CITY OF STORM LAKE
REGULAR COUNCIL SESSION MEETING,
CITY HALL
COUNCIL CHAMBERS
MARCH 18, 2024
5:00 PM

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

AGENDA

Access to the official meeting can also be done through the following ways:

BY TELEPHONE:	BY COMPUTER:
Dial: 1-312-626-6799 or toll-free: 1-888-475-4499 Zoom Meeting ID: 933-2006-3301	https://zoom.us/j/93320063301

Open the Meeting

- **Call to Order**
- **Pledge of Allegiance**
- **Proclamation**

A. **Consideration of Changes in Agenda and Setting the Agenda**

B. **Disclosure by City Council Members**

C. **Hear the Public**

D. **Consent Agenda**

1. Consent Agenda
2. Buy Local Information
3. Motion To Approve Engagement Agreement With Ahlers & Cooney, P.C. For Legal Services Related To Urban Renewal/Economic Development Matters
4. Motion to Approve Renewal of Agreement with the Storm Lake Bakery for Concession Services for King's Pointe Lighthouse Snack Shack
5. Motion to Approve a Temporary Construction Easement and a Sanitary Sewer Lift Station Easement with Buena Vista University for the Construction and Maintenance of College and 3rd Lift Station.
6. SLPD City Code Enforcement Summary

E. **Unfinished Business**

F. **New Business**

1. 2024 Memorial Road Street and Utilities Improvement Project Bid Protest Discussion
2. Resolution No. 38-R-2023-2024 Making Award of Construction Contract for the 2024 Memorial

Road Street & Utilities Improvement Project

3. Resolution No. 39-R-2023-2024 Approving of Construction Contract and Bond for the Construction of the 2024 Memorial Road Street & Utilities Improvement Project
4. Motion To Approve Waiving Fees For The Cost Of Fulfilling A Records Request Submitted By John McCracken
5. Acknowledgement of FY2023 Independent Audit of the City of Storm Lake
6. Motion to Approve Agreement With Koloni Inc.
7. Resolution No. 40-R-2023-2024 Setting the Outdoor Water Park and Golf Fees
8. Resolution No. 41-R-2023-2024 Approving Amendment No. 1 to Subaward Agreement with IA Homeland Security and Emergency Management
9. Resolution No. 42-R-2023-2024 Approving Construction Contract and Bond For The Construction of Storm Lake Elevated Water Tower No. 5.
10. City Council Requested Items / City Council Updates

G. **Adjourn**

Meeting Protocol

If you wish to speak today, please:

1. To speak on an agenda item please approach the podium when that agenda item is called and upon recognition by the Mayor identify yourself by stating your name and address.
2. If your issue is not a topic on the agenda please approach the podium under the "Hear the Public" agenda item and upon recognition by the Mayor identify yourself by stating your name and address.
3. Please keep your remarks to three (3) minutes or less.
4. If you require accommodation for this meeting including but not limited to translation services, hearing assistance, or accessibility please contact the City Clerk at least four (4) hours prior to the start of the meeting.

**If you have concerns about any of the items on the consent agenda, they may be separated from the consent agenda and voted on individually.*
***Ordinances may be read at three consecutive meetings or readings may be waived and ordinances may be passed at only one or two meetings.*

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Find us on the Web at http://www.stormlake.org

Staff Summary

03/18/2024
Agenda Item # D.1.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Mayra Martinez City Clerk

SUBJECT: **Consent Agenda**

BACKGROUND: The Consent Agenda Includes:

- List of Bills
- King's Pointe & Sunrise Pointe Disbursements ,
- Approve March 4, 2024 Regular City Council Minutes and March 11, 2024 Special City Council Minutes
- Approve New Cigarette Permit for Storm Lake Vape & Smoke
- Approve Renewal Liquor Licenses for King's Pointe Resort, Sunrise Pointe Golf Course, and Wal-Mart Store #1526
- Acknowledge Susan Lyngaas Resignation From Library Board
- Approve Engagement Agreement With Ahlers & Cooney, P.C. For Legal Services Related To Urban Renewal/Economic Development Matters
- Approve Renewal of Agreement with the Storm Lake Bakery for Concession Services for King's Pointe Lighthouse Snack Shack
- Approve a Temporary Construction Easement and a Sanitary Sewer Lift Station Easement with Buena Vista University for the Construction and Maintenance of College and 3rd Lift Station.
- Approve Buy Local Information
- Approve Storm Lake Police Department City Code Enforcement Update

FISCAL IMPACT: City Will Pay The Following Expenditures:

- List of Bills: $681,622.64
- King's Pointe & Sunrise Pointe Golf Course Bills: $125,125.16

City Will Receive The Following Receipts:

- New Cigarette Permit: $37.50

RECOMMENDATION: Approve Consent Agenda

ATTACHMENTS:

3.18.2024 City Claims Expense Report
King's Pointe Claims
03/04/2024 - City Council Minutes.docx
03/11/2024 City Council Minutes Special.docx
Storm Lake Vape & Smoke Cigarette Application 2023
Kings Pointe Liquor Application 2024.pdf
Walmart Liquor License 2024.pdf
Golf Course Liquor License 2024.pdf
Susan Lyngaas Resignation - Library Board

Buy Local_v1

Storm Lake, IA

Payment Date Range: 03/07/2024 - 03/20/2024

Vendor Name	Vendor Number	Payable Description	Total Payments
BVC			
Alta Implement Company, Inc	001288	Filters	166.57
Buena Vista County Recorder	001549	February 2024 Recording	27.00
Buena Vista County Solid Waste	001035	Recycling	164.84
Mike's Electronics Inc	001196	Light Repairs	2,133.84
		BVC Total: 2,492.25	
Contract/Agreement			
Bolton & Menk, Inc	001024	Construction Engineering- DOT Participating	11,126.50
I & S Group, Inc	001103	Design Services	24,353.75
Midwestern Mechanical of Iowa, Inc	001819	Pay #5 of KP HVAC Replacement	69,116.06
SCE, LLC	001344	Water Valve Replacement	29,555.27
Woodruff Construction, Inc	002132	Pay #5 of KP Updates	230,181.92
		Contract/Agreement Total: 364,333.50	
Local			
A & A Automotive	001022	Reductant Pump Replacement	1,837.01
Buena Vista Regional Medical Center	001124	3/12/2024 ID Nametag	5.00
Central Bank	001025	Services	4,396.99
Culligan Water Storm Lake	001071	Water Supplies	52.50
Deere Credit, Inc	001188	Hitch	600.00
Dennis R Julius	001064	Uniform Alteration	7.00
Edwards Storm Lake	001114	Service	70.10
Graham Tire	001093	Tire Repair	90.62
Growmark Inc New Century FS	001016	Fuel	9,759.42
Iowa Office Supply Inc	001037	Office Supplies	180.01
Jim Bartholomew	001069	Airport Contract March 2024	6,136.21
King's Pointe Resort	001110	Child Care Outreach Services	998.50
Larson Oil & Distributing Co, Inc	001178	Propane Line Repairs	540.00
Loews Custom Carpets Inc	001412	Supplies	67.50
Long Lines	001077	Fax Line & Emergency Line Service	1,385.34
Michael P. Reinert	001079	Pipe	122.15
North Lake Truck Repair	001177	Supplies	173.15
O'Reilly Automotive Inc	001108	Fuse	5.29
Qwest Corporation	001070	Phone Service	76.05
Rebnord Technologies, Inc	001091	IT Service Agreement	6,223.96
Rent-All, Inc	001210	Blade Rental	298.00
Stille Pierce & Pertzborn	001294	Add 2019 International	875.00
Storm Lake Ace Hardware	001216	Supplies	688.27
The Storm Lake Times	001214	February 2024 Publications	611.78
Verizon Wireless Services LLC	001075	Cell Phone Service	3,394.53
Vetter Equipment	001098	Oil & Filters	251.66
Visual Edge Inc	001063	Copier Maintenance Agreement	236.18
Wede Lock Service	001630	Lock Repairs	250.00
Wiese Plumbing & Heating, Inc	001302	Toilet Replacement	1,221.25
		Local Total: 40,553.47	
Non-Local			
ABC Pest Control, Inc	001078	Pest Control Services	47.90
Aegean, LLC	002111	Investigation Training- Diekman	595.00
Alpha Wireless Communications	001105	Radios	975.60
Auditor State of Iowa	001280	FY2023 Audit Filing Fee	850.00
Axon Enterprises, Inc	001049	Taser Supplies	348.80
Barco Municipal Products, Inc	001517	Solar Lights	1,950.00

Buy Local_v1

Vendor Name	Vendor Number	Payable Description	Total Payments
Bend Mailing Services, LLC	002013	Bill Printing Services	3,239.47
Bert Gurney & Associates	001769	Field Service Training	5,400.00
BlueTarp Financial, Inc	001338	Supplies	169.99
Brodart Co.	001009	Books	114.68
Builders Sharpening & Service LLC	001011	Bucket Sweeper- Toolcat	9,258.64
Burden Sales Company	002451	Supplies	1,587.55
Calibre Press	001793	Leadership Training- Solem	359.00
Central Iowa Distributing, Inc	001026	Cleaning Supplies	1,528.50
Cintas First Aid & Safety	001094	First Aid Supplies	478.86
Dale Vitito	001061	Uniform	16.90
Department of Inspections, Appeals, & Li	002458	Boiler Inspections	675.00
Des Moines Area Community College	001740	WW Training- Paltz	625.00
Electric Pump Inc	001032	Support	907.60
FM Controls, Inc	002240	HVAC Repairs	477.50
Foundation Analytical Laboratory, Inc	001100	Testing Services	2,652.00
General Traffic Controls, Inc	001128	Switch Pack	1,857.76
Gumdrop Books	002316	Books	200.80
Hach Company	001034	Testing Supplies	299.28
Hiway Truck Equipment	002450	Service Truck Body	12,369.11
Imagine the Possibilities, Inc	001883	Janitorial Services	800.00
Ingram Library Services, Inc	001268	Books	314.87
Iowa Department of Public Safety	001782	4th Qtr 2024 IOWA System	300.00
Iowa Fire Chiefs Association	001599	2024 Membership- Schlesser	25.00
Iowa Water Environment Association- R	001727	Conference Registration- Tarin & Streed	280.00
James M. Sweeney & Associates, Inc	001101	Background Checks	74.50
Kasperbauer Cleaners, Inc	002435	Entrance Mat Services	72.52
Laurens House of Print Ltd	002161	Magnets	71.97
Linde Inc	001111	Carbon Dioxide	2,809.42
Marcus Lumber Company Corp	002011	CD Shed Lumber	407.25
Midwest Breathing Air, LLC	001365	Quarterly Air Test	228.10
Midwest Tape, LLC	001275	DVDs	164.43
Mississippi Lime Company	001095	Lime	28,087.26
Molecular Repair Concepts, Inc	002272	Supplies	837.94
Municipal Supply, Inc	001391	Smart Points	21,458.98
National Fire Protection Association	001300	FY2024 Membership- ID 3669343	175.00
Pitney Bowes	001182	Postage Machine Agreement	244.50
Response Graphics & Embroidery, LLC	002346	Jacket	157.39
Salus LLC	001006	February 2024 Memberships	60.00
Sandy Boeckman	002024	2024 Reciprocal Agreement	75.00
Schumacher Elevator Company	001200	Elevator Maintenance	238.78
Shive-Hattery	002460	Professional Services	10,072.75
Sioux City Newspapers, Inc	001345	FY2024 Subscription- Library	598.99
Sirchie Acquisition Company, LLC	001437	Supplies	55.75
State Industrial Products Corporation	002309	WW Program	3,182.20
The Retail Coach, LLC	002262	Market Analysis and Recruitment Plan	12,500.00
Tometich Engineering, Inc	002187	Engineering Services	2,149.00
Toyne, Inc	001277	Charger	1,484.17
UPS	001121	Shipping	58.67
W. W. Grainger, Inc	001085	Impact Set	808.87
Werner Sewer & Septic, LLC	001572	Cleared 2 Drains	400.00
		Non-Local Total: 135,178.25	
Payroll/Refunds			
Beth Ann Dawson McPherren	001434	February 2024 Homebound	9.38
Custodian of Petty Cash	001272	Postage	26.60
Friends of the Library	001758	February 2024 CC Reimbursement	29.00
Jorge Tarin	001464	2.26.2024 WD 2- Cert Fee	95.33

Buy Local_v1

Vendor Name	Vendor Number	Payable Description		Total Payments
Matthew Younie	001650	FY2024 Boots		150.00
		Payroll/Refunds Total:	310.31	
		Grand Total:	542,867.78	

King's Pointe Resort

Claims Publication

From 2/29/2024 to 3/13/2024

Vendor	Description		Amount
Alliant Energy	Utilities	$	900.59
Authnet Gateway	Services	$	25.00
City of Storm Lake	Utilities	$	2,384.19
Doll Distribution	Beverages	$	1,538.60
Fintech	Services	$	64.46
HyVee	Beverages	$	556.76
IABD	License	$	1,170.00
Iowa Dept of Revenue	Taxes	$	19,027.61
Johnson Brothers	Beverages	$	556.25
Martin Brothers	Food	$	12,550.75
Shift 4	Services	$	9,863.59
W-O Payroll 3/1	Payroll	$	76,521.36
		$	125,159.16

CITY OF STORM LAKE REGULAR COUNCIL MEETING CITY HALL COUNCIL CHAMBERS, MARCH 4, 2024, 5:00 PM

Present: Mayor Michael Porsch, Council Members, Matt Ricklefs, Maria Ramos, Meg McKeon, and Maggie Martinez. Absent: Council Member Kevin McKinney.

Also Present: City Manager Keri Navratil, Assistant City Manager David Derragon, Police Chief Chris Cole, Fire Chief Glenn Schlesser, King's Pointe Manager Amy VonBank, Building and Code Compliance Director Scott Olesen, Library Director Elizabeth Huff, Development Services Specialist Lee Dutfield, Communications Coordinator Dana Larsen, Public Services Supervisor Scott Bonebrake, Assistant Public Services Supervisor Brandon Ripke, Program Manager/Sunrise Campground Manager Kim Woltman, Public Works Director Matt Beckman, Waste Water Treatment Plant Supervisor Jorge Tarin, Finance Director Brian Oakleaf, Staff Accountant Tyler Gibbins, and City Clerk Mayra Martinez.

Media Present: Ryan Thompson with KAYL, Amber Mohmand and Tom Cullen with The Storm Lake Times Pilot.

Mayor Porsch called the meeting to order at 5:00 pm.

Pledge of Allegiance

Agenda - Moved by Council Member Ricklefs to approve setting the agenda as presented. Seconded by Council Member Ramos. Vote: All ayes with Council Member McKinney absent. Motion carried.

Disclosure by City Council Members – No items at this time.

Hear the Public – There were no comments or requests from the Public.
Mayor Porsch read a proclamation in honor of Social Workers as March is proclaimed as Social Worker month. Mayor Porsch thanked Council Members McKeon and Martinez and all social workers for the work and help they provided.

Consent Agenda - Moved by Council Member Martinez to approve List of Bills Check #'s 81072 through 81139, EFT #'s 1310, 5015 through 5047, King's Pointe & Sunrise Pointe Disbursements, approve February 19, 2024, two City Council Special minutes and the Regular City Council minutes, acknowledge the January 2024 Library Minutes, acknowledge the January 2024 Airport minutes, approve Resolution No. 29-R-2023-2024 to approve Sunrise Pointe Golf Course Reciprocal policy, approve new liquor license for Brew Thirty and renewal liquor license for Sichanh Liquor Store, approve new cigarette license for Caroll's Tobacco Outlet LLC/R Smoke Plus LLC, approve Tax Abatement applications for 1821 West 6th Street Unit #5 and Unit #6 for Brash LLC, approve Buy Local Information, approve Storm Lake Police Department City Code Enforcement Update. Seconded by

Council Member Ricklefs. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 29-R-2023-2024

RESOLUTION APPROVING THE SUNRISE GOLF GOURSE RECIPROCAL POLICY AND WAIVING GREEN FEES FOR THE RECIPROCAL MEMBERS.

WHEREAS, the City of Storm Lake owns the Sunrise Golf Course; and

WHEREAS, the City of Storm Lake desires to increase the number of rounds of golf played annually at the course; and

WHEREAS, the City of Storm Lake welcomes the opportunity to showcase the golf course to players from other courses in the Midwest Iowa; and

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

To approve waiving fees for golfers from participating courses visiting Sunrise Pointe Golf Course covered in the Sunrise Golf Course Reciprocal Policy.

PASSED AND APPROVED this 4th day of March, 2024.

____
Michael Porsch, Mayor

ATTEST:

____
Mayra A. Martinez, City Clerk

Unfinished Business – No items
New Business

Management Firm and Agreements For King's Pointe - Moved by Council Member McKeon to approve the selection of S&L Hospitality, LLC as the management firm and approve agreements for King's Pointe Resor, Outdoor Waterpark, Golf Course, and Cottages. Seconded by Council Member Ramos. Vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

Hearing to Appeal City Manager's Decision Determining a Certain Dog to be a Vicious Animal Pursuant to Section 8-9-7 of the Storm Lake, Iowa Code - Mayor Porsch opened the hearing to appeal the City Manager's decision determining a certain dog to be a vicious animal pursuant to Section

8-9-7 of the Storm Lake, Iowa code. Mayor Porsch informed City Council and the public that the City Manager issued a written decision on February 21, 2024, determining a certain dog named Nikko (the subject dog) as a vicious dog as he bit a person causing serious injury without provocation on private property.

City Manager Navratil addressed the City Council and reminded them that the information regarding the dog bite incident along with pictures is attached to the agenda packet. She also had a video played (that could not be attached to the agenda packet) from the incident. The reporting parties of the vicious dog presented their information and encounters with the dog to the City Council. The appellant then gave his appeal to the City Council and answered questions presented to him. The hearing closed at 5:45 pm.

Moved by Council Member Martinez to affirm the City Manager's decision. Seconded by Council Member Ricklefs. Roll call vote: All ayes with Council Member McKinney absent. Motion carried.

LED Lighting Upgrade – Moved by Council Member McKeon to approve LED lighting upgrade proposal from ROI Energy with the cost amount of $188,359 with the City portion of $95,105.0. Seconded by Council Member Martinez. Vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

Elevated Water Tower No.5.-Mayor Porsch opened the public hearing on the matter of the adoption of plans, specifications, a form of contract, and an estimate of cost for the construction of the Storm Lake Elevated Water Tower No. 5 stating this was the time and place for any comments. Hearing no comments and no objections received to this public hearing from the Public or City Council, Mayor Porsch closed the public hearing.

Moved by Council Member Ramos to adopt Resolution No. 30-R-2023-2024 adopting plans, specifications, form of contract, and estimate of cost for the Storm Lake Elevated Water Tower No. 5. Seconded by Council Member Ricklefs. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 30-R-2023-2024

RESOLUTION ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COST FOR THE STORM LAKE ELEVATED WATER TOWER NO. 5

WHEREAS, on the 4th day of March, 2024, plans, specifications, form of contract and estimate of cost were filed with the Clerk for the construction of certain public improvements described in general as the Storm Lake Elevated Water Tower No. 5; and

WHEREAS, notice of hearing on plans, specifications, form of contract and estimate of cost for the public improvements was published as required by law.

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

Section 1. That the plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the public improvements, as described in the preamble of this Resolution.

PASSED AND APPROVED this 4th day of March, 2024.

____
Michael Porsch, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

Moved by Council Member McKeon to adopt Resolution No. 31-R-2023-2024 making award of construction contract to Landmark Structures low base bid for Elevated Water Tower No. 5. Seconded by Council Member Martinez. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 31-R-2023-2024

RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE STORM LAKE ELEVATED WATER TOWER NO. 5

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, STATE OF IOWA:

That the following bid for the construction of certain public improvements described in general as the Storm Lake Elevated Water Tower No. 5, described in the plans and specifications

heretofore adopted by this Council on March 4, 2024, be and is hereby accepted, the same being the lowest responsive, responsible bid received for such work, as follows:

Contractor:	Landmark Structures 1, LP of Fort Worth, TX
Amount of bid:	$6,624,000.00
Portion of project:	All construction work

That the Mayor and Clerk are hereby directed to execute the contract with the contractor for the construction of the public improvements, such contract not to be binding on the City until approved by this Council.

PASSED AND APPROVED this 4th day of March, 2024.

Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez, City Clerk

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF BUENA VISTA)

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

WITNESS my hand and the seal of the City hereto affixed this 4th day of March, 2024.

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Mayra A. Martinez, City Clerk,
City of Storm Lake, State of Iowa

(SEAL)

02312327\11149-138

FEMA HMA Scout Park & Ice House Lift Station Project - Moved by Council Member Martinez to adopt Resolution No. 32-R-2023-2024 approving Subaward Agreement with IA Homeland Security and Emergency Management. Seconded by Council Member Ramos. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 32-R-2023-2024

RESOLUTION APPROVING SUBAWARD AGREEMENT WITH IA HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, FEMA, has provided official notice on February 14, 2024, to Iowa Homeland Security and Emergency Management (IAHSEM) and the City of Storm Lake (City) of the award of a Hazard Mitigation Grant for the Scout Park Lift Station Project (PROJECT); and,

WHEREAS, the City has had a need and continues to have a need to make improvements to the Scout Park Lift Station to reduce and minimize the risks and damages to public and private property resulting from flooding in the sewer shed; and,

WHEREAS, IAHSEM has provided the City with a Subaward Agreement and held a Subaward Agreement consultation meeting with the City on February 28, 2024; and,

WHEREAS, the City has reviewed the agreement and agrees with the terms and conditions of the Subaward Agreement; and,

WHEREAS, the Subaward Agreement outlines a grant of federal funds in the amount of $2,639,274.30 toward the construction of the PROJECT and State of Iowa funds in the amount of $293,252.70 for a total federal and state award of $2,932,527.00; and,

WHEREAS, the Subaward Agreement outlines a grant of federal funds in the amount of $16,200.00 towards administration and management for the first year of the grant; and,

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

SECTION 1. The City Council approves the Subaward Agreement with IAHSEM.

SECTION 2. The City Council hereby directs the Mayor to sign and date the Subaward Agreement and the Clerk to attest and date the Mayor’s signature and then provide the agreement to IAHSEM.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 4TH DAY OF MARCH 2024.

SIGNED

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Michael Porsch, Mayor

ATTEST

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Mayra A. Martinez, City Clerk

Moved by Council Member Ricklefs to adopt Resolution No. 33-R-223-2024 approving Amendment No. 4 to the Agreement for professional services engineering with Bolton & Menk, Inc. on the Storm Lake FEMA HMA project. Seconded by Council Member Martinez. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 33-R-2023-2024

RESOLUTION APPROVING AMENDMENT NO. 4 TO THE AGREEMENT FOR PROFESSIONAL SERIVCES – ENGINEERING, WITH BOLTON & MENK, INC. ON THE STORM LAKE FEMA HMA PROJECT

WHEREAS, the City of Storm Lake, Iowa (CITY) and Bolton & Menk, Inc. (BMI), entered into an agreement for engineering services on August 2, 2021 (AGREEMENT), for several projects related to potential FEMA funding opportunities; and,

WHEREAS, the AGREEMENT has been amended previous three separate times to amend various components, costs, and responsibilities due to changes in applications and FEMA guidelines; and,

WHEREAS, the CITY has received notice of an award for a HMA project to replace and fortify against flooding the City's Scout Park and Icehouse Lift Stations (PROJECT) which were a part of the original scope of the City's overall FEMA applications that were the subject of the AGREEMENT; and,

WHEREAS, the CITY and BMI need to amend the AGREEMENT to remove the non-funded components of the original scope to ensure that the AGREEMENT covers the true scope of the project; and, WHEREAS, Amendment No. 4 hereby removes the non-funded projects from the original scope including wells, raw water main, water reclamation and reuse components, and water distribution elements; and,

WHEREAS, Amendment No. 4 reduces the overall cost of the AGREEMENT by $7,946,752 leaving an engineering cost balance of $373,560.00; and,

WHEREAS, the remaining value of the AGREEMENT is split as follows:

Task 2	Design Engineering and Bidding Services	$186,780.00
Task 3	Construction Engineering Services $	$186,780.00

WHEREAS, the CITY retains the right and responsibility to initiate the start of each of the remaining two tasks by individual notice to proceed to BMI; and,

WHEREAS, the CITY intends to accept the FEMA award for the PROJECT and to proceed with development of the PROJECT immediately; and,

WHEREAS, the CITY will issue official Notice to Proceed for Task 2 services to BMI once the CITY has received a fully executed Subaward Agreement for the PROJECT from Iowa Homeland Security and Emergency Management.

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

SECTION 1. The City Council hereby approves Amendment No. 4 to the Engineering Services agreement with BMI.

SECTION 2. The City Council hereby directs the Mayor to sign and thereby execute Amendment No. 4 on behalf of the City of Storm Lake, Iowa.

PASSED AND APPROVED BY THE CITY COUCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 4TH DAY OF MARCH 2024.

SIGNED

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Michael Porsch, Mayor

ATTEST

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Mayra A. Martinez, City Clerk

Moved by Council Member Martinez to adopt Resolution No. 34-R-2023-2024 granting authorization to engage Bolton and Menk, Inc. with Task 2 services related to the Scout Park and Ice House Lift Station project subject to execution of grant agreement with IA Homeland Security and Emergency Management. Seconded by Council Member McKeon. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 34-R-2023-2024

RESOLUTION GRANTING AUTHORIZATION TO ENGAGE BOLTON AND MENK, INC. WITH TASK 2 SERVICES RELATED TO THE SCOUT PARK AND ICE HOUSE LIFT STATION PROJECT SUBJECT TO EXECUTION OF GRANT AGREEMENT WITH IA HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, the City of Storm Lake, has received notification from Iowa Homeland Security and Emergency Management (IAHSEM) of an award of a Hazard Mitigation Grant for the Scout Park and Ice House Lift Station Project (PROJECT); and,

WHEREAS, the City previously utilized a formal and FEMA approved process for procurement of engineering services for three separate tasks related to the potential PROJECT; and,

WHEREAS, the City selected and entered into an agreement with Bolton and Menk, Inc. (BMI) as the project engineer on August 2, 2021; and,

WHEREAS, the City previously authorized Task 1, Pre-Application Services; and,

WHEREAS, the City needs an engineer to assist the City with the development of the project design and bidding services, Task 2; and,

WHEREAS, Task 2 services were included in the solicitation for engineering services related to the PROJECT; and,

WHEREAS, FEMA requires that the City official authorize the independent services or tasks when appropriate during the development of the project; and,

WHEREAS, the City has approved a Subaward Agreement between the City and IAHSEM for the PROJECT and forwarded that agreement to IAHSEM for their approval; and, WHEREAS, the City intends to proceed with BMI as the project engineer for Task 2 services; and,

WHEREAS, IAHSEM requires that the City provide the Notice to Proceed to BMI following full approval of the Grant Subaward Agreement; and,

WHEREAS, the Council desires to be able to proceed as soon as the Subaward Agreement is fully executed.

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

SECTION 1. The City Council hereby authorizes the engagement of BMI for Task 2 services subject to the receipt of a fully executed Subaward Agreement with IAHSEM.

SECTION 2. The City Council hereby directs the City Manager to sign and date the Notice to Proceed for Task 2 engineering services with BMI upon receipt of the fully executed Subaward Agreement from IAHSEM.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 4TH DAY OF MARCH 2024.

SIGNED

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Michael Porsch, Mayor

ATTEST

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Mayra A. Martinez, City Clerk

Moved by Council Member Ramos to adopt Resolution No. 35-R-2023-2024 granting authorization to engage Simmering-Cory with Phase 2 Services related to the Scout Park and Ice House Lift Station project subject to Execution of grant agreement with IA Homeland Security and Emergency Management. Seconded by Council Member Martinez. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 35-R-2023-2024

RESOLUTION GRANTING AUTHORIZATION TO ENGAGE SIMMERING-CORY. WITH PHASE 2 SERVICES RELATED TO THE SCOUT PARK AND ICE HOUSE LIFT

STATION PROJECT SUBJECT TO EXECUTION OF GRANT AGREEMENT WITH IA HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, the City of Storm Lake, has received notification from Iowa Homeland Security and Emergency Management (IAHSEM) of an award of a Hazard Mitigation Grant for the Scout Park and Ice House Lift Station Project (PROJECT); and,

WHEREAS, the City previously utilized a formal and FEMA approved process for procurement of grant writing and administration services for three separate tasks related to the potential PROJECT; and,

WHEREAS, the City selected and entered into an agreement with Simmering-Cory (SC) as the project grant writer and administrator on August 2, 2021; and,

WHEREAS, the City previously authorized Phase 1, Pre-Application Services; and,

WHEREAS, the City needs an engineer to assist the City with the grant administration services, Phase 2; and,

WHEREAS, Phase 2 services were included in the solicitation for grant writing and administration services related to the PROJECT; and,

WHEREAS, FEMA requires that the City official authorize the independent services or tasks when appropriate during the development of the project; and,

WHEREAS, the City has approved a Subaward Agreement between the City and IAHSEM for the PROJECT and forwarded that agreement to IAHSEM for their approval; and,

WHEREAS, the City intends to proceed with SC as the project engineer for Phase 2 services; and,

WHEREAS, IAHSEM requires that the City provide the Notice to Proceed to SC following full approval of the Grant Subaward Agreement; and,

WHEREAS, the Council desires to be able to proceed as soon as the Subaward Agreement is fully executed.

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

SECTION 1. The City Council hereby authorizes the engagement of SC for Phase 2 services subject to the receipt of a fully executed Subaward Agreement with IAHSEM.

SECTION 2. The City Council hereby directs the City Manager to sign and date the Notice to Proceed for Phase 2 engineering services with Phase upon receipt of the fully executed Subaward Agreement from IAHSEM.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 4TH DAY OF MARCH 2024.

SIGNED

____

Michael Porsch, Mayor

ATTEST

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Mayra A. Martinez, City Clerk

Iowa Energy Efficiency and Conservation Block Grant (EECBG - Moved by Council Member Ricklefs to adopt Resolution No. 36-R-2023-2024 committing matching funds and authorizing submission of Iowa Energy Efficiency and Conservation Block Grant (EECBG) application. Seconded by Council Member McKeon. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

RESOLUTION NO. 36-R-2023-2024

RESOLUTION COMMITTING MATCHING FUNDS AND AUTHORIZING SUBMISSION OF IOWA ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) APPLICATION

WHEREAS, The Iowa Economic Development Authority (IEDA) has opened a grant opportunity for communities to apply for funds that will reduce energy usage and allow for the reinvestment of the energy savings into other energy efficiency projects within the community; and,

WHEREAS, the City of Storm Lake (CITY) adopted the Storm Lake Energy Action Plan in December 2015 which outlined various opportunities throughout the operations of all CITY departments where energy savings could be realized; and,

WHEREAS, the 2015 Storm Lake Energy Action Plan identified a project to replace the blower units at the CITY Wastewater Treatment Plant to appropriately sized units; and,

WHEREAS, the 2015 Storm Lake Energy Action Plan was the result of a Facility Energy Assessment that was conducted in partnership with Nexant, MidAmerican Energy, and IEDA in July 2015; and, WHEREAS, the CITY has a desire to make improvements in the blowers at the Wastewater Treatment Plant but has not been able to fund the project due to other priorities; and,

WHEREAS, the CITY's project engineer has identified a total project cost of $693,510.00 which includes construction, contingency, grant administration, and engineering fees; and,

WHEREAS, the CITY has set aside funds from their sewer utility funds over the past few years planning for a future project; and,

WHEREAS, the CITY is committing $393,510.00 of those set aside sewer funds to use toward this project as matching funds for the Wastewater Treatment Plant Blower Replacement Project; and,

WHEREAS, the Iowa Energy Efficiency and Conservation Block Grant (EECBG) application is due by March 18, 2024; and,

WHEREAS, the CITY understands the goals of the program are to utilize the energy savings realized by the project to make additional energy efficiency savings improvements with the CITY's operations

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

SECTION 1. The CITY hereby commits to and agrees to fund the required match of $393,510.00 as well as any project cost overages, which includes 100% of the engineering services related to the project.

SECTION 2. The City Council hereby authorizes and endorses the submission of an EECBG application for the Wastewater Treatment Plant Blower Project.

SECTION 3. The City Council hereby directs the Mayor to sign all required grant documents for the submission of an EECBG application.

PASSED AND APPROVED BY THE CITY COUCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 4TH DAY OF MARCH 2024.

SIGNED

____

Michael Porsch, Mayor

ATTEST

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Mayra A. Martinez, City Clerk

FY 2024-2025 Tax Levy Rate - Moved by Council Member McKeon to set a public hearing for April 1, 2024, at 4:30 pm at City Council Chambers for setting Tax Levy rate and maximum property tax dollars. Seconded by Council Member Ramos. Vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

Memorial Road Street and Utility Improvement Project - Mayor Porsch opened the hearing for contesting bid rejections for the Memorial Road Street and Utility Improvement Project brought to the City Council by the two companies Bainbridge Construction and Hulstein Excavating whose bids for this project are being rejected by the City of Storm Lake.

City Manager Navratil reviewed Chapter 26 of the Iowa Code for rewarding a contract to the lowest responsive or responsible bidder and conforming to the plans and specifications of a project. She also reminded everyone that a majority of the work will be done near the lake and that the City Council and staff have the fiduciary and environmental responsibility to provide the best possible service to the community.

Bolton & Menk Engineer Josh Pope reviewed the Memorial Road Street and Utility Improvement Project, the complexity of the project, and the expectations of the contractor. Mr. Pope informed the Council and the public that not only is this a street project, but it involves some water main and sanitary sewer line work and it is also a substantial drainage and stormwater project. Mr. Pope also reviewed the performance records and financial feasibility issues that arose during previous projects with Bainbridge Construction and Hulstein Excavating and reviewed his recommendations for Redding Excavation for the project.

