

## NOTICE AND CALL OF COUNCIL MEETING

Governmental Body:	The City Council of the City of Orange City, Iowa
Date of Meeting:	March 21, 2022
Time of Meeting:	4:30 o'clock P.M.
Place of Meeting:	Council Chambers, City Hall, 125 Central Ave SE Orange City, Iowa


PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. Financial report
7. Monthly bills
8. Can and bottle redemption center request
9. Vacation of utility easement
  - Public hearing
  - Resolution approving vacation of utility easement
10. Amend the City Code of Ordinances: Chapter 160, Floodplain Management
  - Public hearing
  - Consider Ordinance No. 835

11. Engagement Agreements with Ahlers & Cooney for Urban Renewal plans and Capital Loan Notes
12. MOC-FV Elementary School Urban Renewal Plan
  - Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed MOC-FV Elementary School Urban Renewal Plan for a proposed Urban Renewal Area in the City of Orange City, State of Iowa
13. Commercieel Centrum Urban Renewal Plan
  - Resolution determining the necessity and setting dates of a consultation and a public hearing on a proposed Commercieel Centrum Urban Renewal Plan for a proposed Urban Renewal Area in the City of Orange City, State of Iowa
14. Not to Exceed \$500,000 Taxable General Obligation Annual Appropriation Capital Loan Notes
  - Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City there under
15. Procurement Policy amendment
16. 7<sup>th</sup> Street N resurfacing funding application
17. SW Well Pipeline Engineering Services Agreement
18. Liquor license renewal application
19. Alton annexation agreement
20. Administrative reports
21. Council comments
22. Adjournment

Council Meeting  
March 21, 2022  
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This notice is given at the direction of the Mayor pursuant to Chapter 28A, Iowa Code, as amended, and the local rules of said governmental body.



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Janet Brown, City Clerk of the  
City of Orange City, Iowa

COUNCIL MEETING  
AGENDA NOTES  
March 21, 2022

1. The meeting will be called to order by Mayor Deb De Haan at 4:30 o'clock P.M.
2. Opening ceremonies. Pledge of Allegiance to our flag and a moment of silent prayer.
3. The agenda was prepared, posted and distributed in accordance with requirements of the Iowa Open Meeting Act.
4. This time is provided for citizen comments. It is suggested that if someone wishes to speak, we also ask for their residence. This time is intended for residents in the City limits.
5. The minutes of the March 7, 2022 council meeting are enclosed for your review. Exhibit 1
6. The monthly financial report represents cash balances for all funds. Exhibit 2
7. A Summary of Warrants report listing bills from February 22, 2022 through March 21, 2022 is enclosed for your review. Exhibit 3
8. Sarah Weber has requested the opportunity to share a plan to address the need for can and bottle redemption in Orange City. Tonya Venema has been managing the redemption center in Orange City and has decided to discontinue at the end of March. There are many difficult challenges with running a redemption center and there is currently a bill being considered in the Iowa Legislature to address this concern. Sarah has held conversations with Mark, Mayor De Haan and I regarding the challenge. It is staff opinion that we meet our legal responsibility for refuse collection with our contract with Orange City Sanitation. A can and bottle redemption center is not within the scope of the City's duties and is best managed by a private entity or a non-profit that meets the need. Exhibit 3A
9. In order for the vacation of the utility easement in Lot 5, Industrie Centrum, 6<sup>th</sup> Addition to be recorded at the Courthouse it must be vacated by resolution. The Council can consider the action to vacate after the public hearing. Exhibit 4
10. In order to meet the requirements of the new FEMA guidelines we need to amend Chapter 160, Floodplain Management, Sections 160.03, 160.04, and 160.05. After the public hearing the City Council will consider Ordinance No. 835 reflecting the required changes and has the right to wave the second and third readings.
11. We are asking for approval to utilize Ahlers Cooney Law Firm to help us create and develop two of Orange City's Urban Renewal Plans and help us with the loan documents and proceedings relating to the \$500,000 dollar note with Northwest REC.
12. It is necessary to set a date and time for a public hearing for the MOC-FV Elementary School Urban Renewal Plan. The purpose of the Urban Renewal Plan is to support the growth of the property around the new elementary school, through the utilization of TIF. Part of the process to adopt this plan is to have a consultation meeting with our local county and school officials. We are planning on this meeting to be held on March 28<sup>th</sup> at 1pm in City Hall. We are asking the public hearing to be held on April 18<sup>th</sup>. Exhibit 5
13. It is necessary to set a date and time for a public hearing for the Commercieel Centrum Urban Renewal Plan. The purpose of the Urban Renewal Plan is to support the growth of the property on the east side of our city limits (Nyhof Property) through the utilization of TIF. Part of the process

to adopt this plan is to have a consultation meeting with our local county and school officials. We are planning on this meeting to be held on March 28<sup>th</sup> at 1pm in City Hall. We are asking the public hearing to be held on April 18<sup>th</sup>. Exhibit 6

14. This is a resolution setting the date for a public hearing on the loan with Northwest REC. The loan details are exactly the same as the loan we did in the fall with the exception of the dollar amount. The loan is for \$500,000 and has a zero percent 10-year payback. These funds will go towards the MOC-FV School infrastructure project. We are asking to set a public hearing for April 18<sup>th</sup>.
15. The City is working with FEMA regarding the fire truck that they were awarded. To complete the funding agreement with FEMA, we need to update our procurement policy to meet the federal standards of today, which is attached. This policy will be an addendum to our existing purchasing policy, which will still give us local preference as a determining factor in our decisions that do not involve federal funds. Exhibit 7
16. The DOT has a funding program available to help with road projects for counties and larger cities in the northwest Iowa region. We plan to submit an application to resurface 7<sup>th</sup> St N, from Ohio/Ironwood Ave to Frankfort Ave. The work would take place in 2026 and is estimated at \$1.7 million. Our application requests 50% funding, with the balance to be cost-shared between the City and Sioux County.
17. DGR Engineering has provided an agreement detailing their scope of services and costs to design and administer the well pipeline project. The total fees are \$786,000 and includes much of the design work already completed. The project cost estimates presented at the last council meeting include these costs.
18. We have received a renewal application for a Class E Liquor License as submitted by Don's Food Center. Everything is in order.
19. Alton has requested a response to their counteroffer regarding the southeast 4.5 acre parcel of the school development, the 13,000 cubic yards of soil, and moving the north annexation boundary by one quarter section.
20. Administrative reports:

Scheduled Meetings:

April 4	Council Meeting, 4:30 P.M.
April 18	Council Meeting, 4:30 P.M.
May 2	Council Meeting, 4:30 P.M.
May 16	Council Meeting, 4:30 P.M.
May 19-21	Tulip Festival

**If you would like additional information about an agenda item or another issue, that would help you or the Council as a whole, please feel free to let me know so I can either get it to you by email or by report at the meeting.**

**Earl Woudstra**  
**City Office** 712-707-4885  
**Cell phone** 712-737-7115  
**Email** earlw@orangecityiowa.com

Council Meeting  
March 7, 2022

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on March 7, 2022. A quorum was declared by Mayor Pro-Tempore Steve Roesner. The meeting was held in the Council Chambers, City Hall, 125 Central Ave SE, Orange City, Iowa.

Members Present: Council members Aaron Beadner, Rod De Boer, Daron De Jong, and Tony Vande Brake

Members Absent: Mayor Deb De Haan

Staff: Earl Woudstra, Janet Brown, Mark Gaul, Kent Anderson, Kurt Frederes, Jim Pottebaum, and Matt Van Schouwen.

Guests: Doug Calsbeek, Dan Nebelsick, Nathan Brandenburg, Tunis Vollink, and Mike Hofman

Agenda: A motion was made by Council member Rod De Boer and duly seconded by Council Member Tony Vande Brake approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Tony Vande Brake, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

Citizens Comments: This time was provided for citizen comments and none were heard.

Approval of Minutes: The minutes of the February 21, 2022 council meeting were presented. A motion was made by Council member Aaron Beadner and duly seconded by Council member Daron De Jong approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Daron De Jong, Rod De Boer, Steve Roesner, Tony Vande Brake; NAYS: None.

Vacation of Street: This being the time and place as advertised a public hearing was held to consider the vacation of Lincoln Place SE in the Orange City Industrial Addition located south of Hwy 10 (8<sup>th</sup> Street SE) between the Sioux County ASCS office and Dutch Inn and Suites. The Mayor Pro-Tempore opened the public hearing. Kurt Frederes reported on the process of vacating the street. Tunis Vollink, who lives at 711 9<sup>th</sup> Street SE, directly behind this area asked about the reason for the vacation and the possible future development. Kurt and Mark Gaul responded this action will vacate the street and create an 87' x 225' deep lot to be marketed as Highway Commercial. There were no other questions or comments. No written objections were filed. The Mayor Pro-Tempore then closed the time for the public hearing.

A motion was made by Council member Aaron Beadner and duly seconded by Council member Tony Vande Brake adopting a resolution approving the vacation of Lincoln Place SE in the Orange City Industrial Addition located between the Sioux County ASCS office and Dutch Inn and Suites. On call of the roll motion carried. The vote was as follows: AYES: Aaron Beadner, Tony Vande Brake, Rod De Boer, Daron De Jong, Steve Roesner; NAYS: None. The resolution was assigned number 3-7-22-1994 and appears in the official resolution book.

Public Hearing on the 2022-2023 Fiscal Year Budget: This being the time and place as advertised a public hearing was held to consider the adoption of the 2022-2023 fiscal year budget. The Mayor Pro-Tempore opened the public hearing. Kent Anderson reported on the process to approve the budget. No one was heard speaking for or against the proposed budget. No written objections were filed. The Mayor Pro-Tempore then closed the time for the public hearing.

A motion was made by Council member Tony Vande Brake and duly seconded by Council member Daron De Jong adopting a resolution approving the 2022-2023 fiscal year budget. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner; NAYS: None. The resolution was assigned number 3-7-22-1995 and appears in the official resolution book.

