

NOTICE AND CALL OF PUBLIC MEETING

GOVERNMENTAL BODY: THE CITY COUNCIL OF CRESCO, IOWA

DATE OF MEETING: JULY 6, 2016

TIME AND PLACE OF MEETING: 7:00 P.M. AT CRESCO CITY HALL

PUBLIC NOTICE IS HEREBY GIVEN THAT THE ABOVE MENTIONED GOVERNMENTAL BODY WILL MEET AT THE DATE, TIME AND PLACE SET OUT ABOVE. THE TENTATIVE AGENDA FOR SAID MEETING IS AS FOLLOWS:

ROLL CALL: CARMAN, BOUSKA, McGEE, McCARVILLE, BRENNON

ACT ON THE CONSENT AGENDA: All items listed under the consent agenda will be enacted by one motion. There will be no separate discussion of these items unless a request is made prior to the time council votes on the motion.

1. Approval of the Agenda
2. Approval of the Claims
3. Approval of Minutes from June 20, 2016
4. Approval of Displaying Sale Flags for Super Saturday Sales from July 15th through July 17, 2016
5. Approval of Displaying Cresco Flags for Cresco 150th Celebration from July 20th through July 25, 2016
6. Approval of Special Class C Liquor License (BW) (Beer/Wine) with Outdoor Service and Sunday Sales to City of Cresco d/b/a Cresco 150th Celebration

STAFF REPORTS: There may be action taken on each of the items listed below.

1. Public Works
2. Police
3. Administration
4. Committee Updates

BUSINESS: There may be action taken on each of the items listed below.

1. Proclamation for National Night Out on August 2, 2016
2. Recommendation by Board of Adjustments to Reappoint Brian Balk for a Five Year Term Ending June 30, 2021
3. Recommendation by the Planning and Zoning Commission to Reappoint Allison Holten for a Five Year Term Ending June 30, 2021
4. Recommendation by the Planning and Zoning Commission to Reappoint Bruce Kingsley for a Five Year Term Ending June 30, 2021
5. Resolution Authorizing the Mayor and City Clerk to enter into an Industrial Sewer Rental Agreement with Cresco Food Technologies LLC
6. Resolution Approving the Investment Policy for the City of Cresco
7. Resolution Naming Depositories
8. Update on Cresco's 150th Celebration

COMMENTS FROM AUDIENCE:

ADJOURN:

THIS NOTICE IS GIVEN AT THE DIRECTION OF THE MAYOR PURSUANT TO
CHAPTER 28A, CODE OF IOWA AND THE LOCAL RULES OF SAID GOVERNMENTAL
BODY. POSTED JULY 5, 2016.

Mayor Bohle called the Cresco City Council meeting to order on June 20, 2016, at 7:00 pm at City Hall. Council Members Carman, Bouska, McGee and Brenno were present. McCarville arrived at 7:03 pm. No council members were absent.

Carman made the motion to approve the consent agenda which included approval of the: agenda; claims; minutes of the June 6, 2016 council meeting; tax abatement under the Urban Revitalization Plan for Shannon & Jessica Cox; Permit for Supervised Display of Fireworks at H&S Motors on July 3, 2016; Pay Request #3 – Final from Mehmert Tiling for the Highway 9 Watermain Replacement Project for \$13,189.70. Bouska seconded and it passed all ayes.

Public Works Director Freidhof reported (a) started chipsealing; (b) special yardwaste pick up today due to the high wind damages from the storm last week; (c) there were spots in town that had flash flooding but must be expected when that much rain is received in such a short time period; (d) the parking lots are finished and look good. They came back and fixed a low spot in the Theatre parking lot. The project came in a little under the quoted price; (e) the watermain loop project on 4th Street is finished; (f) a water leak at the wastewater facility was repaired. The 2 inch line was leaking about 20,000 gallons a week that was right above a tile line; (g) the train will be finished this week. Alum-Line graciously offered to build new steps on the train so Jody Torgerson will be constructing those next week.

Police Chief Ruroden reported that 29 applications were received for the full-time police officer position. The Chief and Personnel Committee will review them and begin testing and interviews.

City Clerk Girolamo reported it has been really busy with the end of the fiscal year. The departments were finishing up projects and getting invoices to pay. We are also busy with preparations for the 150th Celebration in July. Sponsorships have been wonderful.

McCarville reported the 150th Celebration is coming so now we are in that final month.

Hotel/Motel Tax received this quarter was \$4,042.15. Four requests for tourism grants of \$3,000 were received. Bouska made the motion to approve the Cresco Tourism Advisory Committee's recommendation to grant \$500 to Cresco Police Department for National Night Out; \$500 to the Cresco Fine Arts Council for the Fine Arts Show; \$1,200 to the Cresco Historical Society for security cameras; \$1,000 to the Cresco Chamber of Commerce for Family Fun Nights. Carman seconded and it passed all ayes.

Bouska made a motion to approve a resolution to accept the Highway 9 Watermain Replacement Project. Brenno seconded and it passed all ayes.

Carman made a motion to approve the recommendation of the Cresco Library Board & Foundation to reappoint Patsy Bronner to the Library Board and Library Foundation for a term of six years ending June 30, 2022. McCarville seconded and it passed all ayes.

Carman made the motion to approve the recommendation of the Cresco Library Board & Foundation to reappoint Larry Joiner to the Library Board and Library Foundation for a term of six years ending June 30, 2022. Brenno seconded and it passed all ayes.

McCarville made a motion to approve the write off of two uncollectible customer accounts of \$220.51 for fiscal year ending June 30, 2016. Bouska seconded and it passed all ayes.

Carman made a motion to approve a resolution establishing sewer charges due to an Industrial Sewer Rental Agreement with Donaldson Company Inc. Bouska seconded and it passed all ayes.

Bouska made a motion to approve a resolution committing fund balance resources for General Funds and Special Revenue Funds (GASB 54). Carman seconded and it passed all ayes.

Carman made a motion to approve a resolution establishing a fund within the City's accounts – Fund 092 Theatre Trust Fund. McCarville seconded and it passed all ayes.

Bouska made a motion to approve a resolution to close inactive funds. McCarville seconded and it passed all ayes.

Brenno made a motion to close City Hall on Thursday June 30, 2016 for year end processing. McGee seconded and it passed all ayes.

Bids for the Excavation Contractor for the fiscal year ending June 30, 2017 were reviewed. Skyline Construction and Mehmert Tiling hourly bids were respectively: Backhoe \$90/\$84.55; Dump Truck \$80/\$79.10; Backhoe w/breaker \$156.50/\$105.40; Excavator \$142.50/\$139.01. Bouska made the motion to accept the lower bid from Mehmert Tiling. Carman seconded and it passed all ayes.

Carman made the motion to set the date for the next council meeting for Wednesday July 6, 2016 due to 4th of July holiday on Monday night. Bouska seconded and it passed all ayes.

