

**NOTICE OF REGULAR COUNCIL MEETING
CUMMING CITY COUNCIL
April 8, 2024 – 6:30 p.m.
Cumming City Hall, 649 N. 44th St., Cumming, IA***

ROLL CALL

APPROVAL OF AGENDA as presented and/or amended

PUBLIC COMMENT-Up to 5 minutes to address the Council on items not included on this agenda

PUBLIC HEARING

CONSENT ITEMS

- A. Minutes from the March 25, 2024 Regular Council Meeting
- B. Payment of Bills
- C. March Financial Reports
- D. March 2024 Sheriff's Report

BUSINESS ITEMS

- A. Approve Resolution No. 2024-17 Des Moines Area Wastewater Reclamation Authority (WRA) 2024 Senior Bond Issuance Certificates
- B. Resolution No. 2024-18 Set Public Hearing for the Fiscal Year 2025 Budget Adoption
- C. Resolution No. 2024-19 Warren County Sheriff's 28E Agreement

INFORMATIONAL

REPORTS:

- A. Mayor
- B. Council
- C. Attorney
- D. City Administrator
- E. City Clerk

ADJOURNMENT

UPCOMING ITEMS

Public Hearings for Middlebrook Agrihood Development Agreement & Cumming Consolidated
Urban Renewal Plan Amendment
Budget Adoption Public Hearing April 22, 2024
FY 24 Budget Amendment and Fund Transfers

*The City of Cumming welcomes public participation. If unable to attend this meeting in person, online and phone participation are available below. For questions, please contact City Hall at 649 N 44th Street, 515-981-9214 or email at nonstot@cumming.iowa.gov

Join Zoom Meeting
<https://us02web.zoom.us/j/2382663968>
Meeting ID: 238 266 3968

Council Communication: Council Meeting Items for April 8, 2024

SUBMITTED BY:

Rita Conner, City Administrator

SYNOPSIS:

The information below summarizes agenda items before Council for April 8, 2024. For this date only, there are two separate agendas. The first agenda is only for the public hearing on the potential tax levy rate. The second agenda is for the Council's regular meeting.

PUBLIC HEARING (S):

The public hearing is on the tax levy rate that the city may set for Fiscal Year (FY) 2025, which begins on July 1, 2024. This public hearing step was provided for in the 2023 Iowa Legislative session (see attached summary document of House File 718). The proposed levy rate is \$11.14064. The current levy rate for FY 24 is \$11.18977. Following this public hearing, Council will act to set a public hearing for April 22, 2024 to formally adopt the proposed FY 25 budget.

BUSINESS ITEMS

- A. Resolution 2024-17 Des Moines Area Wastewater Reclamation Authority (WRA) 2024 Bond Issuance Certificates

Summary: The City of Cumming is part of the WRA, a regional, multi-community wastewater treatment agency in Central Iowa. Each year, the utility considers financing for maintenance and construction within the plant and the operating system. Accompanying materials for this item detail the planned projects, total debt to be undertaken and the City of Cumming's portion of the annual debt service as one of the member communities. Payment will be made by sanitary sewer fees.

Request of Council: Recommend approval

- B. Resolution 2024-18 Set Public Hearing for the Fiscal Year 2025 Budget Adoption

Summary: This action will set the public hearing on actual adoption of the FY 25 budget for April 22, 2024. The public is welcome to attend the hearing to ask questions on the document and the process, or send questions in advance to the City Administrator, City Clerk or Councilmembers.

- C. Resolution 2024-19 Warren County Sheriff's 28E Agreement

Summary: This action continues the law enforcement services relationship between the City of Cumming and the Warren County Sheriff's Department. Sheriff Carico will attend the meeting Monday night. The agreement calls for holding the \$11,756 amount through 2027. Current agreement has a 4% annual increase through 2027.

**OFFICIAL PUBLICATION
CITY OF CUMMING
Regular Council Meeting 03/25/2024
To be Approved at 04/08/2024 Meeting**

The regular City Council Meeting of the City of Cumming was held at Cumming City Hall 649 N. 44th St. on February 26, 2024 at 6:00PM. The meeting was called to order at 6:00 P.M. by Mayor Brent Highfill. Present at Roll Call: Thomas Cackler, Larry Goode, Jr. via Zoom, Kathie Hungerford and Charlie Ochanpaugh. Martin Squier absent. Motion to approve agenda by Cackler, seconded by Ochanpaugh. Approved 4-0. Squier absent.

Public Comment: Rory Taylor, 1728 Holly Dr, Norwalk, IA 50211 is running for House and is here to introduce himself. He has lived in Warren County for over 30 years. He is running for Stan Gustin's spot, as Stan is retiring. He is running against 2 Republican opponents, but he does not have a Primary opponent. He is focused on public schools and the voucher program, as well as healthcare for lowans. Jeff Coughlin, 3900 25th Ave, Cumming, IA 50061 emailed regarding information about traffic study on S. 25th St. the city has opted to forgo the traffic study, as this is a realignment of a road, not a closure. There is no need for a study.

