

City of Davenport, Iowa

City Council Meeting Minutes

Wednesday, February 10, 2021

The City Council of Davenport, Iowa met in regular session on Wednesday, February 10, 2021 at 5:30 p.m. in the Council Chambers at Davenport City Hall, 226 W 4th St, Davenport, Iowa with Mayor Mike Matson presiding and all Aldermen present (*In person*: Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderman Gripp, Alderman Condon, Alderman Jobgen, and Alderman Ambrose; *Via telephone*: Alderwoman Lee, Alderman Peacock, and Alderwoman Dickmann). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

I. Moment of Silence

II. Pledge of Allegiance | Led by Alderwoman Meginnis

III. Roll Call

IV. Meeting Protocol and Decorum

V. Approval of Minutes

APPROVED

Approval of the City Council Meeting minutes for January 27, 2021.

VI. City Administrator Update

VII. Report on Committee of the Whole

APPROVED

Approval of the Report on Committee of the Whole for February 3, 2021.

COUNCIL CHAMBERS, CITY HALL, Davenport, Iowa, Wednesday, February 3, 2021 -- The Council observed a moment of silence. Pledge of Allegiance led by Alderman Dohrmann. The Council met in Committee of the Whole at 5:30 p.m. with Mayor Matson presiding and all Aldermen present except Alderman Gripp (In person: Alderman Dunn, Alderman Dohrmann, Alderwoman Meginnis, Alderwoman Lee, Alderman Condon, Alderman Jobgen, and Alderman Ambrose; Via telephone: Alderman Peacock and Alderwoman Dickmann). A partially electronic meeting was held because a fully "in-person" meeting was impractical due to concerns for the health and safety of Council members, staff, and the public presented by COVID-19, and to follow the Governor's proclamation and the Mayor's executive order directing social distancing and placing restrictions on gatherings. In-person attendance by the general public at any City of Davenport public meeting within its facilities shall be limited to 10 persons.

*The following Public Hearings were held: **Community Development:** 1) for Case REZ20-08 being the request of MCC Iowa LLC on behalf of MM Development LLC to rezone 5000 Grand Avenue from R-MF Multi-Family Residential District to I-1 Light Industrial District to allow for construction of a communications building to house and operate electronics and fiber optic cables; and 2) on the proposed conveyance of the vacated public right-of-way know as a portion of the east-west alley lying south of the 1900 block of West 15th Street between Wilkes Avenue and Pacific Street (City of Davenport, petitioner). **Public Works:** 1) on the plans, specifications,*

form of contract, and estimate of cost for the Harrison Street Reconstruction (Northbrook Drive to 5003 Harrison Street) project, CIP #35047; 2) on the plans, specifications, form of contract, and estimate of cost for the West 43rd Street Reconstruction (Michigan Avenue to Elsie Avenue) project, CIP #35047; 3) on the plans, specifications, form of contract, and estimate of cost for the Sheffield Drive Reconstruction project, CIP #35047; 4) on the plans, specifications, form of contract, and estimate of cost for the Heatherton Drive Reconstruction project, CIP #35047; 5) on the plans, specifications, form of contract, and estimate of cost for the East 38th Street Reconstruction (Spring Street to Belle Avenue) project, CIP #35047; 6) on the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Patching project, CIP #35046; and 7) on the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant Gray Water Conversion project, CIP #39005. **Finance:** 1) on the FY 2022 Proposed Maximum Property Tax Levy.

Action items for Discussion: (The votes on all motions were by voice vote. All votes were unanimous unless specifically noted.) **Community Development:** Alderwoman Lee reviewed all items listed. On motion by Alderwoman Dunn, second by Alderman Ambrose all items moved to the Consent Agenda. **Public Safety:** Alderman Ambrose reviewed all items listed. On motion by Alderman Jobgen, second by Alderman Dunn all items moved to the Consent Agenda. **Public Works:** Alderman Dunn reviewed all items listed. On motion by Alderman Dohrmann, second by Alderman Ambrose all items moved to the Consent Agenda. **Finance:** Alderman Condon reviewed all items listed. On motion by Alderman Peacock, second by Alderman Ambrose item #1, First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$10,500,000 General Obligation Refunding Bonds, Series 2021A, and for the levy of taxes to pay the same all items, moved to the Discussion Agenda with the recommendation for suspension of the rules and passage of second and third considerations and all other items moved to the Consent Agenda.