The Mayor asked if there were any comments from the audience. Girolamo reported that the Airport Commission had requested the Council to consider allowing the profit this year to be transferred to an Airport Trust Fund. The trust fund would be used to finance future airport projects. The revenue for the Airport came from land rent, hangar rent and an Iowa DOT grant. The Airport had used general property taxes in six of the past nine years plus local option sales tax. Council decided to wait until next year to discuss future profits being transferred to a trust and to use this year's profit to pay back the general fund for past years' losses. This will be discussed during the next budget work session with the Airport Commission.

Brenno moved to adjourn at 7:19 pm. Carman seconded and it passed all ayes. The next regular Cresco City Council meeting will be Wednesday July 6, 2016 at 7:00 pm at Cresco City Hall.

Mayor Mark Bohle

City Clerk Michelle Girolamo

Following is a list of claims approved for payment:

3B CONSTRUCTION	Srvc	300.00
ACES	Srvc	2,388.00
ADVANCED SYS	Maint	176.84
AUTOMATIC SYS	Equip	1,750.78
B&H PHOTO	Equip	2,449.65
BABBITT, JOELEEN	DepRef	8.74
BAKER&TAYLOR	Lib bks&audios	956.44
BALK, BRIAN	BdOfAdj	80.00
BALK, SUSIE	Refund vendor	50.00
BARCO MUNIC	Barricades	1,939.85
BENTZ, KIM	Reimb supp	629.16
BILLMYER FURN	Supplies	889.86
BITUMINOUS MAT	Oil	11,534.06
BC/BS	Insur	28,430.98
BOB'S ELECTRIC	Srvc	2,824.86
BOHR, WENDY	Reimb postage	141.00
BROWN SUPPLY	Equip	25,562.23
BRUENING ROCK	Chips&rock	6,856.99
CAMPSITE RV INC.	LP	114.95
CARDMEMBER	DVDs&books	169.03
CARQUEST	Supplies	113.98
CAUWELS, DENNIS	BdOfAdj	60.00
CITY LAUNDERING	Srvc	248.06
CITY OF CRESCO	Insur,util	2,530.82
CPU	Srvc	50.00
CONLAN MIKE	Plan&Zon	20.00
CRESCO CHAMBER	Supp	750.00
CRESCO FIRE SAFETY	Equip	200.00
CRESCO SHOPPER	Ads	257.50
CRESCO SMALL ENG	Supp	65.79
CRESCO TPD	Ads	224.78
CRESCO VET	Supp	54.60
DALCO	Supp	297.63
DIAMOND VOGEL	Supp	2,103.90
ELWOD,ODON,BRAU	Legal svc	2,575.00
FAREWAY	Supp	16.74
FENCO PROD	Parts	219.58
GALLS	Uniforms	8.95
GILLUND ENTERPR	Supp	102.48
GROUP SERVICES	Fees	259.00
HACH	Supp	272.76
HANSON TIRE	Supp	132.50
HAWKEYE REC	Elect	5,955.50
HAWKEYE SAN	Grbg/recyl	47,157.06
HEARTLAND ASPHLT	ParkLots	86,010.25
HENDERSON, JEFF	BdOfAdj	80.00
HEWETT WHOLESA	Concess	1,198.95
HOLTEN, ALISON	Plan&Zon	20.00
HO CO RECORD	Release mrtgs	21.00
INTERSTATE POWER	Rprs	5,636.84
IA LEAGUE CITIES	Dues	1,933.00
IA ONE CALL	Srvc	69.30
IA SPORTS	Supp	61.00
KINGSLEY, BRUCE	Plan&Zon	20.00
KUBIK	Lib equip	9,878.36
KWIK TRIP	Gas	3,288.91
LARSON, KELLY	Reimb supp	105.64
LAWRENCE, JOE	Maint	48.00
LT MECHANICAL	Srvc	900.00
MEDIACOM	Phone	205.16

MEHMERT TILING	4thStWtr	47,173.20
MEHMERT TILING	Hwy9Wtr	13,189.70
MOELLERS, KEN	Lease	125.00
MOHAWK ELECT	Equip	75.00
NE IA MOTORS	Srvc	129.88
NE IA TELEPHONE	Lib equip	1,350.00
O'HENRY'S	Srvc,supp	1,348.77
OLLENDICK, DANIEL	BdOfAdj	105.00
OMAR, KRIS	Plan&Zon	20.00
PAYROLL		86,515.93
PECINOVSKY, CLAIR	Srvc	580.00
PEPSI-COLA	Concessions	362.29
PETTY CASH	Postage,supp	161.49
POPULAR SUBSCR	Periodicals	2,204.74
POSTMASTER	Postage	100.00
RACOM	Equip	2,596.00
RILEY'S	Rprs	223.76
SANDRY FIRE	Equip/supp	7,527.60
SCHUMACHER ELEV	Maint	141.99
SEERVICE MAST JANI	Srvc	185.00
SONY PICTURES	Movie rent	396.50
SPORTSMITH	Parts	173.49
SQUARE TRANS	Fees	18.69
STATE HYG LAB	Analys	94.50
SVESTKA, ART	BdOfAdj	40.00
TECHNICOLOR	Supp	5.58
TESTAMERICA	Analys	13.50
TREAS, ST IA	Sales tax	5,971.00
TURVOLD, BRUCE	DepRef	14.96
WALTON, TIM	Srvc	2,513.04
WALTON'S TREE	Srvc	960.00
WEINACHT, KEVIN	Plan&Zon	45.00
WHITE, VICKI	RefFCmbr	47.25
WHKS	Srvc	2,109.00
WILLIS, GEORGE	Plan&Zon	20.00
ZAHASKY, DREW	RefFCmbr	708.84
	GENERAL	141,181.33
	LOST PROJECT	27,581.17
	MEDIACOM	679.87
	DRUG DOG	91.51
	CRESCO COMM FIRE	15,901.28
	ROAD USE	109,114.02
	EMPLOYEE BEN	7,370.04
	FIRE EQUIP	3,750.00
	LIBRARY	1,350.00
	STREET ASSESS	62,608.10
	150TH CELEBRATION	50.00
	WATER	37,071.52
	WATER EQUIP REPLC	2,000.78
	SEWER	28,105.54
	CAP IMPROVE	399.00
	YARDWASTE	399.00
	EXPENDITURES	437,653.16
	Revenues 6/7to 6/20/16	228,400.92

June 20, 2016

To Mayor Bohle and the Cresco City Council members,

To celebrate "Super Saturday Sales" in Cresco, the Chamber of Commerce Flag Committee would like permission to hang red, white and blue "Sale" flags from the existing flag holders on both sides of North Elm Street in the business district only. We also have flags for businesses along Highway 9, but these will be displayed using a flag holder attached to each business's own building, NOT using existing flag holders on utility poles.

The Chamber Flag Committee will put all of the flags up on Friday evening, July 15th and will remove them on Sunday July 17th. The "Super Saturday Sales" event takes the place of "Ridiculous Days" and will be held on Saturday, July 16th, 2016.

