



CITY COUNCIL
(712) 328-4616

March 28, 2018

Pottawattamie County
Board of Supervisors
227 South Sixth St, 2nd Floor
Council Bluffs, Iowa 51501

Dear Honorable Members of the Pottawattamie County Board of Supervisors:

The Mayor and City Council of Council Bluffs seek a fair and equitable solution regarding the future status of the location of the City's current police station.

We have previously provided an offer to you, by which you would buy out the city's ownership interest in the location of its current police station. We believe this to be an offer that is reasonable to everyone. Your response has been that you owe absolutely nothing and can just take the building. With the greatest of respect, this is not acceptable or permitted by our agreement.

The city and county each contributed half of the cost to construct the building. Originally, the location contained both the city police and county law enforcement. After the parties jointly began to occupy the building, we entered into a written memorialization of the city's ownership interest. This interest extended to that portion of the building then occupied by the city police department.

After a few decades, the county residents saw fit to construct a new jail and law enforcement center. In exchange for city land on which to build its new jail and center, the county traded its ownership interest in its now former law enforcement location to the city, meaning that the entire building is now owed by the city.

In 2015, the residents of the city voted to construct a new police station. Currently, the city's main fire station shares its location with other city offices. This arrangement no longer presents enough space for the fire department to continue to perform its vital work safely. Mindful of its responsibility to be frugal with taxpayer dollars, when the city moves its police station to its new location it intends to continue to occupy the location of its current police station by moving other city offices to that location. This will free up space vitally needed at the main fire station, without the need to build or rent additional space.

In your recent letter, as referenced above, you indicated that you intended to take back the city's current police building. This is not acceptable or permitted by our agreement. The implied contractual duty of reasonableness, particularly in the context of a unilateral determination



whether the building's useful life has been exceeded, requires that this decision be made in light of all relevant facts and circumstances and with the utmost and most objective level of reasonableness, and not in an arbitrary or capricious manner.

In short, the useful life of the building continues. You have proffered an opinion of the likely cost to completely gut the entirety of the interior of the present building, to build a completely new interior for your own intended use with the latest and best gadgetry. Rather than spend millions of taxpayer dollars, the current building's interior merely could use a few cosmetic and relatively small structural improvements.

The public official most suited to indicate what improvements might be needed, versus what updates might merely be wanted, is the city chief building official. He has given his professional opinion that the building can be updated at considerably less cost than a complete and unnecessary rebuild. Please see a copy of his analysis, attached.

We are mindful of our responsibility to ensure the best use of taxpayer money. We recognize that you have a similar responsibility to your constituents. We appreciate that you would like to consolidate your operations in a single location. We are willing to entertain a reasonable compromise that would buy out the city taxpayers' interest in the location of the city's current police station.

We believe the best way to come to an amicable solution would be for both the city and county elected officials to sit down together and mediate a compromise. We appreciate your anticipated consideration of our suggestion, and await your response.

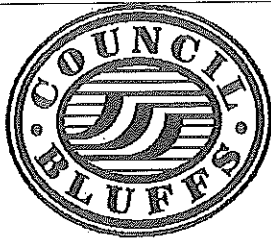
Sincerely,



Matthew J. Walsh, Mayor



Sharon White, Mayor Pro Tem



City of Council Bluffs, Iowa
Public Works Department
Office of the Building Official
Steve Carmichael
209 Pearl Street
Council Bluffs, IA 51503
(712) 328-4923

Police station analysis

Construction date: 1974

Code in effect at the time of construction 1970 Uniform Building Code

Occupancy type F2

Sprinkler requirement: if an area separation wall was employed there is no requirement. If not, the building would have been required to have one installed throughout both the area in question and the original building.

Section 3802 of the 1970 UBC stipulates that without openings as specified on each floor the sprinkler system is required. In addition, dry standpipes should have been installed.

The HGM report states that there is some agreement between the permits and inspections department and most likely, the County, that sprinkler systems would be installed when areas of the building are remodeled. My only belief here is that the system was omitted during original construction or wasn't required for whatever reason.

Court security Needs and Concerns:

The 1970 UBC had no provision for smoke control doors for elevators, although it is a current code requirement. The Sally ports ability to accommodate new vehicles does not appear to affect any function of the area that the police presently utilize. If the County uses the Sally Port for the transportation of prisoners to the courts that is not a function of any future use the city would insert into the space in question. Evaluating the bathrooms the space in question predated the ADAAG upon construction and if altered, would only require one unisex handicapped accessible bathroom. There are handicapped bathrooms available in the courthouse.

General recommendations for Police area:

The suggestion herein, in my assumption, is for County Occupancy. The existing space must have complied with the code in effect at the time as it has been continuously occupied since its original construction after the CO was issued. Any costs specified in #2 of the cost analysis would have been based on the

County needs, not the city. Again, in this section it specifies that the sally port, holding cells elevator are used for transporting prisoners to court. Again, this is not a function of any department the city would wish to place in this space.

Heating system:

By their own admission, the boiler is operating and in good condition and has a useful life expectancy of an additional ten years. It may not be as efficient as newer boilers but as designed, will adequately provide the necessary temperature for the climate design. If failure occurs, these boilers are more than capable of being rehabilitated without replacement. All existing controls can be maintained as they are apparently still functioning as designed.