Council adjourned at **6:29 p.m.**

VIII. Appointments, Proclamations, Etc.

A. Appointments

APPROVED 2021-51

1. Historic Preservation Commission

- Karen Miranda (New Appointment)

B. Proclamations

ISSUED 2021-52

1. American Heart Health Month | February 2021

IX. Petitions and Communications from Council Members and the Mayor

X. Individual Approval of Items on the Discussion Agenda

1. A motion to substitute the below Ordinance was moved by Alderman Ambrose, seconded by Alderwoman Meginnis with all Aldermen present voting aye, awarding the bond sale to Bok Financial Securities, Inc. in the amount of \$8,175,000 with a true interest cost of 0.6398%.

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

i. On motion by Alderman Ambrose, second by Alderwoman Gripp with all Aldermen present voting aye except Alderwoman Lee who did not vote due to technical issues, the rules were suspended for passage of second and third considerations of the Ordinance.

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

First Consideration: Ordinance providing for the sale and issuance of not-to-exceed \$10,500,000 General Obligation Refunding Bonds, Series 2021A, and for the levy of taxes to pay the same. [All Wards] **ADOPTED 2021-53**

ORDINANCE NO. **2021-53**

An Ordinance providing for the sale and issuance of \$8,175,000 General Obligation Refunding Bonds, Series 2021A, and for the levy of taxes to pay the same

WHEREAS, in the performance of its corporate functions as prescribed by the laws of the State of Iowa and the Charter of the City of Davenport, Iowa (the "City"), notice duly published and a hearing held thereon, the City Council of the City has determined it to be in the best interests of the City to issue General Obligation Refunding Bonds, Series 2021A (the "Series 2021A Bonds") for the purpose of refunding the outstanding balance of the City's General Obligation Corporate and Refunding Bonds, Series 2013A (the "Series 2013A Bonds"); and

WHEREAS, in the ordinance pursuant to which the Series 2013A Bonds were authorized to be issued, the City reserved the right to call the maturities of the Series 2013A Bonds that are scheduled to mature after June 1, 2021 for redemption prior to maturity as of June 1, 2021 (the "Callable Series 2013A Bonds"); and

WHEREAS, sealed bids for the purchase of the Series 2021A Bonds were received and canvassed on behalf of the City; and

WHEREAS, PFM Financial Advisors, LLC, municipal advisor for the City, has reported that, upon review of all bids received for the purchase of the Series 2021A Bonds, the bid of BOK Financial Securities, Inc., Dallas, Texas (the "Purchaser") proposes the lowest interest cost to the City and the City should issue the Series 2021A Bonds in the principal amount of \$8,175,000; and

WHEREAS, it is necessary at this time to award the Series 2021A Bonds to the Purchaser and to adopt an ordinance to provide for the principal amount, interest rates and other terms of issuance of the Series 2021A Bonds and the levy of taxes to pay the same and to authorize the early redemption of the Callable Series 2013A Bonds;

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

Section 1. The bid referred to in the preamble hereof is hereby accepted, and the Series 2021A Bonds are hereby awarded to the Purchaser at the price specified in such bid, together with accrued interest.

Section 2. The form of agreement of sale of the Series 2021A Bonds is hereby approved, and the Mayor and Deputy City Clerk are hereby authorized to execute the same for and on behalf of the City.