We would also like permission to hang "Cresco" flags for the 150th. These would be put up on Wed. July 20th and be removed on Monday July 25th.

Respectfully,

Barb Holstrom and the Cresco Chamber of Commerce Flag Committee

Applicant License Application ()

Name of Applicant: <u>City of Cresco</u>		
Name of Business (DBA): <u>Cresco 150th Celebration</u>		
Address of Premises: <u>115 2nd Ave W</u>		
City <u>Cresco</u>	County: <u>Howard</u>	Zip: <u>52136</u>
Business	<u>(563) 547-3101</u>	
Mailing	<u>130 North Park Place</u>	
City <u>Cresco</u>	State <u>IA</u>	Zip: <u>52136</u>

Contact Person

Name <u>Michelle Girolamo</u>
Phone: <u>(563) 547-3101</u> Email <u>cityhall3@iowatelecom.net</u>

Classification Special Class C Liquor License (BW) (Beer/Wine)

Term: 5 days

Effective Date: 07/22/2016

Expiration Date: 01/01/1900

Privileges:

- Outdoor Service
- Special Class C Liquor License (BW) (Beer/Wine)
- Sunday Sales

Status of Business

BusinessType: <u>Municipality</u>
Corporate ID Number: Federal Employer ID <u>42-6004441</u>

Ownership

Michelle Girolamo

First Name: Michelle **Last Name:** Girolamo
City: Cresco **State:** Iowa **Zip:** 52136
Position: City Clerk
% of Ownership: 0.00% **U.S. Citizen:** Yes

Insurance Company Information

Insurance Company: <u>Founders Insurance Company</u>	
Policy Effective Date: <u>07/22/2016</u>	Policy Expiration <u>07/27/2016</u>
Bond Effective	Dram Cancel Date:
Outdoor Service Effective	Outdoor Service Expiration
Temp Transfer Effective Date	Temp Transfer Expiration Date:

NATIONAL NIGHT OUT 2016

WHEREAS, the National Association of Town Watch (NATW), TARGET, NEXTDOOR.COM and ASSOCIA are sponsoring a unique, nationwide crime, drug and violence prevention program on August 2, 2016 entitled “National Night Out”(NNO); and

WHEREAS, the “33rd Annual National Night Out” provides a unique opportunity for the City of Cresco to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of Cresco plays a vital role in assisting the Cresco Police Department through joint crime, drug and violence prevention efforts in Cresco and is supporting “National Night Out 2016” locally; and

WHEREAS, it is essential that all citizens of Cresco be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Cresco; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the “National Night Out” program.

NOW, THEREFORE, WE THE CRESCO CITY COUNCIL, do hereby call upon all citizens of Cresco to join (NNO) Organizers Lieutenant David M. Godman, Iowa Department of Public Health Mentoring Program AmeriCorps Member Colinne McCann, and The National Association of Town Watch in supporting the 33rd Annual National Night Out” on August 2, 2016.

FURTHER, LET IT BE RESOLVED THAT, WE THE CRESCO CITY COUNCIL, do hereby proclaim Tuesday, August 2, 2016 as “NATIONAL NIGHT OUT” in the city of Cresco.



Signatures of Public Officials

Date

Signatures of Howard County NNO Organizers

Date



BOARD OF ADJUSTMENT

TO: CRESCO CITY COUNCIL

RE: Appointment Reappointment

We, the Board of Adjustment for the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. X Reappoint (Name) Brian Balk

to the Board of Adjustment.

Term to run from 07-01-16 to expire 07-01-21

	Signed	Date
Chairman	<u>[Signature]</u>	<u>6-28-16</u>
	<u>A.R. [Signature]</u>	<u>6-28-2016</u>
	<u>Dennis Cammick</u>	<u>6-28-2016</u>
	<u>Jeff Henderson</u>	_____

PLANNING AND ZONING COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Planning and Zoning commission of the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Alison Holton

to the Planning and Zoning Commission.

Term to run from July 16 to expire July of 2021

	Signed	Date
Chairman	<u>[Signature]</u>	<u>7-1-16</u>
	<u>[Signature]</u>	<u>7-1-16</u>
	<u>[Signature]</u>	<u>7-1-16</u>
	<u>KRIS BOER-OWEN</u>	<u>7-1-16</u>
	<u>Brian Kinsley</u>	<u>7-1-16</u>
	_____	_____
	_____	_____

PLANNING AND ZONING COMMISSION

TO: CRESCO CITY COUNCIL

RE: Appointment/Reappointment

We, the Planning and Zoning commission of the City of Cresco, recommend that the City Council

1. _____ Appoint (Name) _____

(To replace _____)

2. Reappoint (Name) Bruce Kingsley

to the Planning and Zoning Commission.

Term to run from July 16 to expire July 2021

	Signed	Date
Chairman	<u>[Signature]</u>	<u>7-1-16</u>
	<u>[Signature]</u>	<u>7-1-16</u>
	<u>[Signature]</u>	<u>7-1-16</u>
	<u>Kris Balk-Oman</u>	<u>7-1-16</u>
	<u>Bruce Kingsley</u>	<u>7-1-16</u>
	_____	_____
	_____	_____

RESOLUTION NUMBER _____

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK
TO ENTER INTO AN INDUSTRIAL SEWER RENTAL AGREEMENT
WITH CRESCO FOOD TECHNOLOGIES LLC.

WHEREAS, the City of Cresco maintains an Industrial Sewer Rental Agreement with Cresco Food Technologies LLC because it is a significant industrial user as defined by the Iowa Department of Natural Resources in Rule 567 IAC 60.2(455B); and

WHEREAS, the agreement needs to be reviewed and updated periodically.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor is authorized and directed to sign the written Industrial Sewer Rental Agreement with Cresco Food Technologies, LLC.

Council Person _____ moved the adoption of the foregoing Resolution Authorizing the Mayor and City Clerk to enter into an agreement with Cresco Food Technologies LLC. Council Person _____ seconded said motion. A roll call vote was requested by the Mayor and said roll call vote resulted as follows:

Ayes: _____

Nays: _____

Absent: _____

Thereupon, the Mayor declared said Resolution duly passed and announced that the agreement dated _____, between the City of Cresco and CRESCO FOOD TECHNOLOGIES LLC is approved and that the Mayor and City Clerk are authorized to execute the agreement on behalf of the City of Cresco.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

BY: _____
Mayor Mark Bohle

ATTEST: _____
City Clerk Michelle Girolamo

INDUSTRIAL SEWER RENTAL AGREEMENT

BETWEEN

CRESCO FOOD TECHNOLOGIES LLC

AND

CITY OF CRESCO, IOWA

EFFECTIVE 07/01/2016

EXPIRES 06/30/2017

INDUSTRIAL SEWER RENTAL AGREEMENT

In this agreement entered into this ___ day of _____, 2016, between the City of Cresco, Iowa, hereinafter known as the "Owner" and Cresco Food Technologies LLC at 717 2nd Ave SE, Cresco, IA 52136, hereinafter known as the "User."