Public Hearings: None

Consent Items

Motion made by Hungerford, seconded by Cackler. to Approve Consent Items: Minutes from the March 11th, 2024 Regular Council Meeting, Payment of Bills, Alcohol Permits for The Wine Wagon, Wilson's Orchard, and Ted Lare, Resolution 2024-12 Approving Frist Payment to GWC, LLC, Resolution 2024-13 Payment Application Number 7 Absolute Group, Resolution 2024-14 Adjusting Regular Council Meeting Time on April 8, 2024, Resolution 2024-15 Setting a Date for Public Hearing on Designation of the Expanded Consolidated Cumming Urban Renewal Areas and on Urban Renewal Plan Amendment, and Resolution 2024-16 Setting a Date of Meeting at Which it is Proposed to Approve a Development Agreement with DHC 1, LLC, Including Annual Appropriation Tax Increment Payments.. Approved 4-0. Squier absent.

Payment of Bills:

Type	Date	Vendor	Memo	Amount
Check	03/08/2024	Combined Systems ...	Invoice 163969 & 163455	-74.50
Check	03/18/2024	City of Des Moines	Invoice 134588	-2,990.20
Check	03/18/2024	Warren County Oil	Invoice 0314659	-289.16
Check	03/18/2024	Warren Co. Snow Re...	February 16, 2024	-405.00
Check	03/18/2024	First Net	Invoice 61682961	-82.57
Check	03/18/2024	Turnbull Tree Servic...	Tree Removal 2/26	-1,200.00
Check	03/18/2024	Diligent GWC, LLC	First Payment to GWC, LLC	-47,323.88
Check	03/21/2024	Absolute Concrete C...	Payment Application #7	-135,716.77
			Total	-188,082.08

Reports:

- A. June 4, 2024 is the Primary Election for Warren County Supervisors. Cumming is located in District 1. Joseph Carico is also up for re-election for Sherriff. He has one opponent, Randy Hutchinson.
- B. No report from City Council
- C. No report from City Attorney

- D. City wide clean up days are April 26th and April 27th. We will be circulating flyers and posting on social media. Planning & Zoning is not meeting this month. Park & Recreation Board met in March 2024; they are discussing their goals as a group for the upcoming year. There are currently 3 members, with no chair. They will be electing a Chair in the near future. They will plan to meet monthly.
- E. No report from City Clerk

Adjourn:

Motion by Cackler, seconded by Hungerford to adjourn the meeting at 6:42PM.

NEXT CITY COUNCIL MEETING: April 8, 2024, 6:30 pm at City Hall

Brent Highfill, Mayor

Attest: Nichole Onstot, City Clerk

City of Cumming Claims To Be Approved All Transactions

Type	Date	Num	Name	Memo	Amount
Check	04/02/2024		Combined Systems ...	Invoice 164646	-16.00
Check	04/02/2024		US Bank	March Invoice	-197.60
Check	04/02/2024		McClure Engineering...	Invoice 151184	-22,372.00
Check	04/04/2024		Waste Solutions of lo...	Invoice 80391	-146.00
Check	04/04/2024		Conner, Rita	Health Insurance Reimbursement April 2024	-618.21
Check	04/04/2024		Combined Systems ...		-37.25
Check	04/04/2024		N/Warren Town & C...	Notice, Minutes x 2 March 2024	-266.52
Check	04/04/2024		Midamerican Energy	March Invoice	-802.93
Check	04/04/2024		Veenstra & Kimm Inc.	41247-6	-888.00
Check	04/04/2024		Veenstra & Kimm Inc.	41250-5	-660.00
Check	04/04/2024		Elan Financial Servic...	April Invoice	-757.22
Check	04/04/2024		Simmering Cory Inc	Invoice 2023-IC-0320	-450.00
Check	04/04/2024		Combined Systems ...	Invoice 163743	-15.15
Check	04/04/2024		Waste Connections	Invoice 3610378T071	-39.65
Check	04/04/2024		Skinner Law Office PC	Invoice 32781	-1,933.75
Total					-29,200.28

SKINNER LAW OFFICE, P.C.

INVOICE

PO Box 367
Altoona, IA 50009

Invoice # 32781
Date: 03/14/2024
Due Upon Receipt

CUMMING
PO BOX 100
CUMMING, IA 50061

CITY BUSINESS

Date	Notes	Timekeeper	Quantity	Rate	Total
02/12/2024	Review letter from Nate Borland, email to Rita Conner	CW	0.60	\$175.00	\$105.00
02/12/2024	City council meeting	CW	1.75	\$175.00	\$306.25
02/13/2024	Review site plans for planning and zoning meeting	CW	0.50	\$175.00	\$87.50
02/13/2024	Email from and to Amy Bjork	CW	0.25	\$175.00	\$43.75
02/13/2024	Planning and zoning meeting	CW	0.75	\$175.00	\$131.25
02/14/2024	Phone call with John Danos and Amy Bjork	CW	0.50	\$175.00	\$87.50
02/15/2024	Add emails to relevant file. Set up new file for main street project and organize.	NM	1.10	\$175.00	\$192.50
02/15/2024	Phone call with Mayor Highfill and Rita Conner	CW	0.75	\$175.00	\$131.25
02/21/2024	Review correspondence with insurance company	CW	0.50	\$175.00	\$87.50
02/22/2024	Phone call with Rita Conner	CW	0.25	\$175.00	\$43.75
02/22/2024	Email from Rita Conner, review closed session language and email response	CW	0.30	\$175.00	\$52.50
02/26/2024	Review Fire and EMS 28E Agreement	CW	0.40	\$175.00	\$70.00
02/26/2024	City Council Meeting	CW	3.00	\$175.00	\$525.00
03/06/2024	Review meeting minutes and email to Rita Conner	CW	0.25	\$175.00	\$43.75
03/11/2024	City council meeting	CW	0.15	\$175.00	\$26.25