Section 3. The Series 2021A Bonds, dated March 17, 2021, in the denomination of \$5,000 each or any integral multiple thereof, are hereby authorized to be issued in the aggregate principal amount of \$8,175,000, and shall mature on June 1 in each of the years, in the respective principal amounts and bear interest at the respective rates, as follows:

Year	Principal Amount	Interest Rate Per Annum	Year	Principal Amount	Interest Rate Per Annum
2022	\$820,000	5.00%	2028	\$955,000	1.25%
2023	\$920,000	5.00%	2029	\$500,000	5.00%

2024	\$785,000	5.00%	2030	\$525,000	1.00%
2025	\$820,000	5.00%	2031	\$540,000	1.00%
2026	\$865,000	5.00%	2032	\$540,000	1.10%
2027	\$905,000	5.00%			

Section 4. The CFO/Assistant City Administrator is hereby designated as the Bond Registrar and Paying Agent for the Series 2021A Bonds and may be hereinafter referred to as the "Bond Registrar" or the "Paying Agent".

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

The City reserves the right to call for redemption prior to maturity the Series 2021A Bonds maturing in the years 2030 to 2032, inclusive, in whole or from time to time in part, in one or more units of \$5,000, on June 1, 2029, or on any date thereafter prior to and in any order of maturity (and within a maturity by lot), upon terms of par and accrued interest. If less than all of the Series 2021A Bonds of any like maturity are to be redeemed, the particular part of those Series 2021A Bonds to be redeemed shall be selected by the Registrar by lot. The Series 2021A Bonds may be called in part in one or more units of \$5,000.

If less than the entire principal amount of any Series 2021A Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2021A Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2021A Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or mailed by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. Any notice of redemption may contain a statement that the redemption is conditioned upon the receipt by the Paying Agent of funds on or before the date fixed for redemption sufficient to pay the redemption price of the Series 2021A Bonds so called for redemption, and that if funds are not available, such redemption shall be cancelled by written notice to the owners of the Series 2021A Bonds called for redemption in the same manner as the original redemption notice was sent. All of such Series 2021A Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

The Series 2021A Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Deputy City Clerk, and shall be fully registered bonds without interest coupons. In case any officer whose signature or the facsimile of whose signature appears on the Series 2021A Bonds shall cease to be such officer before the delivery of the Series 2021A Bonds, such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until delivery.

The Series 2021A Bonds shall be fully registered as to principal and interest in the names of the owners on the registration books of the City kept by the Bond Registrar. Each Series 2021A Bond shall be transferable only upon the registration books of the City upon presentation to the Bond Registrar, together with either a written instrument of transfer satisfactory to the Bond Registrar or the assignment form thereon completed and duly executed by the registered owner or the duly authorized attorney for such registered owner.

The record and identity of the owners of the Series 2021A Bonds shall be kept confidential as provided by Section 22.7 of the Code of Iowa.

The Series 2021A Bonds shall not be valid or become obligatory for any purpose until the Certificate of Authentication thereon shall have been signed by the Bond Registrar.

Section 5. Notwithstanding anything above to the contrary, the Series 2021A Bonds shall be issued initially as Depository Bonds, with one fully registered Series 2021A Bond for each maturity date, in aggregate principal amounts equal to the amount of principal maturing on each such date, and registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). On original issue, the Series 2021A Bonds shall be deposited with DTC for the purpose of maintaining a book-entry system for recording the ownership interests of its participants and the transfer of those interests among its participants (the "Participants"). In the event that DTC determines not to continue to act as securities depository for the Series 2021A Bonds or the City determines not to continue the book-entry system for recording ownership interests in the Series 2021A Bonds with DTC, the City will discontinue the book-entry system with DTC. If the City does not select another qualified securities depository to replace DTC (or a successor depository) in order to continue a book-entry system, the City will register and deliver replacement bonds in the form of fully registered certificates, in authorized denominations of \$5,000 or integral multiples of \$5,000, in accordance with instructions from Cede & Co., as nominee for DTC. In the event that the City identifies a qualified securities depository to replace DTC, the City will register and deliver replacement bonds, fully registered in the name of such depository, or its nominee, in the denominations as set forth above, as reduced from time to time prior to maturity in connection with redemptions or retirements by call or payment, and in such event, such depository will then maintain the book-entry system for recording ownership interests in the Series 2021A Bonds.