It is hereby agreed that the Owner shall provide the use of its water pollution control facilities in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this Agreement. Water pollution control facilities include the municipal sanitary sewer collection system and publicly owned treatment works (POTW).

It is hereby agreed that the User will adhere to the Plan of Action filed with the Iowa Department of Natural Resources (IDNR) dated December 19, 2012. If the Plan of Action is not followed, the City reserves the option to suspend sanitary service to CFT until deficiencies are corrected.

A. AGREEMENT EXPIRATION DATES

- a. The conditions of this Agreement become effective immediately upon issuance. The conditions of this Agreement supersede any arrangements or requirements established by the Owner pertaining to discharges from the User to the water pollution control facilities.
- b. This Agreement shall expire twelve (12) months from date of issuance. At that time City Council shall review Agreement violations and may adjust surcharge amounts higher. In addition, either a new 1 year Agreement will be issued or a 5 year Agreement will be issued to coincide with the expiration date of the current NPDES permit of the Owner's POTW.

B. MODIFICATIONS TO THIS AGREEMENT

- a. If in the future it becomes necessary for the Owner to provide additional treatment facilities for a higher degree of treatment, this Agreement may be modified by the Owner to increase or decrease the rates charged the User so as to properly reflect changes in capital costs of the Owner.
- b. If operation and maintenance costs should increase significantly, this Agreement may be modified by the Owner to increase the rates charged the User so as to properly reflect changes in operating costs to the Owner.

- c. If effluent limitations for the POTW, as set forth in the NPDES permit are modified, this Agreement may be modified by the Owner to change the discharge limitations of the User during the term of the Agreement. The NPDES permit grants authority to the Owner to discharge treated wastewater to an unnamed tributary to Silver Creek. The Owner shall notify the User of any change in the NPDES permit at least 60 days prior to the effective date of change.
- d. If analysis of discharge samples reveals a significant consistency in discharge composition, this Agreement may be modified by the Owner to reduce the frequency of sampling and/or and analysis of samples.
- e. The User shall notify the Owner 7 days in advance for new products or processes or increased production by more than 15% for an extended period of time.
- f. If the User increases its production capacity, or modifies its industrial process in such a way that the quantity or strength of its discharges will exceed the limitations of this Agreement, or modifies a discharge point into the municipal sanitary sewer collection system, a revised Agreement and new limitations shall be established. The User shall be responsible for applying for a revised Agreement at least 180 days prior to the proposed production increase or process modification.

C. INDUSTRIAL PROCESS DESCRIPTION

- a. The User is a food processing facility that handles products including but not limited to: yeasts, milk products, meat stocks, plant fiber products, hydrogenated oils, and fish oils. The products being treated may vary on a weekly basis. It is understood by the Owner that there is a single discharge point from the User to the municipal sanitary sewer collection system. It is a continuous process so discharge is always being released to the Owner's water pollution control facilities, although flow rates vary. The discharge is from the cleaning of equipment and other uses.

D. EFFLUENT LIMITATIONS

- a. The discharge of said User into water pollution control facilities of the Owner shall not violate Chapter 97 of Cresco Code of Ordinances. The discharge shall also be in accordance with the Iowa Department of Natural Resources Operation Agreement Application Treatment Agreement for the User's facility.

- b. The discharges from the User are subject to the following limitations where they enter the municipal sanitary sewer collection system.

Table 1: Discharge Limitations

<u>Discharge Parameter</u>	<u>Daily Maximum</u>	<u>30-Day Average Limit</u>
Flow	100,000 gal/day	67,000 gal/day
BOD ₅	360 ppd	250 ppd TKN
	20 ppd	13 ppd TSS
	300 ppd	220 ppd
Fats-Oils-Grease (FOG)	150 mg/L or 84 ppd	100 mg/L or 56 ppd
Paraffin or materials that would adhere to the sewer system	0	0
PH	5.0-10.0	5.0-10.0

If discharge is out of these parameters for more than one (1) minute it will be considered a violation.

E. MONITORING

- a. Flows will be read from the User's outflow meter on a monthly basis.
- b. The User must record continuous pH measurements with a chart recorder or similar device.
- c. The User must record the instantaneous pH value of the discharge every Thursday morning at 8 AM.
- d. The User must have in place a flow proportional sampling device and must take 24 hour flow-paced composite samples of its discharge. The sampler shall capture all phases of the discharge, including suspended fats, oils, grease and other insoluble substances.
- e. The User shall be responsible for calibrating and maintaining its analytical and sampling instrument as required to ensure accuracy of measurements.
- f. The User shall provide calibration records for the equipment to the Owner at the Owner's request.
- g. In the event that monitoring equipment must be out of service for any length of time, the User shall inform the Owner of the condition and estimated duration of non-service immediately.
- h. The Owner shall have authority to install its own pH monitoring, sampling and flow recording equipment at any time with 30 days' notice to the User.
- i. The site for the City sampler shall be inside the building next to the User's sampler.

- j. The Owner shall collect grab samples from the sampling location at the Owner's discretion.
- k. The User shall grant the Owner access to the User's monitoring and recording equipment at the Owner's request for purposes of inspection or data collection.
- l. All access to the sampling station shall be inside the delivery area next to the receiving scales. The only area in the User's facility that the Owner shall enter without prior permission is the sampling area, solely for the purpose of collecting samples.
- m. The Owner shall have the discharge tested by a laboratory certified by the State of Iowa on the following basis:
 - (1) At Least Twice per Week: Acidity (pH), Biological Oxygen Demand (BOD₅), Total Suspended Solids (TSS), Total Kjeldahl Nitrogen (TKN), and Fats-Oils-Grease (FOG).
 - (2) Any Day When the Industrial Process Significantly Changes or Equipment Washdown Occurs and Testing Has Not Already Been Done: Acidity (pH), Biological Oxygen Demand (BOD₅), Total Suspended Solids (TSS), Total Kjeldahl Nitrogen (TKN), and Fats-Oils-Grease (FOG).
 - (3) Periodically test for heavy metals including, but not limited to, selenium.

F. REPORTING

- a. The User must submit to the Owner, once a month, a report containing the daily records of pH, analytical test results corresponding to the monitoring and testing schedule shown in Section E, and calculated loads discharged to the Owner. The report must be submitted to the Owner no later than the tenth of each month.
- b. MSDS sheets for all materials at the Users Facility in quantities greater than 10 gallons shall be maintained on-site by the User and be up-to-date at all times.
- c. The User shall submit to the Owner a report of the products and chemicals received, processed and wasted. The Owner will treat this list as privileged information.
- d. The Owner reserves the right to request, in writing to the User, that the User have the discharge tested for concentrations of heavy metals.