Subtotal **\$1,933.75**

Total	\$1,933.75
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Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due	
32781	03/14/2024	\$1,933.75	\$0.00	\$1,933.75	
				Outstanding Balance	\$1,933.75
				Total Amount Outstanding	\$1,933.75

Account	Balance
Trust Account Balance	\$0.00
Total Account Balance	\$0.00

Please make all amounts payable to: Skinner Law Office, P.C.
 Payment is due upon receipt.
 We gladly accept Visa, Mastercard, Discover and American Express.

City of Cumming
Balance Sheet by Fund (Fiscal Year-to-Date)
 July 2023 through March 2024

	<u>Government...</u>	<u>Proprietary ...</u>	<u>TOTAL</u>
ASSETS			
Current Assets			
Checking/Savings			
0001110 · Operating Checking	-363,483.43	369,923.13	6,439.70
0001111 · Savings	1,034.09		1,034.09
0001112 · Money Market	1,274,582.32		1,274,582.32
Total Checking/Savings	912,132.98	369,923.13	1,282,056.11
Accounts Receivable			
1220 · Accounts Receivable	59,824.63	11,020.73	70,845.36
Total Accounts Receivable	59,824.63	11,020.73	70,845.36
Other Current Assets			
Undeposited Funds	27,952.07		27,952.07
Total Other Current Assets	27,952.07		27,952.07
Total Current Assets	999,909.68	380,943.86	1,380,853.54
TOTAL ASSETS	999,909.68	380,943.86	1,380,853.54
LIABILITIES & EQUITY			
Liabilities	18,919.95		18,919.95
Equity			
001-999 · Fund Balances	980,989.73	380,943.86	1,361,933.59
Total Equity	980,989.73	380,943.86	1,361,933.59
TOTAL LIABILITIES & EQUITY	999,909.68	380,943.86	1,380,853.54

City of Cumming
Profit & Loss by Fund (Fiscal Year-to-Date)
 July 2023 through March 2024

	<u>Governmen...</u>	<u>Proprietary ...</u>	<u>TOTAL</u>
Ordinary Income/Expense			
Income			
A · Taxes			
A1 · Taxes Levied on Property	335,237.58		335,237.58
A2 · TIF Revenue	-1,882.50		-1,882.50
A5 · Other City Taxes	46,075.48		46,075.48
Total A · Taxes	379,430.56		379,430.56
B · Licenses & Permits	60,773.67		60,773.67
C · Use of Money & Property	29,475.28		29,475.28
D · Intergovernmental			
D2 · State Shared Revenues	25,656.69		25,656.69
D3 · Other State Grants & Reimbursements	147,387.50		147,387.50
Total D · Intergovernmental	173,044.19		173,044.19
E · Charges for Services	98,593.57	52,135.88	150,729.45
G · Miscellaneous Revenues	1,728,346.61		1,728,346.61
Total Income	2,469,663.88	52,135.88	2,521,799.76
Gross Profit	2,469,663.88	52,135.88	2,521,799.76
Expense			
100-799 · Governmental Activities	2,120,420.51		2,120,420.51
800 · Business Type Activities			
815 · Sewer	111,976.07	5,980.00	117,956.07
Total 800 · Business Type Activities	111,976.07	5,980.00	117,956.07
Total Expense	2,232,396.58	5,980.00	2,238,376.58
Net Ordinary Income	237,267.30	46,155.88	283,423.18
Other Income/Expense			
Other Expense			
Fund Balance Transfer	237,267.30	46,155.88	283,423.18
Total Other Expense	237,267.30	46,155.88	283,423.18
Net Other Income	-237,267.30	-46,155.88	-283,423.18
Net Income			

RESOLUTION 2024-17

A RESOLUTION APPROVING SENIOR BOND ISSUANCE CERTIFICATE OF DES MOINES METROPOLITAN WASTEWATER RECLAMATION AUTHORITY PARTICIPATING COMMUNITY

WHEREAS, the City of Cumming is a member of the Des Moines Metropolitan Wastewater Reclamation Authority (WRA) and is in compliance with the provisions of the WRA Agreement; and

WHEREAS, the WRA has identified projects that are anticipated to be issued in calendar years 2024 and 2025; and

WHEREAS, the WRA requires the assistance of participating communities to approve the attached Senior Bond Issuance Certificate for the anticipated additional senior bonds of the WRA in the amount of \$81,710,000; and

