

# *Woodbury County Law Enforcement Center Authority*

## **Agenda**

September 28, 2020 11:00 a.m.

Woodbury County Courthouse, First Floor Boardroom

### **11:00 a.m.** Call Meeting to Order

1. Approval of the agenda
2. Approval of the minutes of the September 17, 2020 meeting
3. Public hearing on the proposal to enter into a Lease Agreement with the City of Sioux City, Iowa
4. Approval of resolution approving and authorizing execution of a Lease Agreement with the City of Sioux City, Iowa
5. Approval of resolution directing the acceptance of a proposal to purchase \$25,225,000 Taxable Law Enforcement Center Facilities Revenue Bonds, Series 2020
6. Commissioners concerns

**ADJOURNMENT**

# *Woodbury County Law Enforcement Center Authority*

## **Minutes**

September 17, 2020 11:00 a.m.

Woodbury County Courthouse, First Floor Boardroom

Attendance:

Members: Dan Moore, Ron Wieck, Rocky De Witt

Staff: Karen James, Kenny Schmitz, Dennis Butler

Meeting was called to order at 11:00 a.m.

1. Motion by De Witt, second by Moore to approve the agenda. Carried 3-0
2. Motion by De Witt, second by Moore to approve the minutes of the September 14, 2020 meeting. Carried 3-0
3. Motion by Moore, second by De Witt, to approve resolution approving the preliminary official statement for \$25,225,000 (Dollar amount subject to change) taxable Law Enforcement Center Facilities Revenue Bonds, Series 2020. Carried 3-0
4. Motion by De Witt, second by Moore to approve resolution approving Bond Disclosure Policy. Carried 3-0
5. Motion by Moore, second by Wieck to approve resolution approving Post-Issuance Compliance Policy. Carried 3-0
6. Discussion on items attached to the Law Enforcement Center Authority's Facebook. An email address has been set up through the County's email system, so the public can communicate with the Authority.
7. Motion by Moore, second by De Witt to approve the revised LEC layout. Carried 3-0
8. Motion by Moore, second by De Witt to approve the Dissemination Agent Agreement. Carried 3-0
9. Dennis Butler announced that on September 24<sup>th</sup> at 3:00 p.m. will be the price call with Piper/Sandler.

The Authority will be meeting on September 28<sup>th</sup> at 11:00 a.m. for a public hearing and approving of a Lease Agreement.

Motion by De Witt, second by Moore to adjourn the meeting.

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Dan Moore, Secretary



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September 17, 2020

Via E-mail Only

Woodbury County Law Enforcement Center Authority  
c/o Mr. Dennis Butler  
Woodbury County Finance/Budget Director  
Woodbury County Courthouse  
620 Douglas Street, Room 104  
Sioux City, Iowa 51101

Re: Woodbury Law Enforcement Center Authority and City of Sioux City, Iowa -  
Resolution Approving Lease

Dear Dennis:

Enclosed please find suggested proceedings to be acted upon by the Board of Commissioners on the date fixed for the hearing on the proposal to enter into a Lease Agreement with the City of Sioux City, Iowa.

The proceedings are prepared to show as a first step the holding of a public hearing for the receiving of any oral or written objections from any resident or property owner to the proposed action of the Board of Commissioners. A summary of objections received or made, if any, should be attached to the proceedings. After all objections have been received and considered, if the Board of Commissioners decides not to abandon the lease, a form of resolution follows that should be introduced and adopted, entitled Resolution Approving and Authorizing Execution of a Lease Agreement with the City of Sioux City, Iowa.

Please note the following:

- These proceedings assume the Notice of Public Hearing previously sent was published according to the instructions in the letter or e-mail accompanying that notice. Please fax or scan a copy of the newspaper's publication of the notice to us on the day it is published (if convenient).
- We assume you will work with the City to ensure execution of the Lease Agreement by both parties. The execution version was e-mailed on September 9, 2020.
- Please be sure to send us a signed copy of the Lease Agreement for our file.

- Please return the Transcript Documentation included with this letter to us within 2 weeks of the public hearing.

If you have any questions, please do not hesitate to contact our office.

Ahlers & Cooney, P.C.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason L. Comisky".