Southwest Well Pipeline Material Bids: This being the time and place as advertised a public hearing was held to consider the plans, specifications, form of contract and estimate of costs for the Southwest Well Project pipeline material bids. Dan Nebelsick, representing DGR, and Matt Van Schouwen reported on the process and bids received. The recommendation is to approve the bid for the 16" pipeline, which will maximize the capacity out of the 3 existing wells at this site and provide redundancy in pipe to the water plant. Steve questioned the estimate of water source below the existing wells. Dan responded he is not worried about the quantity, the quality could be affected when drawing a lot more water from the area, but there are ways to treat the water if that happens. The Mayor Pro-Tempore opened the public hearing, and no one was heard speaking for or against the proposed material bids. No written objections were filed. The Mayor Pro-Tempore then closed the time for the public hearing.

The Council considered the bids which were opened on March 3. Upon recommendation of management, a motion was made by Council member Tony Vande Brake and duly seconded by Council member Rod De Boer awarding the bid to Lincoln Winwater from Lincoln, NE for \$2,930,702 for the 16" pipe. On call of the roll motion carried. The vote was as follows: AYES: Tony Vande Brake, Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None.

Set Date for Public Hearing to Amend the City Code of Ordinances: Chapter 160, Floodplain Management: A motion was made by Council member Daron De Jong and duly seconded by Council member Aaron Beadner setting 4:30 o'clock P.M. on March 21, 2022 as the time for a public hearing to consider amending the City Code of Ordinances: Chapter 160, Floodplain Management. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Aaron Beadner, Rod De Boer, Steve Roesner, Tony Vande Brake; NAYS: None.

Set Public Hearing for Vacation of Easement: A motion was made by Council member Rod De Boer and duly seconded by Council member Tony Vande Brake adopting a resolution proposing to vacate an easement located in Industrie Centrum 6<sup>th</sup> Addition, a replat of Lots 4 and 5 of Industrie Centrum 3<sup>rd</sup> Addition, and setting 4:30 o'clock P. M. on March 21, 2022 as the time for a public hearing to consider this easement vacation. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Tony Vande Brake, Aaron Beadner, Daron De Jong, Steve Roesner; NAYS: None. The resolution was assigned number 3-7-22-1996 and appears in the official resolution book.

Real Estate Purchase: Ag Partners LLC has offered two small parcels (tax parcels 2305202001 and 2305201003) located along Industrial Way for the purchase price of \$10. The purchase is contingent upon Ag Partners removing all remaining above-ground improvements and concrete from tax parcel 235126005. A motion was made by Council member Daron De Jong and duly seconded by Council member Rod De Boer approving the purchase of these two parcels upon the completion of the contingency. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner; Tony Vande Brake; NAYS: None.

School Area Development Naming: Prior to completing the final plat for the housing development surrounding the new MOC-FV elementary school, we need to have a name for the development. We are working with Spireworks to inform the public that we would welcome suggestions. We will accept suggestions through April 15. The City Council will make the final decision on a name prior to the final plat approval. It was the consensus of the Council to proceed with this concept. No official action was taken.

Disposal of City Property/Trade Agreement with Alton Discussion: The City of Alton has requested the opportunity to secure a small portion of the school development property on the far southeast corner of the development. They would also request that 13,000 cubic yards of soil remain on the site. (Current estimate of 30,000 cubic yards on the pile). In exchange the City of Orange City would receive additional territory lying north of Highway 10 for future annexation. The Council briefly discussed this concept. Anyone with comments, questions, or concerns should get those to Earl. The plan will be to begin the property disposal process at the next meeting. No official action was taken.

Sioux County Trails Update: The Sioux County Trails Association is continuing their efforts to connect Sioux Center, Sandy Hollow Recreation Area, and Orange City by trail. On Thursday, March 3 representatives from the county, the trails committee, Sioux Center and Orange City met to discuss potential easements and long-term maintenance and repairs for this trail. The suggestion is to create a 28E Agreement that outlines each partners responsibility and seek assistance from the Sioux County Conservation Board for trail upkeep. Aaron Beadner questioned if it will be an equal split for maintenance or use a formula based on population. Earl responded they didn't go into detail about that yet. Steve suggested including Alton in this discussion; would like to see the trail loop around to the Dunlop Wildlife Area and Puddle Jumper Trail. The Council gives general support to the concept. No official action was taken.

Community Betterment Board Funding Recommendations A motion was made by Council member Rod De Boer and duly seconded by Council member Aaron Beadner approving the recommendations of the Community Betterment Board to fund \$20,000 towards the new Puddle Jumper Park and \$17,500 towards digital marketing for the Chamber/Vibrant OC Committee. They will transition away from the highway billboards. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Aaron Beadner, Daron De Jong, Steve Roesner, Tony Vande Brake; NAYS: None.

Administrative Reports:

Scheduled Meetings:

March 21	Council Meeting, 4:30 P.M.
April 4	Council Meeting, 4:30 P.M.
April 18	Council Meeting, 4:30 P.M.
May 2	Council Meeting, 4:30 P.M.
May 16	Council Meeting, 4:30 P.M.
May 19-21	Tulip Festival

Oral reports: Earl shared the pickleball courts fence is finished; reviewing wages with Mitch and Noah on park and pool staffing; good feedback about the Puddle Jumper Park, waiting on final design from Beck Engineering, waiting for lease agreement with Vogel's to consider a dog park and disc golf; waiting for updates on other projects (14<sup>th</sup> Street, 19<sup>th</sup> Street, and Nyhof) from Beck Engineering. Kurt reported that P&Z is meeting to discuss a new mixed-use overlay, Nyhof property plat and new school district plat.

Council Comments: The Mayor Pro-Tempore called for comments from members of the Council and none were heard.

Adjournment: No further business appearing it was therefore moved by Council member Daron De Jong and duly seconded by Council member Rod De Boer to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Rod De Boer, Aaron Beadner, Steve Roesner, Tony Vande Brake; NAYS: None. Adjournment time was 6:02 o'clock P.M.

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Steve Roesner, Mayor Pro-Tempore

ATTEST: \_\_\_\_\_  
Janet Brown, City Clerk



## TREASURER'S MONTHLY REPORT

Exhibit 2

City of Orange City, Iowa

Month Ended FEBRUARY 28, 2022

	On Hand Last Report	Received	Disbursed	Clerk's Balance	O/S Checks	Treas. Balance
General	\$ 2,169,837.92	\$37,992.84	\$337,124.51	\$ 1,870,706.25	\$435,394.31	\$2,306,100.56
Library	345,884.85	\$38,500.00	\$43,207.74	341,177.11	\$14,851.54	\$356,028.65
USDA- IRP Loan	90,925.81	\$3,375.02		94,300.83		94,300.83
Cemetery Fund	40,750.52	4,500.00	3,202.35	42,048.17		42,048.17
Cemetery Fund- Perpetual Care	123,521.97	225.00		123,746.97		123,746.97
USDA- Revolving Loan Fund	273,228.33			273,228.33		273,228.33
Road Use Tax	1,016,727.01	69,086.08		1,085,813.09		1,085,813.09
Hotel/Motel Sales Tax	186,828.66	6,797.44	20,462.24	173,163.86		173,163.86
<b>Tax Increment Financing</b>						
Event Center TIF	26,332.32			26,332.32		26,332.32
Housing TIF	297,674.34	3,304.65		300,978.99		300,978.99
Industrial Park TIF	255,333.26	1,091.66		256,424.92		256,424.92
Hawkeye TIF	22,060.14	806.58		22,866.72		22,866.72
Debt Service	1,015,661.68	5,346.15		1,021,007.83		1,021,007.83
<b>Capital Projects:</b>						
Hawkeye Capital Project	149,747.66			149,747.66		149,747.66
Event Center Capital Project	384,653.77			384,653.77		384,653.77
Housing Capital Project	31,430.21			31,430.21		31,430.21
Industrial Park Capital Project	4,189.12			4,189.12		4,189.12
14th Street Extension Project	(8,155.00)		28,651.25	(36,806.25)		(36,806.25)
School Project- MOC-FV	(2,229,782.47)		29,915.93	(2,259,698.40)		(2,259,698.40)
Stoplight Project- Hwy 10	(235,220.01)		206,275.97	(441,495.98)		(441,495.98)
Puddlejumper Trail Park Project	(25,920.00)		12,536.50	(38,456.50)		(38,456.50)
18th Street - RISE Project	(29,890.00)		25,335.00	(55,225.00)		(55,225.00)
Payroll Clearing	44,184.61	101,218.83	102,584.97	42,818.47	2,923.01	45,741.48
Electric	2,141,147.28	653,161.77	575,578.63	2,218,730.42	8,372.13	2,227,102.55
Water	645,184.66	92,137.60	107,293.41	630,028.85	58,568.09	688,596.94
Sale of OC Comm.	205,111.60			205,111.60		205,111.60
Sewer	2,346,688.15	118,177.64	55,372.79	2,409,493.00	26,000.00	2,435,493.00
Gas	730,358.35	486,535.82	470,164.08	746,730.09	1,123.01	747,853.10
<b>Total</b>	<b>\$ 10,018,494.74</b>	<b>\$1,622,257.08</b>	<b>\$2,017,705.37</b>	<b>\$9,623,046.45</b>	<b>\$547,232.09</b>	<b>\$10,170,278.54</b>

INVESTMENTS		
FUND	This Report	Last Report
General	\$40,000	40,000
Library	-	-
Debt Service	-	-
Road Use Tax	-	-
Event Center	-	-
<b>Electric:</b>		
Bond & Interest Sinking Fund	270,000	270,000
Bond & Interest Reserve Fund	275,000	275,000
Capital Reserve Fund	455,000	455,000

**Water:**

Bond & Interest Sinking Fund  
Bond & Interest Reserve Fund  
Capital Reserve Fund

**Sewer:**

Bond & Interest Sinking Fund 20,000 20,000  
Bond & Interest Reserve Fund  
Capital Reserve Fund

**Gas:**

Bond & Interest Sinking Fund  
Bond & Interest Reserve Fund  
Capital Reserve Fund

Total

\$1,060,000	\$1,060,000
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**FUNDS INVESTED IN:**

	Amount	%	Max %
0.4000 Certificates of Deposit	1,000,000	94.3	100
0.0100 IA Public Agency Investment Trust	60,000	5.7	50
Total Funds Invested	\$1,060,000	100.0	

**MATURITIES:**

	Amount	%	Min %
Under 40 days	60,000	5.7	10.0
Under 90 days	60,000	5.7	20.0
Under 270 days	60,000	5.7	50.0
Under 1 year	1,060,000	100.0	90.0
*Under 18 months	1,060,000	100.0	100.0

\*Bond reserve funds - invested as required or allowed by bond indentures.

