

AVOCA CITY COUNCIL MEETING
TENTATIVE AGENDA
JUNE 3, 2025 AT 5:30 PM
FIRE HALL

1) **CALL TO ORDER / PLEDGE OF ALLEGIANCE**

2) **APPROVAL OF THE AGENDA**

3) **CONSENT AGENDA** – Note: All items listed below are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests, in which event the item will be removed from the Consent Agenda and considered after the other items listed on the Agenda.

a) Block Party Permit: Main Street Farmers Market

b) **RESO. 25-0603-01:** PROPOSING TO VACATE PUBLIC ACCESS RIGHT OF WAY AND DISPOSE OF REAL PROPERTY AND PUBLISHING A NOTICE OF PUBLIC HEARING

4) **ACTION ITEMS**

a) **RESO. 25-0603-02:** RESOLUTION MAKING AWARD OF CONTRACT FOR THE AVOCA VETERANS COMMUNITY CENTER RENOVATION PROJECT

b) **RESO. 25-0603-03:** RESOLUTION SETTING THE DATE FOR THE SALE OF GENERAL OBLIGATION URBAN RENEWAL BONDS, SERIES 2025 AND AUTHORIZING THE USE OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION THEREWITH

ADJOURNMENT



BLOCK PARTY APPLICATION

CITY DEPARTMENT APPROVALS - INTERNAL USE ONLY

Street: _____ Date: _____

Police: _____ Date: _____

Fire: _____ Date: _____

City Administrator _____ Date: _____

Today's date: 5/20/25

Name of Organizer/ Planner Avoca Main Street Inc.

Address 203 N. Elm St.

City Avoca State IA Zip Code 51521

Phone 712-307-0172 Alternate phone _____

Email mainstreet@cityofavoca.com

Date(s) / Time(s) for Event (no earlier than noon nor later than midnight)

Date: Every Wednesday June - Sept Start Time: 3:30 ~~8:00~~ ☐ AM ☒ PM End Time: 7:00 ☐ AM ☒ PM

AM ☒ PM Optional Rain Date (must fall within same weekend)

Date: _____ Start Time: _____ ☐ AM ☐ PM End Time: _____ ☐ AM ☐ PM

Street Closures – please include a map of the area you desire to close and where you would like barricades.

Street(s) to be blocked off: North 200 block of Elm

Intersections: _____ AND _____

The City of Avoca has the right to deny closure of certain streets. Closure of an arterial or collector street will require the Avoca's City Council's approval at the next regularly scheduled City Council meeting - this may affect the date of your block party.

Please check all that apply:

- ☒ Erection of a tent or canopy
- ☒ Amplified sound (amplified music or band) *requires Noise Permit.
- ☐ Inflatables (private property only)
- ☒ Food truck (must be licensed through Avoca's Mobile Food Vendor Ordinance.

(Please see City of Avoca Ordinance for details.)

I certify that the above listed address and phone number are true and correct, and that I am familiar with all rules and agree to abide by them. I hereby voluntarily assume all risks of loss, damage, or injury that may be sustained by me or my guests while participating in, traveling from, or observing any of the events that are part of the block party. I hereby release the City of Avoca, its agents, officers, volunteers and employees ("Released Parties") from any and all liability, claims, demands, and causes of action whatsoever, arising out of or related to any loss, damage, or injury that may be sustained by me or my guests while participating in, traveling to or from, or observing the events that are part of the block party. I acknowledge that I have read the foregoing release, understand its terms, and freely and voluntarily sign the same.

Applicant Signature Amie Male Date 5-20-25

RESOLUTION No. _____

**PROPOSING TO VACATE PUBLIC ACCESS, RIGHT OF WAY AND DISPOSE OF
REAL PROPERTY AND PUBLISHING A NOTICE OF PUBLIC HEARING**

Re: The North 120 feet of LaVista Heights Public Access Right of Way as dedicated by the Gardiner-McCarthy Second Subdivision of the City of Avoca, Pottawattamie County, Iowa.

WHEREAS, the City of Avoca is the owner of the property legally described above; and

WHEREAS, the City of Avoca finds that the City ownership of this property is not necessary to the public for use as right of way and the disposition of such property would be in the best interest of the City and the citizens of Avoca for the purpose of reducing maintenance expenses, reducing liability exposure and generating property tax; and,

WHEREAS, The City Council proposes to vacate the portion of the right of way described above and dispose of the property by sale with no consideration to Noble Five, LLC on the following terms and conditions:

1. The property will be sold by Quit Claim Deed and no abstract shall be provided by the City of Avoca.
2. The environmental condition of the site is unknown and the property is being sold “AS IS” as vacant property.
3. The purchaser of the property shall be responsible for all costs of advertising and all recording fees and expenses associated with vacating the alley and conveying title.
4. The deed shall reserve to the City all existing easements on, under and over the property as needed for utilities.