City Manager Navratil reviewed the City's NPDS permit (National Pollution Discharge Elimination System) general permit #2 required by the Iowa Department of Natural Resources to get authorization from the EPA and reminded everyone that the City is also an MS4 community that has to follow additional rules and regulations for clean water. She reviewed issues that arose during the 4th and Oates project that Bainbridge Construction was contracted to do work for.

Troy Bainbridge, owner of Bainbridge Construction introduced himself and his attorney to the City Council and spoke about the quality of work his company performs and gave rebuttals to City Manager Navratil's comments regarding their work. Mr. Bainbridge also answered questions from City Council Members and requested copies of all the records presented at the meeting.

City Manager Navratil reviewed the issues with Hulstein Excavating's work on the Erie Street Stormwater Improvement Project, 7th & Geneseo Street Sanitary Sewer project, 3rd Addition Project 2017, and the Oneida Street Improvement Project.

Travis Hulstein, owner of Hulstein Excavation introduced himself and spoke about the quality of work his company performs and gave rebuttals to City Manager Navratil's comments regarding the work the company performed. Mr. Hulstein also answered questions from City Council Members and requested copies of all the records presented at the meeting.

John Reding with Reding's Gravel &Excavating Co, Inc spoke to the City Council regarding the type and quality of work his company performs and stated that his company can do the work for the Memorial Road Street & Utilities Improvements project.

City Manager Navratil, Josh Pope City Engineer, Troy Bainbridge from Bainbridge Construction, Travis Hulstein from Hulstein Excavation, and John Reding's with Reding's Gravel & Excavating Co. presented to the City Council their evidence for the bid rejection and the contesting of the bid rejection.

After review and discussion of the information presented by the bidders and City Manager, the City Council made a public request to release all emails, talking points from the emails received from the contractors and engineers, and the City's list of comments regarding the work experiences with the two contractors per the contractor's request. This will allow the contractors to provide further response and input on the comments made by the city manager for the Council to consider choosing or not choosing the lowest bidder for the Memorial Road Street & Utilities Improvements project.

Moved by Council Member Martinez to table Resolution No. 34-R-2023-2024 awarding bid to Reding's Gravel & Excavation, Inc for the 2024 Memorial Road Street & Utilities Improvements project to the March 18, 2024, City Council meeting. Seconded by Council Member Ramos. Roll call vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

City Council Requested Items / City Council – No items at this time.

Updates Fiscal Year 2024-2025 Budget Work Session - City Council Members and City Staff met to discuss the 2024-2025 Outside Agencies funding requests and budgets for all departments.

Adjourn - Moved by Council Member Ramos to adjourn at 9:55 pm. Seconded by Council Member Martinez. Vote: All ayes with Council Member Kevin McKinney absent. Motion carried.

SIGNED

____

Michael Porsch, Mayor

ATTEST

____

Mayra A. Martinez, City Clerk

CITY OF STORM LAKE SPECIAL COUNCIL MEETING, CITY HALL COUNCIL CHAMBERS MARCH 11, 2024, 5:30 PM

Present: Mayor Michael Porsch, Council Members Matt Ricklefs, Meg McKeon, and Kevin McKinney. Absent: Council Member Maria Ramos

Staff Present: City Manager Keri Navratil, Assistant City Manager David Derragon, Police Chief Chris Cole, Building and Code Compliance Director Scott Olesen, King's Pointe Manager Amy VonBank, Communications Coordinator Dana Larsen, Development Services Specialist Lee Dutfield, and City Clerck Mayra Martinez.

Media Present: Ryan Thompson with KAYL and Amber Mohmand with The Storm Lake Times Pilot.

Mayor Porsch called the meeting to order at 5:35 pm.

New Business

Child Care Community Conversation - The City Council and the public were presented with the recent child care market analysis and strategic plan by Angie Duncan from First Children Finance.

Adjourn – Moved by Council Member Martinez to adjourn at 6:40 pm. Seconded by Council Member McKeon. Vote: All ayes with Council Member Ramos absent. Motion carried.

____
Michael Prosch, Mayor

ATTEST:

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Mayra A. Martinez, City Clerk

Iowa Department of REVENUE

Iowa Retail Permit Application for Cigarette/Tobacco/Nicotine/Vapor

tax.iowa.gov

Additional instructions are on the final page.

For period (MM/DD/YYYY) 03 / 19 / 2024 through 06/30/24

Use this form to apply for a retail permit to sell cigarettes, tobacco, alternative nicotine, or vapor products at retail. If you need a different, non-retail cigarette or tobacco permit, use form 70-015. If approved, the permit is only valid for the location listed on the permit. You must obtain a separate retail permit for each location you own or operate.

Business Information:

Legal name/Doing business as (DBA): Storm Lake Vape &l Smoke

Iowa sales and use tax account number: 99-1668212

Retail address: 609 Lake Ave City: Storm Lake State: IA ZIP: 50588

Mailing address: 609 Lake Ave City: Storm Lake State: IA ZIP: 50588

Phone: 319-231-5427

Legal Ownership Information:

Type of ownership: Sole Proprietor ☐ Partnership ☐ Corporation ☒ LLC ☐ LLP ☐

Name of sole proprietor, partnership, corporation, LLC, or LLP: Dream Land 786 INC

Primary office address: 915 11th St City: Charles City State: IA ZIP: 50616

Phone: 319-231-5427 Fax: ______ Email: mehnde123@gmail.com

Retail Information:

Types of Sales: Over-the-counter ☒ Vending machine ☐ Vending machine that assembles cigarettes ☐ Delivery sales of alternative nicotine/vapor products (see instructions)
Mobile sales (see instructions) ☐ VIN: ______ License plate number: ______

Types of Products Sold: (Check all that apply)
Cigarettes ☒ Tobacco ☒ Alternative nicotine products ☒ Vapor products ☒

Type of Establishment: (Select the options that best describe the establishment)

Alternative nicotine/vapor store ☒ Bar ☐ Convenience store/gas station ☐ Drug store ☐
Grocery store ☐ Hotel/motel ☐ Liquor store ☐ Restaurant ☐ Tobacco store ☒
Other (provide description) ☐ ______

Do you have other permits issued under Iowa Code chapter 453A? If yes, provide permit number(s):
Charles City - (Permit) City Number 2023-09

Include with this application a list of your suppliers and customers on a separate sheet.

Identify partners or corporate officers if the business is not a sole proprietorship.

Name: Mehnde Khan Title: CEO
Address: 915 11th St
City: Charles City State: IA ZIP: 50616
Name: ______ Title: ______
Address: ______
City: ______ State: ______ ZIP: ______

Name: Mehnde Khan Title: CFO

Address: 915 11th St

City: Charles City State: IA ZIP: 50616

If this application is approved and a permit is granted, I/we do hereby bind ourselves to a faithful observance of the laws governing the sale of cigarettes, tobacco, alternative nicotine, and vapor products. I declare under penalties of perjury or false certificate, that I have examined this application, and to the best of my knowledge and belief, it is true, correct, and complete.

Signature of Owner(s), Partner(s), or Corporate Official(s)

Printed name: ______ Printed name: ______

Signature: ______ Signature: ______

Date: ______ Date: ______

Printed name: Mehnde Khan

Signature: M. Kh

Date: 3-6-2024

Send this completed application and the applicable fee to your local jurisdiction. If your local jurisdiction permits electronic transmission of this application, your email or fax signature will constitute a valid signature. It is up to your local jurisdiction to approve this application and issue the permit. You must have an approved permit issued to you by the local jurisdiction before acting as a retailer in that jurisdiction. You must separately apply in each local jurisdiction in which you plan to act as a retailer. If you have any questions about the status of your application, contact your city clerk (within city limits) or your county auditor (outside city limits). NOTE: A completed application is NOT a valid permit even if submitted to your local jurisdiction with the applicable fee.

FOR CITY CLERK/COUNTY AUDITOR ONLY – MUST BE COMPLETE

- Fill in the amount paid for the permit: $37.50
- Fill in the date the permit was approved by the council or board: 3/18/24
- Fill in the permit number issued by the city/county: FY 23-24-23
- Fill in the name of the city or county issuing the permit: Storm Lake
- New ☒ Renewal ☐

Send completed/approved application to the Iowa Department of Revenue within 30 days of issuance. Make sure the information on the application is complete and accurate. A copy of the permit does not need to be sent; only the application is required. If a permit is being exchanged due to change of location within the same jurisdiction, permittee should complete an application with new location information and application should be sent to the Department as described above. Permittees who exchange a valid permit are not required to pay an additional fee when an exchange application is submitted. It is preferred that applications are sent via email, as this allows for a receipt confirmation to be sent to the local authority.

- Email: iapledge@iowaabd.com
- Fax: 515-281-7375

State of Iowa
Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
City of Storm Lake	King's Pointe Waterpark Resort	(712) 213-4500

ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1520 E. Lakeshore Drive		Storm Lake	Buena Vista	50588

MAILING ADDRESS	CITY	STATE	ZIP
PO Box 1086	Storm Lake	Iowa	50588

Contact Person

NAME	PHONE	EMAIL
Keri Navratil	(712) 732-8000	cityhall@stormlake.org

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0048994	Class C Retail Alcohol License	12 Month	Pending Dramshop Review

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Apr 1, 2024	Mar 31, 2025	

SUB-PERMITS

Class C Retail Alcohol License

State of Iowa
Alcoholic Beverages Division

PRIVILEGES

Catering, Outdoor Service

Status of Business

BUSINESS TYPE

Municipality

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Michael Porsch	Storm Lake	Iowa	50588	Mayor	0.00	Yes
Nelda Kirkholm	Storm Lake	Iowa	50588			Yes
Amy Von Bank						Yes

Insurance Company Information

INSURANCE COMPANY	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE
Scottsdale Insurance Company		

DRAM CANCEL DATE	OUTDOOR SERVICE EFFECTIVE DATE	OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE	TEMP TRANSFER EFFECTIVE DATE	TEMP TRANSFER EXPIRATION DATE

State of Iowa
Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
Walmart Inc.	Wal-Mart Supercenter #1526	(712) 732-7940

ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1831 Lake Ave NW		Storm Lake	Buena Vista	50588

MAILING ADDRESS	CITY	STATE	ZIP
702 SW 8th Street Dept 8916	Bentonville	Arkansas	72716-0500

Contact Person

NAME	PHONE	EMAIL
Nayoung Toney	(479) 360-3604	complic@wal-mart.com

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LE0001135	Class E Retail Alcohol License	12 Month	Submitted to Local Authority

EFFECTIVE DATE	EXPIRATION DATE	LAST DAY OF BUSINESS
May 1, 2024	Apr 30, 2025	

SUB-PERMITS

Class E Retail Alcohol License

PRIVILEGES

State of Iowa
Alcoholic Beverages Division

Status of Business

BUSINESS TYPE

Corporation

Ownership

• Individual Owners

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Sarah Little	Springdale	Arkansas	72764	Assistant Secretary	0.00	Yes
Emma Waddell	Bentonville	Arkansas	72712	Vice President	0.00	No
Matthew Allen	Rogers	Arkansas	72758	Assistant Treasurer	0.00	Yes
Carl Doug McMillon	Bentonville	Arkansas	72712	President & CEO	0.00	Yes
Walmart Licensing						
Walmart Licensing						

Insurance Company Information

INSURANCE COMPANY POLICY EFFECTIVE DATE POLICY EXPIRATION DATE

State of Iowa
Alcoholic Beverages Division

DRAM CANCEL DATE	OUTDOOR SERVICE EFFECTIVE DATE	OUTDOOR SERVICE EXPIRATION DATE
BOND EFFECTIVE DATE	TEMP TRANSFER EFFECTIVE DATE	TEMP TRANSFER EXPIRATION DATE

State of Iowa

Alcoholic Beverages Division

Applicant

NAME OF LEGAL ENTITY	NAME OF BUSINESS(DBA)	BUSINESS
City of Storm Lake	Sunrise Pointe Golf Course	(712) 213-4500

ADDRESS OF PREMISES	PREMISES SUITE/APT NUMBER	CITY	COUNTY	ZIP
1528 Lakeshore Dr		Storm Lake	Buena Vista	50588

MAILING ADDRESS	CITY	STATE	ZIP
PO Box 1086	Storm Lake	Iowa	50588

Contact Person

NAME	PHONE	EMAIL
Keri Navratil	(712) 732-8000	cityhall@stormlake.org

License Information

LICENSE NUMBER	LICENSE/PERMIT TYPE	TERM	STATUS
LC0030489	Class C Retail Alcohol License	12 Month	Renewed

TENTATIVE EFFECTIVE DATE	TENTATIVE EXPIRATION DATE	LAST DAY OF BUSINESS
Apr 1, 2023	Mar 31, 2024	

SUB-PERMITS

Class C Retail Alcohol License

PRIVILEGES

Outdoor Service

State of Iowa
Alcoholic Beverages Division

Status of Business

BUSINESS TYPE

Municipality

Ownership

- **Individual Owners**

NAME	CITY	STATE	ZIP	POSITION	% OF OWNERSHIP	U.S. CITIZEN
Amy Von Bank						Yes
Michael Porsch	Storm Lake	Iowa	50588	Mayor	0.00	Yes
Keri Navratil	Storm Lake	Iowa	50588	City Manager	0.00	Yes
Nelda Kirkholm	Storm Lake	Iowa	50588			Yes

Insurance Company Information

INSURANCE COMPANY	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE
Illinois Casualty Co	Apr 1, 2023	Apr 1, 2024

DRAM CANCEL DATE	OUTDOOR SERVICE EFFECTIVE DATE	OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE	TEMP TRANSFER EFFECTIVE DATE	TEMP TRANSFER EXPIRATION DATE

February 27, 2024

Mary Kay Hudspeth
President, Storm Lake Public Library Bd. Of Trustees
19 Vista Dr.
Storm Lake, IA
50588

Dear Mary Kay,

I am submitting my letter of resignation from the Storm Lake Public Library Board of Trustees. I have served one full term and part of another term and I feel that it is time for me to retire from this volunteer commitment.

I have enjoyed my years of service to the community of Storm Lake but feel that it is time for someone else to take over for me. I have enjoyed seeing lots of progress made for the library and to the benefit of the Storm Lake community. You and Elizabeth, and the Trustees have made much progress in providing not only reading resources, computer access, internet, social services, children's programs, book clubs, etc. I expect these services and others to continue well into the future.

I will attend the March 11th Board of Trustees meeting and then I shall resign effective March 15, 2024. Thank you for a wonderful community experience.

Sincerely,

Susan M Lyngaas

Susan M. Lyngaas

Staff Summary

03/18/2024
Agenda Item # D.2.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Mayra Martinez City Clerk

SUBJECT: **Buy Local Information**

BACKGROUND: In 2011, the Council asked staff to look at putting together some analysis information regarding the amount of purchases made locally. We have pulled that information together and provided a summary of purchases identified in the current list of bills to be approved that are purchased locally (within the City of Storm Lake), within Buena Vista County, and outside of Buena Vista County are presented here for Council's review. This information is presented for both the City & King's Pointe's bills. As the reader reviews the information they should note the following key notes: Costs associated with any major capital project (those bid under the State of Iowa Bid Law) are excluded from the calculation Costs associated with travel is excluded from the calculation and % Costs associated with payroll is excluded from the calculation and % In some cases there is only one vendor or an item is only available from vendors outside of the City limits and/or Buena Vista County – we have not identified these some departments have fairly minor budgets and a major purchase can skew the % and or amount for a given review period (For Example: the Airport may have normally $4,000 - $6,000 in expenses until they purchase Jet Fuel or Av Gas which can be $10,000 + and as a vendor who is not local this can skew the information for that review period) Local has been determined to be has an office front in the area and based on where the office front is located for local vs. BV County (For Example: Wal-Mart is considered local since they have a store in Storm Lake even though their headquarters is not located here) As with all analytical data it is possible to interpret the numbers in a variety of ways and as we move forward we would be happy to provide further detail and or revise the way in which we show the data. Likewise, if you have any questions or concerns please don't hesitate to contact city staff.

FISCAL IMPACT:

Breakout	Calculated Expenses
Buena Vista County	$2,492.25

Contract/Agreement	$364,333.50
Local	$40,553.47
Non-Local	$135,178.25
Payroll/UBRefunds, PyrlTax & Ins	$139,065.17
Total Expenses:	681,622.64

Supporting Documents Attached

RECOMMENDATION: Approve Buy Local Information

ATTACHMENTS:

3.18.2024 Project Report.pdf

Summary

Project Summary

Project Number	Project Name	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
0P1.122814	Richland Street, Phase 2 Improvemen...	174,107.75	0.00	174,095.25	0.00	174,095.25	12.50
0P1.125106	BRIC	8,573,638.49	8,573,638.49	212,709.99	0.00	212,709.99	8,360,928.50
0P1.126252	Comprehansive Plan & Zoning Code U...	125,880.00	0.00	125,824.50	0.00	125,824.50	55.50
0P1.131538	Memorial Road Street & Utility Impro...	336,980.00	336,980.00	331,590.50	146.50	331,737.00	5,243.00
0T5.128791	Runway 17/35 Lighting Replacement	410,741.68	410,741.68	96,802.87	0.00	96,802.87	313,938.81
19-22797	Memorial Lift Station Improvements	2,533,320.00	0.00	2,554,600.96	0.00	2,554,600.96	-21,280.96
20-HSG-022	2021 Housing Sustainability Project	224,994.00	224,994.00	181,283.12	0.00	181,283.12	43,710.88
21-26215	Downtown Master Plan	113,000.00	0.00	103,650.00	0.00	103,650.00	9,350.00
22-26698	Storm Lake WTP- Well No. 21	1,769,929.00	1,769,929.00	725,864.59	50.00	725,914.59	1,044,014.41
22-26815	W 6th Street Utilities Extension	314,241.49	314,241.49	317,232.58	97.50	317,330.08	-3,088.59
22-27926	Storm Lake WTP- Well #22	149,200.00	149,200.00	63,402.50	0.00	63,402.50	85,797.50
23-29446	WWTP UV Disinfection Building	189,472.00	189,472.00	22,685.00	618.75	23,303.75	166,168.25
23-29447	College & 3rd St Lift Station Replacem...	185,000.00	185,000.00	85,215.00	10,300.00	95,515.00	89,485.00
HTG322020	T-Mobile Hometown Grant Q-3-22	0.00	0.00	43,519.48	0.00	43,519.48	-43,519.48
IA0091	SL Elevated Water Storage- Tower #5	760,100.15	760,100.15	495,470.17	7,137.50	502,607.67	257,492.48
New	Lead Service Line Replacement Prelim...	15,500.00	0.00	0.00	0.00	0.00	15,500.00
New1	King's Pointe Remodel/Refresh	419,800.00	419,800.00	274,027.59	28,613.92	302,641.51	117,158.49
OP1.125220	4th Street Watermain Improvement P...	553,406.16	0.00	581,342.16	0.00	581,342.16	-27,936.00
P11.118940	Oneida Street Reconstruction from RR...	2,526,433.98	0.00	2,513,334.28	0.00	2,513,334.28	13,099.70
P11.120411	Highway 7/110 Traffic Lane/Signalizat...	4,661,065.85	0.00	4,848,052.50	7,594.00	4,855,646.50	-194,580.65
SP21122	SL Library CDBG- COVID (CV) Grant	634,285.27	0.00	634,285.27	0.00	634,285.27	0.00
	Report Total:	**24,671,095.82**	**13,334,096.81**	**14,384,988.31**	**54,558.17**	**14,439,546.48**	**10,231,549.34**

Group Summary

Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Airport Projects	410,741.68	410,741.68	96,802.87	0.00	96,802.87	313,938.81
ARPA Project	760,100.15	760,100.15	495,470.17	7,137.50	502,607.67	257,492.48
Building Resilient Infrastructure and C...	8,573,638.49	8,573,638.49	212,709.99	0.00	212,709.99	8,360,928.50
Economic Development	778,115.49	539,235.49	771,509.68	97.50	771,607.18	6,508.31
King's Pointe Resort Projects	419,800.00	419,800.00	274,027.59	28,613.92	302,641.51	117,158.49
Library Project	634,285.27	0.00	634,285.27	0.00	634,285.27	0.00
Sanitary Sewer Projects	2,907,792.00	374,472.00	2,662,500.96	10,918.75	2,673,419.71	234,372.29
Street Construction	7,698,587.58	336,980.00	7,867,072.53	7,740.50	7,874,813.03	-176,225.45
Water Project	2,488,035.16	1,919,129.00	1,370,609.25	50.00	1,370,659.25	1,117,375.91
Report Total:	**24,671,095.82**	**13,334,096.81**	**14,384,988.31**	**54,558.17**	**14,439,546.48**	**10,231,549.34**

Type Summary

Group	Total Budget	Date Range Budget	Beginning Balance	Total Activity	Ending Balance	Budget Remaining
Construction	13,812,956.23	3,364,622.49	12,491,442.91	47,420.67	12,538,863.58	1,274,092.65

Staff Summary

03/18/2024
Agenda Item # D.3.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Lee Dutfield Development Services Sepcialist

SUBJECT: **Motion To Approve Engagement Agreement With Ahlers & Cooney, P.C. For Legal Services Related To Urban Renewal/Economic Development Matters**

BACKGROUND: The purpose of this Engagement Agreement ("Agreement") is to disclose and memorialize the terms and conditions under which Ahlers & Cooney, P.C. will represent the City of Storm Lake, Iowa (the "City") from time to time in connection with the City's economic development activities, including urban renewal matters, development agreements, urban revitalization matters, and similar projects (the "Economic Development Matters") through December 31, 2025.

FISCAL IMPACT: Fees as noted in the engagement agreement.

RECOMMENDATION: Approve Engagement Agreement with Ahlers & Cooney, P.C. for legal services related to Urban Renewal and Economic Development Matters.

ATTACHMENTS:

Storm Lake - General Economic Development Matters Engagement Letter (2024 and 2025) (02317529x7F7E1).PDF

Ahlers & Cooney, P.C.
Attorneys at Law
100 Court Avenue, Suite 600
Des Moines, Iowa 50309-2231
Phone: 515-243-7611
Fax: 515-243-2149
www.ahlerslaw.com

Jenna H.B. Sabroske
515.246.0328
jsabroske@ahlerslaw.com

March 1, 2024

Sent via email: navratil@stormlake.org

Keri Navratil
City Manager
City of Storm Lake
620 Erie Street
Storm Lake, IA 50588

Copy to: Lee Dutfield, Development Services Specialist

RE: City of Storm Lake - General Urban Renewal/Economic Development Matters (2024 and 2025) Engagement Agreement

Dear Keri:

The purpose of this Engagement Agreement ("Agreement") is to disclose and memorialize the terms and conditions under which Ahlers & Cooney, P.C. will represent the City of Storm Lake, Iowa (the "City") from time to time in connection with the City's economic development activities, including urban renewal matters, development agreements, urban revitalization matters, and similar projects (the "Economic Development Matters") through December 31, 2025.

SCOPE OF ENGAGEMENT

We agree to represent the City in the City's Economic Development Matters for which the City requests our services. In the course of representing the City on such Economic Development Matters, we will perform the following services, as applicable, for the fees we charge under this Agreement.

Urban Renewal Plans and Amendments to Urban Renewal Plans

In the role of representing the City with respect to the City's urban renewal plans currently in existence and with respect to the creation of new urban renewal plans or the amendment of existing plans, upon request for such services by the City, we will provide the following services:

1. Prepare urban renewal plan and amendment documents and/or review drafts of such documents prepared by the City or third parties (depending on City's selected approach) in accordance with Iowa Code Chapter 403;
2. Prepare related adoption proceedings for Council meetings, related notices, and letters of instructions for Council proceedings;
3. Prepare TIF ordinance(s) to create or modify TIF district(s);

4. Answer questions and advise City staff and the Council throughout the adoption process for urban renewal plans and amendments, and thereafter with respect to questions raised by the City related to administration of urban renewal activities under adopted urban renewal plans and amendments.

Development Agreements

In the role of representing the City with respect to development agreements (including agreements involving the purchase or sale of real property), upon request for such services by the City, we will provide the following services:

1. Draft development agreements incorporating terms negotiated by the parties;
2. Prepare related approval proceedings for Council meetings, related notices, and letters of instructions for Council proceedings;
3. Answer questions and advise City staff and the Council throughout the drafting, negotiation, and approval process for development agreements, and thereafter with respect to questions raised by the City related to interpretation or administration of development agreements.

Urban Revitalization Plans and Amendments to Urban Revitalization Plans

In the role of representing the City with respect to the City's urban revitalization plans currently in existence and with respect to the creation of new urban revitalization plans or the amendment of existing plans, upon request for such services by the City, we will provide the following services:

1. Prepare urban revitalization plan and amendment documents in accordance with Iowa Code Chapter 404;
2. Prepare related adoption proceedings for Council meetings, related notices, and letters of instructions for Council proceedings;
3. Prepare designating ordinance(s) to designate or modify urban revitalization area boundaries;
4. Answer questions and advise City staff and the Council throughout the adoption process for urban revitalization plans and amendments, and thereafter with respect to questions raised by the City related to administration of adopted urban revitalization plans and amendments.

Other Economic Development Matters

In the role of representing the City with respect to other economic development matters, upon request for such services by the City, we will provide the following services:

1. Consult with and advise City staff regarding the matters;
2. Draft legal documents, letters, memorandums, and other documents as requested by the City;
3. Prepare related proceedings for Council meetings, related notices, and letters of instructions for Council proceedings, as needed.

COOPERATION

To enable us to provide effective representation, the City agrees to: (1) disclose to us, fully and accurately and on a timely basis, all facts and documents that are or might be material or that we may request; (2) keep us apprised on a timely basis of all developments relating to the representation that are or might be material; (3) attend meetings, conferences, and other proceedings when it is reasonable to do so; and (4) cooperate fully with us in all matters relating to the engagement. During the course of this engagement, we will rely on the City's staff to provide us with complete and timely information on all developments pertaining to any aspect of the Economic Development Matters for which the City seeks our services.

LIMITATIONS

Our duties under this Agreement are limited to those expressly set forth above, and shall be on a case-by-case or project-by-project basis, as directed by the City. Absent a separate engagement agreement regarding one or more of the following services, the services we provide and the fees we charge hereunder do not include:

1. Preparing legal descriptions;
2. Services related to any Economic Development Matters for which our assistance is not requested by City staff and/or the City Council;
3. Independently administering and/or monitoring compliance with documents approved as part of Economic Development Matters, including but not limited to preparing annual reports, monitoring compliance with terms of development agreements, or preparing or filing certifications related to urban renewal areas (provided however that our engagement would include advising the City on specific questions raised by the City regarding the City's ongoing administration and monitoring related to such documents);
4. Defending any legal challenges to or arising out of Economic Development Matters (absent a separate, written engagement agreement for such representation);
5. Acting in a financial advisory role, including but not limited to confirming or calculating any potential tax increment anticipated within urban renewal areas; or
6. Any bond (finance) related services.

It is not anticipated that it will be necessary for us to personally attend Council meetings in order to accomplish our work. We will be coordinating our services with you and other City staff, as directed by the City. In the event that public hearings or litigation should occur in the course of this matter, we would expect the same to be handled by the City Attorney, unless special arrangments are made for our participation.

Further, it is our understanding that this engagement will end on December 31, 2025; provided, however, that we would continue to represent the City in any ongoing Economic Development Matters commenced prior to December 31, 2025 until the completion of those specific matters, unless directed otherwise by the City. This engagement may be renewed or extended beyond December 31, 2025 upon mutual agreement of the parties.

ATTORNEY-CLIENT RELATIONSHIP

As confirmed by the execution of this Agreement, the City will be our client and an attorney-client relationship will exist between us for the Economic Development Matters for which the City staff requests our assistance. Our services are limited to those contracted for in this letter and the City's execution of this Agreement will constitute an acknowledgement of those limitations.

OTHER REPRESENTATIONS

As you are aware, our firm represents many political subdivisions, companies, and individuals. It is possible that during the time that we are representing the City in its Economic Development Matters, one or more of our present or future clients will have transactions with the City. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this Agreement, either because such matters will be sufficiently different from the Economic Development Matters so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the Economic Development Matters. <u>However, if a conflict with one or more of our present or future clients arises in connection with our representation under this Agreement, we will (i) notify you of the conflict of interest and (ii) decline to participate in any matter where the interests of our clients, including the City, may differ to the point where separate representation is advisable.</u> The firm historically has arranged its practice to hold such occasions to a minimum, and intends to continue doing so. Occasionally circumstances may arise in which a conflict between clients may be waived, if the informed written consent of the involved clients is obtained. If such circumstances arise, we would submit a separate letter to the City Council requesting such informed, written consent to waive the conflict, which the City Council could consider at that time. Execution of this Agreement will signify the City's consent to our representation of others consistent with the circumstances described in this paragraph.

FEES

The attorneys working in the economic development practice area of the firm, including Jenna Sabroske, will be the attorneys chiefly responsible for providing you with these legal services. However, if efficient and appropriate, we may call on other attorneys and legal assistants from time to time. The fees will be based on the hours worked by firm personnel at their hourly rates in effect at the time the work is performed. Ms. Sabroske's current hourly rate (for 2024) is $270. Work performed by other attorneys will be billed at their hourly rate, currently ranging from $200-$430 per hour. Work by legal assistants will be billed at their hourly rate, currently ranging from $140-$155 per hour. Our rates are generally adjusted on an annual basis, as of January 1st of each year.

It is difficult to estimate the total cost for the work, because we charge by the hour and there are many variables that impact the number of hours spent on the work. Expenses will be billed at the amount incurred. Our statement for services and expenses will be due and payable upon receipt of the invoice, which in most instances, is monthly. Should you have any questions about a statement or a fee, please do not hesitate to call. We do reserve the right to withdraw from representation for any reason, including failure to pay the monthly statement in accordance with this policy. If, for any reason, the City terminates the engagement governed by this Agreement before the completion of the services described herein, we will bill the City for the services rendered as of the date of termination based on the hourly rates of those who provided services.

ELECTRONIC DOCUMENTS AND DATA

In the interest of facilitating our services to you, we may send documents, information or data electronically or via the Internet or store electronic documents or data via computer software applications hosted remotely or utilize cloud-based storage. Your confidential electronic documents or data may be transmitted or stored using these methods. We may use third party service providers to store or transmit these documents or data. In using these electronic communication and storage methods, we employ reasonable efforts to keep such communications, documents and data secure in accordance with our obligations under applicable laws, regulations, and professional standards; however, you recognize and accept that we have no control over the unauthorized interception or breach of any communications, documents or data once it has been transmitted or if it has been subject to unauthorized access while stored, notwithstanding all reasonable security measures employed by us or by our third party vendors. By your acceptance of this Agreement, you consent to our use of these electronic devices and applications and submission of confidential client information to or through third party service providers during this engagement.

RECORDS

At your request, papers and property furnished by you will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the Economic Development Matters will be retained by us. We may store some or all client file materials in a digital format. After any or all paper documents are digitized, we may destroy all paper documents in the client file. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this Agreement.

APPROVAL

Please carefully review the terms and conditions of this Agreement. ***If the above correctly reflects our mutual understanding, please so indicate by returning a signed and dated copy of this letter, retaining an original for your file as well.***

If you have questions regarding any aspect of the above or our representation, please do not hesitate to contact us. As always, we appreciate the opportunity to represent the City and we look forward to working with you on the City's Economic Development Matters.

Sincerely,

Ahlers & Cooney, P.C.

By:

Jenna H.B. Sabroske

Jenna H.B. Sabroske

Accepted and approved on behalf of the City Council of the City of Storm Lake*

By: ______________________________ Dated: __________________________

Title: ______________________________

*Authorized by action of the governing body, approved on ____________________, 2024.

02317440\11149-047

Staff Summary

03/18/2024
Agenda Item # D.4.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Motion to Approve Renewal of Agreement with the Storm Lake Bakery for Concession Services for King's Pointe Lighthouse Snack Shack**

BACKGROUND: In February 2022, the City advertised a Request for Proposals for Concession Services for the King's Pointe Lighthouse Snack Shack.

One timely proposal was received on February 24, 2022 from Lisa Funk from the Storm Lake Bakery and an agreement was approved by Council on March 21, 2022.

This item will renew the agreement for the 2024 season, essentially from April 1, 2024 to October 31, 2024.

FISCAL IMPACT: In lieu of rent, the concessionaire will provide custodial services for cleaning the restrooms and general area.

RECOMMENDATION: Approve renewal of the agreement with Lisa Funk (Storm Lake Bakery) for Concession Services at the King's Pointe Lighthouse Snack Shack for the 2024 season.

ATTACHMENTS:

CITY KP Lighthouse Concession Agreement FINAL3-18-2024.docx

AGREEMENT FOR CONCESSIONAIRE SERVICES
KING'S POINTE LIGHTHOUSE SNACK SHACK

This agreement for operation services is made this 18th day of March, 2024, between the City of Storm Lake, Iowa (the "City") and Storm Lake Bakery (Lisa Funk) (the "Operator").

<u>Recitals</u>

The City is willing to permit a qualified manager to operate the Concessionaire Services at the King's Pointe Lighthouse Snack Shack.

The City selected Operator, as an independent private contractor, to operate the concessionaire services as a commercial concession during the term of, and under the provisions of, this Agreement, under the general management of the City.

The Operator will be responsible for providing the concessionaire services, managing the day-to-day operations of the concessionaire services and general clean-up of the area, including restrooms, at the King's Pointe Lighthouse Snack Shack.

In consideration of the mutual covenants, promises, and agreements herein contained, the City and Operator agree as follows:

ARTICLE 1
DUTIES OF OPERATOR

1.1 <u>Duties and Responsibilities</u>. The Operator agrees to maintain and manage the King's Pointe Lighthouse Snack Shack as a public access area for Storm Lake residents and visitors.

Subject to the provisions of this Agreement, Operator shall have decision-making authority in the day-to-day operation, direction, management, and supervision of the King's Pointe Lighthouse Snack Shack.

1.2. <u>Services.</u> The Operator shall provide services and customer service to the general public. The services to be provided by the Operator, at Operator's expense, shall include the following:

1. The sale of items such as soft drinks, snacks, and ice, etc.

1.3. <u>Hours of Operation</u>. Operator shall dictate the hours of operation for the King's Pointe Lighthouse Snack Shack.