  
City Treasurer

Vendor Name	Description	Net Invoice Amount
A & M LAUNDRY	Laundry Supplies	30.00
Agri Vision Equipment Group	Filters	83.51
AgState	Fuel	3,406.96
Altec Industries Inc.	Service Work on Basket & Digger Derrick	1,470.30
ALTON WELL COMPANY	Test Well Drilling	11,165.00
AMERICAN FAMILY LIFE ASSUR CO	Group Insurance	130.52
AMERICAN RED CROSS	2022 LTS Facility Fee - Pool	300.00
Aramark Inc	Supplies for Event Center	309.00
Aramark Inc	Supplies for Event Center	309.00
Aramark Inc	Supplies for Event Center	309.00
Aramark Inc	Supplies for Event Center	309.00
ARNOLD MOTOR SUPPLY	Vehicle Maintenance Supplies	994.60
Beck Engineering Inc.	Engineering Services- 14th Street	21,028.75
Beck Engineering Inc.	Survey Work	1,317.50
Beck Engineering Inc.	Zoning Maps	212.50
Beck Engineering Inc.	Engineering Services- 18th Street	18,280.00
Beck Engineering Inc.	Engineering Services- PJ Trail Park	22,235.00
Beck Engineering Inc.	Engineering Services- 7th Street	1,050.00
Beck Engineering Inc.	Lincoln Place- ROW survey	2,905.00
BOMGAARS SUPPLY	Supplies- Light Account # 14-380-0	274.63
BOMGAARS SUPPLY	Supplies - Account 14-002-0	1,797.89
BORDER STATES INDUSTRIES INC	LED Lights	13,642.50
BORDER STATES INDUSTRIES INC	LED Lights	13,107.50
BORDER STATES INDUSTRIES INC	Cable Cutting Tool- 750 MCM- RETURN	533.93-
Boyer Service	Supplies	189.05
C&H BODY REPAIR INC.	Windshield Repairs and Floor Mats for OCPD	968.79
Cannon Technologies Inc.	Software Support for AMI meters	10,850.87
Cannon Technologies Inc.	Electric Meters and Supplies	720.16
Cannon Technologies Inc.	Electric Meters and Supplies	5,105.56
Cannon Technologies Inc.	Electric Meters and Supplies	720.16
Cannon Technologies Inc.	Electric Meters and Supplies	1,276.39
Cannon Technologies Inc.	Electric Meters and Supplies	12,763.90
Cannon Technologies Inc.	AMI Meters- Commerical	2,552.78
Cannon Technologies Inc.	Meter Repair- AMI	72.23
CARDIS Fence & Iron Co.	Install Fence along the Street Shop	6,200.00
Catalyst Solutions Inc.	IT Support	2,722.01
Celebration Media Services	Amp for Windmill Park- Bandshell	725.00
CENTER SPORTS	Basketballs- Rec	100.00

Vendor Name	Description	Net Invoice Amount
CENTURY BUSINESS PRODUCTS	Toner for Printer	315.09
CHAMBER OF COMMERCE	Bonus Bucks	340.00
Cleveringa Excavating LLC	Nassau Lift Station Project- Pay Est # 5	135,635.15
Craft Central Inc.	Supplies	89.01
CULLIGAN WATER CONDITIONING	Utilities.	33.75
DEJONG OIL AND REPAIR INC	Street Truck Repairs	504.31
DGR Engineering	Traffic Signal - Hwy 10 & Lincoln	106.00
DGR Engineering	School Project- MOC Elem.	8,502.30
DIAMOND VOGEL PAINT	Paint for Barricades- Street	314.69
Direct Digital Control Inc.	Service Call Fire Station- Hot Water System	460.00
DON'S FOOD CENTER	Supplies	93.60
D-P TOOLS	Supplies for Street Shop	94.99
DUTCH BAKERY	Supplies	60.00
Dutch Heritage Boosters	Budget Amount for FY 22	7,500.00
DUTCH MILL PHARMACY	Laundry for Prairie Winds Event Center	312.98
EMC NATIONAL LIFE COMPANY	Life Insurance	728.02
ENERGY ECONOMICS INC	Gas Meter Supplies	1,729.51
FAREWAY STORES INC	Supplies- Event Center Account	41.09
FAREWAY STORES INC	Supplies- Event Center Account	74.06
Fastenal Company	Gas Meter Supplies	192.12
Fastenal Company	Locate Paint for Gas Department	192.13
Foundation Analytical Laboratory Inc.	Water Testing	549.50
Foundation Analytical Laboratory Inc.	Water Testing	441.00
GROEBNER & ASSOCIATES	Gas Meter Supplies	322.96
GROEBNER & ASSOCIATES	Gas Meter Supplies	71.49
Group Resources of Iowa LLC	Manage Health Plan	510.00
HAWKINS INC.	Chemicals	1,848.41
HAWKINS INC.	Chemicals	1,008.41
HEATH CONSULTANTS INC.	Calibrate Gas Detector	407.69
Haiman Fire Equipment	Recharge Fire Ext. OCFD	45.00
HIEMSTRA LAWN CARE	Snow Removal and Fert Plans for 2022	8,054.60
IA MUNIC FINANCE OFFICERS ASSN	Membership Dues	50.00
IMAGETEK INC	Install Imagetek on Workstation Computer	45.00
Iowa Division of Labor	Elevator Inspection and Permit for City Hall & Event Center	350.00
IOWA INFORMATION INC.	OC Magazine- Advertising	2,480.00
IOWA INFORMATION INC.	Advertising for Prairie Winds Event Center- Acct 5132	739.00
IOWA ONE CALL	Fax	37.00
JACK'S UNIFORMS AND EQUIPMENT	Police Uniforms	69.95

Vendor Name	Description	Net Invoice Amount
JACK'S UNIFORMS AND EQUIPMENT	Police Uniforms- Brent	859.25
JACK'S UNIFORMS AND EQUIPMENT	Police Uniforms	36.95
JACK'S UNIFORMS AND EQUIPMENT	Police Uniforms	154.94
JANITORS CLOSET	Dish Washer at Event Center	95.00
KLAY VELDHIJZEN BINDNER DEJONG	Legal Services	1,868.25
Koons Gas Measurement	Gas Meter Supplies	546.44
Koons Gas Measurement	Gas Meter Supplies	346.44
Koons Gas Measurement	Gas Meter	1,417.29
Kopetsky's Ace Hardware	Supplies- Account 6001	341.23
Kopetsky's Ace Hardware	Supplies- Account 6000	932.71
Kramer, Josh	Shoe Reimbursement	95.99
KSOU- AM/FM	Advertising	625.00
L&S Electric Inc.	Repairs to Substation	2,546.60
Loffler Companies. Inc.	Service Contract- Copier	340.53
Long Lines	Telephone for Event Center	390.46
Long Lines	Telephone	1,950.72
Long Lines	WiFi at Light Shop	8.95
Matheson Tri Gas Inc.	Carbon Dioxide Cylinder 10LB	40.88
Matheson Tri Gas Inc.	Welding Supplies	149.54
Matheson Tri Gas Inc.	Carbon Dioxide Cylinder 10LB	86.43
Michaels Fence & Supply	Pickle Ball Court Fencing - Vets Park	15,553.00
MIDAMERICAN ENERGY	Utilities	1,104.01
MIKE'S WELDING & REPAIR	Supplies	162.80
MISSOURI RIVER ENERGY SERVICES	AMI Meter count fee	650.20
MURPHY TRACTOR & EQUIPMENT CO.	JD Supplies- Oil	46.43
NEAL CHASE LUMBER	supplies- Build Wall for Police	3,136.52
NORTH WEST RURAL ELECTRIC COOP	Electric for PJ 5th Addition- Street Lights Acct 1269500	552.14
Northern Natural Gas	Add'l Natural Gas Capacity for OC	341,544.00
NOTEBOOM ELECTRIC	LED Lights for Electric & Gas Bldgs	4,494.39
Novaspect Inc.	Gas Meter Supplies	649.55
OLDENKAMP, KEN & MARY	Boarding of Animals for February	100.00
ORANGE CITY ARTS COUNCIL	Budget Payment for FY 21-22	20,000.00
ORANGE CITY HEALTH SYSTEM	Event Center Housekeeping Hours and Maintenance Hours	1,106.54
ORANGE CITY HEALTH SYSTEM	Fire Department - Pulmonary Function test	1,536.00
ORANGE CITY HEALTH SYSTEM	Drug Testing	30.00
ORANGE CITY HEALTH SYSTEM	Senior Rent	2,266.67
ORANGE CITY SANITATION	Extra Pickup at Sewer Plant	25.00
ORANGE CITY SANITATION	Refuse Hauling Charges	27,345.70