Ownership interest in the Series 2021A Bonds may be purchased by or through Participants. Such Participants and the persons for whom they acquire interests in the Series 2021A Bonds as nominees will not receive certificated Series 2021A Bonds, but each such Participant will receive a credit balance in the records of DTC in the amount of such Participant's interest in the Series 2021A Bonds, which will be confirmed in accordance with DTC's standard procedures. Each such person for which a Participant has an interest in the Series 2021A Bonds, as nominee, may desire to make arrangements with such Participant to have all notices of redemption or other communications of the City to DTC, which may affect such person, forwarded in writing by such Participant and to have notification made of all interest payments.

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

As used herein, the term "Beneficial Owner" shall hereinafter be deemed to include the person for which the Participant acquires an interest in the Series 2021A Bonds.

DTC will receive payments from the City, to be remitted by DTC to the Participants for subsequent disbursement to the Beneficial Owners. The ownership interest of each Beneficial Owner in the Series 2021A Bonds will be recorded on the records of the Participants whose ownership interest will be recorded on a computerized book-entry system kept by DTC.

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

Beneficial Owners will receive written confirmations of their purchases from the Participants acting on behalf of the Beneficial Owners detailing the terms of the Series 2021A Bonds acquired. Transfers of ownership interest in the Series 2021A Bonds will be accomplished by book entries made by DTC and the Participants who act on behalf of the Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interest in the Series 2021A Bonds, except as specifically provided herein. Interest and principal will be paid when due by the City to DTC, then paid by DTC to the Participants and thereafter paid by the Participants to the Beneficial Owners.

Section 6. The form of the Series 2021A Bonds shall be substantially as follows:

(Form of Series 2021A Bond)

UNITED STATES OF AMERICA
STATE OF IOWA

COUNTY OF SCOTT CITY OF DAVENPORT

GENERAL OBLIGATION REFUNDING BOND, SERIES 2021A

No. _____ \$ _____

RATE	MATURITY DATE	BOND DATE	CUSIP
_____	_____	March 17, 2021	_____

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

Cede & Co.
New York, New York

or registered assigns, the principal sum of

DOLLARS

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

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

This Bond is one of a duly authorized series of General Obligation Refunding Bonds, Series 2021A (the "Series 2021A Bonds"), issued by the City in the aggregate principal amount of \$8,175,000, 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 2021A Bonds and for the levy of taxes to pay the same for the purpose of paying the cost of refunding the outstanding balance of the City's General Obligation Corporate and Refunding Bonds, Series 2013A.

The City reserves the right to prepay part or all of the principal of the Series 2021A Bonds maturing in each of the years 2030 to 2032, inclusive, prior to and in any order of maturity on June 1, 2029, or on any date thereafter upon terms of par and accrued interest. If less than all of the Series 2021A Bonds of any like maturity are to be redeemed, the particular part of those Series 2021A Bonds to be redeemed shall be selected by the

Registrar by lot. The Series 2021A Bonds may be called in part in one or more units of \$5,000. If less than the entire principal amount of any Series 2021A Bond in a denomination of more than \$5,000 is to be redeemed, the Registrar will issue and deliver to the registered owner thereof, upon surrender of such original Series 2021A Bond, a new bond or bonds, in any authorized denomination, in a total aggregate principal amount equal to the unredeemed balance of the original Series 2021A Bond. Notice of such redemption as aforesaid identifying the bond or bonds (or portion thereof) to be redeemed shall be sent by electronic means or by certified mail to the registered owners thereof at the addresses shown on the City's registration books not less than 30 days prior to such redemption date. All of such Series 2021A Bonds as to which the City reserves and exercises the right of redemption and as to which notice as aforesaid shall have been given and for the redemption of which funds are duly provided, shall cease to bear interest on the redemption date.

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

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

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

IN TESTIMONY WHEREOF, the City of Davenport, Iowa, by its City Council, has caused this Bond to be executed with the duly authorized facsimile signature of its Mayor and attested with the duly authorized facsimile signature of its Deputy City Clerk, all as of March 17, 2021.

CITY OF DAVENPORT, IOWA

By (DO NOT SIGN)
Mayor

Attest:

(DO NOT SIGN)
Deputy City Clerk

Registration Date: (Registration Date)

BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION

This Bond is one of the Series 2021A Bonds described in the within-mentioned Ordinance.