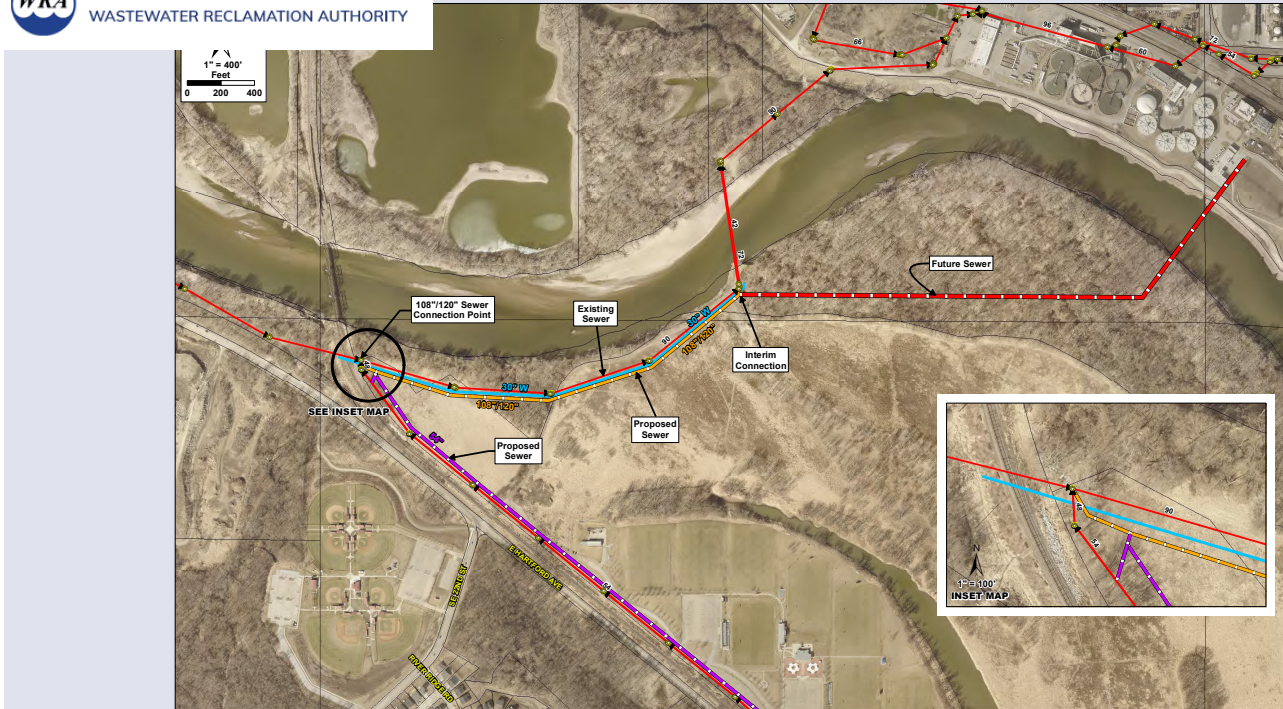
NOW, THEREFORE, BE IT RESOLVED, by the City of Cumming, Iowa, that it hereby approves the attached Senior Bond Issuance Certificate of WRA Participating Community for the anticipated additional senior bonds of the WRA in the amount of \$81,710,000 and authorizes the City Clerk to execute and return the Certificate to the Des Moines Metropolitan Wastewater Reclamation Authority.

PASSED AND APPROVED this 8th day of April, 2024.

Brent Highfill, Mayor

Attest:

Nichole Onstot, City Clerk



DMMWRA Southern Tier and Southside DM River Interceptors

These improvements are being planned and bid together under one contract.



ESTIMATED COST
\$19,000,000 for both projects



OUTCOMES
Consolidation of two large, essential infrastructure improvement projects within the WRA's conveyance system.



STATUS
Construction to begin in 2025.

Project Information

The WRA's **Southern Tier Interceptor, Phase 10, Segment 23** and **Southside Des Moines River Interceptor, Phase 3, Segment 5** projects are improvements that were each identified in the WRA Facility Plan (2014) and the WRA Conveyance Facility Plan (2024). Both were included in the FY 2025 WRA Capital Improvement Plan.

The Southern Tier Interceptor project includes the installation of approximately 9,500 linear feet of 54-inch diameter sewer, while the Southside Des Moines River Interceptor project will install approximately 2,500 linear feet of 108-inch to 120-inch diameter sewer. Construction for both projects will take place in calendar years 2025 and 2026.

Both projects are being bid and constructed under one contract due to the condition of the WRA's existing infrastructure and due to the complexity of constructing the improvements near other utility infrastructure.



CONTACT JAMES BECK
JPBeck@dmgov.org
(515) 323-8055



DMMWRA Joint Trunk - West Improvements

WRA JOINT TRUNK
PHASE 14 SEGMENTS 1 AND 2
FIGURE 9-2

Installation of nearly 18,000 feet of new WRA sewer lines is set to begin in 2025.



ESTIMATED COST
\$24,000,000



OUTCOMES

Increased capacity for conveyance of sanitary sewer flows from several member communities to the Wastewater Reclamation Authority's (WRA) facilities for treatment.



STATUS

Construction to begin in 2025 with additional phases in 2026.