Vendor Name	Description	Net Invoice Amount
ORANGE CITY SANITATION	Event Center Dumpster- Acct 514710	95.20
PIZZA RANCH	Meeting Expense- Event Center	315.03
PLUIM PUBLISHING	Advertising and Supplies	2,322.74
Police Legal Sciences Inc.	Police Training	840.00
POTTEBAUM JIM	Expense Reimbursement	149.75
Premier Communications	Telephone - City Hall	447.98
Productivity Plus Account	Parts for Street Truck	4.76
Quadient Finance USA Inc.	Postage	1,000.00
R&F Van Voorst Equipment Co.	Windmill Repairs in Windmill Park	692.79
R&F Van Voorst Equipment Co.	Plastic Material for Windmill Project	64.59
RANDY'S IRON WORKS INC.	Repairs for Street & Parks Departments	752.33
REGIONAL TRANSIT AUTHORITY	Dial A Ride Expense	3,750.00
Rent All Center Inc.	Rent- Scissorlift for Street Depart	100.00
Ribbens, Larry	Credit Balance on Account	164.62
Royal Publishing Inc.	Advertising	120.00
Simmering Cory Inc.	City Code Update	126.00
Simmering Cory Inc.	City Code Update	150.00
SIoux COUNTY RECORDER	Recording Fees	61.00
SIoux COUNTY TREASURER	Property Taxes- 2nd Half	9,471.50
SIoux OIL COMPANY	Fuel	3,556.27
SOLID ROCK CONSTRUCTION	Replace springs on Overhead door at Electric Shop	345.00
Southern Sioux Co. Rural Water	Customer Hookups & Charges	600.00
Southern Sioux Co. Rural Water	2nd Budget Payment for Water Territory - 10 yrs @ 22,500 per yr for MOC FV Sch	22,500.00
Saans, Maria	Production Video for Event Center	600.00
Squireworks	Website & Social Media, Vibrant Website	3,112.50
Steffen Truck Equipment Inc	Truck Box- Vibrate	1,358.90
Stuart C Irby Co.	Gas Meter - Risers	1,060.80
Super Hi-Tech	Wireless Mouse	24.99
Super Hi-Tech	Service Call to Help with Vets Park Camera	80.00
T-C Home Furnishings	Trim for City Hall	303.96
TK Elevator Inc.	Elevator at Event Center	208.98
Town & Country Implement Inc.	Skidloader Repairs	735.73
Tulip Festival Steering Comm.	Budget Payment	10,000.00
TYLER TECHNOLOGIES INC	Tyler Software- Training	325.00
U.S. BANK INC	Event Center Supplies, IAMU Mtg, Zoning Mtg, Gas Workshop	3,021.95
Unity Point Clinic- Occ. Medicine	Drug & Alcohol Testing	126.00
Unity Point Clinic- Occ. Medicine	Drug & Alcohol Testing	42.00
USA BLUEBOOK	Water Supplies	799.97

Report dates: 2/21/2022-3/17/2022

Mar 17, 2022 08:20AM

Vendor Name	Description	Net Invoice Amount
USA BLUEBOOK	Supplies	367.13
UTILITY EQUIPMENT CO	Water Meter Supplies	1,876.72
VANDER POL EXCAVATING	Storm Sewer- Intake 5th Street SE	5,511.00
VISA/Iowa State Bank	Supplies, Books, Postage, Program Services	3,175.24
VISSER BROTHERS PLUMBING & HTG	Service Call to Sewer Plant Bldg.	232.50
WESCO DISTRIBUTION INC	Street Lights for Jay Ave- School	29,850.00
WESCO DISTRIBUTION INC	Street Lighting	480.00
Woudstra, Karen & Earl	Expense Reimbursement	56.92
Grand Totals:		877,366.34

## Structure of Can Redemption Center

Create a can redemption center board

Members of the board- one representative from each group interested in can redemption for their organizations.

Board chairperson -Terri Duistermars

\*Terri has agreed to coordinate can redemption hours, availability to the public, and organize sorting times between different non-profit groups.

Treasurer-This person has not been identified yet, but would be a paid position to keep books for the redemption, ensure distributor payments match redemption totals, and allocate funds to each non-profit.

The board plans to meet quarterly, with annual reporting.

The first few months the group will open slowly, to ensure structure is in place and all areas are organized and running efficiently. Public hours will become available once they get a structure in place.

Publicity will follow alerting the public of the change, and encourage donations of cans and bottles to area organizations.

### ESTIMATED EXPENSES

Rent \$850 monthly

Utilities \$150 monthly

Trash \$120 monthly

Can redemption bags \$1800 twice a year

(we will collect 50 cents per bag to help with the overhead of this expense)

Incidentals (cleaning products, bathroom supplies, regular trash bags )

\*Part of the quarterly meeting will be to allocate funds for these areas.

Can redemption makes one cent per container. The group hasn't decided how to allocate those funds yet, but that will be decided as the group begins collecting. The salary for the treasurer and can coordinator will come out of this, but that is still to be determined.

## City Council Proposal

### **Can Redemption Center phased re-open plan**

Can redemption is a critical piece of any community with multiple beverage distributors. Because Iowa legislature enacted the bottle bill, bottle deposits collected by retailers are only returned to consumers when used bottles are returned to stores unless there is an active redemption center in the area. This puts a tremendous burden on our local grocers. Both Fareway and Don's contribute funds monthly to the redemption center to offer the alternative to their customers, so they can keep dirty cans out of their stores. In a small community this is crucial. Most distributors only collect bottles once a week, and with six separate distributors, that means our clean grocery stores would have to find a way to house thousands and thousands of cans in their buildings, and this practice isn't sustainable.

The time and commitment that it takes to clean, organize and sort does take the effort of a separate business to maintain just the volume of cans our small town consumes.

But because of the small amount of profit margin redemption centers receive from the beverage distributors, sustaining a stand alone business does not equate to a livable wage. The only entity profiting from can deposits are beverage distributors, bringing in millions of dollars a year in unclaimed bottle deposits.

I am proposing shifting the narrative in Orange City. While can redemption as a stand alone business isn't a profitable businesses, many small groups in the area benefit tremendously from cans donated to their organization.

The Pride of the Dutchman use it as a fundraiser for band programs. Students sign up to sort, learn the value of working hard toward a goal, and many use it as the primary way they fund future band trips. The group averages between 10-14 thousand dollars a year from can redemption.

OCCS is another group that uses can redemption to fund programing in their school. It is a fourth grade service project, students sort cans, and the money helps to support activities at OCCS.

This model could work for a number of organizations in Orange City. Collecting and sorting cans that have been donated could mean a kid can participate in band, or a school can afford something extra, not worked in a budget. And the best part is that it is a teaching tool—teaching hard work can be rewarding.

But there are other pieces at play.

We recently met to see how to make this work and a few pieces are now in play.

We want to make this a non-profit center. In doing so it allows the residents of Hope Haven to continue to volunteer. The work is fulfilling to the residents, and Terri Duistermars, of Hope Haven, has committed herself as coordinator of the redemption center. Meeting with each of these groups, it was agreed there needed to be a point person in charge, scheduling, helping clean, and running the center.

We do intend to be open public hours, but we are hoping to shift the narrative to more of



a donation of cans model. It will take time and communication. We may open slowly because of this, figuring how to make it all work together. But it will operate as both a non-profit center, but also service the public for can redemption.

For public redemption a few things will be in place. We will have set hours, with specific convenient evening hours open at least once a week, allowing after work drop off. Redemption would be streamlined. We would require the use of the large plastic bags to redeem cans and plastic separately. This allows for consistency and ease of sorting for the workers. Bags would cost 50 cents to the public, but can hold a tremendous amount of recycle-able materials. Glass would be required to be returned in boxes only. NO bags of glass, that gets dangerous. Creating a consistent model is key moving forward to a volunteer based model of operation.

We will hire a treasurer to manage finances. It would be a five hour a month job. All distributor payments go into one account, and Fareway's contribution is a direct deposit, so it mostly entails allocating what comes in and making sure the numbers match.

There will be a board with representation of each group wishing to have can redemption stations. It will meet quarterly, to discuss progress, and how to allocate extra funds. I do believe this will be a profitable for all groups involved.

But a BIG PIECE of the puzzle is funding the facility. That is where we hope City Council can step in.

Cost of maintaining the space his a concern. We need a sustainable source of income to guarantee the center is able to run in this volunteer capacity. The grocery stores provide enough to cover rent for the space, but not enough for the other regular monthly payments.

### **WHAT WE ARE REQUESTING**

We propose the City Council help support the reopening of the can redemption center by subsidizing the cost of both the utilities and trash. Trash averages \$120 a month and Tonya states it is no more than \$150 in utilities a month, that is the high end.

Both Fareway and Don's have committed to continuing their support of the redemption center, but their support only covers the cost of renting the building. Having the financial security covering the additional bills will give these non-profit groups the confidence to move forward with their plan to work together to reopen the redemption center. And in doing so, City Council support will not only aid these small groups with their missions, but service the Orange City community as a whole, in this needed but often forgotten area.

I have included letters from both local grocers asserting the need for a redemption center in town. Outside this model, there are no other alternatives to reopening a redemption center and the Venema's have an interested buyer for the building. We ask that you act fast, so that these groups can continue to move forward and reopen the redemption center soon. This plan not only helps multiple non-profits but it provides a

much needed service to the town.

Thank you for your time and consideration of this project. We are open for questions and eager to talk with you in more detail about how can redemptions support the community as a whole.