ARTICLE 2
RESPONSIBILITIES OF CITY

2.1 Duties and Responsibilities. The City will supply an adequate number of trash receptables in and around the concession area.

ARTICLE 3
TERM OF AGREEMENT

3.1 Term. Except as otherwise provided herein, this Agreement will commence April 1, 2024 and terminate October 31, 2024.

ARTICLE 4
OPERATOR COMPENSATION

4.1 Revenues generated in the operation of the King's Pointe Lighthouse Snack Shack shall be the Operator's, subject to the Operator's payment to the City of certain periodic concessionaire fees. The Operator will perform restroom cleaning and general cleaning of the area for the term of agreement in lieu of rental payments.

ARTICLE 5
INSURANCE AND INDEMNIFICATION

5.1 General. Operator shall, at its own expense, purchase and maintain insurance to protect Operator and the City throughout the duration of this Agreement. All policies shall be written on a per occurrence basis, not a claims-made basis, and in form and amounts and with companies satisfactory to the City. All proofs of compliance with the insurance requirements under this Agreement are required as a condition of the Storm Lake City Council's approval of this Agreement. The City will be named as an additional insured.

ARTICLE 6
TERMINATION

6.1 Termination.

1. The City may at any time terminate this Agreement upon giving Operator thirty (30) days' notice in writing.

ARTICLE 7
GENERAL PROVISIONS

7.1 Rules, Regulations, and Policies. Operator shall observe and obey all rules, regulations, and policies that the City may adopt, from time to time, with respect to the use of the King's Pointe Lighthouse Snack Shack.

7.2 Compliance with Law. Operator shall comply, at all times, at its own cost and expense, with all applicable ordinances and laws of city, county and state government and of the United States Government, and of any political division, subdivision, agency, authority or commission that has jurisdiction to pass laws or ordinances with respect to the Facilities or to the uses permitted in this Agreement. Operator shall not allow any illegal activity to be conducted or operated in the area.

7.3 Licenses and Permits. Operator shall obtain and/or maintain all applicable licenses and permits required by federal, state, or local law.

CITY OF STORM LAKE, IOWA

By: ______________________________ **Date:** ______________________

Mayor

ATTEST:

____
City Clerk

OPERATOR

By: ______________________________ **Date:** ______________________

By: ______________________________ **Date**: ______________________

Staff Summary

03/18/2024
Agenda Item # D.5.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO:	Honorable Mayor & Council
FROM:	Matt Beckman Public Works Director
SUBJECT:	**Motion to Approve a Temporary Construction Easement and a Sanitary Sewer Lift Station Easement with Buena Vista University for the Construction and Maintenance of College and 3rd Lift Station.**

BACKGROUND:

As part of the City's FY2023 capital improvement plan, Council approved the replacement of the College & 3rd Lift Station, which has deteriorated beyond repair. The existing lift statin is located on the BVU campus within the College Street ROW which makes it highly visible to the public and very close to the travelled roadway. The Lift station has an odor control system to help with nuisance odors, and its current condition makes it stand out from the University campus.

During the planning phase of the lift station replacement, City Staff and ISG met with BVU and discuss the possible relocation of the station to a safer space and with better concealment from the public and students. BVU is supportive of the relocation and agreed to allow the City to construct the new lift station in the area of the east edge of campus, currently utilized as a parking area. BVU has granted a temporary easement to allow contractors room to construct the new lift station and related utility work. BVU has also granted the City a Sanitary sewer lift station easement for future maintenance access to the lift station and related underground utilities.

Legal Counsel from both the City and BVU have reviewed and approved the easement agreement.

FISCAL IMPACT:

BVU has granted the easements in consideration of the sum of one dollar ($1.00) each and there will be a $62.00 fee for recording the easement with the County Recorder.

RECOMMENDATION:

Motion to award the easements with BVU for the construction and long-term access and maintenance of the new College and 3rd Lift Station.

ATTACHMENTS:

BVU Temporary Easement - 3rd & College Lift Station.pdf

Prepared by: Jenna Sabroske, Ahlers & Cooney, P.C., 100 Court Ave, Ste. 600, Des Moines, IA 50309; 515-246-0328
Return to: City of Storm Lake, Iowa, c/o City Clerk, P.O. Box 1086, 620 Erie Street, Storm Lake, IA 50588

SANITARY SEWER LIFT STATION EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That BUENA VISTA UNIVERSITY (hereinafter called "Grantor") in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, does hereby sell, grant, and convey unto the CITY OF STORM LAKE, IOWA, a municipal corporation, (hereinafter called "City"), in the County of Buena Vista, State of Iowa, a permanent easement and right-of-way under, through and across the following described real estate (the "Easement Area"):

A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF LOT TWENTY (20), BLOCK THIRTY-SIX (36) COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The North Twenty-Five feet (N. 25'), together with the South Sixteen feet (S. 16') of the North Forty-One feet (N. 41'), of the East Twenty-Six Feet (E. 26') all in Lot Twenty (20), Block Thirty-Six, College Addition to the City of Storm Lake, Buena Vista County, Iowa.

That said easement is granted unto the City for the purpose of the City constructing, reconstructing, repairing, replacing, grading, improving, inspecting, and maintaining sanitary sewer lift station infrastructure, together with necessary appurtenances thereto, under, over, through, on, within, and across said Easement Area.

This Easement shall be subject to the following terms and conditions:

1. **ERECTION OF STRUCTURES PROHIBITED**. Grantor and its successors and assigns shall not erect any structure, building, or fence over or within the Easement Area without obtaining the prior written approval of the City.

2. **OBSTRUCTIONS PROHIBITED**. Grantor and its successors and assigns shall not erect or cause to be placed on the Easement Area any structure, material, device, thing or matter, or plant or permit to grow any hedge or other vegetative growth which could obstruct, impede, or otherwise interfere with the sanitary sewer lift station, and appurtenances thereto, in the Easement Area, without obtaining the prior written approval of the City.

3. **MAINTENANCE OF EASEMENT**. Grantor and its successors and assigns shall keep and preserve the Easement Area in good repair and condition at all times, and shall not plant nor permit to grow any trees or other vegetative growth within the Easement Area which might reasonably be expected to obstruct or impair the City's use and enjoyment of the Easement Area for the purposes described herein. Except as specified herein, the City shall not be responsible for any maintenance of the land located within the Easement Area whatsoever and that responsibility shall remain with the Grantor and its successors and assigns.

4. **CHANGE IN GRADE PROHIBITED**. Grantor and its successors and assigns shall not change the grade, elevation, or contour of any part of the Easement Area without obtaining the prior written consent of the City.

5. **RIGHT OF ACCESS**. City shall have the right of access to the Easement Area from property adjacent to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described, including, but not limited to, the right to remove any unauthorized obstructions, structures, planting, or material placed or erected on the Easement Area and the right to improve, repair, and maintain the Easement Area in whatever manner necessary consistent with its purpose.

6. **EASEMENT RUNS WITH LAND**. This Easement shall be perpetual, permanent, and runs with the land and shall be binding on Grantor and on Grantor's successors and assigns.

7. **PROPERTY TO BE RESTORED**. Upon completion of any construction, reconstruction, repair, enlargement, or maintenance of any improvements by the City in the Easement Area, the City shall restore the Easement Area in good and workmanlike manner to a condition comparable to its condition before such construction, reconstruction, or alteration.

8. **LIABILITY**. Except as may be caused by the negligent acts or omissions of the City, its employees, agents, or its representatives, the City shall not be liable for injury or property damage occurring in or to the Easement Area, the property abutting said Easement Area, nor for property damage to any improvements or obstructions thereon resulting from the City's exercise of this Easement. Grantor and its successors and assigns agree to indemnify and hold City, its employees, agents, and representatives harmless against any loss, damage, injury, or any claim or lawsuit for loss, damage, or injury arising out of or resulting from the negligent acts or omissions of Grantor or its employees, agents, or representatives.

9. **EASEMENT BENEFIT**. This Easement shall be for the benefit of the City, its successors and assigns, and its permittees and licensees.

10. **APPROVAL**. This Easement shall not be binding until it has received the final approval and acceptance by the governing body of the City.

Grantor does **HEREBY COVENANT** with the City that Grantor holds said real estate described in this Easement by title in fee simple; that Grantor has good and lawful authority to convey the same; and said Grantor covenants to **WARRANT AND DEFEND** the said premises against the lawful claims of all persons whomsoever. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

GRANTOR: Buena Vista University

By: ______________________

Print Name: Suzette Radke

Title: Vice President for Finance and Administration

STATE OF IOWA)
) ss
COUNTY OF BUENA VISTA)

This record was acknowledged before me this 1 day of March, 2024, by Suzette Radke (Print Name), to me personally known, who being by me duly sworn, did say that they are the VP for Finance & Administration (Title) of Buena Vista University, on behalf of whom the record was executed.

KATIE McKIBBEN
Commission Number 842276
My Commission Expires
09/12/2025

Notary Public in and for said state

ACCEPTANCE BY CITY

STATE OF IOWA, COUNTY OF BUENA VISTA, ss:

I,__________________________, City Clerk of the City of Storm lake, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of the City of Storm Lake, Iowa by Resolution No. _______ passed on the _____ day of _____________, 20____, and this certificate is made pursuant to authority contained in said Resolution.

Signed this _____ day of ____________, 20____.

City Clerk of Storm Lake, Iowa

0230082\11149-1000

KATIE McKIBBEN
Commission Number 842276
My Commission Expires

Prepared by: Jenna Sabroske, Ahlers & Cooney, P.C., 100 Court Ave, Ste. 600, Des Moines, IA 50309; 515-246-0328
Return to: City of Storm Lake, Iowa, c/o City Clerk, P.O. Box 1086, 620 Erie Street, Storm Lake, IA 50588

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That BUENA VISTA UNIVERSITY (hereinafter called "Grantor") in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, does hereby sell, grant, and convey unto the CITY OF STORM LAKE, IOWA, a municipal corporation, (hereinafter called "City"), in the County of Buena Vista, State of Iowa, a temporary easement under, through and across the following described real estate (the "Easement Area"):

A TEMPORARY EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF VACATED WEST THIRD STREET AND PART OF LOT ONE (1), BLOCK EIGHTY-EIGHT (88) COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The East Twenty-Seven feet (E. 27') of vacated Third Street between Blocks Eighty-Seven (87) and Eighty-Eight (88), together with the East Twenty-Seven feet (E. 27') of the North Twenty-Two feet (N. 22') of Lot One (1), in said Block Eighty-Eight.

That said easement is granted unto the City for the purpose of the construction, installation and maintenance of the following described improvement (the "Project Improvements"):

College & 3rd Lift Station

In connection herewith it is specifically agreed that by this easement, the City shall have the right to enter upon said premises as shall be necessary to construct, reconstruct, inspect, repair, operate and maintain and service any and all of said Project Improvements and all appurtenances thereto, together with the right to use and operate said Project Improvements as it deems necessary.

Upon completion of any construction, reconstruction, repair, replacement, enlargement, alteration, or maintenance of the Project Improvements in the Easement Area, the City shall restore the Easement Area in good and workmanlike manner to a condition comparable to its condition before such construction, reconstruction, repair, replacement, enlargement, alteration, or maintenance.

Grantor does hereby covenant with City that Grantor holds the Easement Area real estate by title in fee simple; that they have good and lawful authority to convey this easement; that said premises are free and clear of all liens and encumbrances whatsoever except as may be hereinabove stated; and that Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

GRANTOR: Buena Vista University

By: Suzette Radke

Print Name: Suzette Radke

Title: Vice President for Finance and Administration

STATE OF IOWA)
) ss
COUNTY OF BUENA VISTA)

This record was acknowledged before me this 1 day of March, 2024, by Suzette Radke (Print Name), to me personally known, who being by me duly sworn, did say that they are the VP for Finance & Administration (Title) of Buena Vista University, on behalf of whom the record was executed.

Katie McKibben

Notary Public in and for said state

0230082\11149-1000

NOTARIAL SEAL • IOWA
KATIE McKIBBEN
Commission Number 842276
My Commission Expires
09/12/2025

INDEX LEGEND
ACQUISITION PLAT
CITY: STORM LAKE
COUNTY: BUENA VISTA
SUBDIVISION/ADDITION NAME: COLLEGE ADDITION
LOT: 1 & VACATED WEST THIRD STREET
BLOCK: 88
PROPRIETOR: BUENA VISTA UNIVERSITY
SURVEY PREPARED FOR: CITY OF STORM LAKE
SURVEY PREPARED BY: J. SCOTT SHEVEL IOWA PLS NO. 11810
COMPANY NAME: ISG
ADDRESS: 1725 N. LAKE AVE, STORM LAKE, IA. 50588
PHONE: 712-732-7745

TEMPORARY EASEMENT:

A TEMPORARY EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF VACATED WEST THIRD STREET AND PART OF LOT ONE (1) , BLOCK EIGHTY-EIGHT (88) COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The East Twenty-Seven feet (E. 27') of vacated Third Street between Blocks Eighty-Seven (87) and Eighty-Eight (88), together with the East Twenty-Seven feet (E. 27') of the North Twenty-Two feet (N. 22') of Lot One (1), in said Block Eighty-Eight.

N
W E
S

SCALE: 1" = 30'

0 15 30

LEGEND OF SYMBOLS/ABBREVIATIONS

100.00' MEASURED
(100.00') RECORDED AS
TEMPORARY EASEMENT DESCRIBED HEREON

I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

DRAFT

LICENSED LAND SURVEYOR J. SCOTT SHEVEL 11810 IOWA

J. Scott Shevel 1/9/24
Date:
License Number 11810
My License renewal date is December 31, 2025
Pages covered by this seal 1

ISG Architecture Engineering Land Surveying Environmental Planning www.is-grp.com

I+S GROUP

PN: 23-29447
Drawn: BAM
Sheet 1 OF 1
Surveyed by:
Surveyed:
Revised:
Drawing Name:

Grantor does hereby covenant with City that Grantor holds the Easement Area real estate by title in fee simple; that they have good and lawful authority to convey this easement; that said premises are free and clear of all liens and encumbrances whatsoever except as may be hereinabove stated; and that Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

GRANTOR: Buena Vista University

By: [signature]

Print Name: Suzette Radke

Title: Vice President for Finance and Administration

STATE OF IOWA)
) ss
COUNTY OF BUENA VISTA)

This record was acknowledged before me this 1 day of March, 2024, by Suzette Radke (Print Name), to me personally known, who being by me duly sworn, did say that they are the VP for Finance & Administration (Title) of Buena Vista University, on behalf of whom the record was executed.

[signature]
Notary Public in and for said state

0230082\11149-1000

NOTARIAL SEAL · IOWA
KATIE McKIBBEN
Commission Number 842276
My Commission Expires
09/12/2025

Prepared by: Jenna Sabroske, Ahlers & Cooney, P.C., 100 Court Ave, Ste. 600, Des Moines, IA 50309; 515-246-0328
Return to: City of Storm Lake, Iowa, c/o City Clerk, P.O. Box 1086, 620 Erie Street, Storm Lake, IA 50588

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That BUENA VISTA UNIVERSITY (hereinafter called "Grantor") in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, does hereby sell, grant, and convey unto the CITY OF STORM LAKE, IOWA, a municipal corporation, (hereinafter called "City"), in the County of Buena Vista, State of Iowa, a temporary easement under, through and across the following described real estate (the "Easement Area"):

> **A TEMPORARY EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF LOTS NINETEEN (19) AND TWENTY (20) IN BLOCK THIRTY-SIX (36) OF COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**
>
> Lot Twenty (20) together with the North Twenty-Five feet (N. 25') of Lot Nineteen (19), all in Block Thirty-Six, College Addition to the City of Storm Lake, Buena Vista County, Iowa

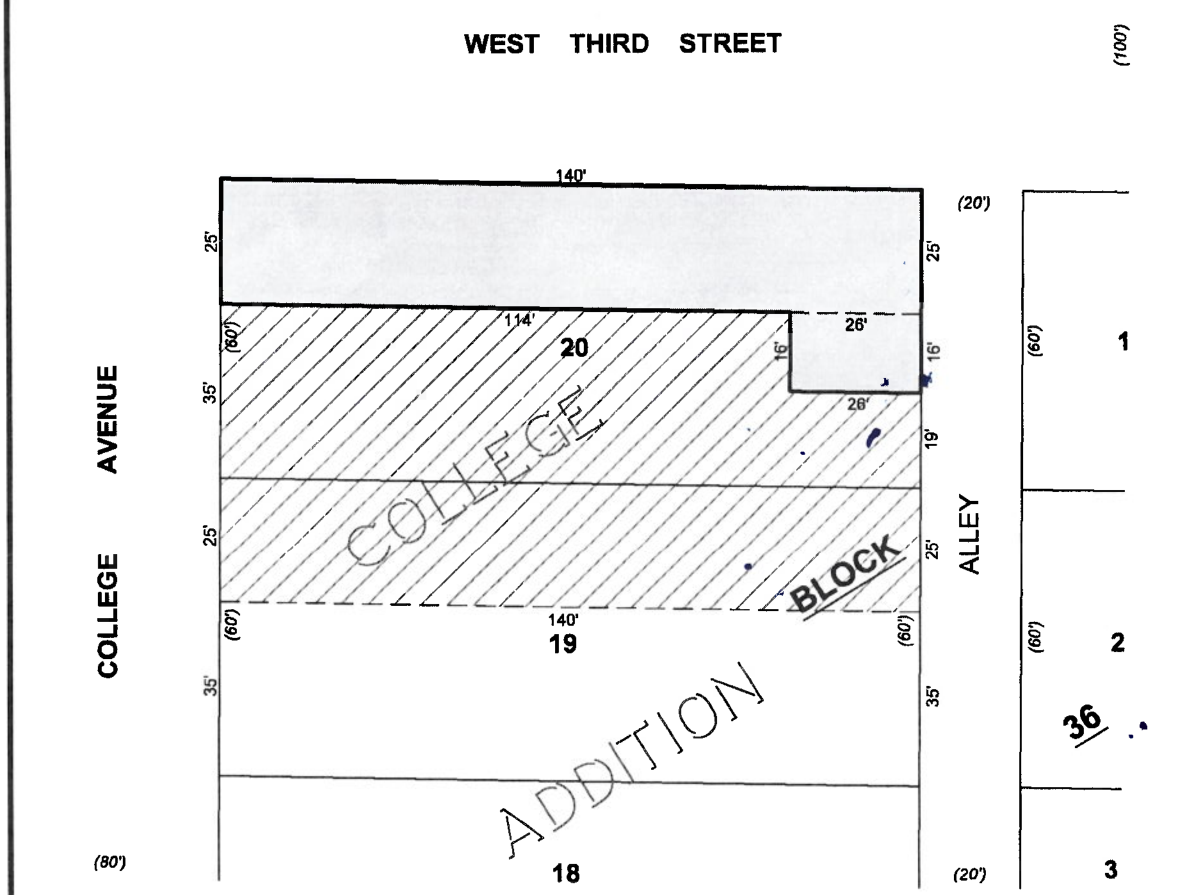
That said easement is granted unto the City for the purpose of the construction, installation and maintenance of the following described improvement (the "Project Improvements"):

College & 3rd Lift Station

In connection herewith it is specifically agreed that by this easement, the City shall have the right to enter upon said premises as shall be necessary to construct, reconstruct, inspect, repair, operate and maintain and service any and all of said Project Improvements and all appurtenances thereto, together with the right to use and operate said Project Improvements as it deems necessary.

Upon completion of any construction, reconstruction, repair, replacement, enlargement, alteration, or maintenance of the Project Improvements in the Easement Area, the City shall restore the Easement Area in good and workmanlike manner to a condition comparable to its condition before such construction, reconstruction, repair, replacement, enlargement, alteration, or maintenance.

INDEX LEGEND
ACQUISITION PLAT
CITY: STORM LAKE
COUNTY: BUENA VISTA
SUBDIVISION/ADDITION NAME: COLLEGE ADDITION
LOT: 19 & 20
BLOCK: 36
PROPRIETOR: BUENA VISTA UNIVERSITY
SURVEY PREPARED FOR: CITY OF STORM LAKE
SURVEY PREPARED BY: J. SCOTT SHEVEL IOWA PLS NO. 11810
COMPANY NAME: ISG
ADDRESS: 1725 N. LAKE AVE, STORM LAKE, IA. 50588
PHONE: 712-732-7745



PERMANENT EASEMENT:

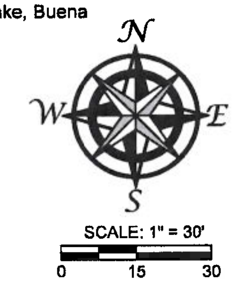
A PERMANENT EASEMENT FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF LOT TWENTY (20), BLOCK THIRTY-SIX (36) COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The North Twenty-Five feet (N. 25'), together with the South Sixteen feet (S. 16') of the North Forty-One feet (N. 41'), of the East Twenty-Six Feet (E. 26') all in Lot Twenty (20), Block Thirty-Six, College Addition to the City of Storm Lake, Buena Vista County, Iowa.

TEMPORARY EASEMENT:

A TEMPORARY EASEMENT FOR THE CONSTRUCTION OF A SANITARY SEWER LIFT STATION AND APPURTENANT STRUCTURES, OVER, UNDER AND ACROSS PART OF LOTS NINETEEN (19) AND TWENTY (20) IN BLOCK THIRTY-SIX (36) OF COLLEGE ADDITION TO THE CITY OF STORM LAKE, BUENA VISTA COUNTY, IOWA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Lot Twenty (20) together with the North Twenty-Five feet (N. 25') of Lot Nineteen (19), all in Block Thirty-Six, College Addition to the City of Storm Lake, Buena Vista County, Iowa.



LEGEND OF SYMBOLS/ABBREVIATIONS

100.00' MEASURED

(100.00') RECORDED AS

PERMANENT EASEMENT DESCRIBED HEREON

TEMPORARY EASEMENT DESCRIBED HEREON

I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

LICENSED LAND SURVEYOR J. SCOTT SHEVEL 11810 IOWA

DRAFT

J. Scott Shevel 1/9/24
Date:

License Number 11810

My License renewal date is December 31, 2025

Pages covered by this seal 1

ISG Architecture Engineering Land Surveying Environmental Planning www.is-grp.com

I+S GROUP

PN: 23-29447
Drawn: BAM
Sheet 1 OF 1
Surveyed by:
Surveyed:
Revised:
Drawing Name:

Staff Summary

03/18/2024
Agenda Item # D.6.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Chris Cole Police Chief

SUBJECT: **SLPD City Code Enforcement Summary**

BACKGROUND:

02/28/2024 to 03/12/2024

Accumulate Junk – 35

Bags of Leaves – 11

Accumulate Trash – 13

Burning yard waste – 1

Total - 60

Citations – 0

White Summons- 9

FISCAL IMPACT: None

RECOMMENDATION: None

ATTACHMENTS:

Staff Summary

03/18/2024
Agenda Item # F.1.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **2024 Memorial Road Street and Utilities Improvement Project Bid Protest Discussion**

BACKGROUND: During the March 4, 2024 Public Hearing Bainbridge Construction and Hulstein Excavating requested to back before Council.

Bids were received and opened Thursday, February 1, 2024, at 2:00 P.M. for the Memorial Road Street & Utility Project. Four (4) bids were received, and the results are tabulated below:

Bainbridge Construction, LLC: $2,441,141.29
Hulstein Excavating, Inc.: $2,830,554.50
Reding's Gravel & Excavating, Inc.: $3,127,240.00
DeLoss Construction, Inc. $3,207,545.00
Engineer's Opinion of Probable Cost: $2,769,224.00

Chapter 26 of the Iowa Code stipulates that 'the contract for the public improvement must be awarded to the lowest, responsive, responsible bidder.' All bidders appear to be responsive through their submittal of their bids in conformity with the project plans and specifications. A bidder is responsible if they possess the experience, facilities, reputation, financial resources and are fully capable of performing the contract. A bidder's responsibility can be evaluated based on experience, number of employees, financial resources, business judgment, and evidence of the bidder's record for reliability and service under prior similar contracts.

The Memorial Road Street and Utility Improvements project is a complicated project that will negatively impact 2/3rds of our community if performed inadequately. An added layer of complexity is that a majority of the work will have to be done near the lake. The decision to reject these bids did not come lightly. City Council and Staff have the fiduciary and environmental responsibility to provide the best possible service to the community.

Bainbridge Construction was contracted to complete Stormwater Improvement Project at 4th and Oates which was a National Disaster Resiliency HUD funded grant.

Hulstein was contracted to complete five projects:

- Erie Street CDBG Stormwater Project
- North Central Stormwater Phase 2- National Disaster Resiliency HUD funded grant
- 7th and Geneseo Street Sanitary Improvements- National Disaster Resiliency HUD funded grant
- 3rd Addition Phase 3
- Oneida Street and Utility Improvements- Iowa Department of Transportation funded grant

After completing the post-bid evaluation it is the City Manager's recommendation to reject bids from Bainbridge Construction and Hulstein Excavating due to lack of experience on similar Storm Lake projects and a pattern of unsatisfactory past performance, including:

- Not following proper National Pollutant Discharge Elimination System (NPDES) General Permit #2 protocols
- Not performing required Stormwater Pollution Prevention Plan(SWPPP)
- Non-responsive to and lack of communication to property owners, Engineering, and City Staff
- Projects are not completed pursuant to contractual obligations and breach of contract was threatened.

FISCAL IMPACT: N/A

RECOMMENDATION:

ATTACHMENTS:

2024-02-19 131538 Recommendation of Award Letter (002).pdf

BOLTON & MENK
Real People. Real Solutions.

218 11th Street SW Plaza
Spencer, IA 51301

Ph: (712) 580-5075
Bolton-Menk.com

February 14, 2024

City of Storm Lake
Attn: Keri Navratil
620 Erie Street
Storm Lake, Iowa 50588

RE: Recommendation of Award
2024 Memorial Road Street & Utility Improvements
City of Storm Lake, Iowa
Project No.: 0P1.131538

Dear Keri:

Bids were received and opened Thursday, February 1, 2024 at 2:00 P.M. for the project referenced above. Four (4) bids were received, and the results are tabulated below:

	Total Amount Bid
Bainbridge Construction, LLC:	$2,441,141.29
Hulstein Excavating, Inc.:	$2,830,554.50
Reding's Gravel & Excavating, Inc.:	$3,127,240.00
DeLoss Construction, Inc.	$3,207,545.00
Engineer's Opinion of Probable Cost:	$2,769,224.00

A detailed bid abstract including the engineer's estimate is enclosed for your reference. This abstract should not be shared publicly (including with the bidders) until after the construction contract has been awarded. The bid abstract should be discarded if the construction contract is not awarded.

The bids have been reviewed and all bids appear to have been submitted in conformance with the plans and specifications.

The low bid is approximately 12% below the Engineer's Opinion of Probable Cost (OPC), the second low bid is ~2% above the OPC, the third low bid is ~13% above the OPC, and the high bid is ~16% above the OPC. Further review of the bidders' extended bid price within the bid abstract reveals that all bidders were generally within 1% ($27,692.24) of the total OPC ($2,769,224.00) for each of the 95 pay items. Based on the evaluation of this 1% metric, it can be concluded that the OPC overestimated the cost associated with the Excavation Class 13, Standard or Slip Form Portland Cement Concrete Pavement (8.0"), and Temporary Conveyance System pay items. Similarly, the OPC appears to have underestimated the cost associated with Modified Subbase and 18" Forcemain Valve pay items. From this analysis, it is concluded that the bids are competitive.

The low bidder, Bainbridge Construction, LLC (Kingsley, Iowa), recently performed work for the City of Storm Lake as part of the City's 4th & Oates Storm Water Project. This project's construction contract was awarded on September 16, 2019 in the amount of $684,980.15. The project predominantly included the installation of 800 LF of 15" & 18" RCP Storm Sewer, 800 LF of 6" & 8" HDPE subdrain, 1260 SY of 8" PCC Pavement, and related improvements. The construction contract stated that the project will be substantially completed on or before July 31, 2020 and completed and ready for final payment on or before September 30, 2020. The project was deemed substantially complete on July 31, 2020 (at the contractual date) and final payment was recommended October 14, 2021 (379 days after the contractual final completion date). As part of the final payment recommendation, Change Order No. 1 was also issued on October 14, 2021. The Change Order deducted $20,742.02 for 'poor workmanship for PCC Curb & Gutter and Pavement on Oates Street'. Additionally, Bainbridge Construction was relieved of its responsibility to provide three years of vegetation establishment and maintenance warranty as Bainbridge Construction did not demonstrate the follow through of these obligations after the substantial completion date.

The next low bidder, Hulstein Excavating, Inc. (Edgerton, Minnesota) has also performed work for the City of Storm Lake and has been awarded the following construction contracts with the City since 2016:

- Erie Street CDBG Stormwater Improvements
    - $1,044,186.04 construction contract awarded May 2, 2016
    - The project scope entailed the installation of approximately 2400 LF 6" to 12" HDPE Subdrain, 700 LF 8" PVC Watermain, 1500 SY 5" PCC Sidewalk, 4500 SY 6" & 7" PCC Pavement, 1650 SY Permeable Paver Pavement, and related improvements
    - Contractual Substantial Completion was November 11, 2016 and modified to November 18, 2016 resultant of project change orders
    - Substantial Completion occurred June 16, 2017 (210 days after contractual date)
    - Final Completion was approved July 3, 2017
    - Final Punchlist Completion occurred October 5, 2017 (111 days after substantial completion)
- North Central Stormwater Improvement, Phase 2 Project
    - $1,624,752.00 construction contract awarded March 20, 2017
    - The project scope entailed the installation of approximately 1,050 LF 12"to 27" RCP Storm Sewer, 2500 LF 8" to 15" Subdrain, 1,150 LF 8" PVC Watermain, 6,050 SY 7" PCC Pavement, 900 SY Permeable Paver Pavement, and related improvements
    - Contractual Substantial Completion was October 15, 2017
    - Substantial Completion occurred November 8, 2017 (25 days after contractual date)
    - Final Completion was approved December 3, 2018 (390 days after substantial completion)
- 2017 Third Addition, Phase Three Project
    - $492,998.70 construction contract awarded August 7, 2017
    - The project scope entailed the installation of approximately 550 LF 15" & 24" RCP Storm Sewer, 400 LF 8" PVC Sanitary Sewer, 800 LF 8" PVC Watermain, 1850 LF 6" HDPE Subdrain, 3650 SY 7" PCC Pavement, and related improvements
    - Contractual Substantial Completion was June 1, 2018
    - Substantial Completion occurred July 25, 2018 (54 days after contractual date)
    - Final Completion was approved November 19, 2018 (118 days after substantial completion)

- 7th and Geneseo Street Sanitary Sewer Improvements
  - $306,440.05 construction contract awarded February 19, 2018
  - The project scope entailed the installation of ~400 LF 15” PVC Sanitary Sewer, 760 SY of 6” & 8.5” PCC Pavement, and related improvements
  - Contractual Substantial Completion was
  - Substantial Completion occurred September 25, 2018 (31 days after contractual date)
  - Final Completion was approved October 15, 2018 (20 days after substantial completion)
- Oneida Street Reconstruction Project
  - $1,905,092.12 construction contract awarded February 15, 2021
  - The project scope entailed the installation of approximately 2,250 LF 12” to 36” RCP Storm Sewer, 4,000 LF 6” Subdrain, 100 LF 8” PVC Sanitary Sewer, 2,050 LF 6” PVC Watermain, 8,500 SY 7” PCC Pavement, 400 SY 5” & 6” PCC Sidewalk, 2,900 SY 6” PCC Driveway Pavement, and related improvements
  - Contractual substantial completion was originally 130 working days and modified to 151 working days resultant of project change orders
  - Substantial Completion occurred November 24, 2021 (136 working days used)
  - Final Completion was approved February 20, 2023 (453 days after substantial completion; this delay was caused, in part, through the City’s water restrictions in response to drought conditions in 2022)
  - Additionally, Engineer notified the Contractor to perform the remaining turf restoration work at the contractual pricing on September 19, 2022. Contractor notified the Engineer on September 26, 2022 that it would not honor the contractual prices in performing the remaining seeding work. Given the delayed response, it was not feasible for the Contractor to perform the work prior to the contractual seeding deadline (September 30, 2022). This resulted in the City needing to perform the remaining work in 2023.

The 2024 Memorial Road Street & Utility Improvements project is notably more complex than the City of Storm Lake projects previously attempted by Bainbridge Construction and Hulstein Excavating. The OPC for the Memorial Road effort is nearly $2 million greater than the project operated by Bainbridge Construction and approximately $1 million larger than the largest effort previously performed by Hulstein Excavating in Storm Lake.

In addition to having a larger project scope, the Memorial Road project requires careful consideration with performing the installation of the proposed 42” RCP Storm Sewer at its intersection with an existing 18” DIP forcemain. This forcemain needs to be lowered to accommodate the proposed storm sewer crossing. The forcemain conveys wastewater from the western portion of the City and the temporary conveyance system will require coordination with City of Storm Lake Wastewater Operations and Buena Vista University. The sequencing of these operations will need to occur in a small timeframe and this portion of the construction is a critical component to the project’s success.

During the bidding process, we received multiple questions from Reding’s Gravel & Excavating (Algona, Iowa) on the coordination and sequencing of the temporary conveyance aspect of the project. To our knowledge, none of the other bidders made inquiries regarding this portion of the project. The responses to Reding’s questions were addressed via Addendums 1 and 3. While all bidders were provided with the same information, it is believed that Reding’s Gravel & Excavating is better prepared to accomplish this scope of the project.

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Additionally, the City of Storm Lake has entered into an Agreement for Private Development with Kwik Trip, Inc. Within this agreement, the City of Storm Lake has agreed to complete the Memorial Road Public Improvements no later than November 30, 2024 and complete the Storm Sewer Relocation by July 1, 2024. Accordingly, the contractual substantial completion and final completion dates for the 2024 Memorial Road Street & Utility Improvements project are October 1, 2024 and November 30, 2024, respectively.