Project Information

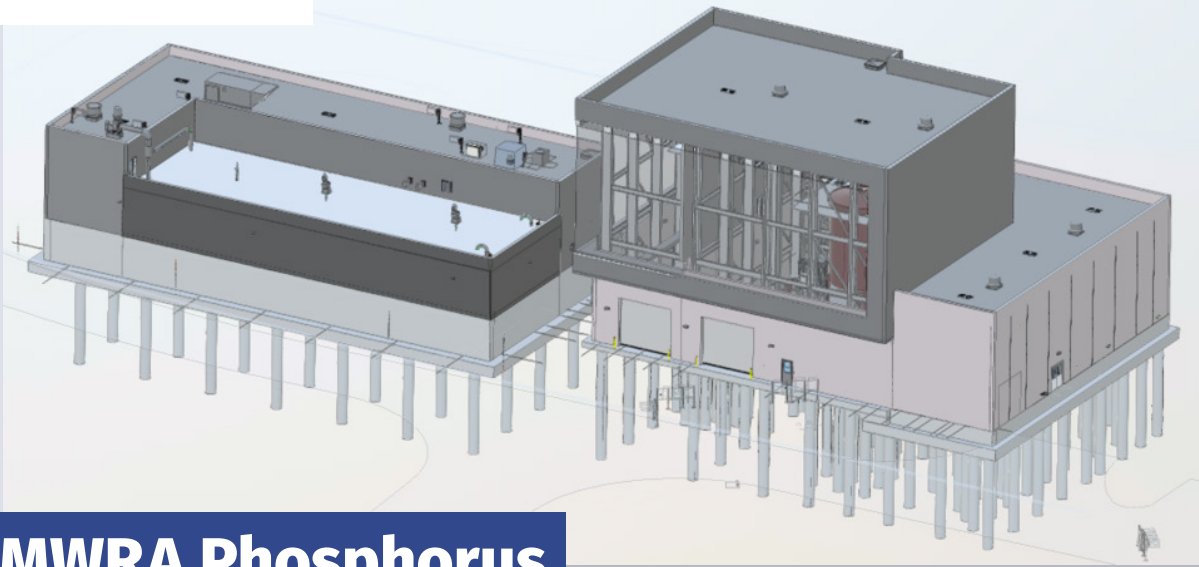
The WRA Joint Trunk (West) is an improvement that was identified in the WRA Facility Plan (2014) and the WRA Conveyance Facility Plan (2024).

The improvements were included in the FY 2025 WRA Capital Improvement Plan and include the construction of approximately 17,750 linear feet of 66-inch diameter sewer to be installed through 2026.

The proposed sewer to be constructed will convey flows from Clive, Grimes, the Urbandale Sanitary Sewer District (USSD), the Urbandale Windsor Heights Sanitary Sewer District (UWHSD), and Waukee through the WRA's Conveyance System to the Wastewater Reclamation Facility.



CONTACT JAMES BECK
JPBeck@dmgov.org
(515) 323-8055



DMMWRA Phosphorus Recovery System

Planning is currently underway for the construction of a phosphorus recovery system at the Des Moines Metropolitan Wastewater Reclamation Facility (WRF).



BUDGET
\$48,400,000



OUTCOMES

- Reduce struvite buildup within facilities and equipment and eliminate excessive nutrient removal costs
- Generate revenue through sale of removed phosphorus to fertilizer manufacturers/distributors



STATUS
Currently under design with an anticipated 2024 bid date

Project Information

Through the wastewater treatment process, a chemical known as *struvite* forms in the WRF's digestion and post-digestion facilities, leading to reduced flow and functionality within the piping, pumps, and other equipment in these facilities.

Struvite is formed through the chemical interaction between magnesium, ammonia, and phosphorus. The WRA currently spends a significant amount of money on chemicals, equipment, and internal resources to remove struvite.



Struvite buildup in a WRF pipe

To address these issues, a **phosphorus recovery system** is planned to be built that will remove phosphorus from the wastewater treatment side-streams that lead to the digestion and post-digestion facilities. The new system will minimize the potential for struvite to form and prepare the WRF to successfully meet future anticipated regulatory limits.



CONTACT JAMES BECK
JPBeck@dmgov.org
(515) 323-8055

**SENIOR BOND ISSUANCE CERTIFICATE
OF WRA PARTICIPATING COMMUNITY**

Name of Participating Community: City of Cumming, Iowa

Anticipated Amount of Additional Senior Bonds: \$ 81,710,000

Estimated Date of Issuance: \$59,710,000 after June 13th in calendar 2024;
Remaining amounts will be issued after January 1, 2025

This Senior Bond Issuance Certificate is being executed by the undersigned financial officer of the Participating Community indicated above (the "Participating Community") pursuant to Section 8.3 of Resolution No. 04-070 approved on October 28, 2004 (the "Master Resolution") by the Board of the Des Moines Metropolitan Wastewater Reclamation Authority ("WRA"), and supplementing Section 2 of Article XIII of the Second Amended and Restated Agreement for the WRA, filed with the Secretary of State on June 11, 2014 (the WRA Agreement). All capitalized terms used in this Certificate which are not otherwise defined herein shall have the meanings given to them in the Master Resolution.