Sarah Weber-Captial-Democrat

Tammy Bonnema-Pride of the Dutchman can redemption chair

Tom Truesdall- Pride of the Dutchman board president

Terri Duistermars- Hope Haven

Jason Alons- OCCS principal

Wayne Dykstra- Unity Christian head of school

Grant Hegstad-MOC teacher



**MOC-FV ELEMENTARY SCHOOL  
URBAN RENEWAL PLAN**

**for the**

**MOC-FV ELEMENTARY SCHOOL  
URBAN RENEWAL AREA**

**CITY OF ORANGE CITY, IOWA**

**April 2022**

**MOC-FV Elementary School Urban Renewal Plan  
for the  
MOC-FV Elementary School Urban Renewal Area**

**City of Orange City, Iowa**

**A. INTRODUCTION**

The MOC-FV Elementary School Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the MOC-FV Elementary School Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials respond to and promote economic development in the City of Orange City, Iowa (the “City”). The primary goal of the Plan is to stimulate, through public involvement and commitment, private investment in new housing and residential development as defined in the *Code of Iowa* Section 403.17(12) and housing for low or moderate income families as defined in the *Code of Iowa* Section 403.17(14).

In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 and Chapter 15A of the *Code of Iowa*, as amended.

**B. DESCRIPTION OF THE URBAN RENEWAL AREA**

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The property included in the Urban Renewal Area has never previously been subject to the division of revenue under Iowa Code Section 403.19 for a residential project.

The City reserves the right to modify the boundaries of the Area at some future date.

**C. AREA DESIGNATION**

With the adoption of this Plan, the City designates this Urban Renewal Area as an economic development area that is appropriate for the provision of public improvements related to housing and residential development and the development of low to moderate income housing.

**D. BASE VALUE**

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) ordinance is adopted to establish a TIF district in the Area, and debt related to the Area is certified prior to December 1, 2022, then the assessed valuation as of January 1, 2021, will be considered the frozen “base valuation” for the portion of the Urban Renewal Area identified in the TIF ordinance. If a TIF ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2022, then the frozen “base value” (for the property identified in the TIF ordinance) will be the assessed value as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt related to the Area, in accordance with Iowa Code Section 403.19. It may be that multiple TIF ordinances will be adopted on separate subareas within the Area. If so, the frozen base values may vary among the subareas.

## **E. DEVELOPMENT PLAN**

Orange City has a general plan for the physical development of the City as a whole, outlined in the Orange City, Iowa 2020 Comprehensive Land Use Plan, adopted March 16, 2020. The goals and objectives proposed in this Plan, and the urban renewal projects described herein, are in conformity with the land use policies and plans for the development of the City as a whole established in the Orange City, Iowa 2020 Comprehensive Land Use Plan.

This Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area, is set forth in this Plan. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

## **F. RESIDENTIAL DEVELOPMENT**

The City's objective for the Urban Renewal Area is to promote new housing and residential development, which may include housing for low and moderate income ("LMI") families as well as market-rate housing. LMI families are those whose incomes do not exceed 80% of the median county income in the applicable county. The City realizes that the availability of housing is an important component of attracting new business and industry, responding to new development, and retaining existing businesses.

In anticipation of expected economic development, the City has taken the position of supporting the creation of new housing opportunities, including increasing the number of lots available for the construction of new houses. Providing incentives to developers may ease the cost of extending necessary infrastructure and other factors that can make residential development risky and less profitable than other types of development.

When a city utilizes tax increment financing to support residential development of market-rate housing (such support is limited to reimbursement of "public improvement" costs, as defined by Iowa law), a percentage of the incremental revenues (or other revenues) generated by the development must be used to provide LMI housing assistance, as further described in Iowa Code Section 403.22. Unless a reduction is approved by the Iowa Economic Development Authority, the amount of incremental revenues (or other revenues) to be provided for LMI housing assistance in the community in connection with market-rate residential urban renewal projects authorized by this Urban Renewal Plan shall be either equal to or greater than the percentage of the original project costs (i.e., the amount of TIF funds used in connection with public improvement infrastructure to serve market-rate housing development in the Area) that is equal to the percentage of LMI families living in Sioux County. That percentage is currently 37.28%.

The requirement to provide assistance for LMI housing may be met by one, or a combination, of the following three options:

1. Providing that at least 37.28% of the houses constructed in the Area are occupied by residents and/or families whose incomes are at or below 80% of the median county income;
2. Setting aside an amount equal to or greater than 37.28% of the project costs to be used for LMI housing activities anywhere in the City; or
3. Ensuring that 37.28% of the houses constructed within the Area are priced at amounts affordable to LMI families.

If funds are set aside, as opposed to constructing a sufficient percentage of LMI housing in the Area, the assistance for LMI family housing may be provided anywhere within the City. The type of assistance provided must benefit LMI residents and/or families and may include, but is not limited to:

1. Construction of LMI affordable housing.
2. Owner/renter-occupied housing rehabilitation for LMI residents and/or families.
3. Grants, credits, or other direct assistance for LMI residents and/or families.
4. Homeownership assistance for LMI residents and/or families.
5. Tenant-based rental assistance for LMI residents and/or families.
6. Down payment assistance for LMI residents and/or families.
7. Mortgage interest buy-down assistance for LMI residents and/or families.
8. Under appropriate circumstances, the construction of public improvements that benefit LMI residents and/or families.

#### **G. PLAN OBJECTIVES**

Renewal activities are designed to provide opportunities, incentives, and sites for new residential development within the Area. More specific objectives for development within the Urban Renewal Area are as follows:

1. To increase the availability of housing opportunities, which may, in turn, attract and retain area industries and commercial enterprises that will strengthen and revitalize the economy of the State of Iowa and the City of Orange City.
2. To stimulate, through public action and commitment, private investment in new housing and residential development and redevelopment, including LMI housing. The City realizes that the availability of affordable, decent, safe, and sanitary housing is important to the overall economic viability of the community.
3. To plan for and provide sufficient land for residential development in a manner that is efficient from the standpoint of providing municipal services.

4. To help finance the cost of constructing public utility and infrastructure extensions and improvements in support of residential development.
5. To improve housing conditions and increase housing opportunities, including for LMI families and/or individuals.
6. To provide a more marketable and attractive investment climate through the use of various federal, state, and local incentives.
7. To encourage residential growth and expansion through governmental policies which make it economically feasible to do business.
8. To encourage residential development that meets the needs of a growing population, while preserving the character of the community.
9. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

#### **H. TYPES OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To provide for the construction of site-specific improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
3. To arrange for, or cause to be provided, the construction or repair of public infrastructure in support of residential development, including, but not limited to, streets and sidewalks, traffic lights, pedestrian safety measures, trails, water mains, sanitary sewers, storm sewers, public utilities, or other facilities in connection with urban renewal projects.
4. To make loans, forgivable loans, or other types of grants or incentives to private persons, organizations, or businesses for the promotion of public infrastructure related to residential development or the promotion of LMI housing, on such terms as may be determined by the City Council.
5. To use tax increment financing to facilitate urban renewal projects, including, but not limited to, financing to achieve a more marketable and competitive land offering price and to provide for necessary physical improvements and infrastructure related to residential development.
6. To use tax increment for LMI housing assistance.
7. To finance programs that will directly benefit housing conditions and promote the availability of housing in the community.



8. To borrow money and to provide security therefor.
9. To acquire and dispose of property.
10. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
11. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City of Orange City and the State of Iowa.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

### **I. ELIGIBLE URBAN RENEWAL PROJECTS**

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

#### **1. Public Improvements**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost to be Reimbursed using TIF Funds</b>	<b>Rationale</b>
<p>Construct public infrastructure necessary to provide utilities and City services in connection with the housing and residential development that is anticipated within the Urban Renewal Area.</p> <p>Improvements may include, but are not limited to, streets, water, storm sewer, sanitary sewer, public utilities, sidewalks, street lights, and other related facilities and activities.</p>	2022-2030	Not to exceed \$5,000,000	<p>The proposed project is needed to support the development of a proposed residential subdivision within the Urban Renewal Area. This development will be completed in several phases, expected to collectively create 75 residential lots. Phase 1 is expected to promote the development of 25 single-family homes.</p> <p>According to the <u>2016 Orange City Housing Needs Assessment</u> there is a shortage of both single family and multi-family housing in the community. Providing new opportunities for housing may attract additional workers and companies to the City and region.</p>
<p>Note: It may be that the above costs will be reduced by the application of state and/or federal grants or programs; cost-sharing agreements with other entities; or other available sources of funds.</p>			

**2. Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:**

<b>Project</b>	<b>Estimated Date</b>	<b>Estimated Cost to be funded by TIF Funds</b>
Fees and Costs	Undetermined	Not to Exceed \$50,000

**J. FINANCIAL INFORMATION**

1.	July 1, 2021, Constitutional Debt Limit	\$21,790,474
2.	Current Outstanding General Obligation Debt	\$11,145,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above to be funded by TIF Funds will be approximately as stated in the next column:	<p>\$5,050,000 plus the applicable percentage of any LMI set-aside</p> <p>This amount does not include financing costs related to debt issuance, which may be incurred over the life of the Area.</p>

**K. URBAN RENEWAL FINANCING**

The City intends to utilize various financing tools such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

**A. Tax Increment Financing.**

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. Certain increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

#### **B. General Obligation Bonds.**

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area and for other urban renewal projects or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

#### **L. PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

#### **M. RELOCATION**

The City does not expect there to be any relocation required of residents or businesses as part of the eligible urban renewal projects; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

#### **N. AGRICULTURAL LAND**

Because the Urban Renewal Area contains land that is defined as "agricultural land" by the *Code of Iowa* Section 403.17(3), the City has obtained consent from the owner(s) of such agricultural land to include the agricultural land in the Urban Renewal Area, in the form of an Agreement to Include Agricultural Land. A copy of the agreement is attached hereto, as Exhibit "C." The original signed agreement is on file at the City Clerk's office.

#### **O. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform to State and local laws will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

#### **P. SEVERABILITY**

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

#### **Q. URBAN RENEWAL PLAN AMENDMENTS**

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying objectives or types of renewal activities.

The City Council may amend this Plan in accordance with applicable State law.