The complexity of the Memorial Road project combined with the time requirements stated in the Agreement for Private Development with Kwik Trip makes this project unique to any efforts previously pursued by the two low bidders. Given the performance record of the two low bidders, there is concern that Bainbridge Construction and Hulstein Excavating can complete the project within the contractual parameters specified in the construction documents.

As reported by the City of Storm Lake, Reding's Gravel & Excavating has successfully performed other projects with the City, both as a subcontractor and contractor. Most recently, Reding's Gravel & Excavating performed as a subcontractor on the Highways 7 and 110 Intersection Improvements project in the City. Throughout this effort, Reding's performed its portion of the work with the specified quality and within the timeframes required to ensure subsequent portions of the work was not delayed. These performance reports, when combined with the interest displayed throughout the bidding process, make it reasonable to conclude that Reding's Gravel & Excavating understands the Memorial Road project and can accomplish the scope of work within the specified contract times.

The City of Storm Lake has received competitive bids and it is up to the City Council on how it wishes to proceed with the award of the construction contract. As noted by the City Attorney, Chapter 26 of the Iowa Code stipulates that 'the contract for the public improvement must be awarded to the lowest, responsive, responsible bidder.' All bidders appear to be responsive through their submittal of their bids in conformity with the project plans and specifications. The definition of 'responsible' is the important consideration and based on the performance records of Bainbridge Construction and Hulstein Excavating with the City of Storm Lake, it is reasonable to reject the bids from Bainbridge Construction and Hulstein Excavating. As such, and if deemed economically feasible, we recommend awarding the construction contract to Reding's Gravel & Excavating, Inc. in the amount of $3,127,240.00.

Sincerely,

Bolton & Menk, Inc.

Joshua A. Pope, PE, ENV SP, LEED AP BD+C
City Infrastructure Engineer

JP/AB
Enclosures

Bolton & Menk is an equal opportunity employer.

Staff Summary

03/18/2024
Agenda Item # F.2.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Resolution No. 38-R-2023-2024 Making Award of Construction Contract for the 2024 Memorial Road Street & Utilities Improvement Project**

BACKGROUND: A proposed commercial development is expected to notably increase vehicle traffic within the Memorial Road corridor, particularly at and north of its intersection with Lakeshore Drive (Highway 7). The roadway is currently gravel and does not have the structural capacity to accommodate the anticipated traffic loading. Additionally, this area is prone to inundation during notable rain events.

The proposed project will replace the gravel roadway with a new concrete/curb and gutter roadway. A new storm system will be constructed to minimize flooding events and the sanitary sewer will be extended from Lakeshore Drive to serve future development within the corridor. A recent water system assessment revealed the watermain is in a sufficient condition to serve future development and therefore watermain improvements are not intended.

Bids were received and opened Thursday, February 1, 2024 at 2:00 P.M. for the project referenced above. Four (4) bids were received, and the results are tabulated below:

Company & Total Amount Bid

Bainbridge Construction, LLC:	$2,441,141.29
Hulstein Excavating, Inc.:	$2,830,554.50
Reding's Gravel & Excavating, Inc.:	$3,127,240.00
DeLoss Construction, Inc.	$3,207,545.00
Engineer's Opinion of Probable Cost:	$2,769,224.00

The Public Hearing for the 2024 Memorial Road Street & Utilities Improvements Project was held at the City Council meeting on February

5, 2024 at 5:15 PM.

At the February 19, 2024 Council Meeting, a Public Hearing was set for March 4, 2024, at 5:00 PM in City Council Chambers for contesting Bid Rejections for the 2024 Memorial Road Street & Utilities Improvements Projects. Bainbridge Construction and Hulstein Excavating were notified of their bid rejection and both requested they wanted a public hearing to contest

FISCAL IMPACT: Engineer's Opinion of Probable Cost is $2,769,224.00. Reding's Gravel & Excavating Inc. is the recommended bid in the amount of $3,127,240.00.

RECOMMENDATION: Approve Resolution No. Making Award of Construction Contract for the 2024 Memorial Road Street & Utilities Improvement Project

ATTACHMENTS:

2024-02-19 131538 Recommendation of Award Letter (002).pdf

Resolution No. 38-R-2023-2024 - AWARD Contract - 2024 Memorial Road Street Utilities Improvements Project (02318426x7F7E1).docx

BOLTON & MENK
Real People. Real Solutions.

218 11th Street SW Plaza
Spencer, IA 51301

Ph: (712) 580-5075
Bolton-Menk.com

February 14, 2024

City of Storm Lake
Attn: Keri Navratil
620 Erie Street
Storm Lake, Iowa 50588

RE: Recommendation of Award
2024 Memorial Road Street & Utility Improvements
City of Storm Lake, Iowa
Project No.: 0P1.131538

Dear Keri:

Bids were received and opened Thursday, February 1, 2024 at 2:00 P.M. for the project referenced above. Four (4) bids were received, and the results are tabulated below:

	Total Amount Bid
Bainbridge Construction, LLC:	$2,441,141.29
Hulstein Excavating, Inc.:	$2,830,554.50
Reding's Gravel & Excavating, Inc.:	$3,127,240.00
DeLoss Construction, Inc.	$3,207,545.00
Engineer's Opinion of Probable Cost:	$2,769,224.00

A detailed bid abstract including the engineer's estimate is enclosed for your reference. This abstract should not be shared publicly (including with the bidders) until after the construction contract has been awarded. The bid abstract should be discarded if the construction contract is not awarded.

The bids have been reviewed and all bids appear to have been submitted in conformance with the plans and specifications.

The low bid is approximately 12% below the Engineer's Opinion of Probable Cost (OPC), the second low bid is ~2% above the OPC, the third low bid is ~13% above the OPC, and the high bid is ~16% above the OPC. Further review of the bidders' extended bid price within the bid abstract reveals that all bidders were generally within 1% ($27,692.24) of the total OPC ($2,769,224.00) for each of the 95 pay items. Based on the evaluation of this 1% metric, it can be concluded that the OPC overestimated the cost associated with the Excavation Class 13, Standard or Slip Form Portland Cement Concrete Pavement (8.0"), and Temporary Conveyance System pay items. Similarly, the OPC appears to have underestimated the cost associated with Modified Subbase and 18" Forcemain Valve pay items. From this analysis, it is concluded that the bids are competitive.

Bolton & Menk is an equal opportunity employer.

The low bidder, Bainbridge Construction, LLC (Kingsley, Iowa), recently performed work for the City of Storm Lake as part of the City's 4th & Oates Storm Water Project. This project's construction contract was awarded on September 16, 2019 in the amount of $684,980.15. The project predominantly included the installation of 800 LF of 15" & 18" RCP Storm Sewer, 800 LF of 6" & 8" HDPE subdrain, 1260 SY of 8" PCC Pavement, and related improvements. The construction contract stated that the project will be substantially completed on or before July 31, 2020 and completed and ready for final payment on or before September 30, 2020. The project was deemed substantially complete on July 31, 2020 (at the contractual date) and final payment was recommended October 14, 2021 (379 days after the contractual final completion date). As part of the final payment recommendation, Change Order No. 1 was also issued on October 14, 2021. The Change Order deducted $20,742.02 for 'poor workmanship for PCC Curb & Gutter and Pavement on Oates Street'. Additionally, Bainbridge Construction was relieved of its responsibility to provide three years of vegetation establishment and maintenance warranty as Bainbridge Construction did not demonstrate the follow through of these obligations after the substantial completion date.

The next low bidder, Hulstein Excavating, Inc. (Edgerton, Minnesota) has also performed work for the City of Storm Lake and has been awarded the following construction contracts with the City since 2016:

- Erie Street CDBG Stormwater Improvements
    - $1,044,186.04 construction contract awarded May 2, 2016
    - The project scope entailed the installation of approximately 2400 LF 6" to 12" HDPE Subdrain, 700 LF 8" PVC Watermain, 1500 SY 5" PCC Sidewalk, 4500 SY 6" & 7" PCC Pavement, 1650 SY Permeable Paver Pavement, and related improvements
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    - $492,998.70 construction contract awarded August 7, 2017
    - The project scope entailed the installation of approximately 550 LF 15" & 24" RCP Storm Sewer, 400 LF 8" PVC Sanitary Sewer, 800 LF 8" PVC Watermain, 1850 LF 6" HDPE Subdrain, 3650 SY 7" PCC Pavement, and related improvements
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  - Substantial Completion occurred November 24, 2021 (136 working days used)
  - Final Completion was approved February 20, 2023 (453 days after substantial completion; this delay was caused, in part, through the City’s water restrictions in response to drought conditions in 2022)
  - Additionally, Engineer notified the Contractor to perform the remaining turf restoration work at the contractual pricing on September 19, 2022. Contractor notified the Engineer on September 26, 2022 that it would not honor the contractual prices in performing the remaining seeding work. Given the delayed response, it was not feasible for the Contractor to perform the work prior to the contractual seeding deadline (September 30, 2022). This resulted in the City needing to perform the remaining work in 2023.

The 2024 Memorial Road Street & Utility Improvements project is notably more complex than the City of Storm Lake projects previously attempted by Bainbridge Construction and Hulstein Excavating. The OPC for the Memorial Road effort is nearly $2 million greater than the project operated by Bainbridge Construction and approximately $1 million larger than the largest effort previously performed by Hulstein Excavating in Storm Lake.

In addition to having a larger project scope, the Memorial Road project requires careful consideration with performing the installation of the proposed 42” RCP Storm Sewer at its intersection with an existing 18” DIP forcemain. This forcemain needs to be lowered to accommodate the proposed storm sewer crossing. The forcemain conveys wastewater from the western portion of the City and the temporary conveyance system will require coordination with City of Storm Lake Wastewater Operations and Buena Vista University. The sequencing of these operations will need to occur in a small timeframe and this portion of the construction is a critical component to the project’s success.

During the bidding process, we received multiple questions from Reding’s Gravel & Excavating (Algona, Iowa) on the coordination and sequencing of the temporary conveyance aspect of the project. To our knowledge, none of the other bidders made inquiries regarding this portion of the project. The responses to Reding’s questions were addressed via Addendums 1 and 3. While all bidders were provided with the same information, it is believed that Reding’s Gravel & Excavating is better prepared to accomplish this scope of the project.

Bolton & Menk is an equal opportunity employer.

Additionally, the City of Storm Lake has entered into an Agreement for Private Development with Kwik Trip, Inc. Within this agreement, the City of Storm Lake has agreed to complete the Memorial Road Public Improvements no later than November 30, 2024 and complete the Storm Sewer Relocation by July 1, 2024. Accordingly, the contractual substantial completion and final completion dates for the 2024 Memorial Road Street & Utility Improvements project are October 1, 2024 and November 30, 2024, respectively.

The complexity of the Memorial Road project combined with the time requirements stated in the Agreement for Private Development with Kwik Trip makes this project unique to any efforts previously pursued by the two low bidders. Given the performance record of the two low bidders, there is concern that Bainbridge Construction and Hulstein Excavating can complete the project within the contractual parameters specified in the construction documents.

As reported by the City of Storm Lake, Reding's Gravel & Excavating has successfully performed other projects with the City, both as a subcontractor and contractor. Most recently, Reding's Gravel & Excavating performed as a subcontractor on the Highways 7 and 110 Intersection Improvements project in the City. Throughout this effort, Reding's performed its portion of the work with the specified quality and within the timeframes required to ensure subsequent portions of the work was not delayed. These performance reports, when combined with the interest displayed throughout the bidding process, make it reasonable to conclude that Reding's Gravel & Excavating understands the Memorial Road project and can accomplish the scope of work within the specified contract times.

The City of Storm Lake has received competitive bids and it is up to the City Council on how it wishes to proceed with the award of the construction contract. As noted by the City Attorney, Chapter 26 of the Iowa Code stipulates that 'the contract for the public improvement must be awarded to the lowest, responsive, responsible bidder.' All bidders appear to be responsive through their submittal of their bids in conformity with the project plans and specifications. The definition of 'responsible' is the important consideration and based on the performance records of Bainbridge Construction and Hulstein Excavating with the City of Storm Lake, it is reasonable to reject the bids from Bainbridge Construction and Hulstein Excavating. As such, and if deemed economically feasible, we recommend awarding the construction contract to Reding's Gravel & Excavating, Inc. in the amount of $3,127,240.00.

Sincerely,

Bolton & Menk, Inc.

Joshua A. Pope, PE, ENV SP, LEED AP BD+C
City Infrastructure Engineer

JP/AB
Enclosures

Bolton & Menk is an equal opportunity employer.

RESOLUTION NO. 38-R-2023-2024

RESOLUTION MAKING AWARD OF CONSTRUCTION CONTRACT FOR THE 2024 MEMORIAL ROAD STREET AND UTILITIES IMPROVEMENTS PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, STATE OF IOWA:

Section 1. That the following bid for the construction of certain public improvements described in general as the 2024 Memorial Road Street and Utilities Improvement Project, described in the plans and specifications heretofore adopted by this Council on February 5, 2024, be and is hereby accepted, the same being the lowest responsive, responsible bid received for such work, as follows:

Contractor: Reding's Gravel & Excavating, Inc. of Storm Lake, IA

Amount of bid: $3,127,240.00

Portion of project: All construction work

That the Mayor and Clerk are hereby directed to execute the contract with the contractor for the construction of the public improvements, such contract not to be binding on the City until approved by this Council.

PASSED AND APPROVED this 18th day of March, 2024.

____
Michael Porsch, Mayor

ATTEST:

____
Mayra A. Martinez, City Clerk

Staff Summary

03/18/2024
Agenda Item # F.3.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO:	Honorable Mayor & Council
FROM:	Mayra Martinez City Clerk
SUBJECT:	**Resolution No. 39-R-2023-2024 Approving of Construction Contract and Bond for the Construction of the 2024 Memorial Road Street & Utilities Improvement Project**

BACKGROUND:

A proposed commercial development is expected to notably increase vehicle traffic within the Memorial Road corridor, particularly at and north of its intersection with Lakeshore Drive (Highway 7). The roadway is currently gravel and does not have the structural capacity to accommodate the anticipated traffic loading. Additionally, this area is prone to inundation during notable rain events.

The proposed project will replace the gravel roadway with a new concrete/curb and gutter roadway. A new storm system will be constructed to minimize flooding events and the sanitary sewer will be extended from Lakeshore Drive to serve future development within the corridor. A recent water system assessment revealed the watermain is in a sufficient condition to serve future development and therefore watermain improvements are not intended.

Bids were received and opened Thursday, February 1, 2024 at 2:00 P.M. for the project referenced above. Four (4) bids were received, and the results are tabulated below:

Company & Total Amount Bid

Bainbridge Construction, LLC:	$2,441,141.29
Hulstein Excavating, Inc.:	$2,830,554.50
Reding's Gravel & Excavating, Inc.:	$3,127,240.00
DeLoss Construction, Inc.	$3,207,545.00
Engineer's Opinion of Probable Cost:	$2,769,224.00

The Public Hearing for the 2024 Memorial Road Street & Utilities Improvements Project was held at the City Council meeting on February

5, 2024 at 5:15 PM.

At the February 19, 2024 Council Meeting, a Public Hearing was set for March 4, 2024, at 5:00 PM in City Council Chambers for contesting Bid Rejections for the 2024 Memorial Road Street & Utilities Improvements Projects. Bainbridge Construction and Hulstein Excavating were notified of their bid rejection and both requested they wanted a public hearing to contest

FISCAL IMPACT: Engineer's Opinion of Probable Cost is $2,769,224.00. Reding's Gravel & Excavating Inc. is the recommended bid in the amount of $3,127,240.00.

RECOMMENDATION: Approve Resolution No. 39-R-2023-2024 Approving of Construction Contract and Bond for the 2024 Memorial Road Street & Utilities Improvement Project

ATTACHMENTS:

Recommendation of Award Letter (002).pdf

3920232024 - APPROVING construction contract and bond - 2024 Memorial Road Street Utilities Improvements Project (02318426x7F7E1).docx

BOLTON & MENK
Real People. Real Solutions.

218 11th Street SW Plaza
Spencer, IA 51301

Ph: (712) 580-5075
Bolton-Menk.com

February 14, 2024

City of Storm Lake
Attn: Keri Navratil
620 Erie Street
Storm Lake, Iowa 50588

RE: Recommendation of Award
2024 Memorial Road Street & Utility Improvements
City of Storm Lake, Iowa
Project No.: 0P1.131538

Dear Keri:

Bids were received and opened Thursday, February 1, 2024 at 2:00 P.M. for the project referenced above. Four (4) bids were received, and the results are tabulated below:

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Engineer's Opinion of Probable Cost:	$2,769,224.00

A detailed bid abstract including the engineer's estimate is enclosed for your reference. This abstract should not be shared publicly (including with the bidders) until after the construction contract has been awarded. The bid abstract should be discarded if the construction contract is not awarded.

The bids have been reviewed and all bids appear to have been submitted in conformance with the plans and specifications.

The low bid is approximately 12% below the Engineer's Opinion of Probable Cost (OPC), the second low bid is ~2% above the OPC, the third low bid is ~13% above the OPC, and the high bid is ~16% above the OPC. Further review of the bidders' extended bid price within the bid abstract reveals that all bidders were generally within 1% ($27,692.24) of the total OPC ($2,769,224.00) for each of the 95 pay items. Based on the evaluation of this 1% metric, it can be concluded that the OPC overestimated the cost associated with the Excavation Class 13, Standard or Slip Form Portland Cement Concrete Pavement (8.0"), and Temporary Conveyance System pay items. Similarly, the OPC appears to have underestimated the cost associated with Modified Subbase and 18" Forcemain Valve pay items. From this analysis, it is concluded that the bids are competitive.

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In addition to having a larger project scope, the Memorial Road project requires careful consideration with performing the installation of the proposed 42" RCP Storm Sewer at its intersection with an existing 18" DIP forcemain. This forcemain needs to be lowered to accommodate the proposed storm sewer crossing. The forcemain conveys wastewater from the western portion of the City and the temporary conveyance system will require coordination with City of Storm Lake Wastewater Operations and Buena Vista University. The sequencing of these operations will need to occur in a small timeframe and this portion of the construction is a critical component to the project's success.

During the bidding process, we received multiple questions from Reding's Gravel & Excavating (Algona, Iowa) on the coordination and sequencing of the temporary conveyance aspect of the project. To our knowledge, none of the other bidders made inquiries regarding this portion of the project. The responses to Reding's questions were addressed via Addendums 1 and 3. While all bidders were provided with the same information, it is believed that Reding's Gravel & Excavating is better prepared to accomplish this scope of the project.

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Additionally, the City of Storm Lake has entered into an Agreement for Private Development with Kwik Trip, Inc. Within this agreement, the City of Storm Lake has agreed to complete the Memorial Road Public Improvements no later than November 30, 2024 and complete the Storm Sewer Relocation by July 1, 2024. Accordingly, the contractual substantial completion and final completion dates for the 2024 Memorial Road Street & Utility Improvements project are October 1, 2024 and November 30, 2024, respectively.

The complexity of the Memorial Road project combined with the time requirements stated in the Agreement for Private Development with Kwik Trip makes this project unique to any efforts previously pursued by the two low bidders. Given the performance record of the two low bidders, there is concern that Bainbridge Construction and Hulstein Excavating can complete the project within the contractual parameters specified in the construction documents.

As reported by the City of Storm Lake, Reding's Gravel & Excavating has successfully performed other projects with the City, both as a subcontractor and contractor. Most recently, Reding's Gravel & Excavating performed as a subcontractor on the Highways 7 and 110 Intersection Improvements project in the City. Throughout this effort, Reding's performed its portion of the work with the specified quality and within the timeframes required to ensure subsequent portions of the work was not delayed. These performance reports, when combined with the interest displayed throughout the bidding process, make it reasonable to conclude that Reding's Gravel & Excavating understands the Memorial Road project and can accomplish the scope of work within the specified contract times.

The City of Storm Lake has received competitive bids and it is up to the City Council on how it wishes to proceed with the award of the construction contract. As noted by the City Attorney, Chapter 26 of the Iowa Code stipulates that 'the contract for the public improvement must be awarded to the lowest, responsive, responsible bidder.' All bidders appear to be responsive through their submittal of their bids in conformity with the project plans and specifications. The definition of 'responsible' is the important consideration and based on the performance records of Bainbridge Construction and Hulstein Excavating with the City of Storm Lake, it is reasonable to reject the bids from Bainbridge Construction and Hulstein Excavating. As such, and if deemed economically feasible, we recommend awarding the construction contract to Reding's Gravel & Excavating, Inc. in the amount of $3,127,240.00.

Sincerely,

Bolton & Menk, Inc.

Joshua A. Pope, PE, ENV SP, LEED AP BD+C
City Infrastructure Engineer

JP/AB
Enclosures

Bolton & Menk is an equal opportunity employer.

RESOLUTION NO. 39-R-2023-2024

RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE 2024 MEMORIAL ROAD STREET AND UTILITIES IMPROVEMENTS PROJECT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, STATE OF IOWA:

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as the 2024 Memorial Road Street and Utilities Improvement Project, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: ____________________ of ____________________

Amount of bid: ____

Bond surety: ____

Date of bond: ____________________

Portion of project: All construction work

PASSED AND APPROVED this 18th day of March, 2024.

____
Michael Porsch,Mayor

ATTEST:

____
Mayra A. Martinez, City Clerk

Staff Summary

03/18/2024
Agenda Item # F.4.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO:	Honorable Mayor & Council
FROM:	Mayra Martinez City Clerk
SUBJECT:	**Motion To Approve Waiving Fees For The Cost Of Fulfilling A Records Request Submitted By John McCracken**
BACKGROUND:	On March 11, 2024, the city received an Iowa Open Records request that included a waiver of all costs associated with fulfilling the request. The review of all the documents is predicted to take longer than 20 minutes.
FISCAL IMPACT:	The cost will vary on the amount of files collected in the search. Fee Resolution: USB Storage Device $15/64 GB storage Research Hourly Rate $25 per hour / per person Mailing Cost $2 plus current mailing rate
RECOMMENDATION:	Motion Council Decision on the Fee waiving request

ATTACHMENTS:
McCracken Request

Mayra Martinez

From: John McCracken <john.mccracken@investigatemidwest.org>
Sent: Monday, March 11, 2024 2:13 PM
To: Mayra Martinez

Dear Mayra,

Under the Iowa Open Records Law § 22.1 et seq., I am requesting an opportunity to inspect all email and emailed attachments to and from members of the city of Storm Lake's city council, the mayor and mayor's office, and the Storm Lake Wastewater Treatment Plant Superintendent to and from Tyson Foods employees and/or Tyson Foods representatives.

This request is for the following date ranges:

03/24/2016 - 04/30/2016
10/1/2016 - 12/31/2016

05/01/2017 - 06/30/2017
08/31/2017 - 9/30/2017

01/30/2018 - 03/31/2018
08/23/2018 - 10/31/2018

02/19/2020 - 03/31/2020
10/18/2020 - 12/31/2020

01/01/2022 - 03/30/2022
06/03/2022 - 07/03/2022

01/01/2023 - 03/11/2024

These records include, but are not limited to, emails, letters, documentation, and other forms of communication.

I request a waiver of all costs associated with fulfilling this submission as disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the nation’s meat industry and the industry's environmental impact.

If this request is denied in full or in part, please cite the specific exemptions that justifies the denial. If an exemption applies, however, please consider exercising the agency’s discretionary release powers to disclose the records.

Additionally, please release all reasonably segregable portions of the records as they are collected. I am also requesting these records in a digital format to reduce costs and waste.

The Iowa Open Records Law requires a response within 10 to 20 business days. If access to the records I am requesting will take longer, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you have any questions about handling this request, please don't hesitate to call me at the following number 608-558-9696 or email me at john.mccracken@investigatemidwest.org.

Thank you for your time,

--
John McCracken (he/him)
Meat Industry Reporter
Investigate Midwest

phone & WhatsApp: 608-558-9696, CST
Signal is the best way to contact me
Send us a secure tip

Staff Summary

03/18/2024
Agenda Item # F.5.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Brian Oakleaf Finance Director

SUBJECT: **Acknowledgement of FY2023 Independent Audit of the City of Storm Lake**

BACKGROUND: Chapter 11 of the Code of Iowa details when audits or examinations are required. Cities with a population of over 2,000 must have an Independant Audit every year. By law. Audits must be given to the State Auditor's Office for publication and availability to the Public.

Auditors are required to report on internal control and statutory compliance findings. When weaknesses in internal control or noncompliance with statutes are noted, the auditor includes such findings and recommendations as to how the entity should take corrective steps. The entity is given the opportunity to respond to the findings and recommendations, which are included in the audit report.

No matters of Internal Control Deficiency or Weakness were found. No matters of Instances of Non-Compliance with statutes were found. There were no recommendations and no findings needing a response.

One Deficit Fund Balance was listed in the Notes to Financial Statements Section: The TIF Revenue Fund.

FISCAL IMPACT: None.

RECOMMENDATION: Review and discuss FY2023 Audit and accept Communication With Those Charged With Governance. No action need be taken.

ATTACHMENTS:

Storm Lake Audit FY2023.pdf
Communication to Governance.pdf

CITY OF STORM LAKE

INDEPENDENT AUDITORS' REPORTS
BASIC FINANCIAL STATEMENTS AND
OTHER INFORMATION
SCHEDULE OF FINDINGS

JUNE 30, 2023

CITY OF STORM LAKE

TABLE OF CONTENTS

CITY OF STORM LAKE

OFFICIALS

Name	Title	Term Expires
Mike Porsch	Mayor	December 2025
Maggie Martinez	Council Member	December 2025
Tyson Rice	Council Member	December 2023
Kevin McKinney	Council Member	December 2023
Matt Ricklefs	Council Member	December 2025
Maria Ramos	Council Member	December 2023
Keri Navratil	City Manager	Indefinite
Mayra Martinez	City Clerk	Indefinite
Phil Havens	City Attorney	Indefinite

WINTHER STAVE & CO | LLP™
Certified Public Accountants

1316 West 18th Street
P.O. Box 175
Spencer, Iowa 51301-0175
Phone 712-262-3117
FAX 712-262-3159

www.winther-stave.com

1004 21st Street #4
P.O. Box 187
Milford, Iowa 51351-0187
Phone 712-338-2488
FAX 712-338-2510

INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and
Members of the City Council
City of Storm Lake
Storm Lake, IA 50588

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Storm Lake, Iowa, as of and for the year ended June 30, 2023, and the related Notes to Financial Statements, which collectively comprise the basic financial statements of the City as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective cash basis financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the City of Storm Lake as of June 30, 2023, and the respective changes in its cash basis financial position for the year then ended in accordance with the cash basis of accounting described in Note 1.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Storm Lake, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinions are not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting described in Note 1, and for determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

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In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Storm Lake's ability to continue on as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatements, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Storm Lake's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Storm Lake's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises Management's Discussion and Analysis, the Budgetary Comparison Information, Schedule of the City's Proportionate Share of the Net Pension Liability, Schedule of City Contributions, Schedule of Cash Receipts, Disbursements, and Changes in Cash Balances - Nonmajor Governmental Funds, Combining Schedule of Cash Receipts, Disbursements, and Changes in Cash Balances - Custodial Funds, and Schedule of Receipts by Source and Disbursements by Function - all Government Funds on pages 5 through 10 and pages 41 through 54 but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

Our audit was conducted for the purposes of forming opinions on the financial statements that collectively comprise the City's basic financial statements. We previously audited, in accordance with the standards referred to in the "Auditors' Responsibilities for the Audit of the Financial Statements" section of this report, the financial statements for the seven years ended June 30, 2022 (which are not presented herein) and expressed unmodified opinions on those financial statements which were prepared on the cash basis of accounting. The financial statement for the year ended June 30, 2015 (which is not presented herein) was audited in accordance with the standards referred to in the third paragraph of this report by other auditors who expressed unmodified opinions on those financial statements which were prepared on the cash basis of accounting.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated February 12, 2024 on our consideration of the City of Storm Lake's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. The report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering City of Storm Lake's internal control over financial reporting and compliance.

Winther, Stave & Co., LLP

February 12, 2024
Spencer, Iowa

The City of Storm Lake provides this Management's Discussion and Analysis of its financial statements. This narrative overview and analysis of the financial activities is for the fiscal year ended June 30, 2023. We encourage readers to consider this information in conjunction with the City's financial statements, which follow.

2023 FINANCIAL HIGHLIGHTS

- Receipts of the City's governmental activities other than bond proceeds increased 19%, or approximately $2,874,000, from fiscal year 2022 to fiscal year 2023. Charges for service increased approximately $322,000, operating grants, contributions, and restricted interest increased approximately $1,743,000; and general receipts increased approximately $809,000.
- Disbursements of the City's governmental activities other than debt service and nonprogram increased 26%, or approximately $3,271,000 from fiscal year 2022 to fiscal year 2023. Public safety disbursements increased approximately $219,000; public works increased approximately $149,000; culture and recreation increased approximately $180,000; community and economic development increased approximately $152,000, general government disbursements decreased approximately $54,000; health and social services disbursements increased approximately $11,000; and capital projects increased approximately $2,614,000.
- The City of Storm Lake's cash basis net position increased 12.5% or approximately 2,873,000, from June 30, 2022, to June 30, 2023. Of this amount, the cash basis net position of the governmental activities decreased approximately $1,246,000 and the cash basis net position of the business type activities increased approximately $4,119,000.

USING THIS ANNUAL REPORT

The annual report consists of a series of financial statements and other information, as follows:

- Management's Discussion and Analysis introduces the basic financial statements and provides an analytical overview of the City's financial activities.
- The Government-wide Financial Statement consists of a Cash Basis Statement of Activities and Net Position. This statement provides information about the activities of the City as a whole and presents an overall view of the City's finances.
- The Fund Financial Statements tell how governmental services were financed in the short term as well as what remains for future spending. Fund financial statements report the City's operations in more detail than the government-wide financial statement by providing information about the most significant funds.
- Notes to Financial Statements provide additional information essential to a full understanding of the data provided in the basic financial statements.
- Other Information further explains and supports the financial statements with a comparison of the City's budget for the year, as well as presenting the City's proportionate share of the net pension liability and related contributions.
- Supplementary Information provides detailed information about the nonmajor governmental funds, the individual Custodial Funds, and the City's indebtedness.

BASIS OF ACCOUNTING

The City maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with accounting principles generally accepted in the United States of America. Therefore, when reviewing the financial information and discussion within this annual report, readers should keep in mind the limitations resulting from the use of the cash basis of accounting.

REPORTING THE CITY'S FINANCIAL ACTIVITIES

Government-wide Financial Statement

One of the most important questions asked about the City's finances is, "Is the City as a whole better off or worse off as a result of the year's activities?" The Cash Basis Statement of Activities and Net Position reports information which helps answer this question.

The Cash Basis Statement of Activities and Net Position presents the City's net position. Over time, increases or decreases in the City's net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The Cash Basis Statement of Activities and Net Position is divided into two kinds of activities:

- Governmental Activities include public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service and capital projects. Property and other taxes and state and federal grants finance most of these activities.
- Business Type Activities include the waterworks, sanitary sewer system, storm water system, landfill, and King's Pointe. These activities are financed primarily by user charges.

Fund Financial Statements

The City has three categories of funds:

(1) Governmental funds account for most of the City's basic services. These focus on how money flows into and out of those funds, and the balances left at year-end that are available for spending. The governmental funds include: 1) the General Fund, 2) the Special Revenue Funds, such as Road Use Tax, Tax Increment Financing, Local Option Sales Tax, and Employee Benefits Tax Levy, 3) the Debt Service Fund, 4) the Capital Projects Fund, and 5) the Permanent Fund. The governmental fund financial statements provide a detailed, short-term view of the City's general governmental operations and the basic services it provides. Governmental fund information helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the City's programs.

The required financial statement for governmental funds is a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.

(2) Proprietary funds account for the City's Enterprise Funds and Internal Service Funds. Enterprise Funds are used to report business type activities. The City's Enterprise Funds include the Water, Sewer, Storm Water, Landfill and King's Pointe Funds, each considered to be a major fund of the City. Internal Service Funds are an accounting device used to accumulate and allocate costs internally among the City's various functions.

The required financial statement for proprietary funds is a Statement of Cash Receipts, Disbursements and Changes in Cash Balances.

(3) Fiduciary funds are used to report assets held in a trust or agency capacity for others which cannot be used to support the City's own programs. These fiduciary funds include a Pension Trust Fund, and various Custodial Funds.

The financial statement required for fiduciary funds is a Statement (trust) or Combining Schedule (custodial) of Cash Receipts, Disbursements and Changes in Cash Balances.

Reconciliations between the government-wide financial statement and the governmental fund financial statements follow the governmental fund financial statements.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of financial position. The City's cash balance for governmental activities decreased from a year ago, decreasing from approximately $12.1 million to approximately $10.9 million. The analysis that follows focuses on the changes in the net position for governmental and business type activities.

Changes in Cash Basis Net Position of Governmental Activities

	Year Ended June 30, 2023	2022
Receipts:		
Program receipts:		
Charges for service	$ 2,563,728	$ 2,240,939
Operating grants, contributions, and restricted interest	5,389,956	3,646,359
General receipts:		
Property tax	4,970,749	4,730,118
Tax increment financing	819,641	828,352
Sales tax increment financing	249,960	249,970
Other taxes	2,321,474	1,916,576
Franchise fees	1,179,644	1,019,272
Unrestricted investment earnings	135,415	27,758
Bond proceeds	5,800,000	-
Miscellaneous	-	96,796
Total receipts	23,430,567	14,756,140
Disbursements:		
Public safety	3,343,398	3,124,103
Public works	2,026,167	1,877,813
Health and social services	18,252	7,743
Culture and recreation	1,573,547	1,393,372
Community and economic development	546,582	394,870
General government	682,499	736,296
Debt service	2,236,176	2,223,950
Capital projects	7,491,185	4,877,168
Nonprogram	1,431,867	1,228,338
Total disbursements	19,349,673	15,863,653
Change in cash basis net position before transfers	4,080,894	(1,107,513)
Transfers, net	(5,326,321)	208,399
Change in cash basis net position	(1,245,427)	(899,114)
Cash basis net position, beginning of year	12,145,774	13,044,888
Cash basis net position, end of year	$10,900,347	$12,145,774

The City's cash basis net position of governmental activities decreased approximately $1,245,000 during the year. Receipts for governmental activities increased approximately $8,674,000 from the prior year due primarily to bond proceeds received during fiscal year 2023. Disbursements increased approximately $3,486,000 from the prior year primarily attributable to capital projects.