Attached hereto are the following:

- WRA Certificate Memo & Instructions,
- City of Cumming WRA Debt Service Allocation, 2024 Certificates: PFM's proposed allocation of Debt Service to the Participating Community for the Additional Senior Bonds (subject to change based on actual timing of issuance by WRA), receipt of which is acknowledged by execution of this Certificate.
- WRA Cash Contribution Process

The Participating Community hereby consents to and certifies, in connection with the anticipated issuance of the above-referenced Senior Bonds, that it is currently in compliance with the provisions of the WRA Agreement requiring the establishment of rates and charges or appropriation of other funds sufficient in amount as will produce at least 110% of the amount necessary to pay the Participating Community's share of the principal and interest coming due on all Outstanding Bonds and all outstanding Local Obligations during the fiscal year 2025, and acknowledges it has factored its estimated allocations from future WRA issuances of Additional Senior Bonds into rate and coverage planning to ensure maintenance of said coverage in future fiscal years.

Attach to this Certificate for return the following:

1. A copy of the resolution passed by your governing body approving the Senior Bond Issuance Certificate of WRA Participating Community,
2. Schedule of principal and interest requirements of all outstanding Local Obligations of the Participating Community,
3. Details of other funds appropriated to meet the coverage requirements.

Approved by the Governing Body of the Participating Community on the ___ day of _____, 2024.

Dated this ___ day of _____ 2024.

By: _____

Print Name: _____

Title: _____



March 27, 2024

Memorandum

To: Rita Conner, City of Cumming

From: Matthew Stoffel, PFM Financial Advisors LLC (“PFM”)

CC: Scott Hutchens and Roxane Vaughan, Operating Contractor
Eric Boehlert, Ahlers & Cooney, P.C.

Re: Senior Bond Issuance Certificates – 2024 Certificates

pfm

801 Grand
Suite 3300
Des Moines, IA 50309
515.243.2600

pfm.com

Background

The Senior Bond Issuance Certificates of the WRA Participating Community (“Certificates”) are required as part of the Second Amended and Restated 28E Agreement (“Agreement” or “28E”). The Certificates are the mechanism that gives the WRA the authority to issue debt on behalf of the Participating Communities.

The WRA is requesting additional borrowing authority of \$81,710,000 for upcoming capital projects.

The WRA Board, WRA Technical Committee and WRA Finance Committee have reviewed these projects and loan amounts and have recommended approval of the 2024 Certificates.

- June 1, 2023 Finance Committee:
 - Received presentation from HDR regarding the WRA Treatment Facility Plan Update – 2024.
 - Reviewed list of future projects to consider, debt assumptions and community impact of Facility plan update.
- October 17, 2023 Finance Committee:
 - Reviewed detailed CIP and had preliminary discussions regarding the need for a public bond sale in 2024 to fund several CIP projects that are not SRF eligible or they are too small to justify stand-alone SRF financing.
 - Discussed the need for 2024 Certificates to authorize additional debt being considered in the CIP update.
 - Discussed the need to amend the 2023 Certificates to include property acquisition as an eligible project. WRA did not increase the amount of the 2023 Certificates but reallocated a portion of the \$10,000,000 contingency to the added project.
- December 19, 2023 Finance Committee:
 - Reviewed and discussed the proposed 2024 bond issuance schedule.
 - Discussed the potential considerations for Participating Community bank qualification considerations.



- January 16, 2024 Finance Committee:
 - Discussed and finalized the size of the 2024 bond issue. Recommended inclusion of the 2024 bond debt service in the Fiscal Year 2024-25 budget.
 - Reviewed and discussed list of projects totaling \$117,000,000, that could be considered for the 2024 Certificates. WRA staff narrowed the list of projects to \$81,710,000 based on anticipated needs through December 31, 2025.
- February 20, 2024 WRA Board Meeting:
 - WRA Board held public hearings and adopted Fiscal Year 2024-25 budget inclusive of the 2024 Certificate projects.

Projects & Assumptions

The table below outlines the projects and assumptions included in the 2024 Certificates. WRA has provided one page project summaries for several key projects included in the 2024 Certificates.

Project	Amount	Term	Interest Rate Assumption ¹⁾	Calendar Year
Series 2024D Bond Sale	\$28,110,000	15 year	4.95%	2024
Southern Tier & DM River Interceptors #2 ²⁾	14,000,000	20 year	3.68%	2025
Phosphorus Recovery #2 ^{2) 3)}	8,000,000	20 year	5.05%	2025
Joint Trunk – West	27,000,000	20 year	3.68%	2024
Personnel Facility (P&D) ³⁾	2,000,000	3 year	0.00%	TBD
Aeration Improvements (P&D) ³⁾	1,600,000	3 year	0.00%	TBD
B50 Return Sludge Pump Station (P&D) ³⁾	1,000,000	3 year	0.00%	TBD
Total	\$81,710,000			

- 1) Assumed interest rates are based on current bond market conditions or current SRF Loans interest rates plus 1.00% for market timing. The Iowa Finance Authority has started adjusting interest rates quarterly based on the tax-exempt and taxable 20 year BVAL rate. Actual interest rates are subject to change.
- 2) The 2023 Certificates included \$42.1 million for Phosphorus Recovery and \$8 million for Southern Tier Interceptor improvements. The amounts included in the 2024 Certificates represent additional amount expected to fund these projects.
- 3) WRF Phosphorus Recovery and all Planning and Design (“P&D”) loans are expected to be issued as taxable debt and will not impact Participating Communities bank qualification considerations.