Jason L. Comisky  
FOR THE FIRM

JLC:ks

Enclosures

cc: Karen James (via email)

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**ITEMS TO INCLUDE ON AGENDA FOR SEPTEMBER 28, 2020**

**WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY**

Woodbury County Law Enforcement Center Authority.

- Public hearing on the proposal to enter into a Lease Agreement with the City of Sioux City, Iowa.
- Resolution approving and authorizing execution of a Lease Agreement with the City of Sioux City, Iowa.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE  
AUTHORITY.

September 28, 2020

The Board of Commissioners of the Woodbury County Law Enforcement Center Authority, met in \_\_\_\_\_ session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at \_\_\_\_\_ o'clock \_\_\_\_\_.M., on the above date. There were present the following named Commissioners:

\_\_\_\_\_  
\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

The Chairperson announced that this was the time and place for the public hearing and meeting on the matter of the proposal to approve and authorize execution of a Lease Agreement by and between the City of Sioux City, Iowa and the Woodbury County Law Enforcement Center Authority, and that notice of the proposed action by the Board to enter into said Lease Agreement had been published.

The Chairperson then asked the Secretary whether any written objections had been filed to the proposed action. The Secretary advised the Chairperson and the Board that \_\_\_\_\_ written objections had been filed. The Chairperson then called for oral objections and \_\_\_\_\_ were made. Whereupon, the Chairperson declared the time for receiving oral and written objections to be closed.

**(Attach here a summary of objections received or made, if any)**

The Board then considered the proposed action and the extent of objections thereto.

Commissioner \_\_\_\_\_ introduced the following resolution entitled "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH THE CITY OF SIOUX CITY, IOWA", and moved that the resolution be adopted. Commissioner \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Resolution was duly adopted as follows:

**RESOLUTION APPROVING AND AUTHORIZING  
EXECUTION OF A LEASE AGREEMENT WITH  
THE CITY OF SIOUX CITY, IOWA**

WHEREAS, it is deemed necessary and advisable that the City of Sioux City, State of Iowa, (the "City") should provide for the authorization of a Lease Agreement with the Woodbury County Law Enforcement Center Authority (the "Authority") for the purpose of construction and operation of a new law enforcement center facility as hereinafter described; and

WHEREAS, Iowa Code Section 346.27 provides that the Authority shall have and exercise certain public and essential governmental powers and functions including the right to lease all or any part of a building to an incorporating unit upon rental terms agreed upon between the Authority and the incorporating unit; and

WHEREAS, the Authority and City have negotiated the form of a proposed Lease Agreement (the "Lease") by and between the Authority and the City, which would obligate the Authority to construct certain improvements to be non-exclusively used by the City as a law enforcement center facility (more particularly described in the Lease) on certain real property located within Sioux City, Iowa as defined and legally described in the Lease, consisting of the construction of an approximately 213,000 square foot building, together with all related site improvements, under the terms and following satisfaction of the conditions set forth in the Lease and would obligate the City to cause the construction of certain infrastructure improvements as

outlined in the proposed Lease, under the terms and following satisfaction of the conditions set forth in the Lease; and

WHEREAS, pursuant to notice published as required by law, this Board has held a public meeting and hearing upon the proposal to approve and authorize execution of the Lease and has considered the extent of objections received from residents or property owners as to said proposed Lease; and, accordingly the following action is now considered to be in the best interests of the County and residents thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:

Section 1. That the performance by the Authority of its obligations under the Lease, under the terms set forth in the Lease, be and is hereby declared to be an appropriate and necessary undertaking of the Authority pursuant to Section 346.27, Code of Iowa.

Section 2. That the form and content of the Lease, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the Chairperson and the Secretary be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver the Lease for and on behalf of the Authority in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Lease, the Chairperson and the Secretary are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Lease as executed.



PASSED AND APPROVED this 28<sup>th</sup> day of September, 2020.