By (DO NOT SIGN)
CFO/Assistant City Administrator
Bond Registrar

ABBREVIATIONS

TEN COM	-	as tenants in common	UTMA_____
TEN ENT	-	as tenants by the entireties	_____ (Custodian)
JT TEN	-	as joint tenants with right of survivorship and not as tenants in common	As Custodian for_____ (Minor) under Uniform Transfers to Minors Act _____ (State)

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

ASSIGNMENT

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

(Please print or type name and address of Assignee)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE

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

Dated: _____

Signature guaranteed:

(Signature guarantee must be provided in accordance with the prevailing standards and procedures of the Registrar and Transfer Agent. Such standards and procedures may require signatures to be guaranteed by certain eligible guarantor institutions that participate in a recognized signature guarantee program.)

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

Section 7. The Series 2021A Bonds shall be executed as herein provided as soon after the adoption of this ordinance as may be possible, and thereupon they shall be delivered to the Bond Registrar for registration, authentication and delivery to or upon the order of the Purchaser, upon confirmation of receipt by the Bond Registrar of the purchase price thereof, with accrued interest thereon, and all action heretofore taken in connection with the sale and award of the Series 2021A Bonds is hereby ratified and confirmed in all respects.

Section 8. The Callable Series 2013A Bonds are hereby called for redemption as of June 1, 2021 (the "Redemption Date") and the CFO/Assistant City Administrator, as Bond Registrar for the City, is hereby authorized to take all action necessary to call the Callable Series 2013A Bonds for redemption as of the Redemption Date, including giving notice of such redemption to each of the registered owners of any of the Callable Series 2013A 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 9. 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 2021A Bonds as it falls due on December 1, 2021, and on each interest payment date thereafter to maturity, and also to pay and discharge the principal thereof at maturity, there is hereby ordered levied on all the taxable property in the City in each of the years while the Series 2021A 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:

For collection in the fiscal year beginning July 1, 2021,
sufficient to produce the net annual sum of \$1,192,852;

For collection in the fiscal year beginning July 1, 2022,
sufficient to produce the net annual sum of \$1,188,278;

For collection in the fiscal year beginning July 1, 2023,
sufficient to produce the net annual sum of \$1,007,278;

For collection in the fiscal year beginning July 1, 2024,
sufficient to produce the net annual sum of \$1,003,028;

For collection in the fiscal year beginning July 1, 2025,
sufficient to produce the net annual sum of \$1,007,028;

For collection in the fiscal year beginning July 1, 2026,
sufficient to produce the net annual sum of \$1,003,778;

For collection in the fiscal year beginning July 1, 2027,
sufficient to produce the net annual sum of \$1,008,528;

For collection in the fiscal year beginning July 1, 2028,
sufficient to produce the net annual sum of \$541,590;

For collection in the fiscal year beginning July 1, 2029,
sufficient to produce the net annual sum of \$541,590;

For collection in the fiscal year beginning July 1, 2030,
sufficient to produce the net annual sum of \$551,340;

For collection in the fiscal year beginning July 1, 2031,
sufficient to produce the net annual sum of \$545,940.

Section 10. 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 2021A 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 2021A Bonds on the first interest payment date.

Section 11. 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 12. The City has heretofore determined that certain revenues from special funds shall be available for retirement of that portion of the Series 2021A 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 2021A Bonds which is applicable to that portion of the total Series 2021A Bond issue applicable to such fund. Each year while any of said Series 2021A Bonds remain outstanding and unpaid, such of said available funds in amounts sufficient to meet the interest on that portion of the Series 2021A Bonds applicable to such fund and to pay the principal becoming due on such portion of the Series 2021A Bonds during each year may be used for that purpose, in accordance with the Series 2021A Bond Financing Plan on file with the CFO/Assistant City Administrator, and in that event, the tax hereinbefore provided for the payment of such interest and principal may be reduced by the amount so used. The Deputy City Clerk is hereby authorized and directed to certify to the County Auditor of Scott County as to the remission or reduction of said ad valorem tax so that said tax, to the extent such fund is actually available and set aside for such purpose, shall not be extended or entered upon the tax rolls for collection.