NOW, THEREFORE, BE RESOLVED by the City Council of Avoca, Iowa that:

1. The Council desires to vacate the right of way and dispose of the property as described herein according to the terms above.
2. The Council shall make a final determination on the proposal following a public hearing, which shall be held on the _____ day of _____ 2025 at _____ p.m. or soon thereafter, at City Hall.

3. Pursuant to Iowa Code 364.7, the City Administrator/Clerk is hereby directed to publish the proper notice of the public hearing with correct legal description and the proposed property disposal proposal.

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

Passed by the City Council This _____ day of _____, 2025.

Tom Bruck, Mayor

ATTEST: _____
City Clerk

RESOLUTION NO. 25-0603-02

**RESOLUTION MAKING AWARD OF CONTRACT FOR THE AVOCA VETERANS
COMMUNITY CENTER RENOVATION PROJECT**

WHEREAS, the City of Avoca has solicited bids for the construction of improvements related to the **Avoca Veterans Community Center Renovation Project**, as described in the plans and specifications adopted by the City Council on March 29, 2025; and

WHEREAS, sealed bids were received and reviewed, and the City Council has determined that the lowest responsive, responsible bid is as follows:

- **Contractor:** _____
- **Amount of Base Bid:** \$ _____
- **Add Alternate Accepted:** [Yes/No]

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF AVOCA, IOWA, that the bid as stated above is hereby accepted, and the contract shall reflect the City Council's decision to either include or exclude the add alternate as specified in the project documents.

BE IT FURTHER RESOLVED that the City Administrator is authorized to execute the construction contract on behalf of the City, reflecting the Council's determination regarding the add alternate, and is further authorized to make decisions as necessary regarding cost-cutting measures and emergent change orders, provided such decisions remain within the scope of the project and budget as approved by the City Council.

PASSED AND ADOPTED this 3rd day of June, 2025.

Tom Bruck, Mayor

ATTEST:

Teresa Hoepner, City Clerk

AVCC Bid Letting Tabulation - 5/30/2025

Bidder	Base	Difference (Base)	ALT #1 (Deck)	Difference (ALT)	Total (Base + ALT)	Difference (Total)	Remarks
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DR Andersen	\$ 2,140,000.00	\$ -	\$ 57,000.00	\$ (35,621.00)	\$ 2,197,000.00	\$ (17,621.00)	Requesting 21 day extension to 450 day term
KeiCon LLC	\$ 2,158,000.00	\$ (18,000.00)	\$ 21,379.00	\$ -	\$ 2,179,379.00	\$ -	N/A
Building Crafts	\$ 2,363,000.00	\$ (223,000.00)	\$ 77,000.00	\$ (55,621.00)	\$ 2,440,000.00	\$ (260,621.00)	N/A

Architectural estimate for the construction costs was \$2,368,730

RESOLUTION NO. _____

Resolution setting the date for the sale of General Obligation Urban Renewal Bonds, Series 2025 and authorizing the use of a preliminary official statement in connection therewith

WHEREAS, the City of Avoca (the “City”), in Pottawattamie County, State of Iowa heretofore proposed to enter into a General Obligation Urban Renewal Loan Agreement (the “Fire Station/Police Station Loan Agreement”), pursuant to the provisions of Sections 384.24A and 384.24.3(q) of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$3,000,000, pursuant to the provisions of Sections 384.24A and 384.24.3(q) of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking the Fire Station/Police Station Project, an urban renewal project authorized by action of the City Council on April 16, 2024 consisting of constructing and equipping a new facility for use as the municipal fire, police and EMS station (the “Fire Station/Police Station Project”), and in lieu of calling an election thereon, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of May 21, 2024, no petition has been filed with the City asking that the question of entering into the Fire Station/Police Station Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a General Obligation Urban Renewal Loan Agreement (the “Community Center Loan Agreement” and together with the Fire Station/Police Station Loan Agreement, the “Loan Agreements”) and to borrow money thereunder in a principal amount not to exceed \$2,000,000, pursuant to the provisions of Sections 384.24A and 384.24.3(q) of the Code of Iowa, for the purpose of paying the costs, to that extent, of undertaking the Avoca Veterans Community Center Renovation Project, an urban renewal project authorized by action of the City Council on May 21, 2024 consisting of constructing interior and exterior improvements and upgrades to the Avoca Veterans Community Center (the “Community Center Project,” and together with the Fire Station/Police Station Project, the “Projects”), and in lieu of calling an election thereon, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of June 18, 2024, no petition has been filed with the City asking that the question of entering into the Community Center Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, the City Council has combined the Fire Station/Police Station Loan Agreement and the Community Center Loan Agreement into a single loan agreement (the “Original Loan Agreement”); and