GOVERNMENT-WIDE FINANCIAL ANALYSIS - (Continued)

The cost of all governmental activities this year was approximately $19.3 million compared to approximately $15.8 million last year. However, as shown in the Statement of Activities, the amount taxpayers ultimately financed for these activities was approximately $11.4 million because some of the cost was paid by those directly benefitting from the programs (approximately $2.5 million) or by other governments and organizations which subsidized certain programs with grants and contributions (approximately $5.4 million). The City paid the remaining "public benefit" portion of governmental activities with property tax (some of which could only be used for certain programs) and with other receipts, such as interest, local option sales tax and miscellaneous receipts.

Changes in Cash Basis Net Position of Business Type Activities

	Year Ended June 30, 2023	2022
Receipts:		
Program receipts:		
Charges for service:		
Water	$ 4,618,606	$ 4,451,712
Sewer	3,358,417	3,990,616
King's Pointe	5,320,113	5,266,975
Landfill	473,164	463,554
Storm water	426,462	426,884
Capital grants, contributions, and restricted interest	570,152	23,042
General receipts:		
Unrestricted investment earnings	220,648	52,454
Bond proceeds	134,298	1,422,307
Total receipts	15,121,860	16,097,544
Disbursements:		
Water	4,813,950	3,889,524
Sewer	3,260,081	4,866,630
King's Pointe	6,975,963	5,714,615
Landfill	481,251	448,543
Storm water	442,337	881,112
Total disbursements	15,973,582	15,800,424
Change in cash basis net position before transfers	(851,722)	297,120
Transfers, net	4,971,064	(584,088)
Change in cash basis net position	4,119,342	(286,968)
Cash basis net position, beginning of year	10,831,138	11,118,106
Cash basis net position, end of year	$14,950,480	$10,831,138

The City's cash basis net position of business type activities increased approximately $4,119,000 during the year. Receipts for business type activities decreased approximately $975,000 from the prior year due primarily to bond proceeds while total disbursements were approximately $173,000 more than the prior year due primarily to increases in operations.

INDIVIDUAL MAJOR FUND ANALYSIS

Governmental Fund Highlights

As the City of Storm Lake completed the year, its governmental funds reported a combined fund balance of $10,076,436, a decrease of $726,237 from the prior year ending fund balance total of $10,802,673. The following are the major reasons for the changes in fund balances of the major governmental funds from the prior year.

INDIVIDUAL MAJOR FUND ANALYSIS - Continued

- The General Fund cash balance decreased 147,790 from the prior year. This decrease was attributable primarily to an increase in disbursements.
- The Special Revenue, Road Use Tax Fund ended fiscal year 2023 with a $1,536,004 cash balance, a decrease of $101,776 compared to the prior year ending balance of $1,637,780.
- The Special Revenue, Local Option Sales Tax Fund ended fiscal year 2023 with a $2,325,828 cash balance, an increase of $304,525 from the prior year ending balance of $2,021,303.
- The Special Revenue, Special Levy Fund is used to account for property tax levied to finance the payment of employee benefits. This fund ended fiscal year 2023 with a $613,532 fund balance compared to the prior year ending fund balance of $956,093. This decrease was due primarily to an increase in disbursements.
- The Special Revenue, Tax Increment Financing Fund is used to account for receipts from the tax authorized by ordinance in the urban renewal district and used for transfers to other funds to pay the principal and interest on the general obligation capital loan notes and other indebtedness incurred for urban renewal development projects. This fund ended fiscal year 2023 with a deficit $128,202 balance compared to the prior year ending deficit fund balance of $45,899.
- The Debt Service Fund ended fiscal year 2023 with a $100,007 balance compared to the prior year ending fund balance of $129,468.
- The Capital Projects Fund ended fiscal year 2023 with a $1,276,804 cash balance compared to the prior year ending cash balance of $1,693,357. The decrease was due primarily to capital projects.

Proprietary Fund Highlights

- The Enterprise, Water Fund, which accounts for the operation and maintenance of the City's water system, ended 2023 with a cash balance of $5,423,725 compared to the prior year ending cash balance of $5,832,029.
- The Enterprise, Sewer Fund, which accounts for the operation and maintenance of the City's wastewater treatment and sanitary sewer system, ended 2023 with a cash balance of $3,996,568 compared to the prior year ending cash balance of $3,891,050.
- The Enterprise, King's Pointe Fund, which accounts for the operation and maintenance of King's Pointe Resort, ended 2023 with a net cash balance of $4,679,716 compared to the prior year ending cash balance of $732,748. The increase is due primarily from a transfer of bond proceeds.
- The Enterprise, Landfill Fund ended 2023 with a cash balance of $401,649 compared to the prior year ending cash balance of $409,736.
- The Enterprise, Storm Water Fund ended 2023 with a balance of $448,822 compared to the prior year ending deficit balance of $34,425. The increase is due primarily to an increase in intergovernmental receipts.
- The Internal Service Funds are used by management to charge the cost of employee health benefits, technology purchases, and fleet purchases to the individual funds. The cash balance of the Internal Service Fund decreased $519,190 to end at $823,911.

BUDGETARY HIGHLIGHTS

During FY 2023, the City of Storm Lake amended its budget once. The amendment approved April 17, 2023 increased budgeted disbursements by $7,889,616. The increase is primarily due to operating costs and capital projects.

DEBT ADMINISTRATION

Long Term Debt

At June 30, 2023, the City had $15,468,000 in general obligation debt and $5,800,000 in urban renewal debt in total long-term debt outstanding for governmental activities. Total long-term debt outstanding for business-type activities was $5,972,000 at June 30, 2023.

The Constitution of the State of Iowa limits the amount of general obligation debt cities can issue to 5% of the assessed value of all taxable property within the City's corporate limits. At June 30, 2023, the City was at 72% of its constitutional debt limit of approximately $29.4 million with a computed outstanding balance of approximately $21.3 million. Additional information about the City's long-term debt is presented in Note 4 to the financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET AND RATES

Economic Factors:

- A significant 8.6% reduction in valuations for FY 2024 will necessitate use of General Fund reserves in the short term.
- Inflation, supply chain issues, and material shortages have delayed projects, increased costs considerably, and disrupted nearly all aspects of operation.
- The Iowa Legislature's removal of the Multi-Residential Class and phase out of Backfill will continue to have a negative impact on tax revenue gains. HF 718 will take our General Fund plus Emergency Levy from $8.37 to $8.10. The Business Property Tax Rebate will be underfunded, and Cities are expected to receive only 71% of the rebated tax revenue.
- Unemployment in Buena Vista County hit a low of 1.6% in April of 2022, down from the more traditional 2.8% in June of 2021. The unemployment rate as of December 2023 was 2.0%.
- Housing continues to be a large community need with low inventory and high construction costs limiting new builds. Over 40 new condos have been sold and the 120+ market rate housing rental project is complete, and an additional 40 condos are slated to be finished by 2026. Additional apartments and new housing builds are progressing.
- The Tyson Feed Mill has now hit the tax rolls with $48,758,000 in total valuation.

The Fiscal Year 2023-2024 Budget outlines the funding and operational priorities for the City in the next fiscal year.

- Funding of Capital Improvement projects that address the Council's adopted Strategic Plan and the City's comprehensive plan.
- Careful long-range planning for revenue variables and continued planning for current and future action from State Legislature.
- A commitment to critical infrastructure.
- Increased support for local cultural, service, recreational, and quality of life endeavors.
- Increasing Economic Development.
- Managing Debt Capacity to ensure matching funds for large scale Federal infrastructure programs are available
- A pay increase of 3% for non-contract employees and continuation of top-tier benefits. Once again, we kept employee benefit contributions the same.
- Continuing our plan for a stable, controlled tax levy: For this year, a decrease in the tax levy to $13.40670, down for the 7th year in a row, over the course of which the tax rate has declined 8.1%. At its height, City taxes accounted for almost 44% of the property tax bill, this year it is estimated at only 32.05% of the total tax bill.
- All funds will exceed Council's requested balance of at least 40% of operating expenses. The General Fund, which Council has requested carry at least a $1M balance, will exceed that goal and again exceed the 40% level at just over 54%. In total, the City's total combined fund balance is expected to be around $18.2M, or 55.6% of 2023 actual expenditures, last year our total fund balance was budgeted at 55.3%.
- Our Constitutional Debt Limit is $29,476,815, and we currently carry $15,468,000 of GO Debt and $5,800,000 of Urban Renewal Debt, 72.4% of the limit. Total debt will be $27,503,917 at the close of the FY 2024 Fiscal Budget, which includes an additional SRF loan for the water tower. For comparison, in 2014 and 2015, we were over 90% of our Debt Limit and right around $40M in Total Debt.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, and creditors with a general overview of The City of Storm Lake's finances and to show the City's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the City Clerk, P.O. Box 1086, 620 Erie Street, Storm Lake, Iowa, 50588.

BASIC FINANCIAL STATEMENTS

CITY OF STORM LAKE
CASH BASIS STATEMENT OF ACTIVITIES AND NET POSITION
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

		Program Receipts		
	Disbursements	Charges for Service	Operating Grants, Contributions and Restricted Interest	Capital Grants, Contributions, and Restricted Interest
Functions/Programs:				
Governmental activities:				
Public safety	$ 3,343,398	$ 312,343	$ 86,577	$ -
Public works	2,026,167	376,427	1,558,925	-
Health and social services	18,252	-	-	-
Culture and recreation	1,573,547	746,254	30,754	-
Community and economic development	546,582	-	-	-
General government	682,499	228,027	122,725	-
Debt service	2,236,176	-	-	-
Capital projects	7,491,185	-	3,590,975	-
Nonprogram	1,431,867	900,677	-	-
Total governmental activities	19,349,673	2,563,728	5,389,956	-
Business type activities:				
Water	4,813,950	4,618,606	-	-
Sewer	3,260,081	3,358,417	-	-
King's Pointe	6,975,963	5,320,113	-	-
Landfill	481,251	473,164	-	-
Storm water	442,337	426,462	-	570,152
Total business type activities	15,973,582	14,196,762	-	570,152
Total	$35,323,255	$16,760,490	$5,389,956	$ 570,152
General Receipts and Transfers:				
Property and other city tax levied for:				
General purposes				
Debt service				
Tax increment financing				
Sales tax increment financing				
Hotel motel tax				
Local option sales tax				
Utility excise tax				
Franchise fees				
Unrestricted interest on investments				
Bond proceeds - including premium net of costs				
Miscellaneous				
Transfers				
Total general receipts and transfers				
Change in cash basis net position				
Cash basis net position - beginning of year				
Cash basis net position - end of year				

See Notes to Financial Statements

Exhibit A

Net (Disbursements) Receipts and Changes in Cash Basis Net Position		
Governmental Activities	Business Type Activities	Total
$ (2,944,478)	$ -	$ (2,944,478
(90,815)	-	(90,815)
(18,252)	-	(18,252)
(796,539)	-	(796,539)
(546,582)	-	(546,582)
(331,747)	-	(331,747)
(2,236,176)	-	(2,236,176)
(3,900,210)	-	(3,900,210)
(531,190)	-	(531,190)
(11,395,989)	-	(11,395,989)
-	(195,344)	(195,344)
-	98,336	98,336
-	(1,655,850)	(1,655,850)
-	(8,087)	(8,087)
-	554,277	554,277
-	(1,206,668)	(1,206,667)
(11,395,989)	(1,206,668)	(12,602,657)
4,222,201	-	4,222,201
748,548	-	748,548
819,641	-	819,641
249,960	-	249,960
420,610	-	420,610
1,900,864	-	1,900,864
12,887	-	12,887
1,166,757	-	1,166,757
135,415	220,648	356,063
5,800,000	134,298	5,934,298
-	-	-
(5,326,321)	4,971,064	(355,257)
10,150,562	5,326,010	15,476,572
(1,245,427)	4,119,342	2,873,915
12,145,774	10,831,138	22,976,912
$10,900,347	$14,950,480	$25,850,827

CITY OF STORM LAKE
CASH BASIS STATEMENT OF ACTIVITIES AND NET POSITION - Continued
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

Cash Basis Net Position
Restricted:
Nonexpendable - Library ....
Expendable:
Streets ....
Capital improvements ....
Debt service ....
Other purposes ....
Unrestricted ....

Total cash basis net position

See Notes to Financial Statements

Net (Disbursements) Receipts and Changes in Cash Basis Net Position		
Governmental Activities	Business Type Activities	Total
$ 2,914	$ -	$ 2,914
2,359,915	-	2,359,915
2,325,828	-	2,325,828
100,007	-	100,007
1,118,805	-	1,118,805
4,992,878	14,950,480	19,943,358
$10,900,347	$14,950,480	$25,850,827

CITY OF STORM LAKE
STATEMENT OF CASH RECEIPTS, DISBURSEMENTS, AND
CHANGES IN CASH BALANCES
GOVERNMENTAL FUNDS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

		Special Revenue			
	General	Road Use Tax	Local Option Sales Tax	Special Levy	Tax Increment Financing
Receipts:					
Property tax	$3,027,593	$ -	$ -	$1,012,556	$ -
Tax increment financing	-	-	-	-	819,641
Other city tax	1,595,294	-	1,900,864	2,651	-
Licenses and permits	240,660	-	-	-	-
Use of money and property	108,035	-	1,501	15,154	-
Intergovernmental	147,068	1,557,940	-	-	-
Charges for service	1,364,869	-	-	-	-
Miscellaneous	-	-	-	15,138	-
Total receipts	6,483,519	1,557,940	1,902,365	1,045,499	819,641
Disbursements:					
Operating:					
Public safety	2,751,979	-	-	547,400	-
Public works	411,102	1,380,985	-	234,080	-
Health and social services	18,252	-	-	-	-
Culture and recreation	1,385,636	-	-	160,706	-
Community and economic development.	451,448	-	-	31,933	63,201
General government	420,655	-	-	46,684	-
Debt service	-	-	-	-	-
Capital projects	855,420	723,343	-	-	-
Total disbursements	6,294,492	2,104,328	-	1,020,803	63,201
Excess (deficiency) of receipts over (under) disbursements	189,027	(546,388)	1,902,365	24,696	756,440
Other financing sources (uses):					
Bonds proceeds	-	-	-	-	-
Operating transfers in	1,057,532	744,612	-	-	-
Operating transfers out	(1,394,349)	(300,000)	(1,597,840)	(367,257)	(838,743)
Total other financing sources (uses)	(336,817)	444,612	(1,597,840)	(367,257)	(838,743)
Net change in cash balances	(147,790)	(101,776)	304,525	(342,561)	(82,303)
Cash balances - beginning of year	3,992,066	1,637,780	2,021,303	956,093	(45,899)
Cash balances - end of year	$3,844,276	$1,536,004	$2,325,828	$ 613,532	$ (128,202)
Cash Basis Fund Balances					
Nonspendable - Library	$ -	$ -	$ -	$ -	$ -
Restricted for:					
Streets	-	1,536,004	-	-	-
Capital improvements	-	-	2,325,828	-	-
Debt service	-	-	-	-	-
Other purposes	-	-	-	613,532	-
Unassigned	3,844,276	-	-	-	(128,202)
Total cash basis fund balances	$3,844,276	$1,536,004	$2,325,828	$ 613,532	$ (128,202)

Debt Service	Capital Projects	Nonmajor	Total
$ 748,548	$ -	$ 182,052	$ 4,970,749
-	-	-	819,641
1,831	-	478	3,501,118
-	-	-	240,660
-	-	39,220	163,910
-	3,590,975	256,414	5,552,397
-	-	-	1,364,869
-	-	101,408	116,546
750,379	3,590,975	579,572	16,729,890
-	-	44,019	3,343,398
-	-	-	2,026,167
-	-	-	18,252
-	-	27,205	1,573,547
-	-	-	546,582
-	-	215,160	682,499
2,236,176	-	-	2,236,176
-	5,912,422	-	7,491,185
2,236,176	5,912,422	286,384	17,917,806
(1,485,797)	(2,321,447)	293,188	(1,187,916)
5,800,000	-	-	5,800,000
1,456,336	1,904,894	46,454	5,209,828
(5,800,000)	-	(249,960)	(10,548,149)
1,456,336	1,904,894	(203,506)	461,679
(29,461)	(416,553)	89,682	(726,237)
129,468	1,693,357	418,505	10,802,673
$ 100,007	$1,276,804	$ 508,187	$10,076,436
$ -	$ -	$ 2,914	$ 2,914
-	-	-	1,536,004
-	1,276,804	-	3,602,632
100,007	-	-	100,007
-	-	505,273	1,118,805
-	-	-	3,716,074
$ 100,007	$1,276,804	$ 508,187	$10,076,436

Exhibit C

CITY OF STORM LAKE
RECONCILIATION OF THE STATEMENT OF CASH RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES TO THE CASH BASIS STATEMENT OF ACTIVITIES AND NET POSITION - GOVERNMENTAL FUNDS
JUNE 30, 2023

Total governmental funds cash balances per - Exhibit B	$10,076,436
Amounts reported for governmental activities in the Cash Basis Statement of Activities and Net Position are different because:	
The Internal Service Fund is used by management to charge the costs of employee health benefits and fleet purchases to the individual funds. The cash balance of the Internal Service Fund is included in governmental activities in the Cash Basis Statement of Activities and Net Position.	823,911
Cash basis net position of governmental activities - Exhibit A	$10,900,347

Change in cash balances - Exhibit B	$ (726,237)
Amounts reported for governmental activities in the Cash Basis Statement of Activities and Net Position are different because:	
The Internal Service Fund is used by management to charge the costs of employee health benefits to individual funds. The change in the cash balance of the Internal Service Fund is reported with governmental activities in Cash Basis Statement of Activities and Net Position.	(519,190)
Change in net position of governmental activities - Exhibit A	$ (1,245,427)

See Notes to Financial Statements

CITY OF STORM LAKE
STATEMENT OF CASH RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES
PROPRIETARY FUNDS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

	Enterprise Funds			
	Water	Sewer	King's Pointe	Landfill
Operating receipts:				
Charges for services	$4,599,086	$3,358,417	$5,175,111	$ 473,164
Miscellaneous	19,520	-	145,002	-
Total operating receipts	4,618,606	3,358,417	5,320,113	473,164
Operating disbursements:				
Business type activities	3,628,721	2,539,188	6,975,963	481,251
Excess (deficiency) of operating receipts over (under) operating disbursements	989,885	819,229	(1,655,850)	(8,087)
Non-operating receipts (disbursements):				
Intergovernmental	-	-	-	-
Interest income	110,324	110,324	-	
Capital improvements	(620,548)	(144,602)	-	-
Debt service	(564,681)	(576,291)	-	-
Net non-operating receipts (disbursements)	(1,074,905)	(610,569)	-	-
Excess (deficiency) of receipts over (under) disbursements	(85,020)	208,660	(1,655,850)	(8,087)
Other financing sources (uses):				
Bond proceeds including premium net of costs	-	134,298	-	-
Operating transfers in	-	-	5,668,378	-
Operating transfers out	(323,284)	(237,440)	(65,560)	-
Total other financing sources (uses)	(323,284)	(103,142)	5,602,818	-
Change in cash balance	(408,304)	105,518	3,946,968	(8,087)
Cash balances - beginning of year	5,832,029	3,891,050	732,748	409,736
Cash balances - end of year	$5,423,725	$3,996,568	$4,679,716	$ 401,649
Cash Basis Fund Balances:				
Unrestricted	$5,423,725	$3,996,568	$4,679,716	$ 401,649

Exhibit D

Storm Water	Total	Internal Service Funds
$ 426,462	$14,032,240	$ 900,582
-	164,522	95
426,462	14,196,762	900,677
395,837	14,020,960	1,431,867
30,625	175,802	(531,190)
570,152	570,152	-
-	220,648	-
-	(765,150)	-
(46,500)	(1,187,472)	-
523,652	(1,161,822)	-
554,277	(986,020)	(531,190)
-	134,298	-
11,900	5,680,278	12,000
(82,930)	(709,214)	-
(71,030)	5,105,362	12,000
483,247	4,119,342	(519,190)
(34,425)	10,831,138	1,343,101
$ 448,822	$14,950,480	$ 823,911
$ 448,822	$14,950,480	$ 823,911

See Notes to Financial Statements

Exhibit E

CITY OF STORM LAKE
STATEMENT OF CASH RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES - FIDUCIARY FUND
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

	Pension Trust
	Police/Fire
Additions:	
Transfers in	$ 355,257
Deductions:	
Public safety	(355,385)
Change in cash balances	(128)
Cash balance - beginning of year	128
Cash balance - end of year	$ -

See Notes to Financial Statements

NOTES TO FINANCIAL STATEMENTS

1. Summary of Significant Accounting Policies

The City of Storm Lake is a political subdivision of the State of Iowa located in Buena Vista County. It was first incorporated in 1873 and operates under the Home Rule provisions of the Constitution of Iowa. The City operates under the Mayor-Council form of government with the Mayor and Council Members elected on a non-partisan basis. The City provides numerous services to citizens including public safety, public works, health and social services, culture and recreation, community and economic development, and general government services. The City also provides water, sewer, storm water, and landfill utilities for its citizens and owns and operates a hotel and indoor water park.

A. Reporting Entity

For financial reporting purposes, the City has included all funds, organizations, agencies, boards, commissions, and authorities. The City has also considered all potential component units for which it is financially accountable, and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization or (2) the potential for the organization to provide specific benefits to, or impose specific financial burdens on, the City. The City has no component units which meet the Governmental Accounting Standards Board criteria.

Jointly Governed Organizations - The City participates in a jointly governed organization agreement with the Buena Vista County Solid Waste Commission, a political subdivision created under Chapter 28E of the Code of Iowa. The purpose of the Commission includes providing economic disposal of solid waste produced or generated within Buena Vista County and member cities. The City's ongoing financial interest in the jointly governed organization consists of the operation of the landfill and other solid waste collection and disposal operations. The City collects landfill fees as a part of its regular utility billings. The Commission then bills the City quarterly for its operations. This fee is computed for each municipality on a per capita basis. For the year ended June 30, 2023, this fee totaled $383,146. Copies of the Commission's financial statements are available from the City Clerk at the City of Alta, 223 Main Street, Alta, IA 51002 or from the State Auditor's Office.

The City participates in a jointly governed organization agreement with the Lake Improvements Commission, a political subdivision created under Chapter 28E of the Code of Iowa. The financial information for the Commission is reflected as an agency fund in these financial statements. The purpose of the Commission is to finance and effect a continued dredging of Storm Lake. Copies of the Commission's financial statements are available from the City Clerk at City of Storm Lake, P.O. Box 1086, and 620 Erie Street, Storm Lake, IA 50588 or from the State Auditor's Office.

The City also participates in several jointly governed organizations for which the City is not financially accountable, or that the nature and significance of the relationship with the City are such that exclusion does not cause the City's financial statements to be misleading or incomplete. City officials are members of the following Boards or Commissions: Buena Vista County Assessor's Conference Board, Buena Vista County Emergency Management Commission, Buena Vista County Communications Commission, Joint E911 Service Board, Region V Drug Task Force, Storm Lake United, Buena Vista County Foundation, Community Education, and Storm Lake Cemetery.

1. Summary of Significant Accounting Policies - (Continued)

B. Basis of Presentation

Government-wide Financial Statement - The Cash Basis Statement of Activities and Net Position reports information on all of the nonfiduciary activities of the City. For the most part, the effect of interfund activity has been removed from this statement. Governmental activities, which are supported by tax and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for service.

The Cash Basis Statement of Activities and Net Position presents the City's nonfiduciary net position. Net position is reported in the following categories/components:

Nonexpendable restricted net position is subject to externally imposed stipulations which require the cash balance to be maintained permanently by the City, including the City's Permanent Fund.

Expendable restricted net position results when constraints placed on the use of cash balances are either externally imposed or are imposed by law through constitutional provisions or enabling legislation.

Unrestricted net position consists of cash balances not meeting the definition of the preceding categories. Unrestricted net position is often subject to constraints imposed by management which can be removed or modified.

The Cash Basis Statement of Activities and Net Position demonstrates the degree to which the direct disbursements of a given function are offset by program receipts. Direct disbursements are those clearly identifiable with a specific function. Program receipts include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function and (2) grants, contributions, and interest on investments restricted to meeting the operational or capital requirements of a particular function. Property tax and other items not properly included among program receipts are reported instead as general receipts.

Fund Financial Statements - Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. All remaining governmental funds are aggregated and reported as nonmajor governmental funds.

The City reports the following major governmental funds:

The General Fund is the general operating fund of the City. All general tax receipts from general and emergency levies and other receipts not allocated by law or contractual agreement to some other fund are accounted for in this fund. From the fund are paid the general operating disbursements, the fixed charges, and the capital improvement costs not paid from other funds.

Special Revenue:

The Road Use Tax Fund is used to account for the road use tax allocation from the State of Iowa to be used for road construction and maintenance.

The Local Option Sales Tax Fund is used to account for the receipts from the tax authorized by referendum and used for capital improvements, equipment, and community programs and services.

1. Summary of Significant Accounting Policies - (Continued)

B. Basis of Presentation - (Continued)

Special Revenue:

The Special Levy Fund is used to account for property tax levied to finance the payment of employee benefits.

The Tax Increment Financing Fund is used to account for receipts from the tax authorized by ordinance in the urban renewal district and used for transfers to other funds to pay the principal and interest on the general obligation capital loan notes and other indebtedness incurred for urban renewal development projects.

The Debt Service Fund is utilized to account for property tax and other receipts to be used for the payment of interest and principal on the City's general long-term debt.

The Capital Projects Fund is used to account for all resources used in the acquisition and construction of capital facilities and other capital assets.

The City reports the following major proprietary funds:

Enterprise:

The Water Fund is used to account for the operation and maintenance of the City's water system.

The Sewer Fund is used to account for the operation and maintenance of the City's wastewater treatment and sanitary sewer system.

The King's Pointe Fund is used to account for the operation of a hotel facility and indoor water park.

The Landfill Fund is used to account for the City's share of the operation and maintenance of the landfill.

The Storm Water Fund is used to account for the operation and maintenance of the City's storm water system.

Additionally, the City also reports the following funds:

Proprietary Fund - The Internal Service Funds are utilized to account for the financing of goods or services purchased by one department of the City and provided to other departments or agencies on a cost reimbursement basis.

Fiduciary Fund - Account for assets held by the City in a trustee or agency capacity for the benefit of others. Fiduciary funds account for assets held by the City under the terms of a formal trust agreement and which cannot be used to support City activities.

1. Summary of Significant Accounting Policies - (Continued)

C. Measurement Focus and Basis of Accounting

The City maintains its financial records on the basis of cash receipts and disbursements and the financial statements of the City are prepared on that basis. The cash basis of accounting does not give effect to accounts receivable, accounts payable and accrued items. Accordingly, the financial statements do not present financial position and results of operations of the funds in accordance with accounting principles generally accepted in the United States of America.

Under the terms of grant agreements, the City funds certain programs by a combination of specific cost-reimbursement grants, categorical block grants and general receipts. Thus, when program disbursements are paid, there are both restricted and unrestricted cash basis net position available to finance the program. It is the City's policy to first apply cost-reimbursement grant resources to such programs, followed by categorical block grants and then by general receipts.

When a disbursement in governmental funds can be paid using either restricted or unrestricted resources, the City's policy is generally to first apply the disbursement toward restricted fund balance and then to less-restrictive classifications – committed, assigned and then unassigned fund balances.

Proprietary funds distinguish operating receipts and disbursements from non-operating items. Operating receipts and disbursements generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. All receipts and disbursements not meeting this definition are reported as non-operating receipts and disbursements.

D. Governmental Cash Basis Fund Balances

In the governmental fund financial statements, cash basis fund balances are classified as follows:

Nonspendable - Amounts which cannot be spent because they are legally or contractually required to be maintained intact.

Restricted - Amounts restricted to specific purposes when constraints placed on the use of the resources are either externally imposed by creditors, grantors or state or federal laws or are imposed by law through constitutional provisions or enabling legislation.

Committed - Amounts which can be used only for specific purposes pursuant to constraints formally imposed by the City Council through ordinance or resolution approved prior to year-end. Those committed amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by taking the same action it employed to commit those amounts.

Assigned - Amounts the City Council intends to use for specific purposes.

Unassigned - All amounts not included in the preceding classifications.

E. Budgets and Budgetary Accounting

The budgetary comparison and related disclosures are reported as Other Information.

F. Subsequent Events

The City has evaluated subsequent events through the date of the auditors' report, which is the date the financial statements were available to be issued.

2. Cash and Pooled Investments

The City's deposits in banks at June 30, 2023 were entirely covered by federal depository insurance or by the State Sinking Fund in accordance with Chapter 12C of the Code of Iowa. This chapter provides for additional assessments against the depositories to ensure there will be no loss of public funds.

The City is authorized by statute to invest public funds in obligations of the United States government, its agencies and instrumentalities; certificates of deposit or other evidences of deposit at federally insured depository institutions approved by the City Council; prime eligible bankers acceptances; certain high rated commercial paper; perfected repurchase agreements; certain registered open-end management investment companies; certain joint investment trusts; and warrants or improvement certificates of a drainage district.

The City had investments in the Iowa Public Agency Investment Trust (IPAIT) which are valued at an amortized cost of $5,451,865 pursuant to Rule 20-7 under the Investment Company Act of 1940. There were no limitations or restrictions on withdrawals for the IPAIT investments. The City's investment in IPAIT is unrated.

Interest rate risk - The City's investment policy limits the investment of operating funds (funds expected to be expended in the current budget year or within 15 months of receipt) to instruments that mature within 397 days. Funds not identified as operating funds may be invested in investments with maturities longer than 397 days, but the maturities shall be consistent with the needs and use of the City.

3. Interfund Transfers

The detail of interfund transfers for the year ended June 30, 2023 is as follows:

Transfer to	Amount	Transfer from	Amount
General	$ 1,057,532	Special Revenue:	
		Local Option Sales Tax	$ 418,884
		Tax increment financing	300,026
		Debt Service	338,622
Special Revenue:		General	175,451
Road use tax	744,612	Special Revenue:	
		Local Option Sales Tax	495,217
		Enterprise:	
		Water	73,944
Debt Service	1,456,336	General	122,117
		Special Revenue:	
		Local Option Sales Tax	397,052
		Tax increment financing	538,717
		Sales tax increment	249,960
		Enterprise:	
		Sewer	
		King's Pointe	65,560
		Storm Water	82,930

3. Interfund Transfers - (Continued)

Transfer to	Amount	Transfer from	Amount
Capital Projects	$ 1,904,894	General	$ 1,050,327
		Special Revenue:	
		Road Use Tax	300,000
		Local Option Sales Tax	79,687
		Enterprise:	
		Water	237,440
		Sewer	237,440
Tort Insurance	46,454	General	46,454
Enterprise:			
King's Pointe	5,668,378	Special Revenue:	
		Local Option Sales Tax	207,000
		Debt Service	5,461,378
Storm Water	11,900	Enterprise:	
		Water	11,900
Internal Service	12,000	Special Revenue:	
		Special levy	12,000
Pension Trust:		Special Revenue:	
Police/Fire	355,257	Special Levy	355,257
TOTAL	$11,257,363		$11,257,363

Transfers generally move resources from the fund statutorily required to collect the resources to the fund statutorily required to expend the resources.

4. Bonds and Notes Payable

A summary of changes in bonds and notes payable for the year ended June 30, 2023 is as follows:

	Beginning Balances	Increases	Decreases	Ending Balances	Due Within One Year
Government activities:					
General obligation bonds	$17,203,307	$ 134,298	$1,869,605	$15,468,000	$1,910,000
Urban renewal tax increment financing revenue	-	5,800,000	-	5,800,000	-
Governmental activities total	$17,203,307	$5,934,298	$1,869,605	$21,268,000	$1,910,000
Business type activities:					
Water revenue notes	$ 3,043,000	$ -	$ 508,000	$ 2,535,000	$ 523,000
Sewer revenue notes	3,670,000	-	416,000	3,254,000	422,000
Storm water revenue notes ...	225,000	-	42,000	183,000	44,000
Business type activities total	$ 6,938,000	$ -	$ (966,000)	$ 5,972,000	$ 989,000

4. Bonds and Notes Payable - (Continued)

General Obligation Bonds

A summary of the City's June 30, 2023 general obligation bonds payable is as follows:

	2018 A Fire Truck and Refunding Issued October 22, 2018			2018 Refund Hotel Bonds Issued October 22, 2018		
Year Ending June 30,	Interest Rates	Principal	Interest	Interest Rates	Principal	Interest
2024	3.00%	$ 240,000	$ 66,450	3.25%	$ 165,000	$ 36,798
2025	3.00	255,000	59,250	3.35	175,000	31,436
2026	3.00	260,000	51,600	3.40	175,000	25,572
2027	3.00	160,000	43,800	3.45	175,000	19,622
2028	3.00	165,000	39,000	3.60	190,000	13,586
2029-2032	3.00	1,135,000	87,150	3.60	190,000	6,840
Total		$2,215,000	$ 347,250		$1,070,000	$133,854

	2020A Refunding Bond Issued July 21, 2020			2021A Refunding Bonds Issued May 5, 2021		
Year Ending June 30,	Interest Rates	Principal	Interest	Interest Rates	Principal	Interest
2024	2.75%	$ 641,000	$ 171,738	3.00%	$ 685,000	$ 95,900
2025	2.75	650,000	154,110	3.00	690,000	75,350
2026	2.75	668,000	136,236	3.00	305,000	54,650
2027	2.75	303,000	117,866	3.00	300,000	45,500
2028	2.75	311,000	109,532	2.00	310,000	36,500
2029-2033	2.75	2,494,000	382,084	2.00	1,515,000	90,300
2034-2038	2.75	1,178,000	48,814		-	-
Total		$6,245,000	$1,120,380		$3,805,000	$398,200

	2021B Refunding Bonds Issued May 5, 2021			2021C Memorial Sewer Bonds Issued July 2, 2021		
Year Ending June 30,	Interest Rates	Principal	Interest	Interest Rates	Principal	Interest
2024	0.90%	$ 110,000	$ 10,290	1.75%	$ 69,000	$ 29,500
2025	1.32	120,000	9,300	1.75	70,000	28,120
2026	1.52	340,000	7,716	1.75	72,000	26,720
2027	1.82	140,000	2,548	1.75	73,000	25,280
2028		-	-	1.75	75,000	23,820
2029-2033		-	-	1.75	396,000	96,060
2034-2038		-	-	1.75	437,000	54,860
2039-2042		-	-	1.75	231,000	10,340
Total		$ 710,000	$ 29,854		$1,423,000	$294,700

4. Bonds and Notes Payable - (Continued)

General Obligation Bonds - (Continued)

Year Ending June 30,	Total Principal	Total Interest	Total
2024	$ 1,910,000	$ 410,676	$ 2,320,676
2025	1,960,000	357,566	2,317,566
2026	1,820,000	302,494	2,122,494
2027	1,151,000	254,616	1,405,616
2028	1,051,000	222,438	1,273,438
2029-2033	5,730,000	662,434	6,392,434
2034-2038	1,615,000	103,674	1,718,674
2039-2042	231,000	10,340	241,340
Total	$15,468,000	$2,324,238	$17,792,238

On October 22, 2018, the City issued $3,390,000 of general obligation bonds with an interest rate of 3.00% per annum. The bonds were issued to refund 2011 series general obligation bonds and the purchase of a fire truck. During the year ended June 30, 2023, the City paid $240,000 of principal and $73,650 of interest on the bonds.