#### **R. EFFECTIVE PERIOD**

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to property included within the Urban Renewal Area, which is also included in an ordinance which designates that property as a tax increment district (TIF district) and is designated based on an economic development finding to provide or to assist in the provision of public improvements related to housing and residential development, the collection of incremental property tax revenues or the “division of revenue,” as those words are used in Chapter 403 of the *Code of Iowa*, is limited to ten (10) fiscal years beginning with the second fiscal year following the year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues from that property within the Urban Renewal Area. However, the City may extend the collection of incremental property tax revenues for an additional five (5) years, if necessary, to adequately fund a residential urban renewal project and if the consent of the affected taxing entities is obtained. The City has not sought this consent, but may choose to do so in the future.

Separate TIF ordinances or amendments thereto for separate parcel(s) or subareas may be adopted as development in the Urban Renewal Area warrants. In that case, each subarea may have a separate TIF sunset or expiration date.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF MOC-FV ELEMENTARY SCHOOL URBAN RENEWAL AREA**

The South half of the Northwest quarter (S 1/2 NW 1/4) EXCEPT the West 226 feet of the North 316 feet thereof, in Section three (3), Township Ninety-four (94) North, Range forty-four (44) West of the 5th P.M., Sioux County Iowa, subject to public highway. Designated as Parcel 'A'.

AND

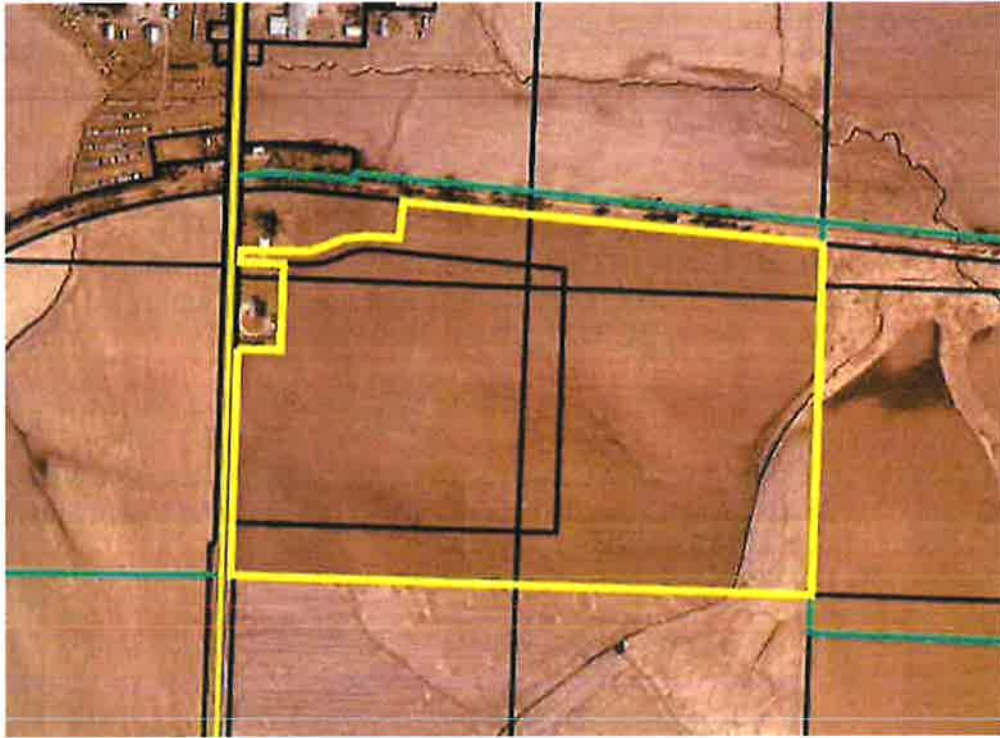
That Portion of the N 1/2 NW 1/4 OF Section 3, Township 94 North, Range 44 West of the 5<sup>th</sup> P.M., Sioux County, Iowa, designated Parcel 'F' as shown by Plat of survey recorded on January 21, 2020 in book: 2020 Page 344.

AND

A parcel of land in the NW 1/4 of Section 3, Township 94 North, Range 44 West of the 5th P.M., Sioux County, Iowa, designated Parcel 'G' as shown by Plat of Survey recorded in Book: 2020 Page 625.

**EXHIBIT B**

**MAP OF MOC-FV ELEMENTARY SCHOOL URBAN RENEWAL AREA**



**EXHIBIT C**  
**AGREEMENT TO INCLUDE AGRICULTURAL LAND**  
**IN THE MOC-FV ELEMENTARY SCHOOL URBAN RENEWAL AREA**

WHEREAS, the City of Orange City, Iowa, (the "City") has proposed to establish the MOC-FV Elementary School Urban Renewal Area (the "Urban Renewal Area"), pursuant to Iowa Code Chapter 403, in order to undertake activities authorized by that Chapter; and

WHEREAS, certain property which is owned by the Agricultural Landowner listed below has been proposed to be included in the Urban Renewal Area; and

WHEREAS, Iowa Code Section 403.17(10) provides that no property that meets the definition of "agricultural land" set forth in Iowa Code Section 403.17(3) may be included in an urban renewal area until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property proposed to be included in the Urban Renewal Area and owned by the Agricultural Landowner meets the definition of "agricultural land" in Section 403.17(3).

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Landowner as follows:

1. The Agricultural Landowner hereby certifies that he/she is the owner of certain Property proposed to be included in the Urban Renewal Area.
2. The Agricultural Landowner hereby agrees that the City of Orange City, Iowa, may include the portion of the property owned by the Agricultural Landowner in the Urban Renewal Area.
3. The Agricultural Landowner further authorizes the governing body of the City of Orange City, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area, and to proceed with related activities authorized under Iowa Code Chapter 403.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Name of Agricultural Landowner: \_\_\_\_\_  
(signed by Agricultural Landowner or person authorized to sign on Agricultural Landowner's behalf)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

**COMMERCIEEL CENTRUM  
URBAN RENEWAL PLAN**

**for the**

**COMMERCIEEL CENTRUM  
URBAN RENEWAL AREA**

**CITY OF ORANGE CITY, IOWA**

**April 2022**



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### ***EXHIBITS***

- A. LEGAL DESCRIPTION OF COMMERCIEEL CENTRUM URBAN RENEWAL AREA
- B. COMMERCIEEL CENTRUM URBAN RENEWAL AREA MAP
- C. AGRICULTURAL LAND AGREEMENT

**Commercieel Centrum Urban Renewal Plan  
for the  
Commercieel Centrum Urban Renewal Area**

**City of Orange City, Iowa**

**A. INTRODUCTION**

The Commercieel Centrum Urban Renewal Plan (“Plan” or “Urban Renewal Plan”) for the Commercieel Centrum Urban Renewal Area (“Area” or “Urban Renewal Area”) has been developed to help local officials promote commercial and industrial economic development in the City of Orange City, Iowa (the “City”). In order to achieve this objective, the City intends to undertake urban renewal activities pursuant to the powers granted to it under Chapter 403 of the *Code of Iowa*, as amended.

**B. DESCRIPTION OF THE URBAN RENEWAL AREA**

The Urban Renewal Area is described in Exhibit “A” and illustrated in Exhibit “B.” The City reserves the right to modify the boundaries of the Area at some future date.

**C. AREA DESIGNATION**

With the adoption of this Plan, the City designates this Urban Renewal Area as an area appropriate for the promotion of economic development (commercial and industrial development).

**D. BASE VALUE**

If the Urban Renewal Area is legally established, a Tax Increment Financing (TIF) Ordinance is adopted, and debt is certified prior to December 1, 2022, the taxable valuation as of January 1, 2021, will be considered the frozen “base valuation” of the taxable property within that area covered by the TIF ordinance. If a TIF Ordinance is not adopted until a later date, or debt is not first certified prior to December 1, 2022, the frozen “base value” will be the assessed value of the taxable property within that area covered by the TIF Ordinance as of January 1 of the calendar year preceding the calendar year in which the City first certifies the amount of any debt on the Area. It may be that multiple TIF ordinances will be adopted on separate portions of the Area as development occurs. If so, the frozen base values may vary among the subareas.

**E. DEVELOPMENT PLAN**

Orange City has a general plan for the physical development of the City as a whole, outlined in the Orange City, Iowa 2020 Comprehensive Land Use Plan, adopted March 16, 2020. The goals and objectives proposed in this Plan, and the urban renewal projects described herein, are in conformity with the land use policies and plans for the development of the City as a whole established in the Orange City, Iowa 2020 Comprehensive Land Use Plan.

The Urban Renewal Plan does not in any way replace the City's current land use planning or zoning regulation process. The land being included in the Urban Renewal Area is currently zoned as Commercial and Light Industrial, but may be rezoned, if needed, in accordance with the City's standard zoning processes.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in this Plan. As the Area continues to develop, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City.

#### **F. PLAN OBJECTIVES**

Renewal activities are designed to provide opportunities, incentives, and sites to promote economic development (commercial and industrial). More specific objectives for the development, redevelopment, and rehabilitation within the Urban Renewal Area are as follows:

1. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities, and strengthening the tax base.
2. To plan for and provide sufficient land for commercial and industrial development in a manner that is efficient from the standpoint of providing municipal services.
3. To provide for the installation of public works and facilities including, but not limited to, water, sanitary sewer and other public improvements, which contribute to the revitalization of the area and to the sound development of the entire City.
4. To encourage commercial growth and expansion through governmental policies which make it economically feasible to do business.
5. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives.
6. To stimulate, through public action and commitment, private investment in new and expanded commercial and industrial development.
7. To improve the conditions and opportunities for economic development (commercial and industrial).
8. To help develop a sound economic base that will serve as the foundation for future growth and development.
9. To enhance the City by fostering an entrepreneurial climate, diversifying the local economy, encouraging opportunities for new businesses, and supporting retention of existing businesses.

10. To enhance the health, safety, living environment, general character, and general welfare of Orange City, Iowa.
11. To promote development utilizing any other objectives allowed by Chapter 403 of the *Code of Iowa*.

