	3/26/2020 - 5:53 PM

City of Davenport

Agenda Group:
Department: Finance
Contact Info: Jon Meeks 563-326-7922
Wards:

Action / Date
4/8/2020

Subject:
Motion approving the purchase of two (2) SUVs for the Fire Department from Courtesy Ford of Davenport, IA in the amount of \$69,992.28. [All Wards]

Recommendation:
Pass the Motion.

Background:
An Invitation to Bid was issued on February 10, 2020 and was sent to 58 vendors. On March 2, 2020, the Purchasing Division received and opened three responses.

Two of the three responses did not meet specifications, therefore only one vendor, Courtesy Ford, was deemed as responsive and responsible for this bid.

Both SUVs are for the Fire Department to assist in daily operations within the City.

Funding for this purchase is from account 54913032 530302, the motor vehicle fire maintenance fund, and CIP #24013, the public safety vehicle replacement fund.

ATTACHMENTS:

Type	Description
▢ Backup Material	FIN_MOT_SUVs for Fire Signed Bid Tab
▢ Backup Material	FIN_MOT_SUVs for Fire Justification Form

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Folland, Linda	Approved	3/26/2020 - 10:13 AM
Finance Committee	Folland, Linda	Approved	3/26/2020 - 10:14 AM
City Clerk	Admin, Default	Approved	3/26/2020 - 1:21 PM

**CITY OF DAVENPORT, IOWA
BID TABULATION**

DESCRIPTION: TWO (2) SUVS FOR FIRE

BID NUMBER: 20-93

OPENING DATE: MARCH 2, 2020

GL ACCOUNT NUMBER: 76508675 530350 24013
54913032 530302

RECOMMENDATION: AWARD THE PURCHASE TO COURTESY FORD
OF DAVENPORT, IA

<u>VENDOR NAME</u>	<u>PRICE</u>
Courtesy Ford of Davenport, IA	\$69,992.28

Stew Hansen Dodge City of Des Moines, IA	Did not meet specifications
Krieger Auto Group of Muscatine, IA	Did not meet specifications

Approved By Caitlynn Hamer 3/23/2020
Purchasing Date

Approved By Nicole Gleason 3/23/2020
PW Director Date

Approved By Braedi Loy 3-25-2020
Budget/CIP Date

Approved By Br 3-25-2020
Chief Financial Officer Date



Justification for Bid Award to Vendor Other than Low Bid

Bid # 20-93

Title SUV's for Fire

Dept. /Division Fire

Project Manager Jonathan Meeks

Print Name

Signature

3-24-2020

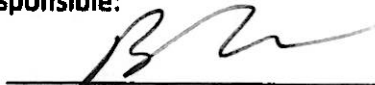
Date

DIRECTIONS: Explain in detail why the low bid is not being awarded. Please describe why the low-bid vendor was not responsive (all of the requested information was not submitted allowing a complete review of the response) or responsible (unable to fully perform the contract requirements with adequate integrity or reliability to ensure good-faith performance).

The first two bids did not meet minimum specifications.

First one bid the wrong model and the second could not meet the time frame for delivery.

The preceding explanation sufficiently demonstrates that the low bidder was either not responsive or responsible:

Finance Director 

Date

3-25-2020