Participating Community Impact

The table below outlines the current allocations for the proposed projects.

Project	WRA Amount	Cumming Flow %	Cumming Allocation	Est. Annual Debt Service	BQ Impact
Series 2024D Bond Sale	\$28,110,000	0.065%	\$18,272	\$1,736	Yes
Southern Tier & DM River Interceptors #2	14,000,000	0.065%	9,100	651	Yes
Phosphorus Recovery #2	8,000,000	0.065%	5,200	419	No
Joint Trunk – West	27,000,000	0.135%	36,450	2,608	Yes
Personnel Facility (P&D)	2,000,000	0.065%	1,300	0	No
Aeration Improvements (P&D)	1,600,000	0.065%	1,040	0	No
B50 Return Sludge Pump Station (P&D)	1,000,000	0.065%	650	0	No
Total	\$81,710,000		\$72,012	\$5,414	

WRA reallocates all costs annually according to the terms in the 28E based on the change to the three-year average flows. Flow year is October 1st to September 30th. Community allocations are subject to change based on the terms of the Agreement.



Supporting Documents

1. Additional Project Information
2. Senior Bond Issuance Certificate of WRA Participating Community.
3. City of Cumming WRA Debt Service Allocations – 2024 Certificates.
 - a. This includes debt service allocation of all existing, previously certified but not yet issued, and proposed WRA loans under the 2024 Certificates using the most current flow allocation.
4. WRA Cash Contribution Process. This document provides the steps a community can take to pay cash in lieu of the WRA issuing debt on their behalf. The Senior Bond Certificates still need to be complete by each Participating Community regardless of a Participating Community's election to fund their portion of a project with cash.

Next Steps

1. Confirm community rates and charges or annually appropriated funds are sufficient to produce at least 110% of the amount necessary to pay principal and interest on all Outstanding Bonds and all outstanding Local Obligations during Fiscal Year 2024-25. Confirm other bond covenants are compliant with respect to Local Obligations.
2. Approve, by resolution of your governing body, the Senior Bond Issuance Certificate of WRA Participating Community.
3. Return supporting documentation to WRA staff.

Please return electronic copies of documents to Roxane Vaughan by April 30, 2024.

Questions can be directed to Roxane Vaughan and/or Matthew Stoffel.

Roxane Vaughan 515-323-8008
Matthew Stoffel 515-724-5737

rjvaughan@dmgov.org
stoffelm@pfm.com

RESOLUTION 2024-18
City of Cumming

**SET A DATE FOR A PUBLIC HEARING ON THE PROPOSED BUDGET
FOR FISCAL YEAR 2024-2025**

WHEREAS, The Code of Iowa requires cities to hold a public hearing on proposed budgets, and

WHEREAS, a date must be set for the Public Hearing,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Cumming, Iowa, as follows:

Section 1. This Council will meet at the Cumming City Hall, 649 N. 44th Street, Cumming, Iowa, on the 22nd day of April, 2024, at 6:00 P.M. at which time and place it will hold a public hearing on the proposed Budget for Fiscal Year 2024-2025.

Section 2. The City Clerk shall post notice of said hearing, which posting shall be at the three public places in said City which have been permanently designated by ordinance, such notice being in the form attached to this resolution, and such posting shall be not less than 10 days nor more than 20 days before the date set for public hearing.

Passed and approved this 8th day of April, 2024.

Brent Highfill, Mayor

Attest:

Nichole Onstot, City Clerk

Resolution 2024-19
City of Cumming

Approving and Authorizing Execution of a 28E Intergovernmental Agreement between the City of Cumming and the Warren County Board of Supervisors regarding Law Enforcement Services

WHEREAS, The City of Cumming desires to provide regular law enforcement service to its residents, and

WHEREAS, The Warren County Sheriff's Office has an established law enforcement department and has agreed to provide law enforcement services to the City of Cumming, and

WHEREAS, The City of Cumming shall pay Warren County for seven hours of services per week, in the amount of \$11,756.00 for three successive fiscal years (2025, 2026, 2027) for providing law enforcement services, and

WHEREAS, the full text of the agreement is found in a document entitled "Agreement and Four-Year Contract for Law Enforcement Services between the City of Cumming, Iowa, Warren County, Iowa and Warren County Sheriff, Warren County, Iowa", and

WHEREAS, Chapter 28E of the Code of Iowa provides for governmental bodies to enter into agreements for joint cooperation in the matters of mutual benefits, and

WHEREAS, the City Council, City of Cumming, Iowa, does believe it is in the best interest of the City of Cumming, Iowa, to approve and authorize execution of said 28E Intergovernmental Agreement for Law Enforcement Services,

NOW THEREFORE BE IT RESOLVED, by the City Council that the Mayor and City Clerk are hereby authorized and directed to execute and attest, respectively, said 28E Intergovernmental Agreement for Law Enforcement Services, for and on behalf of the City of Cumming, Iowa.