On October 22, 2018, the City issued $1,850,000 of general obligation bonds with interest rates ranging from 2.75% to 3.60% per annum. The bonds were issued to refund 2010 series general obligation bonds. During the year ended June 30, 2023, the City paid $155,000 of principal and $41,680 of interest on the bonds.

On July 21, 2020, the City issued $8,171,000 of general obligation bonds with an interest rate of 2.75% per annum. The bonds were issued to refund 2015A and 2015B general obligation bonds. During the year ended June 30, 2023, the City paid $647,000 of principal and $189,530 of interest on the bonds.

On May 5, 2021, the City issued $5,690,000 of general obligation bonds with interest rates ranging from 2.00% to 3.00% per annum. The bonds were issued to refund 2012C general obligation bonds, 2015 sales tax revenue bonds, and 2013C and 2015 storm water revenue bonds. During the year ended June 30, 2023, the City paid $650,000 of principal and $115,400 of interest on the bonds.

On May 5, 2021, the City issued $930,000 of general obligation bonds with interest rates ranging from 0.47% to 1.82% per annum. The bonds were issued to refund the 2016A general obligation bonds. During the year ended June 30, 2023, the City paid $110,000 of principal and $10,917 of interest on the bonds.

On July 2, 2021, the City issued $1,608,000 of general obligation bonds with an interest rate of 1.75% per annum. The City has advanced $1,490,605 of the funds through the year ended June 30, 2023. The bonds were issued for a sewer project. During the year ended June 30, 2023, the City paid $67,605 of principal and $24,537 of interest on the bonds from the sewer fund.

4. Bonds and Notes Payable - (Continued)

Urban Renewal Tax Increment Financing Revenue Notes

The City's June 30, 2023 urban renewal tax increment financing revenue notes payable is as follows:

	2023 Urban Renewal Notes Issued June 15, 2023		
Year Ending June 30,	Interest Rates	Principal	Interest
2024	7.5%	$ -	$ 418,083
2025	7.5	-	435,000
2026	7.5	-	435,000
2027	7.5	-	435,000
2028	7.5	-	435,000
2029-2033	7.5	670,000	2,150,625
2034-2038	7.5	2,145,000	1,622,250
2039-2042	7.5	2,065,000	781,875
2043-2048	7.5	920,000	176,250
Total		$5,800,000	$6,889,083

The City issued $5,800,000 of urban renewal tax increment financing (TIF) revenue bonds in June 2023 for the purpose of defraying a portion of the costs of various construction and refurbishing projects within the urban renewal district. The bonds are payable solely from the TIF receipts generated by increased property values in the City's urban renewal district and credited to the Special Revenue, Urban Renewal Tax Increment Fund in accordance with Chapter 403.19 of the Code of Iowa. TIF receipts are generally projected to produce 100% of the debt service requirements over the life of the bonds. The proceeds of the urban renewal tax increment financing revenue bonds shall be expended only for purposes which are consistent with the plans of the City's urban renewal area. The bonds are not a general obligation of the City. However, the debt is subject to the constitutional debt limitation of the City. Total principal and interest remaining on the bonds is $12,689,083, payable through June 2047. During the year ended June 30, 2023, the City made no payments on the notes.

4. Bonds and Notes Payable - (Continued)

Revenue Notes

A summary of the City's June 30, 2023 revenues notes bonds payable is as follows:

	Water Issued August 5, 2003			Storm Water Issued October 5, 2006		
Year Ending June 30,	Interest Rates	Principal	Interest	Interest Rates	Principal	Interest
2024	1.75%	$ 490,000	$ 14,700	1.75%	$ 44,000	$ 5,490
2025		-	-	1.75	45,000	4,170
2026		-	-	1.75	46,000	2,820
2027		-	-	1.75	48,000	1,440
2028		-	-		-	-
2029-2032		-	-		-	-
Total		$ 490,000	$ 14,700		$ 183,000	$ 13,920

	Sewer Issued April 5, 2007			Water Issued September 26, 2019		
Year Ending June 30,	Interest Rates	Principal	Interest	Interest Rates	Principal	Interest
2024	3.00%	$ 40,000	$ 5,010	1.77%	$ 33,000	$ 36,197
2025	3.00	41,000	3,810	1.77	264,000	35,612
2026	3.00	42,000	2,580	1.77	267,000	30,940
2027	3.00	44,000	1,320	1.77	274,000	26,214
2028		-	-	1.77	276,000	21,364
2029-2033		-	-	1.77	931,000	35,648
Total		$ 167,000	$ 12,720		$2,045,000	$ 185,974

	Sewer Issued September 26, 2019			Total		
Year Ending June 30,	Interest Rates	Principal	Interest	Principal	Interest	Total
2024	1.73%	$ 382,000	$ 53,405	$ 989,000	$ 114,802	$1,103,802
2025	1.73	391,000	46,797	741,000	90,389	831,389
2026	1.73	394,000	40,032	749,000	76,372	825,372
2027	1.73	401,000	33,216	767,000	62,190	829,190
2028	1.73	403,000	26,279	679,000	47,643	726,643
2029-2033	1.73	1,116,000	36,503	2,047,000	72,151	2,119,151
Total		$3,087,000	$ 236,232	$5,972,000	$ 463,547	$6,435,547

4. Bonds and Notes Payable - (Continued)

Revenue Bonds/Notes - (Continued)

The City has pledged future water customer revenues, net of specified operating disbursements, to repay $7,500,000 and $2,185,000 of water revenue notes issued in August 2003 and September 2019. Proceeds from the notes provided financing for the construction of improvements to water system and refunding of debt from prior projects. The notes are payable solely from water customer net receipts and are payable through 2032. Annual principal and interest payments on the notes are expected to require approximately 57% of net receipts. The total principal and interest remaining to be paid on the notes is $2,735,674. For the current year, principal and interest paid and total customer net receipts were $561,668 and $989,885, respectively.

The City has pledged future sewer customer receipts, net of specified operating disbursements, to repay $660,000 and $4,582,000 of sewer revenue notes issued in April 2007 and September 2019. Proceeds from the notes provided financing for the construction of improvements to the sewer treatment plant and refunding of debt from prior projects. The notes are payable solely from sewer customer net receipts and are payable through 2031. Annual principal and interest payments on the notes are expected to require less than 58% of net receipts. The total principal and interest remaining to be paid on the notes is $3,502,952. The total principal and interest paid and total customer net receipts were $479,532 and $819,229, respectively.

The City has pledged future storm water customer receipts, net of specified operating disbursements, to repay $729,000 of storm water revenue notes issued in October 2006. Proceeds from the notes provided financing for the construction of improvements to the storm water system. The notes are payable solely from storm water customer net receipts and are payable through 2027. Annual principal and interest payments on the notes are expected to require less than 100% of net receipts. The total principal and interest remaining to be paid on the notes is $196,920. For the current year, principal and interest paid and total customer net receipts were $45,938 and $30,625, respectively.

The resolutions providing for the issuance of the revenue notes include the following provisions:

A. The notes will only be redeemed from the future earnings of the enterprise activity and the note holders hold a lien on the future earnings of the funds.

B. Sufficient monthly transfers shall be made to separate revenue note sinking and reserve accounts within the Enterprise Funds for the purpose of making the note principal and interest payments when due.

C. The City is to establish user rates at a level which produces and maintains net revenues at a level not less than 110% of the amount of principal and interest on the notes falling due in the same year.

5. Pension Plans

Iowa Public Employees' Retirement System (IPERS)

Plan Description - IPERS membership is mandatory for employees of the City, except for those covered by another retirement system. Employees of the City are provided with pensions through a cost-sharing multiple employer defined benefit pension plan administered by the Iowa Public Employees' Retirement System. IPERS issues a stand-alone financial report which is available to the public by mail at PO Box 9117, Des Moines, Iowa 50306-9117 or at www.ipers.org.

IPERS benefits are established under Iowa Code Chapter 97B and the administrative rules thereunder. Chapter 97B and the administrative rules are the official plan documents. The following brief description is provided for general informational purposes only. Refer to the plan documents for more information.

5. Pension Plans - (Continued)

Iowa Public Employees' Retirement System (IPERS) - Continued

Pension Benefits - A Regular member may retire at normal retirement age and receive monthly benefits without an early-retirement reduction. Normal retirement age is age 65, any time after reaching age 62 with 20 or more years of covered employment, or when the member's years of service plus the member's age at the last birthday equals or exceeds 88, whichever comes first. These qualifications must be met on the member's first month of entitlement to benefits. Members cannot begin receiving retirement benefits before age 55. The formula used to calculate a Regular member's monthly IPERS benefit includes:

- A multiplier based on years of service.
- The member's highest five-year average salary, except members with service before June 30, 2012 will use the highest three-year average salary as of that date if it is greater than the highest five-year average salary.

Protection occupation members may retire at normal retirement age, which is generally age 55, and may retire any time after reaching age 50 with 22 or more years of covered employment.

The formula used to calculate a protection occupation member's monthly IPERS benefit includes:

- 60% of average salary after completion of 22 years of service, plus an additional 1.5% of average salary for more than 22 years of service but not more than 30 years of service.
- The member's highest three-year average salary.

If a member retires before normal retirement age, the member's monthly retirement benefit will be permanently reduced by an early-retirement reduction. The early-retirement reduction is calculated differently for service earned before and after July 1, 2012. For service earned before July 1, 2012, the reduction is 0.25% for each month the member receives benefits before the member's earliest normal retirement age. For service earned on or after July 1, 2012, the reduction is 0.50% for each month the member receives benefits before age 65.

Generally, once a member selects a benefit option, a monthly benefit is calculated and remains the same for the rest of the member's lifetime. However, to combat the effects of inflation, retirees who began receiving benefits prior to July 1990 receive a guaranteed dividend with their regular November benefit payments.

Disability and Death Benefits - A vested member who is awarded federal Social Security disability or Railroad Retirement disability benefits is eligible to claim IPERS benefits regardless of age. Disability benefits are not reduced for early retirement. If a member dies before retirement, the member's beneficiary will receive a lifetime annuity or a lump-sum payment equal to the present actuarial value of the member's accrued benefit or calculated with a set formula, whichever is greater. When a member dies after retirement, death benefits depend on the benefit option the member selected at retirement.

Contributions - Contribution rates are established by IPERS following the annual actuarial valuation, which applies IPERS' Contribution Rate Funding Policy and Actuarial Amortization Method. State statute limits the amount rates can increase or decrease each year to 1 percentage point. IPERS Contribution Rate Funding Policy requires the actuarial contribution rate be determined using the "entry age normal" actuarial cost method and the actuarial assumptions and methods approved by the IPERS Investment Board. The actuarial contribution rate covers normal cost plus the unfunded actuarial liability payment based on a 30-year amortization period. The payment to amortize the unfunded actuarial liability is determined as a level percentage of payroll, based on the Actuarial Amortization Method adopted by the Investment Board.

In fiscal year 2022, pursuant to the required rate, Regular members contributed 6.29% of covered payroll and the City contributed 9.44% of covered payroll, for a total rate of 15.73%. Protection occupation members contributed 6.21% of covered payroll and the City contributed 9.31% of covered payroll, for a total rate of 15.52%.

The City's contributions to IPERS for the year ended June 30, 2023 were $300,673.

5. Pension Plans - (Continued)

Iowa Public Employees' Retirement System - (Continued)

Net Pension Liability, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - At June 30, 2023, the City reported a liability of $1,292,818 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to IPERS relative to the contributions of all IPERS participating employers. At June 30, 2022, the City's proportion was .034218%, which was a decrease of 0.028571% from its proportion measured as of June 30, 2021.

For the year ended June 30, 2023 the City's pension expense (benefit), deferred outflows of resources and deferred inflows of resources totaled $(20,103), $1,378,300, and $1,479,679, respectively.

There were no non-employer contributing entities to IPERS.

Actuarial Assumptions - The total pension liability in the June 30, 2022 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, as follows:

Rate of inflation (effective June 30, 2017)	2.60% per annum
Rates of salary increase (effective June 30, 2017)	3.25 to 16.25% average, including inflation. Rates vary by membership group.
Long-term investment rate of return (effective June 30, 2017)	7.00% compounded annually, net of investment expense, including inflation.
Wage growth (effective June 30, 2017)	3.25% per annum, based on 2.60% inflation and 0.65% real wage inflation.

The actuarial assumptions used in the June 30, 2022 valuation were based on the results of a quadrennial experience study covering the period of July 1, 2017 through June 30, 2021.

Mortality rates used in the 2022 valuation were based on the PubG-2010 mortality tables with future mortality improvements modeled using Scale MP-2021.

The long-term expected rate of return on IPERS' investments was determined using a building-block method in which best-estimate ranges of expected future real rates (expected returns, net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Asset Allocation	Long-Term Expected Real Rate of Return
Domestic equity	22.0%	3.57%
International equity	17.5	4.79
Global smart beta equity	6.0	4.16
Core plus fixed income	20.0	1.66
Public credit	4.0	3.77
Cash	1.0	0.77
Private equity	13.0	7.57
Private real assets	8.5	3.55
Private credit	8.0	3.63
Total	100.0%	

5. Pension Plans - (Continued)

Iowa Public Employees' Retirement System - (Continued)

Discount Rate - The discount rate used to measure the total pension liability was 7.00%. The projection of cash flows used to determine the discount rate assumed that employee contributions will be made at the contractually required rate and that contributions from the City will be made at contractually required rates, actuarially determined. Based on those assumptions, IPERS' fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on IPERS' investments was applied to all periods of projected benefit payments to determine the total pension liability (asset).

Sensitivity of the City's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 7.00%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (6.00%) or 1% higher (8.00%) than the current rate.

	1% Decrease 6.00%	Discount Rate 7.00%	1% Increase 8.00%
City's proportionate share of the net pension liability	$2,458,893	$1,292,818	$ 265,334

IPERS' Fiduciary Net Position - Detailed information about IPERS' fiduciary net position is available in the separately issued IPERS financial report which is available on IPERS' website at www.ipers.org.

Municipal Fire and Police Retirement System (MFPRSI)

Plan Description - MFPRSI membership is mandatory for fire fighters and police officers covered by the provisions of Chapter 411 of the Code of Iowa. Employees of the City of Storm Lake are provided with pensions through a cost-sharing multiple employer defined benefit pension plan administered by MFPRSI. MFPRSI issues a stand-alone financial report which is available to the public by mail at 7155 Lake Drive, Suite #201, West Des Moines, Iowa 50266 or at www.mfprsi.org.

MFPRSI benefits are established under Chapter 411 of the Code of Iowa and the administrative rules thereunder. Chapter 411 of the Code of Iowa and the administrative rules are the official plan documents. The following brief description is provided for general informational purposes only. Refer to the plan documents for more information.

Pension Benefits - Members with 4 or more years of service are entitled to pension benefits beginning at age 55. Full service retirement benefits are granted to members with 22 years of service, while partial benefits are available to those members with 4 to 22 years of service based on the ratio of years completed to years required (i.e., 22 years). Members with less than 4 years of service are entitled to a refund of their contribution only, with interest, for the period of employment

5. Pension Plans - (Continued)

Municipal Fire and Police Retirement System - (Continued)

Benefits are calculated based upon the member's highest 3 years of compensation. The average of these 3 years becomes the member's average final compensation. The base benefit is 66% of the member's average final compensation. Members who perform more than 22 years of service receive an additional 2% of the member's average final compensation for each additional year of service, up to a maximum of 8 years. Survivor benefits are available to the beneficiary of a retired member according to the provisions of the benefit option chosen plus an additional benefit for each child. Survivor benefits are subject to a minimum benefit for those members who chose the basic benefit with a 50 percent surviving spouse benefit.

Active members, at least 55 years of age, with 22 or more years of service have the option to participate in the Deferred Retirement Option Program (DROP). The DROP is an arrangement whereby a member who is otherwise eligible to retire and commence benefits opts to continue to work. A member can elect a 3, 4, or 5-year DROP period. When electing to participate in DROP, the member signs a contract stating the member will retire at the end of the selected DROP period. During the DROP period the member's retirement benefit is frozen and a DROP benefit is credited to a DROP account established for the member. Assuming the member completes the DROP period, the DROP benefit is equal to 52% of the member's retirement benefit at the member's earliest date eligible and 100% if the member delays enrollment for 24 months. At the member's actual date of retirement, the member's DROP account will be distributed to the member in the form of a lump sum or rollover to an eligible plan.

Disability and Death Benefits - Disability benefits may be either accidental and ordinary. Accidental disability is defined as permanent disability incurred in the line of duty, with benefits equivalent to the greater of 60% of the member's average final compensation or the member's service retirement benefit calculation amount. Ordinary disability occurs outside the call of duty and pays benefits equivalent to the greater of 50% of the member's average final compensation, for those with 5 or more years of service, or the member's service retirement benefit calculation amount, and 25% of average final compensation for those with less than 5 years of service.

Death benefits are similar to disability benefits. Benefits for accidental death are 50% of the average final compensation of the member plus an additional amount for each child, or the provisions for ordinary death. Ordinary death benefits consist of a pension equal to 40% of the average final compensation of the member plus an additional amount for each child, or a lump-sum distribution to the designated beneficiary equal to 50% of the previous year's earnable compensation of the member or equal to the amount of the member's total contributions plus interest.

Benefits are increased annually in accordance with Chapter 411.6 of the Code of Iowa which provides a standard formula for the increases.

The surviving spouse or dependents of an active member who dies due to a traumatic personal injury incurred in the line of duty receives a $100,000 lump-sum payment.

Contributions - Member contribution rates are set by state statute. In accordance with Chapter 411 of the Code of Iowa, the contribution rate was 9.40% of earnable compensation for the year ended June 30, 2023.

5. Pension Plans - (Continued)

Municipal Fire and Police Retirement System - (Continued)

Employer contribution rates are based upon an actuarially determined normal contribution rate and set by state statute. The required actuarially determined contributions are calculated on the basis of the entry age normal method as adopted by the Board of Trustees as permitted under Chapter 411 of the Code of Iowa. The normal contribution rate is provided by state statute to be the actuarial liabilities of the plan less current plan assets, with such total divided by 1% of the actuarially determined present value of prospective future compensation of all members, further reduced by member contributions and state appropriations. Under the Code of Iowa, the employer's contribution rate cannot be less than 17.00% of earnable compensation. The contribution rate was 23.90% for the year ended June 30, 2023.

The City's contributions to MFPRSI for the year ended June 30, 2023 was $353,847.

If approved by the state legislature, state appropriation may further reduce the employer's contribution rate, but not below the minimum statutory contribution rate of 17.00% of earnable compensation. The State of Iowa therefore is considered to be a nonemployer contributing entity in accordance with the provisions of the Governmental Accounting Standards Board Statement No. 67, *Financial Reporting for Pension Plans.*

There were no state appropriations to MFPRSI during the fiscal year ended June 30, 2023.

Net Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - At June 30, 2023, the City reported a liability of $2,390,156 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the MFPRSI relative to the contributions of all MFPRSI participating employers. At June 30, 2022, the City's proportion was .42%, an increase of .02% as of June 30, 2021.

For the year ended June 30, 2023, the City pension expense, deferred outflows of resources, and deferred inflows of resources totaled $225,967, $1,643,238, and $1,519,502, respectively.

Actuarial Assumptions - The total pension liability in the June 30, 2022 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Rate of inflation	3.00%
Salary increase	3.75 to 15.11%, including inflation.
Investment rate of return	7.50%, net of investment expense, including inflation

The actuarial assumptions used in the June 30, 2022 valuation were based on the results of an actuarial experience study for the period July 1, 2010 to June 30, 2020.

Mortality rates were based on the RP-2014 Blue Collar Healthy Annuitant Table with males set-forward zero years, females set-forward two years and disabled individuals set-forward three years (male only rates), with generational projection of future mortality improvement with 50% of Scale BB beginning in 2017.

5. Pension Plans - (Continued)

Municipal Fire and Police Retirement System - (Continued)

The long-term expected rate of return on MFPRSI investments was determined using a building-block method in which best-estimate ranges of expected future real rates (i.e., expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset Class	Long-Term Expected Real Rate of Return
Broad Fixed Income	3.5%
Broad U.S. Equity	6.7
Global Equity	6.8
Broad Non-U.S. Equity	7.0
Managed Futures	5.1
Emerging Market	7.2
Real Estate - Core	6.4
Opportunistic Real Estate	11.0
Global Infrastructure	6.8
Private Credit	8.6
Private Equity	12.0

Discount Rate - The discount rate used to measure the total pension liability was 7.50%. The projection of cash flows used to determine the discount rate assumed contributions will be made at 9.40% of covered payroll and the City's contributions will be made at rates equal to the difference between actuarially determined rates and the member rate. Based on those assumptions, the MFPRSI's fiduciary net position was projected to be available to make all projected future benefit payments to current plan members. Therefore, the long-term expected rate of return on MFPRSI's investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of City's Proportionate Share of the Net Pension Liability to Changes in the Discount Rate - The following presents the City's proportionate share of the net pension liability calculated using the discount rate of 7.50%, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (6.50%) or 1% higher (8.50%) than the current rate.

	1% Decrease 6.50%	Discount Rate 7.50%	1% Increase 8.50%
City's proportionate share of the net pension liability (asset)	$4,325,737	$2,390,156	$ 786,501

Pension Plan Fiduciary Net Position - Detailed information about MFPRSI's fiduciary net position is available in the separately issued MFPRSI financial report which is available on MFPRSI's website at www.mfprsi.org.

6. Other Postemployment Benefits (OPEB)

Plan Description - The City operates a single-employer health benefit plan which provides medical/prescription drug benefits for employees, retirees, and their spouses. Group insurance benefits are established under Iowa Code Chapter 509A.13. The City currently finances the benefit plan on a pay-as-you-go basis. For the year ended June 30, 2023, the City contributed $415,295 and plan members eligible for benefits contributed $114,292 to the plan. At June 30, 2023, no assets have been accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

OPEB Benefits - Individuals who are employed by the City and are eligible to participate in the group health plan are eligible to continue healthcare benefits upon retirement. Retirees under age 65 pay the same premium for the medical/prescription drug benefits as active employees, which results in an implicit rate subsidy.

Retired participants must be age 55 or older at retirement, with the exception of special service participants who must be age 50 with 22 years of services. At June 30, 2023, there were 76 active employees and 1 inactive employee or beneficiaries currently receiving benefit payments.

7. Commitments

The City has entered into construction contracts totaling approximately $4,760,000 for various public improvement projects within the City. As of June 30, 2023, approximately $4,097,500 has been paid on the projects. The remaining $662,500 will be paid as work on the projects progresses.

The City has entered into an agreement for the management of the airport for the year ending June 30, 2024 for $5,957 per month.

The City has also entered into various agreements with Weigand-Omega Management as extended through June 30, 2024, with two-year renewals thereafter, which provide for management fees as follows:

King's Pointe Resort - 3% of each month's gross revenues and 25% of the annual profit from operations in excess of $700,000.

King's Pointe Waterpark Resort - $4,000 per month for five months of operation each fiscal year.

Sunrise Pointe Golf Course - $1,500 per month plus 3.5% of gross revenues.

Surprise Park cottages - 3% of gross revenues.

8. Risk Management

The City is exposed to various risks of loss related to torts; theft, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. These risks are covered by the purchase of commercial insurance. The City assumes liability for any deductibles and claims in excess of coverage limitations. Settled claims from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

Effective August 1, 1983, the City adopted a plan of self-insurance for employee's health benefits. Deposits are made to the Employee Health Benefit Fund, an internal service fund of the City, to pay employee claims. An excess coverage insurance policy covers individual claims over $25,000, or total group claims exceeding 125% of expected claims.

An actuarial study of the adequacy of reserves, rates, and financial condition of the Employee Health Benefit Fund was performed for the plan year January 1, 2022 to December 31, 2022. The study included census of covered members as of December 31, 2022, a summary of aggregate and specific excess loss reinsurance coverage, monthly claim expense information, a summary of revenue and expenses and review of the plan document summary description.

Following is a financial analysis of the plan for the year ended December 31, 2022.

Funds on hand - January 1, 2022	$ 665,411
Contributions received	1,820,597
Other sources of revenue	2,971
	2,488,979
Claims paid	911,609
Aggregate stop-loss premiums and other charges	386,831
Funds on hand - December 31, 2022	$1,190,539

9. Compensated Absences

City Employees accumulate a limited amount of earned but unused vacation and sick leave hours for subsequent use or for payment upon termination, retirement, or death. These accumulations are not recognized as disbursements by the City until used or paid. The City's approximated liability for earned vacation, sick leave and longevity payable to employees at June 30, 2023, primarily relating to the General Fund is as follows:

Vacation	$ 257,492
Sick Leave	432,317
Longevity	24,859
Total	$ 714,668

10. Deferred Compensation

The City offers its employees deferred compensation plans as allowed by the Internal Revenue Code Section 457. City employees are allowed to defer a portion of the current salary until future years. The employee becomes eligible to withdraw funds upon termination, retirement, death, or unforeseeable emergency.

The City has adopted GASB Statement 32 and does not report the assets of the plans on its balance sheet.

11. Litigation

The City is party to various legal proceedings which normally occur in the course of governmental operations. The financial statements do not include accrual or provisions for loss contingencies that may result from these proceedings. City officials believe the outcome of these matters will not have a material adverse effect on the City's financial statements.

12. Deficit Fund Balance

The Tax Increment Financing fund had a deficit cash balance of $128,202 at June 30, 2023. The deficit will be eliminated through increased revenues.

13. Development Agreements

The City has entered into four development agreements to assist in certain urban renewal projects. The City agreed to rebate incremental property tax paid by the participating companies with respect to the improvements set forth in the urban renewal plan. The incremental property tax to be received by the City under Chapter 403.19 of the Code of Iowa from the participating companies will be rebated for a period from three to ten years beginning with the tax year in which the property tax on the completed value of the improvements is first paid. During the year ended June 30, 2023, the City rebated $63,201 of incremental property tax to the participating companies. At June 30, 2023, the remaining balance to be paid on the agreements was $372,193.

14. Tax Abatements

Governmental Accounting Standards Board Statement No. 77 defines tax abatements as a reduction in tax revenues that results from an agreement between one or more governments and an individual or entity in which (a) one or more governments promise to forgo tax revenues to which they are otherwise entitled and (b) the individual or entity promises to take a specific action after the agreement has been entered into that contributes to economic development or otherwise benefits the governments or the citizens of those governments.

City Tax Abatements

The City provides tax abatements for urban renewal and economic development projects with tax increment financing as provided for in Chapters 15A and 403 of the Code of Iowa. For these types of projects, the City enters into agreements with developers which require the City, after developers meet the terms of the agreements, to rebate a portion of the property tax paid by the developers, to pay the developers an economic development grant or to pay the developers a predetermined dollar amount. No other commitments were made by the City as part of these agreements.

For the year ended June 30, 2023, the City abated $63,201 of property tax under the urban renewal and economic development projects.

15. Subsequent Events

Subsequent to June 30, 2023, the City approved approximately $755,000 for construction contracts.

OTHER INFORMATION

CITY OF STORM LAKE
BUDGETARY COMPARISON SCHEDULE OF
RECEIPTS, DISBURSEMENTS, AND CHANGES IN BALANCES -
BUDGET AND ACTUAL (CASH BASIS) - ALL GOVERNMENTAL FUNDS
AND PROPRIETARY FUNDS
OTHER INFORMATION
YEAR ENDED JUNE 30, 2023

	Governmental Funds Actual	Proprietary Funds Actual	Total
Receipts:			
Property tax	$ 4,970,749	$ -	$ 4,970,749
Tax increment financing	819,641	-	819,641
Other city tax	3,501,118	-	3,501,118
Licenses and permits	240,660	-	240,660
Use of money and property	163,910	220,648	384,558
Intergovernmental	5,552,397	570,152	6,122,549
Charges for service	1,364,869	14,032,240	15,397,109
Miscellaneous	116,546	164,522	281,068
Total receipts	16,729,890	14,987,562	31,717,452
Disbursements:			
Public safety	3,343,398	-	3,343,398
Public works	2,026,167	-	2,026,167
Health and social services	18,252	-	18,252
Culture and recreation	1,573,547	-	1,573,547
Community and economic development	546,582	-	546,582
General government	682,499	-	682,499
Debt service	2,236,176	-	2,236,176
Capital projects	7,491,185	-	7,491,185
Business type activities	-	15,973,582	15,973,582
Total disbursements	17,917,806	15,973,582	33,891,388
Excess (deficiency) of receipts over disbursements	(1,187,916)	(986,020)	(2,173,936)
Other financing sources - net	461,679	5,105,362	5,567,041
Change in fund balances	(726,237)	4,119,342	3,393,105
Balance - beginning of year	10,802,673	10,831,138	21,633,811
Balance - end of year	$10,076,436	$14,950,480	$25,026,916

Budgeted Amounts Original	Final	Final To Total Variance
$ 4,697,206	$ 4,697,206	$ 273,543
846,835	846,835	(27,194)
3,102,916	3,102,916	398,202
215,700	215,700	24,960
36,195	432,195	(47,637)
5,565,924	6,136,076	(13,527)
11,908,188	11,908,188	3,488,921
4,661,716	4,981,746	(4,700,678)
31,034,680	32,320,862	(603,410)
3,878,427	3,878,427	535,029
2,115,903	2,314,170	288,003
18,000	22,000	3,748
1,665,646	2,032,745	459,198
587,509	661,509	114,927
788,841	788,841	166,342
2,336,567	2,626,817	390,641
10,022,306	10,778,306	3,287,121
16,480,826	22,680,826	6,707,244
37,894,025	45,783,641	11,892,253
(6,859,345)	(13,462,779)	11,288,843
1,450,000	7,650,000	(2,082,959)
(5,409,345)	(5,812,779)	$ 9,205,884
21,849,438	21,849,438	
$16,440,093	$16,036,659	

CITY OF STORM LAKE
NOTES TO OTHER INFORMATION - BUDGETARY REPORTING
JUNE 30, 2023

The budgetary comparison is presented in accordance with Governmental Accounting Standards Board Statement No. 41 for governments with significant budgetary perspective differences resulting from not being able to present budgetary comparisons for the General Fund and each major Special Revenue Fund.

In accordance with the Code of Iowa, the City Council annually adopts a budget on the cash basis following required public notice and hearing for all funds except the Internal Service Fund. The annual budget may be amended during the year utilizing similar statutorily prescribed procedures.

Formal and legal budgetary control is based upon nine major classes of disbursements known as functions, not by fund. These nine functions are: public safety, public works, health and social services, culture and recreation, community and economic development, general government, debt service, capital projects, and business type activities. Function disbursements required to be budgeted include disbursements for the General Fund, the Special Revenue Funds, the Debt Service Fund, the Capital Projects Fund, the Permanent Fund, and the Enterprise Funds. Although the budget document presents function disbursements by fund, the legal level of control is at the aggregated function level, not by fund. During the year ended June 30, 2023, one budget amendment increased budgeted disbursements by $7,889,616. The budget amendments are reflected in the final budgeted amounts.

CITY OF STORM LAKE
SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY (ASSET)
FOR THE LAST NINE YEARS *
OTHER INFORMATION
JUNE 30, 2023

Iowa Public Employees' Retirement System

	2023	2022	2021
City's proportion of the net pension liability (asset)	.034218%	.0056476%	.0267644%
City's proportionate share of the net pension liability (asset)	$ 1,292,818	$ (19,497)	$ 1,880,127
City's covered-employee payroll	$ 2,874,923	$ 2,535,216	$ 2,191,697
City's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll	44.97%	(0.77%)	85.78%
Plan fiduciary net position as a percentage of the total pension liability	91.40%	100.81%	82.90%

Municipal Fire and Police Retirement System of Iowa

	2023	2022	2021
City's proportion of the net pension liability	0.42%	0.40%	0.38%
City's proportionate share of the net pension liability	$ 2,390,156	$ 905,189	$ 3,007,440
City's covered-employee payroll	$ 1,396,692	$ 1,310,638	$ 1,197,959
City's proportionate share of the net pension liability as a percentage of its covered-employee payroll	171.13%	69.06%	251.05%
Plan fiduciary net position as a percentage of the total pension liability	84.62%	93.62%	76.47%

* The amounts presented for each fiscal year were determined as of June 30 of the preceding year.