G. CALCULATION OF MONTHLY STATEMENT

- a. The User shall receive a bill from the Owner no later than the fifteenth of each month. The bill will include charges listed in this section.
- b. The User shall pay the monthly charges for the full amount discharged under each parameter listed in this section. Loads in excess of the limits stated in Section D (Effluent Limitations) are also subject to a surcharge as stated in Section H (Violations and Violation Procedures). The surcharges shall only apply to the loads that are over the applicable limits.
- c. Loads discharged will be determined by the test results of daily samples and average daily flows determined from the monthly flow records.
- d. In the absence of daily test results, approximate daily values will be calculated based on test results from periods of similar product handling, and average daily flows determined from the monthly flow records.
- e. The following is the formula for calculating the monthly charges. Surcharges are listed in Section H (Violations and Violation Procedures).

- i. Flow: \$4.65/1000 x total gallons for month per outflow meter

Example: If total flow for a month is 631,000 gallons, the charge is: $\$4.65/1000 \text{ gal} * 631,000 \text{ gal} = \$2,934.15$

- ii. BOD₅: \$7.01/ppd BOD₅ x 30-day average BOD₅ (ppd)

Example: If 30-day average BOD₅ for a month is 114 ppd the charge is: $\$7.01/ \text{ppd} * 114 \text{ ppd} = \799.14

- iii. TKN: Does not have a regular charge.
- iv. TSS: Does not have a regular charge.
- v. Fats-Oils-Grease (FOG): Does not have a regular charge.
- vi. pH: Does not have a regular charge.
- vii. Paraffin or other insoluble substances: Does not have a regular charge.
- viii. Capital Improvement Recovery: The capital improvement recovery charge is \$0.00 (zero dollars and no cents).
- ix. Laboratory testing of the discharge is not included in the above operation and maintenance charge. The User shall be responsible for the cost of testing. Cost of testing to be billed to User shall be the sum of:

- (1) Third-party laboratory invoices, sample shipping costs, and
- (2) A fee of \$25/BOD₅ test conducted at the City laboratory, and
- (3) A fee of \$25/TSS test conducted at the City laboratory.

Example: If the third-party laboratory invoices total \$500.00, shipping charges total \$200.00, and the City laboratory completed 20 BOD₅ tests and 20 TSS tests in a month, the charge is: $\$500.00 \text{ (lab fees)} + \$200.00 \text{ (shipping)} + \$25/\text{BOD}_5 \text{ test} * 20 \text{ tests} +$

\$25/TSS test * 20 tests = \$1,700.00

H. SURCHARGES

a. The User shall pay for all or a portion of any fines or penalties assessed to the Owner under the following circumstances;

i. If the User exceeds its allocated share in any parameter and that exceedance is the direct cause of the POTW exceedance of its design characteristic (which could not be avoided by proper operation or maintenance) which causes an exceedance in its NPDES permit limitation and that violation results in the state or federal government assessment of a fine or penalty – 100% of the fine or penalty as a separate charge.

ii. If the User is within its allocated share in any parameter and the POTE exceeds its NPDES permit limitation and that violation results in the state or federal government assessment of a fine or penalty which is not the responsibility of the operators – the User's pro rata share of User Charges and not a separate charge.

b. If the discharge is not in compliance with the limitations set forth in Section D (Effluent Limitations) of this Agreement, it shall be considered a violation of this Agreement. Violations shall be issued a surcharge as calculated in this section.

i. Flow:

1. For each day the Daily Flow exceeds the Daily Maximum Flow limit: \$1,000 Surcharge per day

2. For each month the Monthly Average Flow exceeds Monthly Average Limit: \$2,000 Surcharge per Month.

Example: If Daily Flow was 120,000 gallons one day during the month, then the surcharge is: \$1,000.

Example: If Monthly Average Flow was 80,000 gallons per day during the month, then the surcharge is: \$2,000.

ii. BOD₅: for each day Daily Actual Load exceeds Daily Maximum Load: \$2.00/lb BOD₅ x (Daily Actual BOD₅ (ppd)- Daily Maximum BOD₅ (ppd)) or \$100/occurrence minimum surcharge.

Example 1: If Daily Actual BOD₅ load exceeded the limit twice during a month and the daily values were 500 lbs and 362 lbs, the surcharge is:
 $\$2.00/\text{lb} * (500 \text{ ppd} - 360 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (362 \text{ ppd} - 360 \text{ ppd limit}) = \284.00 ~~\\$380.00~~ minimum applies for second day.

Example 2: If Daily Actual BOD₅ load exceeded the limit twice during a month and the daily values were 365 lbs and 362 lbs, the surcharge is:
 $\$2.00/\text{lb} * (365 \text{ lb} - 360 \text{ lb limit})$ (first day) + $\$2.00/\text{lb} * (362 \text{ lb} - 360 \text{ lb limit})$ (second day) = ~~\\$14.00~~ $\$200.00$ minimum applies.

- iii. BOD₅: for each month the Actual Monthly Average Load exceeds 30-Day Average Limit: $\$2.00/\text{lb BOD}_5$ (Actual 30-day Average BOD₅(ppd) – 30-Day Average Limit BOD₅(ppd)) x (30 days/month)

Example: If Monthly Average BOD₅ load is 300 ppd for the month, the surcharge is: $\$2.00/\text{lb} * (300 \text{ ppd avg} - 250 \text{ ppd avg limit}) * 30 \text{ days/month} = \$3,000.00$.

- iv. TKN: for each day Daily Actual Load exceeds Daily Maximum Load: $\$2.00/\text{lb TKN} * (\text{Daily Actual TKN (ppd)} - \text{Daily Maximum TKN (ppd)})$ or $\$100/\text{occurrence}$ minimum surcharge.

Example 1: If Daily Actual TKN load exceeded the limit twice during a month and the daily values were 200 lbs and 80 lbs, the surcharge is:
 $\$2.00/\text{lb} * (200 \text{ ppd} - 20 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (80 \text{ ppd} - 20 \text{ ppd limit})$ (second day) = $\$480.00$.

Example 2: If Daily Actual TKN load exceeded the limit twice during a month and the daily values were 28 lbs and 22 lbs, the surcharge is:
 $\$2.00/\text{lb} * (28 \text{ ppd} - 20 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (22 \text{ ppd} - 20 \text{ ppd limit})$ (second day) = ~~\\$20.00~~ $\$200.00$ minimum applies.

- v. TKN: for each month the Actual Monthly Average Load exceeds 30-Day Average Limit: $\$2.00/\text{lb TKN}$ (Actual 30-day Average TKN(ppd) – 30-Day Average Limit TKN(ppd)) x (30 days/month)

Example: If Monthly Average TKN load is 19 ppd for the month, the surcharge is: $\$2.00/\text{lb} * (19 \text{ ppd avg} - 13 \text{ ppd avg limit}) * 30 \text{ days/month} = \360.00 .