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Chairperson, Board of Commissioners

ATTEST:

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Secretary, Board of Commissioners

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF WOODBURY )

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

WITNESS my hand and the seal of the Board of Commissioners hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Secretary, Woodbury County Law Enforcement  
Center Authority



**Ahlers & Cooney, P.C.**  
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Jason L. Comisky  
515.246.0337  
[jcomisky@ahlerslaw.com](mailto:jcomisky@ahlerslaw.com)

September 23, 2020

Via E-mail Only

Woodbury County Law Enforcement Center Authority  
c/o Mr. Dennis Butler  
Woodbury County Finance/Budget Director  
Woodbury County Courthouse  
620 Douglas Street, Room 104  
Sioux City, Iowa 51101

Re: Woodbury County Law Enforcement Center Authority  
\$25,225,000 Taxable Law Enforcement Center Facilities Revenue Bonds,  
Series 2020

Dear Dennis:

With this letter I am enclosing suggested proceedings to be acted upon by the Board of Commissioners in accepting a proposal to purchase the above Taxable Law Enforcement Center Facilities Revenue Bonds. It is my understanding that such a proposal is expected to be considered at the September 28th meeting of the Board.

**Please provide us with a certified copy of the procedure following the Board's action for our transcript of the action taken.**

Should you have any questions pertaining to the proposal or the enclosed proceedings, please don't hesitate to contact me.

Ahlers & Cooney, P.C.

Sincerely,

A handwritten signature in blue ink that reads "Jason L. Comisky".

Jason L. Comisky  
FOR THE FIRM

JLC:ks

Enclosures

cc: Karen James (via email)  
Nathan Summers (via email)  
Aaron H. Smith (via email)  
Drake Grossklaus (via email)

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**ITEMS TO INCLUDE ON AGENDA FOR SEPTEMBER 28, 2020**

**WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY**

\$25,225,000 Taxable Law Enforcement Center Facilities Revenue Bonds, Series 2020

- Resolution Directing the Acceptance of a Proposal to Purchase \$25,225,000 Taxable Law Enforcement Center Facilities Revenue Bonds, Series 2020.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE  
CHAPTER 21 AND THE LOCAL RULES OF THE  
AUTHORITY.

September 28, 2020

The Board of Commissioners of Woodbury County Law Enforcement Center Authority, met in \_\_\_\_\_ session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at \_\_\_\_\_ .M., on the above date. There were present the following named Commissioners:

\_\_\_\_\_

Absent: \_\_\_\_\_

Vacant: \_\_\_\_\_

\* \* \* \* \*

Commissioner \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION DIRECTING THE ACCEPTANCE OF A PROPOSAL TO PURCHASE \$25,225,000 TAXABLE LAW ENFORCEMENT CENTER FACILITIES REVENUE BONDS, SERIES 2020" and moved that it be adopted. Commissioner \_\_\_\_\_ seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the resolution was duly adopted as follows:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE ACCEPTANCE OF A  
PROPOSAL TO PURCHASE \$25,225,000 TAXABLE LAW  
ENFORCEMENT CENTER FACILITIES REVENUE BONDS,  
SERIES 2020

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority"), is a body corporate, organized and existing under and by virtue of Section 346.27, Code of Iowa, and any successor legal authority thereto; and

WHEREAS, it is deemed necessary that the Authority should issue bonds and borrow the amount of \$\_\_\_\_\_ as authorized by Section 346.27, Code of Iowa as amended; and

WHEREAS, a proposal has been received from Piper Sandler & Co. of Des Moines, Iowa; and

WHEREAS, it is the intention of this Board of Commissioners to enter into a bond purchase agreement in accordance with said proposal dated \_\_\_\_\_, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:

Section 1. That this Board of Commissioners does hereby accept the attached proposal of Piper Sandler & Co. of Des Moines, Iowa, and hereby approves the form of contract for the sale of the bonds.

Section 2. The Chairperson and Secretary are authorized and directed to proceed on behalf of the Authority to execute such contract for the sale of the bonds, to negotiate the final

terms and to take all action necessary to permit the entering into of a bond purchase agreement on a basis favorable to the Authority and acceptable to the Purchaser, and to proceed to meet the conditions of this accepted proposal.

PASSED AND APPROVED this 28th day of September, 2020.

\_\_\_\_\_  
Chairperson, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Secretary, Board of Commissioners

(Attach Copy of Terms of Proposal)

CERTIFICATE

STATE OF IOWA

)

) SS

COUNTY OF WOODBURY

)

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

WITNESS my hand and the seal of the Board of Commissioners hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Secretary, Woodbury County Law  
Enforcement Center Authority

(SEAL)