#### **G. TYPES OF RENEWAL ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage the development of the Area, the City intends to utilize the powers conferred under Chapter 403 and Chapter 15A, *Code of Iowa* including, but not limited to, tax increment financing. Activities may include:

1. To undertake and carry out urban renewal projects through the execution of contracts and other instruments.
2. To arrange for or cause to be provided the construction or repair of public infrastructure including but not limited to streets, curb and gutter, street lighting, water, sanitary sewer, public utilities or other facilities in connection with urban renewal projects.
3. To make loans, forgivable loans, grants, tax rebate payments or other types of economic development grants or incentives to private persons, local development organizations, or businesses for economic development purposes on such terms as may be determined by the City Council.
4. To borrow money and to provide security therefor.
5. To acquire or dispose of property.
6. To provide for the construction of specific site improvements such as grading and site preparation activities, access roads and parking, fencing, utility connections, and related activities.
7. To make or have made surveys and plans necessary for the implementation of the Urban Renewal Plan or specific urban renewal projects.
8. To use any or all other powers granted by the Urban Renewal Act to develop and provide for improved economic conditions for the City.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

#### **H. ELIGIBLE URBAN RENEWAL PROJECTS**

Although certain project activities may occur over a period of years, the eligible urban renewal projects under this Urban Renewal Plan include:

1. **Development Agreements:** The City expects to consider requests for development agreements from commercial and industrial businesses that locate within the Urban Renewal Area for projects that are consistent with this Plan, in the City's sole discretion. Such agreements are unknown at this time, but based on past history, and dependent on development opportunities and climate, the City expects to consider a broad range of incentives as authorized by this Plan, including but not limited to land, loans, grants, tax rebates, infrastructure assistance and other incentives. The costs of such development agreements will not exceed \$5,000,000.

2. **Planning, Engineering Fees (for Urban Renewal Plans), Attorney Fees, Administrative, and Other Related Costs to Support Urban Renewal Projects and Planning:**

Project	Estimated Date	Estimated Cost to be Funded by TIF Funds
Fees and Costs	Undetermined	Not to Exceed \$50,000

**I. FINANCIAL INFORMATION**

1.	July 1, 2021 Constitutional Debt Limit	\$22,790,474
2.	Current Outstanding General Obligation Debt	\$11,145,000
3.	Proposed amount of indebtedness to be incurred: A specific amount of debt to be incurred for the Eligible Urban Renewal Projects has not yet been determined. This document is for planning purposes only. The estimated project costs in this Plan are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness, including interest on the same, may be financed in whole or in part with tax increment revenues from the Urban Renewal Area. Subject to the foregoing, it is estimated that the cost of the Eligible Urban Renewal Projects as described above will be approximately as stated in the next column:	\$5,050,000  This does not include financing costs related to debt issuance, which may be incurred over the life of the Area.

**J. URBAN RENEWAL FINANCING**

The City of Orange City intends to utilize various financing tools, such as those described below to successfully undertake the proposed urban renewal actions. The City has the statutory authority to use a variety of tools to finance physical improvements within the Area. These include:

#### A. Tax Increment Financing.

Under Section 403.19 of the *Code of Iowa*, urban renewal areas may utilize the tax increment financing mechanism to finance the costs of public improvements, economic development incentives, or other urban renewal projects. Upon creation of a tax increment district within the Area, by ordinance, the assessment base is frozen and the amount of tax revenue available from taxes paid on the difference between the frozen base and the increased value, if any, is segregated into a separate fund for the use by the City to pay costs of the eligible urban renewal projects. The increased taxes generated by any new development, above the base value, are distributed to the taxing entities, if not requested by the City, and in any event upon the expiration of the tax increment district.

#### B. General Obligation Bonds.

Under Division III of Chapter 384 and Chapter 403 of the *Code of Iowa*, the City has the authority to issue and sell general obligation bonds for specified essential and general corporate purposes, including the acquisition and construction of certain public improvements within the Area or incentives for development consistent with this Plan. Such bonds are payable from the levy of unlimited ad valorem taxes on all the taxable property within the City. It may be, the City will elect to abate some or all of the debt service on these bonds with incremental taxes from this Area.

The City may also determine to use tax increment financing to provide incentives such as cash grants, loans, tax rebates, or other incentives to developers or private entities in connection with the urban renewal projects identified in this Plan. In addition, the City may determine to issue general obligation bonds, tax increment revenue bonds or such other obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Area for urban renewal projects. Alternatively, the City may determine to use available funds for making such loans or grants or other incentives related to urban renewal projects. In any event, the City may determine to use tax increment financing to reimburse the City for any obligations or advances.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15, Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the *Code of Iowa* in furtherance of the objectives of this Urban Renewal Plan.

### **K. PROPERTY ACQUISITION/DISPOSITION**

The City will follow any applicable requirements for the acquisition and disposition of property within the Urban Renewal Area.

### **L. RELOCATION**

The City does not expect there to be any relocation required of residents or businesses as part of the proposed urban renewal project; however, if any relocation is necessary, the City will follow all applicable relocation requirements.

#### **M. PROPERTY WITHIN AN URBAN REVITALIZATION AREA**

The Urban Renewal Area may (now or in the future) also be located within an established Urban Revitalization Area. Properties within the Urban Renewal Area shall not be eligible for tax abatement under an Urban Revitalization Plan without the City Council's specific approval. The City Council, at its sole discretion, shall determine which incentives are available through either: (a) this Plan for urban renewal incentives, if any urban renewal incentives are offered by the City, at the City Council's sole discretion; or (b) tax abatement incentives through the City's Urban Revitalization Plan(s); or (c) a combination of urban renewal incentives and tax abatement incentives.

#### **N. STATE AND LOCAL REQUIREMENTS**

The City will comply with all State and local laws related to implementing this Urban Renewal Plan and its supporting documents.

#### **O. AGRICULTURAL LAND**

Because the Urban Renewal Area contains land that is defined as "agricultural land" by the *Code of Iowa* Section 403.17(3), the City has obtained consent from the owner(s) of such agricultural land to include the agricultural land in the Urban Renewal Area, in the form of an Agreement to Include Agricultural Land. A copy of the agreement is attached hereto, as Exhibit "C." The original signed agreement is on file at the City Clerk's office.

#### **P. SEVERABILITY**

In the event one or more provisions contained in the Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized, or unenforceable in any respect, such invalidity, illegality, un-authorization, or unenforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

#### **Q. URBAN RENEWAL PLAN AMENDMENTS**

This Urban Renewal Plan may be amended from time to time for a number of reasons including, but not limited to, adding or deleting land, adding or amending urban renewal projects, or modifying goals or types of renewal activities. The City Council may amend this Plan in accordance with applicable State law.

#### **R. EFFECTIVE PERIOD**

This Urban Renewal Plan will become effective upon its adoption by the City Council and shall remain in effect until terminated by the City Council.

With respect to the property included within the Urban Renewal Area, which is also included in a Tax Increment Financing (TIF) ordinance which designates that property as a tax increment area and is designated based on an economic development finding, the use of incremental property tax revenues or the "division of revenue," as those words are used in Chapter 403 of the Code of Iowa, is limited to twenty (20) years beginning with the first calendar year following the calendar year in which the City first certifies to the County Auditor the amount of any loans, advances, indebtedness, or bonds which qualify for payment from the incremental property tax revenues attributable to that property within a TIF Ordinance of the Urban Renewal Area. The division of revenues shall continue on the Urban Renewal Area for the maximum period allowed by law.

At all times, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness, or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the *Code of Iowa*) by the City for activities carried out under the Urban Renewal Area shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law.



**EXHIBIT A**  
**LEGAL DESCRIPTION OF**  
**COMMERCIEEL CENTRUM URBAN RENEWAL AREA**

Parcel E

Being a part of the Southwest Quarter of Section 34, Township 95 North, Range 44 West of the 5th P.M., Sioux County, Iowa, more particularly described as follows: Commencing at the West Quarter corner of said Section 34; thence South 00°56'43" West 1,405.60 feet on the West line of the Southwest Quarter of said Section 34 to the Point of Beginning; thence continuing South 00°56'43" West 696.53 feet on said West line to the Northwest Corner of Lot 1 in Parcel 'A' (Plat of Survey recorded as Book 2021, Page 4940, Sioux County Recorder's Office); thence South 89°14'28" East 412.96 feet on the North line of said Lot 1 in Parcel 'A' to the Northeast Corner of said Lot 1 in Parcel 'A'; thence South 00°55'36" West 495.24' on the East line of said lot 1 in Parcel 'A' and the East line of Parcel 'A' (Recorded as File 1998, Card 3666, Sioux County Recorder's Office) to a point on the present North Right-Of-Way of Iowa Highway No. 10 (the following 5 courses are common to said North Right-of-Way line); thence South 89°26'29" East 370.45 feet, thence North 72°50'09" East 85.20 feet; thence South 89°02'49" East 100.71 feet; thence South 75°09'49" East 103.01 feet; thence South 89°05'06" East 255.47 feet to a point on the East line of the Southwest Quarter of the Southwest Quarter of said Section 34; thence North 01°07'20" East 1,196.39 feet on said East line to a point marked by a Blue capped 1/2" Rebar #10315; thence North 89°30'05" West 1,324.34 feet to the Point of Beginning containing 31.07 acres inclusive of a Public Roadway Easement of 0.72 acres and is further subject to any and all other easements be they of record or not.

For this survey, the South line of the Southwest Quarter of said Section 34 is assumed to bear South 89°10'41" East.

AND

Parcel G

The East 124.00 feet (measured at right angles) of Parcel 'A' (Recorded as File 1998, Card 3666, Office of the Recorder, Sioux County, Iowa) AND the East 124.00 feet (measured at right angles) of Lot 1 in Parcel 'A' (Recorded as Document No. 2021-04940, Office of the Recorder, Sioux County, Iowa), containing 1.39 acres and is subject to any and all easements be they of record or not.