- vi. TSS: for each day Daily Actual Load exceeds Daily Maximum Load: $\$2.00/\text{lb TSS} * (\text{Daily Actual TSS (ppd)} - \text{Daily Maximum TSS (ppd)})$, or $\$100/\text{occurrence}$ minimum surcharge

Example 1: If Daily Actual TSS load exceeded the limit twice during a month and the daily values were 350 lbs and 380 lbs, the surcharge is:
 $\$2.00/\text{lb} * (350 \text{ ppd} - 300 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (380 \text{ ppd} - 300 \text{ ppd limit})$ (second day) = $\$260.00$.

Example 2: If Daily Actual TSS load exceeded the limit twice during a month and the daily values were 310 lbs and 320 lbs, the surcharge is:
 $\$2.00/\text{lb} * (310 \text{ ppd} - 300 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (320 \text{ ppd} - 300 \text{ ppd limit})$ (second day) = ~~\\$60.00~~ $\$200.00$ minimum applies.

vii. TSS: for each month the Actual Monthly Average Load exceeds 30-Day Average Limit: $\$2.00/\text{lb TSS (Actual 30-day Average TSS(ppd)} - \text{30-Day Average Limit TSS (ppd))} \times (30 \text{ days/month})$

Example: If Monthly Average TSS load is 300 ppd for the month, the surcharge is: $\$2.00/\text{lb} * (300 \text{ ppd avg} - 220 \text{ ppd avg limit}) \times 30 \text{ days/month} = \$4,800.00$.

viii. FOG: for each day Daily Actual Load exceeds Daily Maximum Load: $\$2.00/\text{lb FOG} \times (\text{Daily Actual FOG (ppd)} - \text{Daily Maximum FOG (ppd)})$, or $\$100/\text{occurrence}$ minimum surcharge

Example 1: If Daily Actual FOG load exceeded the limit twice during a month and the daily values were 300 lbs and 250 lbs, the surcharge is: $\$2.00/\text{lb} * (300 \text{ ppd} - 84 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (250 \text{ ppd} - 84 \text{ ppd limit})$ (second day) = \$764.00.

Example 2: If Daily Actual FOG load exceeded the limit twice during a month and the daily values were 90 lbs and 85 lbs, the surcharge is: $\$2.00/\text{lb} * (90 \text{ ppd} - 84 \text{ ppd limit})$ (first day) + $\$2.00/\text{lb} * (85 \text{ ppd} - 84 \text{ ppd limit})$ (second day) = \$14.00 \$200.00 minimum applies.

ix. FOG: for each month the Actual Monthly Average Load exceeds 30-Day Average Limit: $\$2.00/\text{lb FOG (Actual 30-day Average FOG(ppd)} - \text{30-Day Average Limit FOG (ppd)}) \times (30 \text{ days/month})$

Example: If Monthly Average FOG load is 90 ppd for the month, the surcharge is: $\$2.00/\text{lb} * (90 \text{ ppd avg} - 56 \text{ ppd avg limit}) \times 30 \text{ days/month} = \$2,040.00$.

x. pH: A surcharge for each instance of violation for over one (1) minute shall apply:

1. \$500/violation lasting less than five (5) consecutive minutes but more than one (1) minute.
2. \$2,000/violation lasting more than five (5) consecutive minutes.

xi. Paraffin or other materials that would adhere to the Sanitary Sewer System: A surcharge of \$2,000/day for each instance of violation shall apply. The appearance of paraffin or other insoluble substances will be determined by visual observation by City staff. City staff shall decide whether the substances originate from the User's facility after making reasonable efforts to observe the condition of the sewer collection system and POTW.

- c. If a spill or accidental discharge occurs because the Spill Prevention Plan as discussed in Section I was not followed, a surcharge of \$2,000/day shall apply.
- d. If damages to the sanitary sewer collection system or POTW or private property are caused by the User's discharge, an additional surcharge will apply that is equal to the costs incurred by the Owner to correct any deficiency and/or repair any damages.
- e. If the monthly monitoring report is not received by the Owner by the tenth day of each month, the User shall notify the Owner to explain reasons for lateness, at which time the Owner may choose to assess a surcharge not to exceed \$500. Each subsequent day on which the report is not received shall be subject to an additional surcharge of \$100/day.
- f. If the records are not supplied in the monthly report corresponding to the requirements of Section F a surcharge of \$1,000/day will be applied for each day in the records that do not conform to the requirements.
- g. In the event that either the flow or pH monitoring or sampling equipment owned and operated by the User is out of service for longer than 48 hours the Owner may elect to temporarily assume the flow or monitoring duties until the User's equipment is returned to service, with all costs associated with the temporary monitoring program billed to the User.
- h. The Owner will charge the User a surcharge of \$100/day in lieu of the calculated surcharge if the calculated surcharge for any of the above items is less than \$100/day,
- i. The Owner may charge the User a surcharge of \$100/day if the pH meter is not operational within the timeframe stated under Section E (Monitoring).

I. SPILL PREVENTION

The User shall maintain, at a minimum, the spill prevention plan submitted to the Owner from the User in a letter dated 1/10/08 (Attachment A) and shall also comply with the provisions proposed to the City on 6/29/12 (Attachment B). The plan as described in this letter was: "All the drains in the vicinity of the unloading, storage and process areas have been fitted with drain plugs and drain covers. These plugs and covers remain in place during unloading and whenever the product is being

stored in the tanks and when the process is in operation. Tanks designed to catch and separate the FOG material are in place at both CIP stations.”

J. ACCIDENTAL DISCHARGES

The User shall notify the Owner immediately via telephone upon having a slug or accidental discharge of substance or wastewater in violation of this Agreement in order to enable counter measures to be taken by the Owner to minimize damage to the wastewater treatment facilities and receiving waters. Telephone the POTW at 563-547-3600. Accidental discharges resulting from a failure to comply with the Spill Prevention Plan as described in Section I shall result in a surcharge. Failure to notify the Owner of such a discharge shall result in a double surcharge. Such notification shall not relieve the User for any liability described in the terms of this Agreement.

K. SUSPENSION OF AGREEMENT

- a. In the event that there are more than twelve (12) violations in any 365 day period, the Owner may order that the User cease its exceedances of allocated share limits within thirty (30) days and if not corrected within such time period may order the User to suspend any further discharge pursuant to this agreement until corrected.
- b. In the event that any violation exceeds the stated applicable limits by more than 25%, the User shall, within thirty (30) days, submit to the Owner a compliance plan to prevent further such exceedances. The compliance plan shall be submitted to the Owner within thirty (30) days after notice of such violation. If an acceptable compliance plan is not submitted to the Owner within this time limit the Owner may order the User to suspend any further discharge pursuant to this Agreement until the User complies with this provision.
- c. The Owner may revoke this Agreement if the User fails to factually report the discharge constituents and characteristics; fails to report significant changes in discharge constituents and characteristics; refuses reasonable access to its premises for the purposed of inspection and monitoring; or violates conditions of the Agreement, the applicable municipal ordinances, or applicable State and Federal regulations.