WHEREAS, in order to pay additional costs of the Fire Station/Police Station Project, the City proposed to enter into an additional loan agreement (the “Additional Fire Station/Police Station Loan Agreement”) in a principal amount not to exceed \$750,000, and in lieu of calling an election thereon, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of March 31, 2025, no petition had been filed with the City asking that the question of entering into the Additional Fire Station/Police Station Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, in order to pay additional costs of the Community Center Project, the City proposed to enter into an additional loan agreement (the “Additional Community Center Loan Agreement” and together with the Additional Fire Station/Police Station Loan Agreement, the “Additional Loan Agreements”) in a principal amount not to exceed \$500,000, and in lieu of calling an election thereon, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of March 31, 2025, no petition had been filed with the City asking that the question of entering into the Additional Community Center Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, pursuant to Section 384.28 of the Code of Iowa, the City Council has combined the Original Loan Agreement and the Additional Loan Agreements into a single loan agreement (the “Loan Agreement”); and

WHEREAS, a Preliminary Official Statement (the “P.O.S.”) has been prepared to facilitate the sale of General Obligation Urban Renewal Bonds, Series 2025 (the “Bonds”) to be issued in evidence of the obligation of the City under the Loan Agreement, and it is now necessary to make provision for the approval of the P.O.S. and to authorize its use by UMB Bank, N.A., as municipal advisor (the “Municipal Advisor”) to the City; and

WHEREAS, it is now necessary to set the date for the sale of the Bonds and to make provision for the advertisement thereof;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Avoca, Iowa, as follows:

Section 1. The City Administrator is hereby authorized to take such action as shall be deemed necessary and appropriate, with the Municipal Advisor and Dorsey & Whitney LLP (the “Disclosure Counsel”), as the City’s disclosure counsel, to prepare the P.O.S. describing the Bonds and providing for the terms and conditions of their sale, and all action heretofore taken in this regard is hereby ratified and approved.

Section 2. The use by the Municipal Advisor of the P.O.S. relating to the Bonds in substantially the form as has been presented to and considered by the City Council is hereby approved, and the Municipal Advisor, together with Disclosure Counsel, is hereby authorized to prepare and use a final Official Statement for the Bonds substantially in the form of the P.O.S. but with such changes therein as are required to conform the same to the terms of the Bonds and the resolution, when adopted, providing for the sale and issuance of the Bonds, and the City Administrator is hereby authorized and directed to cause the execution of a final Official Statement for the Bonds, if requested by the Municipal Advisor or Disclosure Counsel. The P.O.S. as of its date is deemed final by the City within the meaning of Rule 15(c)(2)-12 of the Securities and Exchange Commission.

Section 3. Sealed bids for the purchase of the Bonds shall be submitted, as set forth in the P.O.S., received and canvassed on behalf of the City until 10:00 a.m. on June 17, 2025, at _____, in the City, and the City Council shall meet on the same date at 5:30 p.m., at the Avoca Fire Hall, Avoca, Iowa, for the purpose of considering such bids received

and considering and passing a resolution providing for the award of the Bonds, and the Municipal Advisor is hereby authorized and directed to disseminate the notice of said sale, in compliance with the Internal Revenue Service regulations governing "Issue Price" determinations, such notice to minimally contain information regarding Establishment of Issue Price set forth in the "Terms of Offering" attached to the P.O.S. and to be in such form as the Municipal Advisor may deem to be appropriate.

Section 4. Pursuant to Section 75.14 of the Code of Iowa, the City Council hereby authorizes the use of electronic bidding procedures for the sale of the Bonds through PARITY®, and hereby finds and determines that the PARITY® competitive bidding system will provide reasonable security and maintain the integrity of the competitive bidding process and will facilitate the delivery of bids by interested parties under the circumstances of this bond sale.

Section 5. Further action with respect to the Loan Agreement is hereby adjourned to the City Council meeting scheduled for June 17, 2025.

Section 6. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved June 2, 2025.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
COUNTY OF POTTAWATTAMIE SS:
CITY OF AVOCA

I, the undersigned, City Clerk of the City of Avoca, do hereby certify that attached hereto is a true and correct copy of all of the proceedings of the City Council relating to the fixing of a date for the sale of General Obligation Urban Renewal Bonds, Series 2025 and approving a preliminary official statement for the sale of the Bonds, as referred to herein.

WITNESS MY HAND this _____ day of _____, 2025.

City Clerk

MINUTES TO SET DATE FOR SALE OF
BONDS, AND AUTHORIZE OFFICIAL
STATEMENT FOR BONDS

459558-21

Avoca, Iowa

June 2, 2025

The City Council of the City of Avoca, Iowa, met on June 2, 2025 at ____ o'clock
____.m. at the _____, Avoca, Iowa.

The meeting was called to order by the Mayor, and the roll being called, the following
named Council Members were present and absent:

Present: _____

Absent: _____.

After due consideration and discussion, Council Member _____
introduced the following resolution and moved its adoption, seconded by Council Member
_____. The Mayor put the question upon the adoption of said
resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

• • • •

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

Mayor

Attest:

City Clerk