2020	2019	2018	2017	2016	2015
.0279345%	0.0269526%	0.0271135%	0.0295327%	0.0323609%	0.0324885%
$ 1,617,593	$ 1,705,990	$ 1,806,100	$ 1,858,588	$ 1,598,785	$ 1,288,463
$ 2,041,867	$ 2,097,263	$ 2,096,304	$ 2,190,629	$ 2,318,383	$ 2,224,037
79.22%	81.34%	86.16%	84.84%	68.96%	57.93%
85.45%	83.62%	82.21%	81.82%	85.19%	87.61%

2020	2019	2018	2017	2016	2015
0.38%	0.361872%	0.36767%	0.338812%	0.379704%	0.374498%
$ 2,478,438	$ 2,154,598	$ 2,156,293	$ 2,118,459	$ 1,783,904	$ 1,357,547
$ 1,035,228	$ 1,051,819	$ 1,041,323	$ 918,136	$ 995,759	$ 956,354
239.41%	204.84%	207.07%	230.73%	179.15%	141.95%
79.94%	81.07%	80.60%	78.20%	83.04%	86.27%

CITY OF STORM LAKE
SCHEDULE OF CITY CONTRIBUTIONS
LAST TEN YEARS
OTHER INFORMATION
JUNE 30, 2023

Iowa Public Employees' Retirement System

	2023	2022	2021	2020
Statutorily required contributions	$ 300,673	$ 271,300	$ 239,446	$ 207,245
Contributions in relation to the statutorily required contribution	(300,673)	(271,300)	(239,446)	(207,245)
Contribution of deficiency (excess)	$ -	$ -	$ -	$ -
City's covered-employee payroll	$3,186,305	$2,874,923	$2,535,216	$2,191,697
Contributions as a percentage of covered-employee payroll	9.44%	9.44%	9.44%	9.45%

Municipal Fire and Police Retirement System of Iowa

	2023	2022	2021	2020
Statutorily required contributions	$ 353,847	$ 375,281	$ 331,281	$ 292,802
Contributions in relation to the statutorily required contribution	(353,847)	(375,281)	(331,281)	(292,802)
Contribution of deficiency (excess)	$ -	$ -	$ -	$ -
City's covered-employee payroll	$1,480,531	$1,396,692	$1,310,638	$1,197,959
Contributions as a percentage of covered-employee payroll	23.90%	26.87%	25.28%	24.44%

Iowa Public Employees' Retirement System

2019	2018	2017	2016	2015	2014
$ 192,049	$ 187,932	$ 187,899	$ 196,320	$ 208,067	$ 199,453
(192,049)	(187,932)	(187,899)	(196,320)	(208,067)	(199,453)
$ -	$ -	$ -	$ -	$ -	$ -
$2,041,867	$2,097,263	$2,096,304	$2,190,629	$2,318,383	$2,224,037
9.41%	8.96%	8.96%	8.96%	8.97%	8.97%

Municipal Fire and Police Retirement System of Iowa

2019	2018	2017	2016	2015	2014
$ 269,367	$ 270,107	$ 269,911	$ 254,972	$ 302,810	$ 288,053
(269,367)	(270,107)	(269,911)	(254,972)	(302,810)	(288,053)
$ -	$ -	$ -	$ -	$ -	$ -
$1,035,228	$1,051,819	$1,041,323	$ 918,136	$ 995,759	$ 956,354
26.02%	25.68%	25.92%	27.77%	30.41%	30.12%

Iowa Public Employees' Retirement System

Changes of Benefit Terms

There are no significant changes in benefit terms.

Changes of Assumptions

The 2022 valuation incorporated the following refinements after a quadrennial experience study:

- Changed mortality assumptions to the PubG-2010 mortality tables with mortality improvements modeled using Scale MP-2021.
- Adjusted retirement rates for Regular members.
- Lowered disability rates for Regular members.
- Adjusted termination rates for all membership groups.

The 2018 valuation implemented the following refinements as a result of a demographic assumption study dated June 28, 2018:

- Changed mortality assumptions to the RP-2014 mortality tables with mortality improvements modeled using Scale MP-2017.
- Adjusted retirement rates.
- Lowered disability rates.
- Adjusted the probability of a vested Regular member electing to receive a deferred benefit.
- Adjusted the merit component of the salary increase assumption.

The 2017 valuation implemented the following refinements as a result of an experience study dated March 24, 2017:

- Decreased the inflation assumption from 3.00% to 2.60%.
- Decreased the assumed rate of interest on member accounts from 3.75% to 3.50% per year.
- Decreased the discount rate from 7.50% to 7.00%.
- Decreased the wage growth assumption from 4.00% to 3.25%.
- Decreased the payroll growth assumption from 4.00% to 3.25%.

The 2014 valuation implemented the following refinements as a result of a quadrennial experience study:

- Decreased the inflation assumption from 3.25% to 3.00%.
- Decreased the assumed rate of interest on member accounts from 4% to 3.75% per year.
- Adjusted male mortality rates for retirees in the Regular membership group.
- Reduced retirement rates for sheriffs and deputies between the ages of 55 and 64.
- Moved from an open 30-year amortization period to a closed 30-year amortization period for the UAL (unfunded actuarial liability) beginning June 30, 2014. Each year thereafter, changes in the UAL from plan experience will be amortized on a separate closed 20-year period.

Municipal Fire and Police Retirement System of Iowa

Changes of Benefit Terms

There were no significant changes of benefit terms.

Changes of Assumptions:

The 2018 valuation changed postretirement mortality rates to the RP-2014 Blue Collar Health Annuitant Table with males set-forward zero years, females set-forward two years, and disabled individuals set-forward three years (male only rates), with generational projection of future mortality improvement with 50% of Scale BB beginning in 2017.

The 2017 valuation added five years projection of future mortality with Scale BB.

The 2016 valuation changed postretirement mortality rates based on the RP-2000 Blue Collar Combined Healthy Mortality Table with males set-back two years, females set-forward one year, and disabled individuals set-forward one year (male only rates), with no projection of future mortality improvement.

The 2015 valuation phased in the 1994 Group Annuity Mortality Table for postretirement mortality. This resulted in a weighting of 1/12 of the 1971 Group Annuity Mortality Table and 11/12 of the 1994 Group annuity Mortality Table.

The 2014 valuation phased in the 1994 Group Annuity Mortality Table for postretirement mortality. This resulted in a weighting of 2/12 of the 1971 Group Annuity Mortality Table and 10/12 of the 1994 Group Annuity Mortality Table.

CITY OF STORM LAKE
SCHEDULE OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN CASH BALANCES
NONMAJOR GOVERNMENTAL FUNDS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

	Special Revenue			
	Tort Insurance	Sales Tax Increment	Crime Prevention	Library
Receipts:				
Property tax	$ 182,052	$ -	$ -	$ -
Other city tax	478	-	-	-
Use of money and property	28,495	-	-	7,148
Intergovernmental	-	249,960	-	6,454
Miscellaneous	-	-	78,495	-
Total receipts	211,025	249,960	78,495	13,602
Disbursements:				
Operating:				
Public safety	-	-	10,638	-
Culture and recreation	-	-	21,940	5,265
General government	215,160	-	-	-
Total disbursements	215,160	-	32,578	5,265
Excess (deficiency) of revenues over (under) expenditures	(4,135)	249,960	45,917	8,337
Other financing sources (uses):				
Transfers in (out)	46,454	(249,960)	-	-
Net change in cash balances	42,319	-	45,917	8,337
Cash balances - beginning of year	(42,319)	-	171,086	126,393
Cash balances - end of year	$ -	$ -	$ 217,003	$ 134,730
Cash Basis Fund Balances				
Nonspendable - Library	$ -	$ -	$ -	$ -
Restricted for:				
Other purposes	-	-	217,003	134,730
Total cash basis fund balances	$ -	$ -	$ 217,003	$ 134,730

Law Enforcement	Permanent Emma Meyers Trust	Total
$ -	$ -	$ 182,052
-	-	478
3,574	3	39,220
-	-	256,414
22,913	-	101,408
26,487	3	579,572
33,381	-	44,019
-	-	27,205
-	-	215,160
33,381	-	286,384
(6,894)	3	293,188
-	-	(203,506)
(6,894)	3	89,682
160,434	2,911	418,505
$ 153,540	$ 2,914	$ 508,187
$ -	$ 2,914	$ 2,914
153,540	-	505,273
$ 153,540	$ 2,914	$ 508,187

CITY OF STORM LAKE
COMBINING SCHEDULE OF CASH RECEIPTS, DISBURSEMENTS, AND CHANGES IN CASH BALANCES
CUSTODIAL FUNDS
AS OF AND FOR THE YEAR ENDED JUNE 30, 2023

	Lake Improvements Commission	Drainage	Total
Receipts	$ -	$ 1,591	$ 1,591
Disbursements	(12,955)	-	(12,955)
Net change in fund balances	(12,955)	1,591	(11,364)
Cash balances - beginning of year	79,543	8,559	88,102
Cash balances - end of year	$ 66,588	$ 10,150	$ 76,738

CITY OF STORM LAKE
SCHEDULE OF RECEIPTS BY SOURCE AND DISBURSEMENTS BY FUNCTION - ALL GOVERNMENTAL FUNDS
FOR THE LAST NINE YEARS
YEAR ENDED JUNE 30, 2023

	2023	2022	2021
Receipts:			
Property tax	$ 4,970,749	$ 4,730,119	$ 4,583,513
Tax increment financing	819,641	828,352	825,516
Other city tax	3,501,118	3,185,817	3,084,831
Licenses and permits	240,660	142,059	202,078
Use of money and property	163,910	26,705	161,028
Intergovernmental	5,552,397	1,736,151	1,973,114
Charges for services	1,364,869	1,156,346	1,487,547
Miscellaneous	116,546	2,088,631	225,236
Total	$16,729,890	$13,894,180	$12,542,863
Disbursements:			
Operating:			
Public safety	$ 3,343,398	$ 3,124,103	$ 2,485,975
Public works	2,026,167	1,877,813	1,357,412
Health and social services	18,252	7,743	529
Culture and recreation	1,573,547	1,393,372	1,240,124
Community and economic development	546,582	394,870	239,044
General government	682,499	736,296	780,286
Debt service	2,236,176	2,223,950	16,566,449
Capital projects	7,491,185	4,877,168	3,007,937
Total	$17,917,806	$14,635,315	$25,677,756

2020	2019	2018	2017	2016	2015
$ 4,447,283	$ 4,489,523	$ 4,399,828	$ 4,548,875	$ 3,992,039	$ 3,814,004
876,997	872,126	784,218	895,498	740,590	728,556
2,733,116	2,685,607	2,490,531	2,180,362	2,218,063	2,042,772
276,641	136,798	180,457	251,129	152,648	298,421
831,931	301,843	154,242	136,203	145,908	147,828
1,457,020	1,458,452	1,933,035	1,542,127	3,610,380	1,756,176
1,047,375	1,014,259	1,428,568	1,584,278	1,190,134	1,808,585
312,635	334,543	271,121	92,470	308,636	281,220
$11,982,998	$11,293,151	$11,642,000	$11,230,942	$12,358,398	$10,877,562
$ 2,676,122	$ 3,348,142	$ 2,579,754	$ 2,652,180	$ 2,482,958	$ 2,452,789
1,307,089	1,521,825	1,294,002	1,242,953	1,340,444	1,246,828
8,262	15,652	7,328	7,618	7,415	8,331
1,538,533	1,280,576	2,063,815	1,785,370	1,509,367	1,633,577
367,206	581,880	481,471	518,640	504,137	883,654
609,907	632,210	483,840	457,803	535,842	495,112
2,209,723	6,827,832	2,191,924	2,082,846	3,002,542	5,563,604
1,733,621	415,687	1,330,756	616,305	4,200,526	1,521,245
$10,450,463	$14,623,804	$10,432,890	$ 9,363,715	$13,583,231	$13,805,140

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Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

To the Honorable Mayor and
Members of the City Council
Storm Lake, IA 50588

We have audited in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business type activities, each major fund and the aggregate remaining fund information of the City of Storm Lake, Iowa, as of and for the year ended June 30, 2023, and the related notes to financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated February 12, 2024. Our report expressed unmodified opinions on the financial statements which were prepared on the basis of cash receipts and disbursements, a basis of accounting other than accounting principles generally accepted in the United States of America.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility a material misstatement of the City's financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control which is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses and significant deficiencies may exist that were not identified.

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Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*. However, we noted certain immaterial instances of noncompliance or other matters that are described in Part II of the accompanying Schedule of Findings.

Comments involving statutory and other legal matters about the City's operations for the year ended June 30, 2023 are based exclusively on knowledge obtained from procedures performed during our audit of the financial statements of the City. Since our audit was based on tests and samples, not all transactions that might have had an impact on the comments were necessarily audited. The comments involving statutory and other legal matters are not intended to constitute legal interpretations of those statutes.

City of Storm Lake's Responses to Findings

Government Auditing Standards require the auditor to perform limited procedures on the City's responses to the findings identified in our audit and described in the accompanying Schedule of Findings. The City's responses were not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the responses.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

We would like to acknowledge the many courtesies and assistance extended to us by personnel of the City during the course of our audit. Should you have any questions concerning any of the above matters, we shall be pleased to discuss them with you at your convenience.

Winther, Stave & Co., LLP

February 12, 2024
Spencer, Iowa

CITY OF STORM LAKE
SCHEDULE OF FINDINGS
FOR THE YEAR ENDED JUNE 30, 2023

Part I: Findings Related to the Financial Statements

INTERNAL CONTROL DEFICIENCY:

No matters were noted.

INSTANCES OF NON-COMPLIANCE:

No matters were noted.

CITY OF STORM LAKE
COMMUNICATION WITH THOSE
CHARGED WITH GOVERNANCE
JUNE 30, 2023

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City Council
City of Storm Lake
Storm Lake, IA 50588

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Storm Lake for the year ended June 30, 2023. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated July 1, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Storm Lake are described in Note 1 to the financial statements. No new accounting policies were adopted, and the application of other existing policies was not changed during the fiscal year. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. However, we believe there are no sensitive estimates affecting the City's financial statements prepared on the basis of cash receipts and disbursements.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

> The disclosure of interfund transfers in Note 3 to the financial statements summarizes various transfers made between funds.

The disclosure of bonds and notes payable in Note 4 to the financial statements provides information related to long-term obligations the City has incurred.

The disclosure of pension plans in Note 5 to the financial statements provides information related to the net pension liability of the City.

The disclosure of commitments in Note 7 to the financial statements provides information related to significant outstanding commitments of the City.

The disclosures in the financial statements are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatement identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. No uncorrected misstatements were detected as a result of audit procedures that were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated February 12, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

Other information accompanying the financial statements, Management's Discussion and Analysis, budgetary comparison schedule, schedule of City's proportionate share of net pension liability, schedule of City contributions, combining schedules of nonmajor governmental funds and custodial funds, and schedule of governmental funds receipts and disbursements has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the use of the City Council and management of City of Storm Lake and is not intended to be and should not be used by anyone other than these specified parties.

Winther, Stave & Co., LLP

February 12, 2024
Spencer, Iowa

Staff Summary

03/18/2024
Agenda Item # F.6.

City of Storm Lake
PO Box 1086
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REPORT TO: Honorable Mayor & Council

FROM: Brian Oakleaf Finance Director

SUBJECT: **Motion to Approve Agreement With Koloni Inc.**

BACKGROUND: Koloni will continue to be responsible for all maintenance, equipment replacement, customer support and most importantly, liability insurance. This agreement continues our recreational offerings of bike, kayak and other rentals.

FISCAL IMPACT: The one-year contract is for $45,100.00, which includes all equipment and services. The City will receive 50% of all revenues generated, with a goal of simply covering our costs and offering the rentals as an additional community amenity.

RECOMMENDATION: Authorize City Manager to accept and sign agreement with Koloni, Inc.

ATTACHMENTS:
- **Koloni Agreement**
- **Koloni.pdf**

Access and Share System Terms and Conditions of Sale

This Access and Share System Terms and Condition of Sale, dated as stated on the attached invoice (this "**Agreement**"), is entered into between Koloni, Inc., a Delaware corporation ("**Koloni**"), and You ("**Buyer**", and together with Koloni, the "**Parties**", and each, a "**Party**").

<u>Access to Software</u>. The Koloni software platform is included in the turnkey bike share program.

<u>Operations and Maintenance</u>. Koloni will maintain all maintenance and operation of the watersports products, bikes, and lockers. Koloni will routinely conduct preventative maintenance and repairs when they are reported. Product stolen or damaged beyond repair will be replaced at the expense of the Buyer.

<u>Customer Support</u>. Koloni will provide a customer support number and email address that will be displayed on signage at the service locations. Koloni will respond to customer inquiries and resolve issues from refunds, technical issues, and submission of a service request.

<u>Payment Terms</u>. Buyer shall pay Koloni the fees and charges as stated in the invoice attached to this Agreement ("**Total Invoice Fee**s"). In the event that Buyer fails to pay as due, Koloni shall charge 12% late interest per annum. If applicable, Koloni will process all membership/transaction payments and at the end of each month. Buyer shall not, and acknowledges that it will have no right, under this Agreement, any other agreement, document or law, to withhold, offset, recoup or debit any amounts owed (or to become due and owing) to Koloni, whether under this Agreement or otherwise, against any other amount owed (or to become due and owing) to it by Koloni, whether relating to Koloni's or its affiliates' breach or non-performance of this Agreement or any other agreement between the Parties.

<u>Termination</u>. This Agreement may be terminated with written consent of the Parties.

<u>Limitation of Liability</u>. I**N NO EVENT SHALL KOLONI BE LIABLE FOR ANY CONSEQUENTIAL, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, PUNITIVE, OR ENHANCED DAMAGES, LOST PROFITS OR REVENUES OR DIMINUTION IN VALUE, ARISING OUT OF, OR RELATING TO, OR IN CONNECTION WITH ANY BREACH OF THIS AGREEMENT, REGARDLESS OF (A) WHETHER SUCH DAMAGES WERE FORESEEABLE, (B) WHETHER OR NOT KOLONI WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES, (C) THE LEGAL OR EQUITABLE THEORY (CONTRACT, TORT OR OTHERWISE) UPON WHICH THE CLAIM IS BASED, AND (D) THE FAILURE OF ANY AGREED OR OTHER REMEDY OF ITS ESSENTIAL PURPOSE.**
IN NO EVENT SHALL KOLONI'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED THE TOTAL OF THE AMOUNTS PAID TO KOLONI FOR THE GOODS HEREUNDER.

<u>Force Majeure</u>. Koloni shall not be liable or responsible to Buyer, nor be deemed to have

defaulted or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement when and to the extent such failure or delay is caused by or results from acts or circumstances beyond the reasonable control of Koloni including, without limitation, acts of God, flood, fire, earthquake, explosion, governmental actions, war, invasion or hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest, national emergency, revolution, insurrection, local or national pandemic, local or nation epidemic, lock-outs, strikes or other labor disputes (whether or not relating to either party's workforce), or restraints or delays affecting carriers or inability or delay in obtaining supplies of adequate or suitable materials, materials or telecommunication breakdown or power outage.

Intellectual Property. Buyer does not acquire any intellectual property in the Goods or Software of Koloni. All intellectual property is the sole ownership of the Koloni, including any suggestions, feedback, or information provided by Buyer to Koloni.

Insurance. Koloni shall at its own expense, maintain and carry insurance with finically sound and reputable insurers of commercial general liability in a sum of no less than $2,000,0000.

Indemnification. Each Party shall indemnify, defend and hold harmless the other Party and its officers, directors, employees, agents, affiliates, successors, and permitted assigns (collectively, "**Indemnified Party**") against any and all losses, damages, liabilities, deficiencies, claims, actions, judgments, settlements, interest, awards, penalties, fines, costs, or expenses of whatever kind, including reasonable attorneys' fees, fees and the costs of enforcing any right to indemnification under this Agreement and the cost of pursuing any insurance providers, incurred by Indemnified Party/awarded against Indemnified Party in a final non-appealable judgment, relating to/arising out of or resulting from any claim of a third party or arising out of or occurring in connection with the or the offending parties misconduct or negligence.

Entire Agreement. This Agreement, Invoice, and attachments constitutes the sole and entire agreement of the Parties with respect to the subject matter contained herein, and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, regarding such subject matter.

Survival and Severability. Subject to the limitations and other provisions of this Agreement all Indemnification, limitation of liability and other provision that, in order to give proper effect to its intent, should survive such expiration or termination, shall survive the expiration or earlier termination of this Agreement. If any term or provision of this Agreement is invalid, illegal or unenforceable in any jurisdiction, such invalidity, illegality or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

Choice of Law and Forum. This Agreement, including all invoices and attachments attached to this Agreement and thereto, and all matters arising out of or relating to this Agreement, are governed by, and construed in accordance with and shall be heard in the County, of Polk, under the laws of the State of Iowa, United States of America, without regard to the conflict of laws provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of Iowa.

Relationship of the Parties. The relationship between the parties is that of independent contractors. Nothing contained in this Agreement shall be construed as creating any agency, partnership, franchise, business opportunity, joint venture or other form of joint enterprise, employment or fiduciary relationship between the parties, and neither party shall have authority to contract for or bind the other party in any manner whatsoever. No relationship of exclusivity shall be construed from this Agreement.

Customer

Name (printed) ______________________________

Position/Title ______________________________

Signature ______________________________

Date _____/______/_______

Koloni, Inc

Name (printed) ______________________________

Position/Title ______________________________

Signature ______________________________

Date _____/______/_______

Koloni Inc.
158 Touhy Ct
Des Plaines, IL 60018 US
brian@koloni.me
www.koloni.me

INVOICE

BILL TO	SHIP TO	SHIP VIA			
Kings Pointe Resort 1520 East Lakeshore Drive Storm Lake, IA 50588 USA	Kings Pointe Resort 1520 East Lakeshore Drive Storm Lake, IA 50588 USA	Local Truck	INVOICE DATE TERMS DUE DATE	1468 02/13/2024 Net 60 04/13/2024	

SALES REP.
Brian

DATE		DESCRIPTION	QTY	RATE	AMOUNT
02/13/2024	Annual Software Fee (Bike)	1 Year of software and operations	10	1,300.00	13,000.00T
02/13/2024	Annual Software Fee (Kayak)	1 Year of Software fees & operations). Price is yearly per Kayak/Paddleboard	14	1,350.00	18,900.00T
	Watersport Locker	kayak and canoe lockers with smart lock. (more details attached)	12	1,100.00	13,200.00T

Thank you for your business! I take credit cards, ACH, and Apple payment options!
Annual Software Invoice subject to the Terms and Conditions at koloni.io/legal

SUBTOTAL	45,100.00
TAX	0.00
TOTAL	45,100.00
BALANCE DUE	**$45,100.00**

No Refunds. Payment or acceptance of this invoice shall not be refundable or cancelable under any circumstance

Staff Summary

03/18/2024
Agenda Item # F.7.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Tyler Gibbins Staff Accountant

SUBJECT: **Resolution No. 40-R-2023-2024 Setting the Outdoor Water Park and Golf Fees**

BACKGROUND: Following the budget workshops, a consensus was made on adjusting the fees for the Outdoor Water Park and Municipal Golf Course:

King's Pointe Outdoor Waterpark is the municipal pool and it is necessary for the City Council to Set Fees. Changes include:

- Family Pass $350.00
- Season Special From April 20th and 21st $350 Family Pass with a 10 punch card for free.
- Remove sesquicentennial Pass for $150.00
- Add Daily Punch Cards:
  - 10 Punches for $100.00
  - 20 Punches for $180.00
  - 30 Punches for $250.00
  - 50 Punches for $400.00
- Add Lap Swimming Punch Cards:
  - 10 Punches for $35.00
  - 20 Punches for $60.00
  - 30 Punches for $80.00

Sunrise Pointe Golf Course is the municipal golf course and it is necessary for the City Council to Set Fees. Changes include:

- Remove sesquicentennial Pass for $150.00
- Increase Cart Rental for 9 Holes to $16.00
- Increase Cart Rental for 18 Holes to $26.00
- Increase Yearly Cart Rental to $350.00

FISCAL IMPACT: Both the municipal pool and municipal golf course are part of the City's general fund.

RECOMMENDATION: Approve Resolution No.40-R-2023-2024 Setting the Outdoor Water Park and Golf Fees.

ATTACHMENTS:

- **Resolution No. 40-R-2023-2024 - Golf - OWP - Proposed Fee Resolution.docx**
- **Golf Cart Fee Comparison.pdf**
- **OWP Fee Comparison.pdf**

RESOLUTION NO. 40-R-2023-2024

RESOLUTION SETTING FINES AND FEES

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA that the following schedule of fees are approved and effective as of March 18th, 2024.

Administration	**Fee**	**Code Section**
Administrative Fee	$30.00	
Dock Fee	$25.00	
Dock Per Hoist	$10.00	
Garbage Truck Permits (per business)	$100.00	3-1-5
Insufficient Check Fee	$30.00	
Mobile Food & Beverage, Peddlers, Solicitor Or Transient Merchant Permit (1 Day)	$25.00	4-3-4, 4-3-6, 4-10-4
Mobile Food & Beverage, Peddlers, Solicitor or Transient Merchant Permit (7 Day)	$75.00	
Mobile Food & Beverage, Peddlers, Solicitor or Transient Merchant Permit (28 Day)	$150.00	
Investigation Fee (main contact)	$25.00	
Investigation Fee (each additional Person)	$5.00	
Taxi Permit (Business)	$100.00	4-5-3
Taxi Permit (per vehicle)	$10.00	4-5-3
Cancel Permit Fee	$25.00	
Freedom of Information Requests (FOIA Request)		
Single Sided Copy 8.5x11	$.30/page	
Duplex copy 8.5x11	$.40/page	
Single Sided Legal	$.35/page	
Duplex Legal copy	$.45/page	
Single Sided Ledger (11x17)	$.70/page	
Single Sided Ledger with Color Print	$.90/page	
Duplex Ledger (11x17)	$.80/page	
Duplex Ledger with Color Print	$1.00/page	
Large Format Prints (one side only and in color)	$8.00/page	
USB Storage Device	$15/64gb storage	
Research Hourly Rate – per hour/per person	$25.00	
Mailing Costs – 3 pages	$2.00 Plus Current Postage Cost	
Mailing Costs – 50 pages	$6.00 Plus Current Postage Cost	
Mailing Costs – 100 pages	$11.00 Plus Current Postage Cost	
Special City Council Meeting	$250.00	

Airport Hangar Rent (monthly fees)

Hangar A	$75.00
12 Month Lease Discount Rate	$65.00
Hangar B	$75.00
12 Month Lease Discount Rate	$65.00
Hangar C (VT)	$400.00

Hangar D	$92.00	
12 Month Lease Discount Rate	$80.00	
Hangar E	$110.00	
12 Month Lease Discount Rate	$95.00	
Hangar F	$156.00	
12 Month Lease Discount Rate	$135.00	
FBO Stall	$173.00	
12 Month Lease Discount Rate	$150.00	
Daily Inside Storage/per night	$30.00	

Building Official

Public sidewalk right away cafés, retail sales, or benches	$0	
Driveway (Curb) Cut, Inspection & Marking Residential	$150.00	
Driveway (Curb) Cut, Inspection & Marking Commercial	$200.00	
ROW Temp Closure Permit	$25.00	
Building Moving Permit (Per Bldg)	$100.00	5-1-1
Demolition Permit	$50.00	
Pool Inspection	$20.00	8-8-11
Re-inspection Fee (after 1 per inspection)	$35.00	
No Show Fee (per event)	$50.00	
Rental Registration Fee – Yearly (July 1st – June 30th)		
Base Registration Fee (per parcel and 1 unit)	$10.00	5-8-9
Additional unit in excess of 1 (per unit)	$5.00	5-8-9
Late Registration Fee - Per Landlord License	$50.00	5-8-9
Additional unit in excess of 1 (up to 6 units)	$50.00	
Property Maintenance Ordinance Appeal	$150.00	Zoning Ord.
Variance Request	$150.00	Zoning Ord.
Zoning Request	$200.00	Zoning Ord.
Conditional Use	$300.00	Zoning Ord.
Sub-Division Application Fee	$300.00	
Sidewalk Repair Permit Fee	$0	

New Construction Incentive

Single Family Attached and Single Family Detached Dwelling Building Permit

100% Water Meter Current Cost

$300 for homes that have construction costs under $199,999

$600 for homes that have construction costs for $200,000 and above

Incentive

Rebate all the permit fee with the exception of the water meter if 50% of all costs related to construction, including flooring and appliances if purchased within City limits of Storm Lake. Itemized proof of receipts would be required to be submitted to City Hall.

Building & Sign Permit Fees

Building & Sign Permit <$1,200	$22.02	5-2-2
Building & Sign Permit $1,200-2,000		5-2-2
$22.02 + $2.88 for each additional $100.00 over $1,200		
Building & Sign Permit $2,001-25,000		5-2-2

$45.06+ $9.16 for each additional $1,000.00 over $2,000		
Building & Sign Permit $25,001-50,000		5-2-2
$255.74 + $6.22 for each additional $1,000.00 over $25,000		
Building & Sign Permit $50,001-100,000		5-2-2
$411.24+ $4.15 for each additional $1,000.00 over $50,000		
Building & Sign Permit $100,001 or more		5-2-2
$618.74+ $3.61 for each additional $1,000.00 over $100,000		
Portable Sign Permit (14 days)	$30.00	Zoning Ord.

Electrical Fees

For New Residences		5-4-9
Single Dwelling	$38.00	
Duplex Dwelling	$56.75	
Triplex Dwelling	$75.50	
4-Plex Dwelling	$113.00	
Multi Units Between 5 and 12	$156.75	
Over 12 Units	$156.75 plus $38.00 each over 12	

For New Commercial or Industrial Buildings

First $5,000.00 at $8.00 per/$1,000.00 of cost
Second $5,000.00 at $6.75 per /$1,000.00 of cost
Third $5,000.00 at $5.50 per/$1,000.00 of cost
Fourth $5,000.00 at $4.25 per/$1,000.00 of cost
Fifth $5,000.00 at $3.00 per/$1,000.00 of cost
All over $25,000.00 at $1.50 per/$1,000.00 of cost

For Rewiring, Repairs or Alterations on Residence, Commercial and Industrial Buildings

$100.00 to $150.00 electric contract $6.75
$151.00 to $200.00 electric contract $8.00
$201.00 to $250.00 electric contract $9.25
$251.00 to $300.00 electric contract $10.50
$301.00 to $350.00 electric contract $11.75
$351.00 to $400.00 electric contract $13.00
$401.00 to $450.00 electric contract $14.25
$451.00 to $500.00 electric contract $15.50
$501.00 to $1,000.00 electric contract $23.00
$1,001.00 to $2,000.00 electric contract $28.00
All over $2,001.00 $28.00 plus $1.50 per $100.00

Plumbing Fees

For New Residences		5-3-10
Single Dwelling	$38.00	
Duplex Dwelling	$56.75	
Triplex Dwelling	$75.50	
4-Plex Dwelling	$113.00	
Multi Units Between 5 and 12	$156.75	
Over 12 Units	$156.75 plus	

	$38.00 each over 12	

For New Commercial or Industrial Buildings
First $5,000.00 at $8.00 per/$1,000.00 of cost
Second $5,000.00 at $6.75 per /$1,000.00 of cost
Third $5,000.00 at $5.50 per/$1,000.00 of cost
Fourth $5,000.00 at $4.25 per/$1,000.00 of cost
Fifth $5,000.00 at $3.00 per/$1,000.00 of cost
All over $25,000.00 at $1.75 per/$1,000.00 of cost

For Repairs or Alterations on Residence, Commercial and Industrial Buildings
$100.00 to $150.00 plumbing contract $6.75
$151.00 to $200.00 plumbing contract $8.00
$201.00 to $250.00 plumbing contract $9.25
$251.00 to $300.00 plumbing contract $10.50
$301.00 to $350.00 plumbing contract $11.75
$351.00 to $400.00 plumbing contract $13.00
$401.00 to $450.00 plumbing contract $14.25
$451.00 to $500.00 plumbing contract $15.50
$501.00 to $1,000.00 plumbing contract $23.00
$1,001.00 to $2,000.00 plumbing contract $28.00
All over $2,001.00 $28.00 plus $1.50 per $100.00

Campground

Class A Site	$30.00	
(Lake View, Patio, Water, Sewer, Electric, Cable TV, Fire Pit)		
Class C Site	$28.00	
(Lake View, Patio, Water, Sewer, Electric, Fire Pit)		
Class E Site	$25.00	
(Water, Sewer, Electric)		
Class F Site	$20.00	
(Electric)		
Glass G Site	$12.00	
(Tent)		
Extra Vehicle Parking (if space available)	$5.00	
Non-Campers Dump Station (per event)	$5.00	
Non-Camper Shower (per shower)	$5.00	
Early check in prior to noon	$20.00	
Early check in after 12pm prior to 3pm	$10.00	
Late check out after 1pm per hour charge	$10.00	

Fire Department

False Alarm Fee (after 1)	$150.00	4-7-16
Liquor License Inspection Fee	$50.00	
Fireworks Display (Mortar sizes from 1-3 inches)	$150.00	
Fireworks Display (Mortar size larger than 3 inches)	$300.00	
Emergency Response and/or Cleanup of Material	See Chart	
Rate set by the Iowa Fire Service Annual Hazardous material response fee structure for the current calendar year.		
Safety Trailer Use Fee		

Buena Vista County	$150.00
Non Buena Vista County	$150.00 plus $6 A Mile One Way

Golf Course

Single Season Pass	$325.00	
~~New Member- First Year Single Season Pass~~	~~$150.00~~	
Family Season Pass - Family: Two or more persons (one of whom is the householder) related by birth, marriage, or adoption, living together and sharing common living, sleeping, cooking, and eating facilities within and individual housing unit as defined by the Storm Lake Zoning Code.)	$600.00	
Junior Season Pass (17 and Under)	$50.00	
Electric Cart Storage	$300.00	
Gas Cart Storage	$285.00	
Locker Rent/yr	$20.00	
Golf Club Rental	$10.00	
Trail Fee (per day)	$10.00	
Pull Cart Rental	$3.00	
Pull Cart (year)	$65.00	
Trail Fee (year)	$170.00	
10 Round Punch Card	$125.00	
Discount Tickets – per 9 holes (sold in advance with minimum quantity of 50)	$10.00	
Weekday 9 Holes	$15.00	
Weekday 18 Holes	$20.00	
Weekend 9 Holes	$20.00	
Weekend 18 Holes	$25.00	
Cart Rental 9 Holes	~~$15.00~~ $16.00	
Cart Rental 18 Holes	~~$25.00~~ $26.00	
Yearly Cart Rental	~~$325.00~~ $350.00	
Hall Rental	$250.00	
Hall Rental - Friday Setup Fee (Valid only after 5:00 pm Friday with following Sat. rental)	$100.00	
Hall Rental (weekday 4hrs or less)	$100.00	
Bar Setup Fee (Event Center Only)	$100.00	
9-Hole Course Rental Fee (Minimum 25 participants)	$250.00	
18-Hole Course Rental Fee (Minimum 25 participants)	$400.00	

*Course Rental Fees are due at the time of booking.
*Cancelations require a 72 hour advanced notice.
*If cancelled inside the 72 hour period, only 50% of the rental Fee will be refunded.