- d. The user will pay all outstanding penalties and fines before the agreement begins.
- e. Any penalties and fines incurred during the tenure of the agreement will be added to the utility bill. If utility bills are not paid, the Owner may discontinue service to the User.

L. NOTIFICATION OF VIOLATION

In the event of a violation of this Agreement, the Owner shall notify the User through a letter separate from the monthly bill. The User shall have 20 days to appeal the violation. Said appeal must be addressed to the City Public Works Director in writing.

This agreement is entered into and agreed upon by the City of Cresco and Cresco Food Technologies LLC, Inc. on this _____ day of _____, 2016.

CRESCO FOOD TECHNOLOGIES LLC

By _____

CITY OF CRESCO, IOWA

By _____
Mayor

ATTEST:

By _____
City Clerk

RESOLUTION NUMBER _____

**RESOLUTION APPROVING THE INVESTMENT POLICY
FOR THE CITY OF CRESCO**

WHEREAS, the City of Cresco's Investment Policy was adopted by Resolution No. 089202 on August 17, 1992; and

WHEREAS, City of Cresco's Investment Policy was amended by Resolution No. 039802 on March 16, 1998; and

WHEREAS, the Investment Policy shall be reviewed at least every five years.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, that the Investment Policy was reviewed and is approved as originally written in 1992 and amended in 1998.

PASSED AND APPROVED THIS 6TH DAY OF JULY, 2016.

Mayor Mark Bohle

ATTEST: _____

City Clerk Michelle Girolamo

CITY OF CRESCO
INVESTMENT POLICY

RESOLUTION NO. 089202

Amended by Resolution No. 039802.

SECTION 1 -- SCOPE OF INVESTMENT POLICY

(STATUTORY REQUIREMENT)

The investment Policy of the City of Cresco shall apply to all operating funds, bond proceeds and other funds and all investment transactions involving operating fund, bond proceeds and other funds accounted for in the financial statements of the City. Each investment made pursuant to this Investment Policy must be authorized by applicable law and this written Investment Policy.

The investment of bond funds or sinking funds shall comply not only with this investment policy, but also be consistent with any applicable bond resolution.

This Investment Policy is intended to comply with Iowa Code Chapter 12B.

Upon passage and upon future amendment, if any, copies of this Investment Policy shall be delivered to all of the following:

1. The governing body or officer of the City of Cresco to which the Investment Policy applies.
2. All depository institutions or fiduciaries for public funds of the City of Cresco.
3. The auditor engaged to audit any fund of the City of Cresco.
4. The State Auditor.

(POLICY CONSIDERATION)

In addition, a copy of this Investment Policy shall be delivered to every fiduciary or third party assisting with or facilitating investment of the funds of the City of Cresco.

SECTION 2 -- DELEGATION OF AUTHORITY

(STATUTORY REQUIREMENT)

In accordance with Section 12B 10 (1), the responsibility for conducting investment transactions resides with the City Treasurer of Cresco. Only the City Treasurer and those authorized by (ordinance or resolution) may invest public funds and a copy of any empowering (ordinance or resolution) shall be attached to this Investment Policy.

All contracts or agreements with outside persons investing public funds, advising on the investment of public funds, directing the deposit or investment of public funds acting in a fiduciary capacity for the City of Cresco shall require the outside person to notify in writing the City within thirty days of receipt of all communication from the auditor of the outside person or any regulatory authority of the existence of a material weakness in internal control structure of the outside person or regulatory orders or sanctions regarding the type of services being provided to the City of Cresco by the outside person.

The records of investment transactions made by or on behalf of the City of Cresco are public records and are the property of the City whether in the custody of the City Treasurer or in the custody of a fiduciary or other third party.

The City Treasurer shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of the City of Cresco responsible for elements of the investment process and to address the capability of investment management. The controls shall provide for receipt and review of the audited financial statement and related report on internal control structure of all outside persons performing any of the following for this public body.

1. Investing public funds.
2. Advising on the investment of public funds.
3. Directing the deposit or investment of public funds.
4. Acting in a fiduciary capacity for this public body.

A Bank, Savings and Loan Association or Credit Union providing only depository services shall not be required to provide an audited financial statement and related report on internal control structure.

The Treasurer of the City of Cresco and all employees authorized to place investments shall be bonded in the amount of \$20,000.

SECTION -- 3 OBJECTIVES OF INVESTMENT POLICY

(STATUTORY REQUIREMENT)

The primary objectives, in order of priority, of all investment activities involving the financial assets of the City of Cresco shall be the following:

1. SAFETY: Safety and preservation of principal in the overall portfolio is the foremost investment objective.
2. LIQUIDITY: Maintaining the necessary liquidity to match expected liabilities is the second investment objective.
3. RETURN: Obtaining a reasonable return is the third investment objective.

SECTION 4 -- PRUDENCE

(STATUTORY REQUIREMENT)

The City Treasurer of the City of Cresco, when investing or depositing public funds, shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the Section 3 investment objectives. This standard requires that when making investment decisions, the City Treasurer shall consider the role that the investment or deposit plays within the portfolio of the assets of the City of Cresco and the investment objectives stated in Section 3.

(POLICY CONSIDERATION)

When investing assets of the City of Cresco for a period longer than one year, the City Treasurer shall request competitive investment proposals for comparable credit and term investments from a minimum of two investment providers.

(SECTION 5 -- INSTRUMENTS ELIGIBLE FOR INVESTMENT

(STATUTORY REQUIREMENT)

Assets of the City of Cresco may be invested in the following:

Interest bearing savings accounts, interest bearing money market accounts, and interest bearing checking accounts at any bank, savings and loan association or credit union in the State of Iowa. Each bank must be

on the most recent Approved Bank List as distributed by the Treasurer of the State of Iowa or as amended as necessary by notice inserted in the monthly mailing by the Rate Setting Committee. Each financial institution shall be properly declared as a depository by the governing body of the City of Cresco. Deposits in any financial institution shall not exceed the amount approved by the governing body of the City of Cresco.

Obligations of the United States government, its agencies and instrumentalities.

Certificates of deposit and other evidences of deposit at federally insured Iowa depository institutions approved and secured pursuant to Chapter 12C.

Iowa Public Agency Investment Trust (IPAIT) or Iowa schools Joint Investment Trust (ISJIT) as appropriate.

Prime bankers' acceptances that mature within 270 days of purchase and that are eligible for purchase by a Federal Reserve Bank.

Commercial paper or other short-term corporate debt that matures within 270 days of purchase and is rated within the two highest classifications, as established by at least one of the standard rating services approved by the superintendent of banking.

Repurchase agreements, provided that the underlying collateral consists of obligation of the United States government, its agencies and instrumentalities and the City takes delivery of the collateral either directly or through an authorized custodian.

An open-end management investment company registered with the Securities & Exchange Commission under the Federal Investment Company Act of 1940, 15 U.S.C. Section 80(a) and operated in accordance with 17 C.F.R. Section 270. 2a-7, whose portfolio investments are limited to those instruments individually authorized in Section 5 of this Investment Policy.