It is hereby declared to be the purpose and intent of the City to issue the Series 2021A 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 2021A Bonds issued with respect to such funds.

Section 13. 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 2021A Bonds. The City hereby covenants and agrees that no such investment shall ever be made so as to cause the interest on the Series 2021A Bonds to become taxable as "arbitrage bonds" pursuant to the provisions of Section 148 of the Internal Revenue Code.

Section 14. The Securities and Exchange Commission (the "SEC") has promulgated certain amendments to Rule 15c2-12 under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (the "Rule") that make it unlawful for an underwriter to participate in the primary offering of municipal securities in a principal amount of \$1,000,000 or more unless, before submitting a bid or entering into a purchase contract for such securities, it has reasonably determined that the issuer or an obligated person has undertaken in writing for the benefit of the holders of such securities to provide certain disclosure information to prescribed information repositories on a continuing basis so long as such securities are outstanding.

On the date of issuance and delivery of the Series 2021A Bonds, the City will execute and deliver a Continuing Disclosure Certificate pursuant to which the City will undertake to comply with the Rule. The City covenants and agrees that it will comply with and carry out the provisions of the Continuing Disclosure Certificate.

Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the Rule and the Continuing Disclosure Certificate.

Section 15. It is the intention of the City that interest on the Series 2021A 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 2021A Bonds will remain excluded from gross income for federal income tax purposes. Any and all of the officers of the City are hereby authorized and directed to take any and all actions as may be necessary to comply with the covenants herein contained.

Section 16. All ordinances or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Adopted 2/10/2021: Mike Matson, Mayor; Attest: Brian Krup, Deputy City Clerk

XI. Approval of All Items on the Consent Agenda

On motion by Alderman Ambrose, second by Alderwoman Meginnis with all Aldermen voting aye with the exceptions of Alderman Dohrmann abstaining from item #13, Alderman Jobgen abstaining from item #24, and Alderman Ambrose voting nay to item #24, the Consent Agenda was approved as follows:

1. Second Consideration: Ordinance amending Chapter 15.44 entitled "Flood Damage Prevention" of the Davenport Municipal Code to adopt the new Flood Insurance Study and flood maps, and to align the Ordinance with Iowa Department of Natural Resources and FEMA standards and regulations. [All Wards] **MOVED TO THIRD CONSIDERATION**
2. First Consideration: Ordinance for Case REZ20-08 being the request of MCC Iowa LLC on behalf of MM Development LLC to rezone 5000 Grand Avenue from R-MF Multi-Family Residential District to I-1 Light Industrial District to allow for construction of a communications building to house and operate electronics and fiber optic cables. [Ward 7] **MOVED TO SECOND CONSIDERATION**
3. First Consideration: Ordinance amending Chapter 12.72 entitled "Conduct in Parks" to add a new Section 12.72.095 that prohibits the use of tobacco and nicotine products in the parks and park facilities. [All Wards] **MOVED TO SECOND CONSIDERATION**
4. First Consideration: Ordinance amending Schedule XI of Chapter 10.96 entitled "Resident Parking Only" by adding Sturdevant Street along the west side from the alley north of 12th Street to 13th Street. [Ward 4] **MOVED TO SECOND CONSIDERATION**
5. Resolution authorizing the conveyance of the vacated public right-of-way known as an east-west alley lying south of the 1900 block of West 15th Street between Wilkes Avenue and Pacific Street (City of Davenport, petitioner). [Ward 4] **ADOPTED 2021-54**

6. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Harrison Street Reconstruction (Northbrook Drive to 5003 Harrison Street) project, CIP #35047. [Ward 7] **ADOPTED 2021-55**

7. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 43rd Street Reconstruction (Michigan Avenue to Elsie Avenue) project, CIP #35047. [Ward 2] **ADOPTED 2021-56**

8. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Sheffield Drive Reconstruction project, CIP #35047. [Ward 2] **ADOPTED 2021-57**

9. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Heatherton Drive Reconstruction project, CIP #35047. [Ward 2] **ADOPTED 2021-58**

10. Resolution approving the plans, specifications, form of contract, and estimate of cost for the East 38th Street Reconstruction (Spring Street to Belle Avenue) project, CIP #35047. [Ward 6] **ADOPTED 2021-59**

11. Resolution approving the plans, specifications, form of contract, and estimate of cost for the West 53rd Street Patching project, CIP #35046. [Wards 7 & 8] **ADOPTED 2021-60**

12. Resolution approving the plans, specifications, form of contract, and estimate of cost for the Water Pollution Control Plant Gray Water Conversion project, CIP #39005. [Ward 1] **ADOPTED 2021-61**

13. Resolution approving the purchase of a John Deere 744L endloader for the Compost Facility from Martin Equipment of Rock Island, Illinois in the amount of \$361,160 using Sourcewell contract #032119-JDC. [All Wards] **ADOPTED 2021-62**

14. Resolution adopting the Iowa Statewide Urban Design Standards for Public Improvements, Iowa Statewide Urban Standard Specifications for Public Improvements, and the City of Davenport Supplemental Specifications manuals. [All Wards] **ADOPTED 2021-63**

15. Resolution assessing the cost of boarding up building at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-64**

16. Resolution assessing the cost of brush and debris removal at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-65**

17. Resolution assessing the cost of condemned property demolition at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-66**

18. Resolution assessing the cost of sidewalk repair at various lots and tracts of real estate.
[All Wards] **ADOPTED 2021-67**

19. Resolution assessing the cost of snow removal from sidewalks at various lots and tracts of real estate. [All Wards] **ADOPTED 2021-68**

20. Resolution assessing the cost of tree removal at various lots and tracts of real estate.
[All Wards] **ADOPTED 2021-69**

21. Resolution assessing the cost of weed cutting at various lots and tracts of real estate.
[All Wards] **ADOPTED 2021-70**

22. Resolution approving the FY 2022 Maximum Property Tax Dollars. [All Wards] **ADOPTED 2021-71**

23. Resolution approving the purchase of a mobile precinct unit from LDV, Inc of Burlington, Wisconsin in the amount of \$258,545, CIP #24025. [All Wards] **ADOPTED 2021-72**

24. Resolution opposing Senate File 159 (SF159), the proposed omnibus education bill, which includes the creation of a private school voucher program and elimination of voluntary diversity plans in Iowa. [All Wards] **ADOPTED 2021-73**

25. Motion approving beer and liquor license applications. **PASSED 2021-74**

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

Ward 1

Hy-Vee #1 (Hy-Vee, Inc) - 3019 Rockingham Rd - License Type: Class E Liquor - Carry Out

Sub Express & Gas (Keya Food Mart Inc) - 4307 W Locust St – License Type: Class E Liquor - Carry Out

Ward 2

California Pho (Binh Van Nguyen) - 3559 W Kimberly Rd, Ste 4, 5, & 6 - License Type: Beer/Wine - On Premise

Ward 3

Boozies Bar And Grill (BZE Holdings, Inc) - 114 1/2 W 3rd St - License Type: Class C Liquor - On Premise

Kcbrothers (Kc 2 Brothers, Inc) - 214 Myrtle St - License Type: Class E Liquor - Carry Out

Lopiez Pizza (Lopez Curse, Llc) - 429 E 3rd St, Ste 1 - License Type: Class C Liquor - On Premise

Sam's Food (Sam Food Llc) - 648 N Marquette St - License Type: Class E Liquor - Carry Out

Ward 5

Stadium Club (SIS Inc) - 2828 Brady St - License Type: Class C Liquor – On Premise

Ward 8

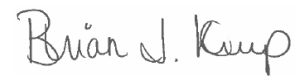
GD Xpress (Ram II LLC) - 4607 N Pine St - License Type: Class E Liquor - Carry Out

XII. Other Ordinances, Resolutions and Motions

XIII. Public with Business

XIV. Reports of City Officials

XV. Adjourn **6:01 p.m.**



Brian J. Krup
Deputy City Clerk