Passed and approved this 8th day of April, 2024.

Brent Highfill, Mayor

Attest:

Nichole Onstot, City Clerk

**AGREEMENT AND FOUR-YEAR CONTRACT FOR
LAW ENFORCEMENT SERVICES**

**Between the
CITY OF CUMMING, Warren County, State of Iowa
And
WARREN COUNTY SHERIFF, Warren County, State of Iowa**

28E Agreement

THIS AGREEMENT AND FIVE-YEAR CONTRACT FOR LAW ENFORCEMENT SERVICES is entered into this 8th day of April, 2024, by the Warren County Sheriff, hereinafter referred to as the “Sheriff,” and the City of Cumming, hereinafter referred to as the “City.”

Chapter 28E of the Code of Iowa provides for governmental bodies to enter into Agreements for joint cooperation in the matters of mutual benefits. The County and City believe it is in the best interests of both entities and the citizens of the County and the City that the entities cooperate regarding law enforcement services.

TERMS. It is agreed that in consideration for the sum of \$11,756 paid by the City to the County, the County agrees to provide 7 hours of law enforcement services each week including the following:

1. The Sheriff will provide general patrol, traffic enforcement, nighttime security checks of businesses. Disaster assistance shall be provided in accordance with the City of Cumming Emergency Operations Plan.
2. Deputies will file charges under City ordinances when applicable. The City will be responsible for any costs that may occur, pursuant to the Code of Iowa (2024), as a result of the same, i.e., incarceration fees, prosecution, etc.
3. The City will provide the Sheriff’s office with an updated code of City ordinances and fines if applicable. The City also will provide an updated copy of the City of Cumming Emergency Operations Plan to the Sheriff’s office.
4. The Sheriff also will provide the City Council with a monthly detailed log of Contract hours separate from other service calls. The monthly reports shall be due by the 10th day of the following month.

COOPERATION. The officers, agents, and employees of the City shall cooperate with the County in the performance of the Sheriff’s duties.

DUTIES. The assignment of duties, discipline of Sheriff’s employees, and matters incident to the performance of the duties of Sheriff’s employees shall remain the responsibility of the Sheriff, as will payment and compensation of wages and benefits. The City shall provide requested information and reports to facilitate the Sheriff’s assignment and supervision of personnel. The

City shall not be responsible for any worker's compensation claims arising from the performance of duties under this Agreement.

SEPARATE LEGAL ENTITY. No separate legal entity is created by this Agreement and no personal property shall be acquired by the City of Cumming or the Warren County Sheriff from the other entity.

RECORDS. Each party shall have access to all records necessary for financial auditing of the parties' transactions. The records shall be kept a minimum of five (5) years.

ADMINISTRATION OF AGREEMENT PROVISIONS. The Sheriff, or a person designated by the Sheriff, shall be responsible for the administration of this Agreement. If the Sheriff designates another person to administer the Agreement, the Sheriff shall notify the City by providing the name, email and telephone number for the designee.

PAYMENT. The City shall pay \$11,756, paid in two equal installments of \$5,878, first payment paid on December 15 and second payment paid on June 15, for the current Fiscal Year.

Payments will not increase annually for 3 successive fiscal years. This Agreement shall be in effect for Fiscal Year 2025, 2026, 2027. This Agreement shall be renegotiated by the City of Cumming and the Sheriff prior to the beginning of Fiscal Year 2028.

BILLING. A designee of the Warren County Board of Supervisors will bill the City for payment pursuant to this Agreement and Contract. Payment shall be made to Warren County Treasurer.

DURATION. This Agreement shall be in effect from the date of approval by the Cumming City Council and the Warren County Sheriff's Office and shall remain in full force and effect unless either party terminate the Agreement for good cause by the Warren County Sheriff's Office or by resolution of the Cumming City Council. Such notice of termination from the Cumming City Council will be in writing and sent by certified mail to the Warren County Sheriff's Office, 115 North Howard Street, P.O. Box 337, Indianola, Iowa 50125. Such notice of termination from the Warren County Sheriff will be in writing and sent by certified mail to the Mayor of Cumming, P.O. Box 100, 649 N. 44th St., Cumming, Iowa 50061. Termination shall be effective thirty (30) days after the date of service of said notice.

APPROVAL. The parties hereunto shall approve this Agreement by resolution of their respective boards or councils which shall authorize the execution of this Agreement. The termination of this Agreement shall not relieve either party to this Agreement of any obligation or liability arising during the term of the Contract.

ENTIRE AGREEMENT. This is the entire Agreement between the parties and it may be amended in writing with proper notification to the parties. The laws of the state of Iowa shall apply to the Agreement and Contract. All parties to this Agreement shall cooperate with each other to the fullest extent possible in order to facilitate and carry out the provisions of this Agreement.

Dated this 8th day of April, 2024.

CITY OF CUMMING, IOWA

By: _____
Brent Highfill, Mayor

By: _____
Nichole Onstot, City Clerk

WARREN COUNTY, IOWA

By: _____
Darren Heater, Chairman, Board of Supervisors

By: _____
Kim Sheets, Auditor

By: _____
Joseph C. Carico, Warren County Sheriff