Group Cart Rental Fee (25 Carts)	$350.00	

Police

Administrative Fee	$30.00	
Alarm Business Permit Application	$75.00	4-7-6
Alarm Business Permit Renewal	$75.00	4-7-9
False Alarm Equip Malfunction (after 3)	$75.00	4-7-16

False Alarm	$75.00	4-7-16
Building Escorts (per car)	$75.00	5-1-3
Cat License – Not Neutered/Spayed (per year)	$20.00	8-4-2
Neutered/Spayed (per year)	$10.00	
Dog License – Not Neutered/Spayed (per year)	$20.00	8-3-2
Neutered/Spayed (per year)	$10.00	
Fingerprinting	$10.00	
Impound/Storage Fee (per day)	$30.00	8-6-5
Impound Storage Fee – felony related (per day)	$50.00	
Parking Fine	$15.00	9-11-4
Report Copies	$5.00	
Police Escort Fee – per hour, per unit	$75.00	5-1-3
Emergency Response and/or Cleanup of Material (per hour)		
Police Vehicle (per vehicle)	$75.00	

King's Pointe Outdoor Aquatic Center

Family Season Pass	~~$275.00~~ $350.00
(up to ~~5~~ 6 family members can be included on Pass, Children 4 and under need not be on pass, as they are free.)	
Up to 4 additions of children 5-12 years old @ $55 each	
Season Special for April 20th and 21st 2024	$350.00
Family Season Pass with 10 Punch Card	
~~Single Season Pass (children and adults)~~	~~$150.00~~
Adult BV Resident Daily Pass (Age 12+)	$8.00
Child BV Resident Daily Pass (Age 5-11)	$5.00
Children (Age 5-11) Standard Pricing	$12.00
Adults (Age 12+) Standard Pricing	$15.00
4 and under	free
Twilight Pricing (after 3:00)	
Age 12+	$7.50
Age 5-11	$6.00
Age 0-4	free
Land Lovers	$5.00
Daily Pass Punch Cards:	
10 Punches	$100.00
20 Punches	$180.00
30 Punches	$250.00
50 Punches	$400.00
Swim Lessons	$40.00
Lap Swimming (per time)	$4.00
Lap Swimming Punch Card:	
10 Punches	$35.00
20 Punches	$60.00
30 Punches	$80.00

Roadway Maintenance

Street Cuts & Replacement - Half Street	$800.00
Street Cuts & Replacement Full Street	$1600.00

Sewer

Sewer Svc Permit & Connection Fee	$150.00	3-2-4
Private Wastewater System Permit	$50.00	3-2-3

Shelter House

Rental Fee - per side	$110.00
Damage Deposit – per side	$200.00
AWAYSIS Pavilions – per time slot (3 times available)	$25.00
Frank Starr Park Open Shelter – per time slot (2 times available)	$50.00
Campground Open Shelter – per time slot (2 time slots available)	$50.00
AWAYSIS Great Lawn – per day	$200.00
Band Shell – per day	$50.00

Water

Door Tag Fee	$20.00	3-5-3
Meter Testing Fee (within 2%)	$50.00	3-4-20
Shut Off – 8 AM to 3 PM	$50.00	3-4-19 & 3-5-3
Shut Off – After 3 PM	$75.00	3-4-19 & 3-5-3
Water Svc Permit & Connect Fee	$150.00	3-4-5
Water Tapping Fee (per inch)	$65.00	3-4-5
Outside City Limits Hook-up Fee	$1,500.00	3-4-6
Combined Utility Deposit	$160.00	

PASSED AND APPROVED this March 18th, 2024.

____

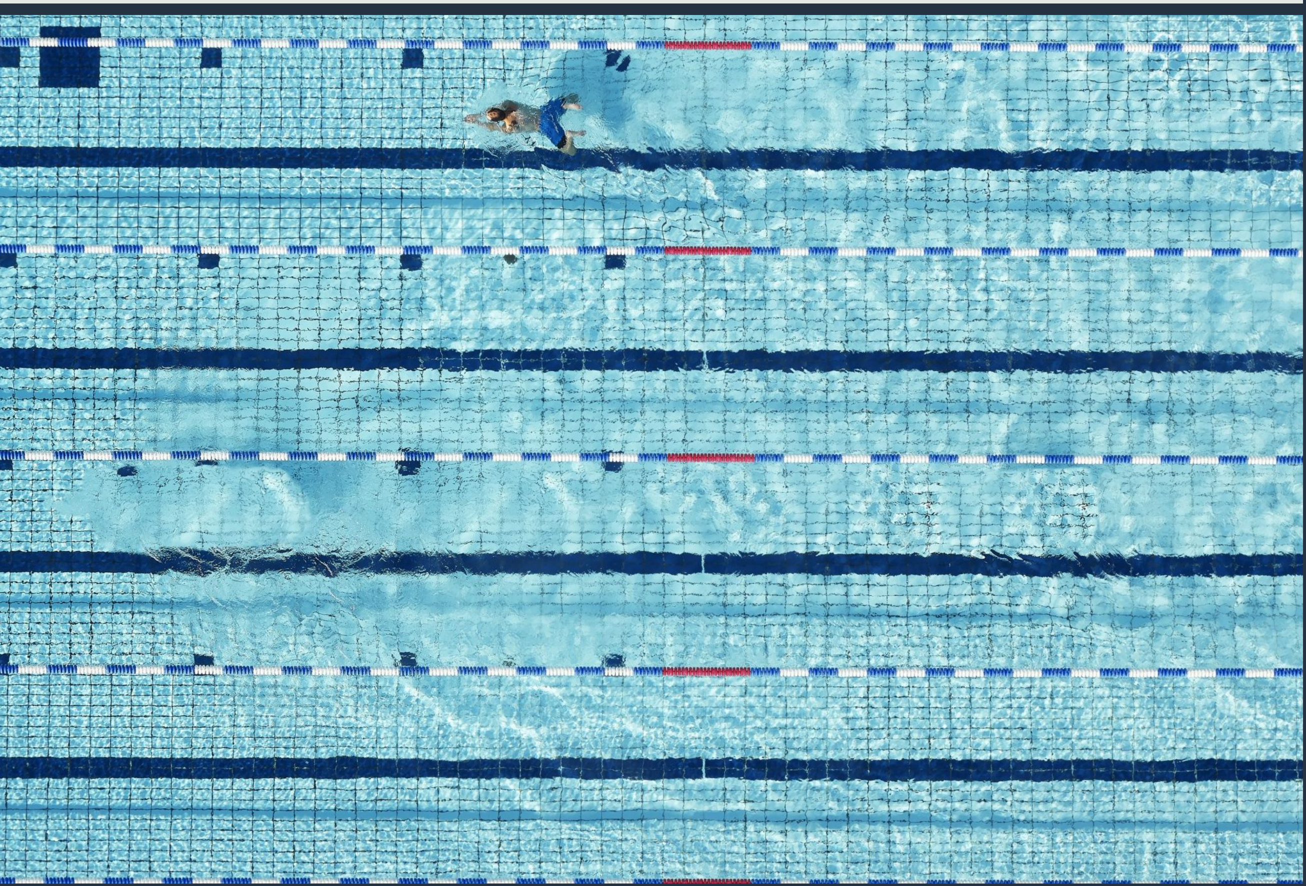
Michael Porsch, Mayor

ATTEST:

____

Mayra A. Martinez, City Clerk

	9-Holes	18-Holes	
Name	**Cart Fees (Daily)**	**Cart Fees (Daily)**	**Cart Fees (Season)**
Sunrise Pointe Golf Course	$ 15.00	$ 25.00	$ 325.00
Schleswig	$ 10.00	$ 10.00	
Twin Lakes	$ 9.00	$ 15.00	
Estherville			$ 353.00
Sac City	$ 15.00	$ 22.00	
Indian Hills (Okaboji)	$ 10.28	$ 19.16	$ 415.00
Alta	$ 14.00	$ 22.00	
Sheldon	$ 18.00	$ 24.00	$ 500.00
Pella	$ 20.00	$ 20.00	
Mason City (Pine Creek)	$ 15.00	$ 30.00	
Story City (River Bend)	$ 24.00	$ 32.00	$ 400.00
Manning Manilla	$ 16.00	$ 26.00	$ 420.00
Mapleton (Willow Vale)	$ 15.00	$ 20.00	
Coon Rapids	$ 15.00	$ 25.00	
Jefferson	$ 30.00	$ 30.00	
9-Hole Course Median	**$ 16.16**	**$ 22.87**	**$ 402.17**
	$ (1.16)	**$ 2.13**	**$ (77.17)**



WATERPARK 2024 RATES

King's Pointe Waterpark

King's Pointe A WATERPARK RESORT

2023 rates

Season Passes

Family Season Pass	Amount
Up to 6 family members can be included on Pass, all receiving photo card, which is necessary for admission.	$275.00
Up to 4 additions of children 5-12 years old @$55 each (Children 4 and under need not be on pass, they are free)	

Single Season Pass	Amount
Adults and Children	$150.00
Photo Card necessary for admission	

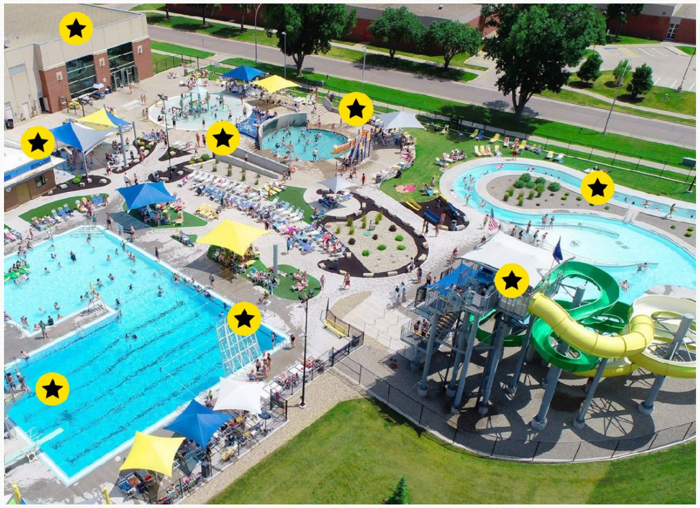
Regular Daily Admission Prices

	Amount
Age 12 & above	$15.00
Age 5-11	$12.00
Age 0-4	Free
Land lovers	$5.00

BV Residents Daily Admissions (ID Required)

	Amount
Age 12 & above	$8.00
Age 5-11	$6.00
Age 0-4	Free
Land Lovers	$5.00

Siouxnami
Sioux Center
Indoor and Outdoor Waterpark



Daily Pass Costs

2 year-olds and younger: Free

Viewing: $4

3 year-olds - Pre. K: $4

Kindergarten - Adults: $8

Family Package

A family membership package is available for any size of family; however, they must be immediate family members and must be living in the same household (unless a family member is in college and claimed as a dependent).

1 + 1 Package

The 1 plus 1 membership package is ideal for two immediate family members both desiring to purchase a pool membership without paying for two individual memberships or one family membership. The two family members who purchased the package must stay the same throughout the year and must be immediate family members living in the same household (unless a family member is in college and is claimed as a dependent).

Individual Package

The individual membership package is for an individual of any age. This package is most often used by individual adults and by parents for their child, who will utilize the individual membership more than the entire family would use a family membership. Individual packages are non-transferable.

Family and 1 plus 1 memberships are available for only immediate family members living in the same household. Individuals 21 years of age or older, or individuals who have earned a college degree but are under 21 years of age, are considered their own household/family. Babysitters and visiting relatives are not considered immediate family members.

Pool Memberships Resident & Non-Resident

Applicable Dates	Resident Family	Resident Individual	Resident 1 + 1	Non-Resident Family	Non-Resident Individual	Non-Resident 1+1
June 1 - August 31	*$220*	*$120*	*$200*	*$270*	*$150*	*$250*
**Babysitter Pass - Summer Only*	*$40*	NA	NA	NA	NA	NA
June 1 - May 31	*$400*	*$200*	*$320*	*$475*	*$250*	*$380*
September 1 - May 31	*$300*	*$150*	*$240*	*$375*	*$185*	*$300*
December 1 - May 31	*$200*	*$100*	*$175*	*$275*	*$140*	*$220*

Public swim, lap swim and senior swim are included in pool memberships. Water Aerobics classes are not included in pool memberships.

Carroll Aquatic Center

3 slides, 3 diving boards, Lily Pads

Membership Fees

Daily Admission (Kids 3yo & younger are free)	FREE
Daily Admission (4 years & older)	$7.00
Family Membership	$200.00
Single Membership (4 years & older)	$100.00
Caregiver (Add babysitter/grandparent to any season pass **Must be 16 years and older to add caregiver to a membership**)	$30.00
Bulk Rate (100 Punches) **Purchased bulk punches will expire at the end of the season and will not carry over to the next year**	$475.00

Definition of Family
A family is defined as all immediate family members residing at the same address. This includes children legally supported by mother; father or legal guardian (must show proof of guardianship if requested by Recreation Staff). Anyone else will need to purchase a single season pass or pay daily admission or get a Caregiver pass for an additional $30.00.

Kids under 10
Youth under the age of 10 are not allowed in the facility independently and must be actively supervised by someone at least 16 years of age. The supervising person must come to the pool and will pay admission or have a membership.

Denison Aquatic

6 lane indoor pool, basketball. Sauna & hot tub, Diving board, 2 slides, Children's pool, splash pad.

Family Season Ticket

Consists of 6 total individuals who have the same principal place of residence. Must have at least 1 named adult (no more than 3 - with the exception of a dependent college student for the duration of 4 years). Additional youths (0-18, or a dependent college student) may be added for an additional $10 each, with a maximum of 10 individuals per pass. To add additional members over the 6 initial members, you must contact the Denison Aquatic Center.

12 Month	- 100y	N/A	$289.00 Res, $289.00 Non-Res
3 Month	- 100y	N/A	$129.00 Res, $129.00 Non-Res

Couple Season Ticket

This is defined as, "an adult and his or her spouse, who has the same principal place of residence.

Membership	Ages	Grades	Fees
12 Month	18y - 59y	N/A	$219.00 Res, $219.00 Non-Res
3 Month	18y - 59y	N/A	$99.00 Res, $99.00 Non-Res

Adult Individual Season Ticket

Between the ages of 18-59.

12 Month	18y - 59y	N/A	$149.00 Res, $149.00 Non-Res
3 Month	18y - 59y	N/A	$79.00 Res, $79.00 Non-Res
10 Punch Pass (10 Scans)	18y - 59y	N/A	$47.50 Res, $47.50 Non-Res

Senior Individual Ticket

Must be 60+.

12 Month	60y and up	N/A	$189.00 Res, $189.00 Non-Res
3 Month	60y and up	N/A	$89.00 Res, $89.00 Non-Res

Denison Aquatic Center Continued

Senior Couple Season Ticket

This is defined as, "an adult and his or her spouse, who has the same principal place of residence. Both must be 60+.

12 Month	60y and up	N/A	$189.00 Res, $189.00 Non-Res
3 Month	60y and up	N/A	$89.00 Res, $89.00 Non-Res

Youth Season Ticket

Ages between 6-17.

12 Month	6y - 17y	N/A	$139.00 Res, $139.00 Non-Res
3 Month	6y - 17y	N/A	$69.00 Res, $69.00 Non-Res
10 Punch Pass (10 Scans)	6y - 17y	N/A	$37.50 Res, $37.50 Non-Res

5 and under

10 Punch Pass (10 Scans)	- 5y	N/A	$7.50 Res, $7.50 Non-Res

Individual (all Ages)

Membership	Ages	Grades	Fees
1 Month	and up	N/A	$30.00 Res, $30.00 Non-Res

Outdoor pool

2 slides, children's play area

FAMILY SEASON PASS (up to 5 members)
$140.00
*Each additional member $20.00

INDIVIDUAL SEASON PASS
$ 65.00

SHORT TERM PASSES (Punch Cards)- 10 days
10 Days – $40.00

DAILY PASSES
Daily – $5.00

Spenser Aquatic Center

Bacon Aquatic Center

Cherokee

2 slides, 2 diving boards,

Kids play area

Outdoor only

Rates

Base Season Pass (2 members- must reside in same household)	$135
Each additional family member (must reside in same household)	$10
A single (1) Caregiver may be added on a family pass but must always accompany children when using pass and must be at least 14 years old.	$10
Single Season Pass	$75
10 Punch Ticket	$60

Daily Admission

Ages 3 and up	$7
Ages 2 and under	Free with paid adult
Viewers Fee	$2.00
Lap Swim	$1.00 (12:00pm - 1:00pm M-F, not included in season passes, must be 18+)

Alta Pool

Admission

Daily Fee: $3.00 (per individual)

Single Season Pass: $55.00

Family Season Pass: $100.00 *(Only includes family members that can be claimed on the same tax return - does not include babysitters, cousins, or grandparents.)*

Babysitter Pass: $35.00 *(Can only be used when the children you are babysitting are with you.)*

**Babysitter will either have to purchase his/her own pass or pay everyday if she/he does not have a family pass.*

IMPORTANT: Children under the age of 10 MUST be supervised by a responsible person (Age 14+). Infants (not potty trained) must have diapers in baby pool. Parents, please go over pool rules with your children. Rules need to be followed in order to have a safe pool.

Admission Prices

- Children Under 2 – Free, Single Daily Admission – $8.00, Special Events (Night Swim) – $8.00

Season Passes

- Single – $110.00, Family (4 members of the same family) – $200.00, Additional (member of the same family) – $25.00, A Single (1) Caregiver may be added on a family pass-they must always accompany children when using the pass and must be at least 14 years old – $25

SAC CITY AQUATIC CENTER

2 slides, lap lanes, kiddie play area

Rosedale Rapids Aquatic Center Fort Dodge

5 slides, diving boards, lazy river, outdoor only

2023 Rosedale Season Pass Prices

All prices are subject to change if needed at any point

Pass Fees:
Individual Swim Pass: $110
Family Swim Pass: $260
Fitness Pass: $80
Fitness Pass Additional Member (Spouse): $50

2023 Rosedale Daily Prices

All prices are subject to change if needed at any point

Daily Fees:
Daily (5 & older): $7
Come & Go Daily: $9
10 Daily Punch Card: $55
Deck Fee: $3
Fitness: $5
Aquacise: $5
Aquacise 10 Punch Card: $40
Locker Rent: $5 for a padlock; Free if bringing own padlock

Other Rosedale Fees

All prices are subject to change if needed at any point

Swim Lessons:
Swim Lessons: $42
(8, 30-45min lessons, group swim lessons)
Private Swim Lessons: $70
(4, 30min lessons, 1:1 with instructor)

Rentals:
Private Pool Rental: $650
(all 3 pools, 2 hours)
Shade Structure: $30
(during Open Swim hours)

**Rosedale Rapids swim lessons programs and are not affiliated with any other programs and/or organizations. Measures and activities contained in Rosedale Rapids Swim Lessons are a combination of commonly held and time-proven swimming practices, widely recognized safety measures and safety lessons, and teaching methods that have been reviewed and deemed effective.*

Waterpark/Pool/Aqua	Location	Amenities	Family Pass
Siouxnami Waterpark	Sioux Center	Indoor and Outdoor waterpark climbing wall, zip line, multiple slides,	Unlimited must reside in same household be under 21 or in college $220 Resident $270 non-resident
Carroll Aquatic	Carroll	Outdoor pool only 3 slides, 3 diving boards, lily pads.	$200 Must live at same address inlcuding if supported by legal guardian.
Denison Aquatic	Denison	6 lane indoor pool, basketball, sauna, hot tub, diving board, 2 slides, childrens play area	Up to 6 - at least 1 adult-(no more than 3 if college) Add additional for $10 each 12 months $289 3 months $129.00
Bacon Aquatic Center	Cherokee	2 slides, 2 diving boards, kids play area, outdoor pool only	Base season pass 2 members must reside in same household $135 Each additional family member must live in household $10
Spencer Aquatic Center	Spencer	Outdoor pool 2 slides, children's play area	$140 Up to 5 members each additional member $20
Alta Pool	Alta	Outdoor small pool only	$100
Sac City	Sac City	outdoor pool 2 slides, lap lanes, kiddie play area	Up to 4 members $200, each additional $25

Rosedale Rapids	Fort Dodge	5 slides, diving boards, lazy river, outdoor pool only	$260

Single Pass	Student Pass	Caregiver pass
$120 Resident $150 Non Resident		$40 Added to Resident pass only
$100 ages 4 and up		$30 Add to any season pass. Must be 16 or older
12 month -$149.00 3 month -$99.00	12 month - $139 3 month - $ 69	N/A
$75		N/A
$65		N/A
$55		$35 on any pass, only able to use when the children are present
		$25 Must be at least 14 years old and with the children you are watching.

$80

Daily rates	Specials
2 & under - Free Landlover $4 3-pre-K $4 Kindergarten to adults $8	
$7 all ages	Bulk pass 100 punches must use during current season does not carry over. $475
5 & Under $1 6-17 $4 18-59 $5 60+ -$4 Non-swimmer $2	10 punch card $7.50
Ages 2 & under Free with paid adult Ages 3 & up - $7 Land Lovers $2.00 Lap Swim $1.00	10 punch ticket $60
$5.00 all ages	10 punch ticket $40
$3 all ages	
Children 2 & under Free Ages 2 & Up $8	

4 & under -Free
5 & up $7
Daily pass- come and go $9 10 punch card $55

Staff Summary

03/18/2024
Agenda Item # F.8.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Keri Navratil City Manager

SUBJECT: **Resolution No. 41-R-2023-2024 Approving Amendment No. 1 to Subaward Agreement with IA Homeland Security and Emergency Management**

BACKGROUND: FEMA has provided official notice on February 14, 2024, to Iowa Homeland Security and Emergency Management (IAHSEM) and the City of Storm Lake (City) of the award of a Hazard Mitigation Grant for the Scout Park Lift Station Project (PROJECT).

The City has had a need and continues to have a need to make improvements to the Scout Park Lift Station to reduce and minimize the risks and damages to public and private property resulting from flooding in the sewer shed.

IAHSEM has provided the City with Amendment No. 1 to the Subaward Agreement. The City has reviewed the agreement and agrees with the terms and conditions of Amendment No. 1 to the Subaward Agreement.

FISCAL IMPACT: N/A

RECOMMENDATION: Approve Resolution No. 41-R-2023-2024Approving Amendment No. 1 to the Subaward Agreement with IA Homeland Security and Emergency Management

ATTACHMENTS:

- **Resolution No. 41-R-2023-2024 - Authorizing_Approval_Amendment_No._1_to_Subaward_Agreement_with_IAHSEM_CM**
- **HMGP-DR-4483-IA-0026 City of Storm Lake Agreement Amendment #1 (POP Amendment) Notification Letter.pdf**
- **HMGP-DR-4483-IA-0026 City of Storm Lake Agreement Amendment #1 (POP Amendment).pdf**

RESOLUTION NO. 41-R-2023-2024

RESOLUTION APPROVING AMENDMENT NO 1 TO SUBAWARD AGREEMENT WITH IA HOMELAND SECURITY AND EMERGENCY MANAGEMENT

WHEREAS, FEMA, provided official notice on February 14, 2024, to Iowa Homeland Security and Emergency Management (IAHSEM) and the City of Storm Lake (City) of the award of a Hazard Mitigation Grant for the Scout Park and Icehouse Lift Stations Project (PROJECT); and,

WHEREAS, the City has had a need and continues to have a need to make improvements to the Scout Park and Icehouse Lift Stations to reduce and minimize the risks and damages to public and private property resulting from flooding in the sewer shed; and,

WHEREAS, IAHSEM and the City entered into a Subaward Agreement on March 6, 2024, and,

WHEREAS, the original agreement contained an error regarding the performance period of the grant; and,

WHEREAS, IAHSEM has provided Amendment No. 1 which corrects this error and makes the completion date of the project January 1, 2027.

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

SECTION 1. The City Council hereby approves Amendment No. 1 to the Subaward Agreement with IAHSEM.

SECTION 2. The City Council hereby directs the Mayor to sign and date Amendment No. 1 to the Subaward Agreement and the Clerk to attest and date the Mayor's signature and then provide the agreement to IAHSEM.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA ON THIS 18TH DAY OF MARCH 2024.

SIGNED

____

Michael Porsch, Mayor

ATTEST

____

Mayra A. Martinez, City Clerk

March 7, 2024

Keri Navratil
City Manager
City of Storm Lake
PO Box 1086
Storm Lake, IA, 50588

SUBJECT: **HMGP DR-4483-IA-0026**
Storm Lake – Wastewater Infrastructure Mitigation Project.

Dear Keri Navratil,

An amendment has been made to the period of performance end date on your Subaward Agreement. I have included one original subaward amendment for your review, approval and signature.

Please scan and email the signed copy to your project officer (Carol Tomb, carol.tomb@iowa.gov) and mitigation finance officer (Danielle Simmons, danielle.simmons@iowa.gov).

We will scan the fully executed amendment into EMGrantsPro for your access.

If you have any questions or need assistance, please do not hesitate to call me at 515-314-9692 or e-mail me at danielle.simmons@iowa.gov.

Sincerely,

Danielle Simmons
Digitally signed by Danielle Simmons
Date: 2024.03.07 13:58:39 -06'00'

Danielle Simmons
Mitigation Finance Officer

Enclosure

Amendment Number One

SUBAWARD AGREEMENT

Between

Iowa Department of Homeland Security and Emergency Management (HSEMD)

And

City of Storm Lake

GRANT AGREEMENT NO: HMGP-DR-4483-IA-0026
PROJECT TITLE: Storm Lake – Wastewater Infrastructure Mitigation Project
PERFORMANCE PERIOD START DATE: 02/14/2024
PERFORMANCE PERIOD END DATE: 01/01/2027

This is Amendment Number One to the above-referenced Subaward Agreement (AGREEMENT) between Iowa Department of Homeland Security and Emergency Management (HSEMD) and the City of Storm Lake (SUBRECIPIENT). The original AGREEMENT was executed on 03/06/2024.

Page 4 of 12, III. Period of Performance, paragraph 1, of said AGREEMENT is amended to read:

The approved Period of Performance for this subaward is from ***02/14/2024 through 01/01/2027***. All work must be completed prior to the end of the Period of Performance. HSEMD will not reimburse the SUBRECIPIENT for costs that are obligated or incurred outside of the Period of Performance.

All other paragraphs in said AGREEMENT remain unchanged.

IN WITNESS WHEREOF, HSEMD, the SUBRECIPIENT, and the AUTHORIZED REPRESENTATIVE have executed this AGREEMENT by the signatures of authorized persons of the entities and on the date indicated below:

Iowa Department of Homeland Security and Emergency Management:

____
Dennis Harper
Alternate GAR

____
Date

City of Storm Lake:

____
Mike Porsch
Mayor

____
Date

____
Authorized Representative (optional)

____
Date

Staff Summary

03/18/2024
Agenda Item # F.9.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO: Honorable Mayor & Council

FROM: Matt Beckman Public Works Director

SUBJECT: **Resolution No. 42-R-2023-2024 Approving Construction Contract and Bond For The Construction of Storm Lake Elevated Water Tower No. 5.**

BACKGROUND: Bid were received for Elevated Water Tower No. 5 project on Thursday, February 22, 2024, and opened at 2:00 pm. Three bids were received for the project. A detailed bid tabulation is attached.

The low base bid of $6,624,000.00 from Landmark Structures is below the Engineer's Estimate of cost of $6,691,015.00. ISG has worked with Landmark Structures on a similar project and Landmark Structures has proven to be responsive and competent. Additionally, ISG has confirmed that the bid from Landmark Structures is complete and thorough.

FISCAL IMPACT: The project will be funded through the Iowa Drinking Water State Revolving Loan Fund (SRF). The SRF is a low interest loan over a 20-year term and a portion of the revenues generated from customer waste rates are dedicated toward the annual SRF loan payment. The Tower No. 5 SRF loan payment has already been accounted in the City's current water rate structure.

RECOMMENDATION: Approve Resolution No. 42-R-2023-2024 Approving Construction Contract and Bond For The Construction of Storm Lake Elevated Water Tower No. 5.

ATTACHMENTS:

Engineers Recommendation - ISG
Resolutgion No. 42-R-2023-2024 - Resolution Approving Construction Contract and Bond for Water Tower No. 5.docx

FEBRUARY 23, 2024

Mr. Matt Beckman
City of Storm Lake
620 Erie Street
Storm Lake, IA 50588

ISG

RE: RECOMMENDATION OF AWARD, ELEVATED WATER TOWER NO. 5

Dear Mr. Beckman,

Bids were received for the Storm Lake Elevated Water Tower No. 5 project on Thursday, February 22, 2024 and opened at 2:00 pm. Three bids were received for the project. A detailed bid tabulation is attached, and a summary is provided below:

CONTRACTOR		BASE BID
Landmark Structures I, LP	Fort Worth, TX	$ 6,624,000.00
Phoenix Fabricators & Erectors, LLC	Avon, IN	$ 7,392,098.00
CB&I Storage Tank Solutions, LLC	Plainfield, IL	$ 8,175,000.00
ENGINEER'S ESTIMATE		$ 6,691,015.00

The low base bid of $6,624,000.00 from Landmark Structures is below the Engineer's Estimate of cost. ISG has worked with Landmark Structures on a similar project and Landmark Structures has proven to be responsive and competent. Additionally, ISG has confirmed that the bid from Landmark Structures is complete and thorough. Therefore, ISG recommends accepting the low Base Bid of $6,624,000.00 and award the construction contract to Landmark Structures I, LLP of Fort Worth, TX.

If there are any questions regarding this recommendation, please contact us at 712.732.7745.

Sincerely,

Lenny Larson, P.E.
Water/Wastewater Group Leader
Lenny.Larson@ISGInc.com

Tom Grafft
Water/Wastewater Group Leader
Tom.Grafft@ISGInc.com

Encl: Bid Tabulation

ISG

Bid Tabulation

ELEVATED WATER TOWER NO. 5

Storm Lake, Iowa

Project Number: 26311

Bid Letting Time + Date: 2:00 p.m., February 22, 2024

Bid Letting Location: Storm Lake City Hall, 620 Erie Street, Storm Lake, Iowa

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE ACCOUNT OF BIDS RECEIVED. Date: 02/23/2022 License Number: 24128				LANDMARK STRUCTURES I, LP FORT WORTH, TX		PHOENIX FABRICATORS & ERECTORS, LLC AVON, IN		CB&I STORAGE TANK SOLUTIONS, LLC PLAINFIELD, IL		ENGINEER'S ESTIMATE	
Item No.	Construction Item	Unit	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	ELEVATED WATER TOWER NO. 5	LS	1	$ 6,624,000.00	$ 6,624,000.00	$ 7,392,098.00	$ 7,392,098.00	$ 8,175,000.00	$ 8,175,000.00	$ 6,691,015.00	$ 6,691,015.00
	Total Construction Cost			$	6,624,000.00	$	7,392,098.00	$	8,175,000.00	$	6,691,015.00

RESOLUTION NO. 42-R-2023-2024

RESOLUTION APPROVING CONSTRUCTION CONTRACT AND BOND FOR THE STORM LAKE ELEVATED WATER TOWER NO. 5

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, STATE OF IOWA:

That the construction contract and bond executed and insurance coverage for the construction of certain public improvements described in general as the Storm Lake Elevated Water Tower No. 5, and as described in detail in the plans and specifications heretofore approved, and which have been signed by the Mayor and Clerk on behalf of the City be and the same are hereby approved as follows:

Contractor: ____________________________ of ________________________________

Amount of bid: ____

Bond surety: ____

Date of bond: ________________________________

Portion of project: All construction work

PASSED AND APPROVED this 18th day of March, 2024.

____
Michael Porsch, Mayor

ATTEST:

____
Mayra A. Martinez, City Clerk

Staff Summary

03/18/2024
Agenda Item # F.10.

City of Storm Lake
PO Box 1086
Storm Lake, IA 50588
p (712) 732-8000
f (712) 732-4114

REPORT TO:	Honorable Mayor & Council
FROM:	Mayra Martinez City Clerk
SUBJECT:	**City Council Requested Items / City Council Updates**
BACKGROUND:	1. Recreational Vehicles/Trailers Parking on City Street - Date Pending 2. Sign Ordinance - Date Pending 3. Animal Strays and Animal Shelters - April 8, 2024 - Storm Lake High School Auditorium
FISCAL IMPACT:	
RECOMMENDATION:	
ATTACHMENTS:	