Publicly traded securities received by the city through gift, bequest, and/or will. Depending on the Securities may be sold or endowed. In no case shall a transaction not be in compliance with Section 6 Of this policy.

All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section 7 investment maturity limitations and Section 8 diversification requirement.

(POLICY CONSIDERATION)

Upon the departure of the treasurer from office, the following instruments otherwise authorized as eligible for investment in Section 5 shall not be authorized for investment until further action is taken by the governing body of the City of Cresco.

- 1.
- 2.
- 3.

SECTION 6 -- PROHIBITED INVESTMENTS AND INVESTMENT PRACTICES

Assets of the City of Cresco shall not be invested in the following:

1. Reverse repurchase agreements.
2. Futures and options contracts.

Assets of the City of Cresca shall not be invested pursuant to the following investment practices:

1. Trading of securities for speculation or the realization of short-term trading gains.
2. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon the performance of the invested assets.
3. If a fiduciary or other third party with custody of public investment transaction records of the City of Cresco fails to produce requested records when requested by this public body investments with or through the fiduciary or third party.

SECTION 7 -- INVESTMENT MATURITY LIMITATIONS

(STATUTORY REQUIREMENT)

OPERATING FUNDS must be identified and distinguished from all other funds available for investment. Operating Funds are defined as those funds which are reasonably expected to be expended during a current budget year or within fifteen months of receipt.

All investments authorized in Section 5 are further subject to the following investment maturity limitations:

1. Operating Funds may only be invested in instruments authorized in Section 5 of this Investment policy that mature within three hundred ninety-seven (397) days.
2. The City Treasurer may invest funds of the City that are not identified as Operating Funds in investments with maturities longer than three hundred ninety-seven days (397) days. However, all investments of the City of Cresco shall have maturities that are consistent with the needs and use of the City.

SECTION 8 -- DIVERSIFICATION

(STATUTORY REQUIREMENT)

Investments of the City of Cresco are subject to the following diversification requirements.

Prime bankers' acceptances:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the City of Cresco shall be invested in prime bankers' acceptances, and
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the City shall be invested in the securities of a single issuer.

Commercial paper or other short-term corporate debt:

1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of the City of Cresco shall be in commercial paper or other short-term corporate debt,
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of the City of Cresco shall be invested in the securities of a single issuer, and
3. At the time of purchase, no more than five percent (5%) of all amounts invested in commercial paper and other short-term corporate debt shall be invested in paper and debt rated in the second highest classification.

(POLICY CONSIDERATION)

Where possible, it is the policy of the City of Cresco to diversity its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from overconcentration of assets in a specific maturity, a specific issuer, or a specific class of securities. In establishing specific diversification strategies, the following general policies and constraints shall apply:

1. Portfolio maturities shall be staggered in a way that avoids undue concentration of assets in a specific maturity sector. Maturities shall be selected which provide stability of income and reasonable liquidity.
2. Liquidity practices to ensure that the next disbursement date and payroll date are covered through maturing investments, marketable U.S. Treasury bills or cash on hand shall be used at all times.
3. Risks of market price volatility shall be controlled through maturity diversification so that aggregate price losses on instruments with maturities approaching one year shall not be greater than coupon interest and investment income received from the balance of the portfolio.

SECTION 9 -- SAFEKEEPING AND CUSTODY

(STATUTORY REQUIREMENT)

All invested assets of the City of Cresco involving the use of a public funds custodial agreement, as defined in section 12B.10, shall comply with all rules adopted pursuant to Section 12B 10 C. All custodial agreements shall be in writing and shall contain a provision that all custodial service be provided in accordance with the laws of the state of Iowa.

(POLICY CONSIDERATION)

All invested assets of the City of Cresco eligible for physical delivery shall be secured by having them held at a third party custodian. All purchased investments shall be held pursuant to a written third party custodial agreement requiring delivery versus payment and compliance with all rules set out elsewhere in Section 9 of this Investment Policy.

SECTION 10 -- ETHICS AND CONFLICT OF INTEREST

(POLICY CONSIDERATION)

The City Treasurer and all officers and employees of the City of Cresco involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Any personal investments or loans in with any entity that the City of Cresco has declared as a depository or regularly conducts investment business with shall be disclosed in writing to the governing board of the City of Cresco.

SECTION 11 -- REPORTING

(POLICY CONSIDERATION)

The City Treasurer shall submit quarterly an investment report that summarizes recent market conditions and investment strategies employed since the last investment report. The investment report shall set out the current portfolio in terms of maturity, rates of return and other features and summarize all investment transactions that have occurred during the reporting period and compare the investment results with the budgetary expectations.

(POLICY CONSIDERATION)

This Investment Policy shall be reviewed every five years or more frequently as appropriate. Notice of amendments to the investment Policy shall be promptly given to all parties noted in Section 1.

ADOPTED THIS 16th DAY OF March, 1992.

Arletta Rose
Mayor, Arletta Rose

ATTEST: Sharon Smutzler
City Clerk, Sharon Smutzler

RESOLUTION NO. 039802

RESOLUTION AMENDING RESOLUTION NO. 089202

WHEREAS, the audit schedule of findings for the fiscal year 1998, did suggest that the City consider changing its investment policy to allow for stock ownership, and

WHEREAS, the City investment policy was adopted by Resolution No. 089202 on August 17, 1992.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Cresco, Iowa, to amend Resolution No. 089202 by adding the following to Section Five (5):

Publicly traded securities received by the City through gift, bequest, and/or will. Depending on the donor's request, the securities may be sold or endowed. In no case shall a transaction not be in compliance with Section 6 of this policy.

PASSED AND ADOPTED THIS 16TH DAY OF MARCH, 1998.



Mayor Arletta Rose

ATTEST:



City Clerk/Treas. Sharon Smutzler

RESOLUTION NO. _____

RESOLUTION NAMING DEPOSITORIES

WHEREAS, the City of Cresco deposits funds in accordance with all applicable provisions of Iowa Code Chapter 12C as amended, and

WHEREAS, the City of Cresco uses the current depository resolution and additional written guidelines for investing its public funds, and

WHEREAS, the following financial institutions are in compliance with the above provisions of the Iowa Code.

NOW THEREFORE BE IT RESOLVED by the City of Cresco Council that the following financial institutions are hereby authorized to accept deposits of the City of Cresco in amounts not to exceed the maximum approved for each respective financial institution as set out below.

<u>Depository Name</u>	<u>Maximum Balance</u>
Cresco Bank & Trust Cresco, Iowa	\$10,000,000
CUSB Bank Cresco, Iowa	\$5,000,000
Iowa Public Agency Investment Trust West Des Moines, Iowa	\$5,000,000

PASSED AND ADOPTED THIS _____ DAY OF _____, 2016.

Mayor Mark Bohle

Attest: _____
City Clerk Michelle Girolamo