For this Survey, the West line of the SW1/4 of the SW 1/4 of said Section 34 is assumed to bear N 00°56'43" E.

[illegible]

**EXHIBIT C**  
**AGREEMENT TO INCLUDE AGRICULTURAL LAND**  
**IN THE COMMERCIEEL CENTRUM URBAN RENEWAL AREA**

WHEREAS, the City of Orange City, Iowa, (the "City") has proposed to establish the Commercieel Centrum Urban Renewal Area (the "Urban Renewal Area"), pursuant to Iowa Code Chapter 403, in order to undertake activities authorized by that Chapter; and

WHEREAS, certain property which is owned by the Agricultural Landowner listed below has been proposed to be included in the Urban Renewal Area; and

WHEREAS, Iowa Code Section 403.17(10) provides that no property that meets the definition of "agricultural land" set forth in Iowa Code Section 403.17(3) may be included in an urban renewal area until the owners of such property agree to include such property in such urban renewal area; and

WHEREAS, it has been determined that all or a portion of the property proposed to be included in the Urban Renewal Area and owned by the Agricultural Landowner meets the definition of "agricultural land" in Section 403.17(3).

NOW, THEREFORE, it is hereby certified and agreed by the Agricultural Landowner as follows:

1. The Agricultural Landowner hereby certifies that he/she is the owner of certain Property proposed to be included in the Urban Renewal Area.

2. The Agricultural Landowner hereby agrees that the City of Orange City, Iowa, may include the portion of the property owned by the Agricultural Landowner in the Urban Renewal Area.

3. The Agricultural Landowner further authorizes the governing body of the City of Orange City, Iowa, to pass any resolution or ordinance necessary to designate said property as part of the Urban Renewal Area, and to proceed with related activities authorized under Iowa Code Chapter 403.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Name of Agricultural Landowner: \_\_\_\_\_  
(signed by Agricultural Landowner or person authorized to sign on Agricultural Landowner's behalf)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

# City of Orange City

## PROCUREMENT POLICY

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### PURPOSE

The purpose of this procurement policy is to ensure that sound business judgement is utilized in all procurement transactions and that supplies, equipment, construction and services are obtained efficiently and economically and in compliance with applicable federal and state law and executive orders and to ensure that all procurement transactions will be conducted in a manner that provides full and open competition. These procedures will ensure that all solicitations incorporate clear and accurate descriptions of the technical requirements for the goods or services being procured. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply.

### APPLICATION

This policy applies to the procurement of all supplies, equipment, and construction and services of and for City of Orange City that include any federal program funding. In regards to any such federal programs, all procurement will be done in accordance with 2 CFR; Part 200. Chapter 26 and Section 331.341 of the Iowa Code will be followed on all applicable purchases. All other appropriate sections of the Iowa Code shall also apply. When federal requirements conflict with local or state requirements, the federal requirement, or most restrictive requirement will be followed.

### POLICY

#### METHODS OF PROCUREMENT

Procurement under grants shall be made by one of the following methods, as described herein: (a) small purchase procedures; (b) sealed bids (formal advertising); (c) competitive proposals; (d) noncompetitive proposals.

A. Micro-Purchase Procedures 200.320(a)

- i. The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold - \$10,000 (200.67)
- ii. To the extent practicable, must distribute micro-purchases equitably among qualified suppliers
- iii. May be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable

B. Small Purchase Procedures 200.320(b)

- i. Are those relatively simple and informal procurement methods for securing services, supplies, or other property that does not cost more than the simplified acquisition threshold - \$250,000 (200.88)
- ii. Price or rate quotations are to be obtained from an "adequate number" of qualified sources

C. Sealed Bidding (formal advertising) 200.320(c)

- i. Lowest priced, responsive, responsible, bidder WINS
- ii. The preferred method for construction when sealed bidding is "feasible", which is when certain conditions are present

- iii. Bids must be solicited from an “adequate number of known suppliers”, providing them sufficient response time before date for the opening of bids
- iv. Bids will be opened at the time and place prescribed in the invitation for bids
- v. Must publicly advertise the invitation for bids
- vi. Bids must be opened publicly
- vii. Other procedural requirements at 200.320(c)(2)

D. Competitive Proposals 200.320(d)

- i. Used when conditions are not appropriate for the use of sealed bids
- ii. The appropriate method when more than one source is expected to submit an offer and either a fixed-price or cost-reimbursement type contract is awarded
- iii. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with *price* and other factors considered
- iv. Requests for proposals ***must be publicized*** and identify all evaluation factors and their relative importance
- v. Proposals must be solicited from an adequate number of qualified sources
- vi. Must have written method for conducting technical evaluations of the proposals received and for selection of the contract

E. Noncompetitive Proposals 200.320(f)

- i. Procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
  - a. **One Source:** the item is available only from a single source
  - b. **Exigency/Emergency:** an exigency or emergency will not permit a delay resulting from competitive solicitation
  - c. **Awarding Agency Approval:** the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity
  - d. **Inadequate Competition:** after the solicitation of a number of sources, competition is determined inadequate

Equipment (200.313 )

(a) **Title.** Subject to the requirements and conditions set forth in this section, title to equipment acquired under a Federal award will vest upon acquisition in the non-Federal entity. Unless a statute specifically authorizes the Federal agency to vest title in the non-Federal entity without further responsibility to the Federal Government, and the Federal agency elects to do so, the title must be a conditional title. Title must vest in the non-Federal entity subject to the following conditions:

- (1) Use the equipment for the authorized purposes of the project during the period of performance, or until the property is no longer needed for the purposes of the project.
- (2) Not encumber the property without approval of the Federal awarding agency or pass-through entity.
- (3) Use and dispose of the property in accordance with paragraphs (b), (c), and (e) of this section.

(b) **General.** A state must use, manage and dispose of equipment acquired under a Federal award by the state in accordance with state laws and procedures. Other non-Federal entities must follow paragraphs (c) through (e) of this section.

(c) **Use.**

(1) Equipment must be used by the non-Federal entity in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and the non-Federal entity must not encumber the property without prior approval of the Federal awarding agency. The Federal awarding agency may require the submission of the applicable common form for equipment. When no longer needed for the original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:

(i) Activities under a Federal award from the Federal awarding agency which funded the original program or project, then

(ii) Activities under Federal awards from other Federal awarding agencies. This includes consolidated equipment for information technology systems.

(2) During the time that equipment is used on the project or program for which it was acquired, the non-Federal entity must also make equipment available for use on other projects or programs currently or previously supported by the Federal Government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by Federal awarding agency that financed the equipment and second preference must be given to programs or projects under Federal awards from other Federal awarding agencies. Use for non-federally-funded programs or projects is also permissible. User fees should be considered if appropriate.

(3) Notwithstanding the encouragement in § 200.307 to earn program income, the non-Federal entity must not use equipment acquired with the Federal award to provide services for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute for as long as the Federal Government retains an interest in the equipment.

(4) When acquiring replacement equipment, the non-Federal entity may use the equipment to be replaced as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property.

(d) **Management requirements.** Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

(1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

(2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

(3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.

(4) Adequate maintenance procedures must be developed to keep the property in good condition.

(5) If the non-Federal entity is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

(e) **Disposition.** When original or replacement equipment acquired under a Federal award is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions, the non-Federal entity must request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:

(1) Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further responsibility to the Federal awarding agency.

(2) Except as provided in § 200.312(b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained by the non-Federal entity or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses.

(3) The non-Federal entity may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the current fair market value of the property.

(4) In cases where a non-Federal entity fails to take appropriate disposition actions, the Federal awarding agency may direct the non-Federal entity to take disposition actions.

#### CONTRACTING WITH SMALL AND MINORITY BUSINESSES, WOMEN'S BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS (200.321)

- A. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- B. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (a) through (e).

## CONTRACT PRICING (200.323)

- A. The cost plus a percentage of cost and percentage of construction cost method of contracting shall not be used.
- B. City of Orange City shall perform some form of cost/price analysis for every procurement action, including contract modifications, amendments, or change orders. City of Orange City shall make an independent estimate prior to receiving a bid or proposal.
- C. City of Orange City shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. In determining a fair and reasonable profit, City of Orange City must consider the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance and the industry profit rates in the surrounding geographical area.

## CONTRACT PROVISIONS (200.327)

The non-Federal entity's contracts must contain the applicable provisions described in appendix II to this part.

## APPENDIX II to Part 200- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

In addition to other provisions required by the Federal agency or non-Federal entity, all contracts made by the non-Federal entity under the Federal award must contain provisions covering the following, as applicable.

- (A) Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
- (B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
- (C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
- (D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each



solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689) - A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) - Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or

attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See § 200.323.

(K) See § 200.216.

(L) See § 200.322.

## PROCUREMENT RECORDS

City of Orange City shall maintain records sufficient to detail the significant history of a procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(200.324)

(a) City of Orange City must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition.

(b) City of Orange City must make available upon request, for the Federal awarding agency or pass-through entity preprocurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

- (1) City of Orange City's procurement procedures or operation fails to comply with the procurement standards in this Part;
- (2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;
- (3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;
- (4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or
- (5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) City of Orange City is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this Part.

(1) City of Orange City may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;

(2) City of Orange City may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from City of Orange City that it is complying with these standards. City of Orange City must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

## AWARDED CONTRACTS

- A. City of Orange City will not award a contract to a party listed as debarred, suspended, or otherwise excluded in the System for Award Management (SAM). [www.sam.gov](http://www.sam.gov) (200.213)
- B. Contracts awarded shall contain the applicable contract provisions described in 2 CFR 200.326 and Appendix II to Part 200.
- C. City of Orange City will maintain written standards of conduct covering conflicts of interest and must provide for disciplinary action to be applied for violations of such standards as defined in 2 CFR 200.318 (c) (1).

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Attest:

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Administrator