Cooling systems:

The simple fact that R-22 refrigerant is hard to find does not make the cooling units obsolete and past their useful life. There are options available to deal with this issue but it may be necessary to evaluate and replace these units.

Air Handling systems:

The air handling units are still operational by their own admission. Any mention here about their useful life being met would, in my opinion be in line with the County's desire to renovate and upgrade these components.

The restrooms, showers and janitors closets referenced in the next paragraph are served by exhaust fans that are presently operational. There is no need for the showers if the space is converted to more traditional office space, so that is a mute point. The janitors closet did not and does not have a ventilation requirement per code, however, the storage of chemicals in these areas may be the impetus to have ventilation systems installed. The Honeywell Controls specified here are outdated but still operational. The building management system referenced appears to be a function of the county necessity, not that it is inoperable.

Plumbing Systems:

The report states that the restrooms are not ADA compliant. The ADA was not in affect at the time of construction and the alteration provisions of the ADA would only require one unisex handicapped accessible restroom IF the space was altered.

Electrical Service and Distribution

The report states that all systems are operational but should be replaced with any renovation. Again, this is the County's desire if they remodel, not a function of a failed building component.

Lighting and Wiring:

The lighting replacements stipulated are solely for compliance with the current Energy Code provisions, not because the 1970 code required them.

Fire Alarm:

I would agree if the space is renovated.

Special Systems:

This is strictly a function of the County's desires upon renovation.

Sincerely,

Permits and Inspection Department
City of Council Bluffs Iowa

A handwritten signature in black ink, appearing to read 'Steven Carmichael', with a stylized flourish at the end.

Steven Carmichael C.B.O.
Chief Building Official

Pottawattamie County Space Evaluation



PRELIMINARY OPINION OF PROBABLE COST
 POTTAWATTAMIE COUNTY
 Renovate Existing Police Area – 18,255 SF
 HGM Project No. 105417
 July 21, 2017

| <u>Item</u> | <u>Cost</u> |
|---|-------------|
| 1. Demolition of Existing Walls, Ceilings, Finished Ductwork, Plumbing, Lighting | \$75,000 |
| 2. New Offices Walls, Ceilings, Casework, Doors, Carpet, Paint, Finishes..... | \$650,000 |
| 3. New Roof..... | \$50,000 |
| 4. Restroom Room Upgrade for ADA and Code Compliance | \$90,000 |
| 5. New Boilers, Air Handling Equipment, Controls, Condensing Unit and Ductwork..... | \$275,000 |
| 6. Plumbing Upgrade to Accommodate Restroom ADA Upgrade..... | \$150,000 |
| 7. New LED Lighting, Power Distribution and Devices | \$250,000 |
| 8. New Fire Alarm System | \$100,000 |
| 9. New Fire Sprinkler System..... | \$75,000 |
| 10. Upgrade Voice / Data System to Connect to Courthouse Network, Including Cat 6 Cabling..... | \$100,000 |
| Subtotal | \$1,815,000 |
| Contingency and Fees (25%) | \$454,000 |
| Renovate Existing Police Area Total..... | \$2,269,000 |
| | - 2,044,000 |
| | \$ 225,000 |

Pottawattamie County Space Evaluation

POTTAWATTAMIE COUNTY COURTHOUSE POLICE AREA VACATED SPACE

The original Courthouse building was constructed in 1974 with no major renovations to the Police Area. The Police Area consists of offices, holding cells, sally port, locker rooms, exercise, and other support areas. The total square footage of the Police Area is roughly 18,255SF.

Condition of Existing Courthouse Building

The building is of structural steel framing including concrete floor slabs on metal deck, pre-cast wall panels and masonry veneer. The existing structure appears to be in relatively sound condition.

The roof is single-ply membrane roofing which was replaced in 2001 (HGM Project No. 11199A).

The windows are aluminum storefront frames with insulated glass that was replaced with Low-E glass after May, 2015.

Courthouse first floor toilet rooms were renovated and modified to meet ADA handicap requirements in 2012 (HGM Project No. 103612). Courthouse stairs and elevators appear to meet current building codes. Elevator upgrades were made in 2015.

When certain areas of the Courthouse were remodeled, an agreement was made with Council Bluffs Building Permits and Inspections to install fire sprinklers in each area as it is remodeled. Third and fourth floors were remodeled in 2002 and fire sprinklers were installed as a part of that work. The fifth floor was converted from a jail into County Attorney Offices in 2002 at which time a new fire sprinkler system was installed in that area. Most of the basement also had sprinklers installed. Remaining areas need to be brought up to code with a new sprinkler system. Construction documents for these remaining, non-sprinklered areas are currently being designed with construction scheduled for this Fall. The Police Area will need to be fully fire sprinklered as part of the agreement with the City of Council Bluffs.

Court Security Needs/Concerns:

In addition to the installation of a new fire sprinkler system, elevator doors need smoke control doors, the Sally Port appears unable to accommodate new vehicles and toilets may be inadequate and do not meet ADA requirements.

General Recommendations for Police Area

We suggest total demolition of existing police areas in the Courthouse including removal of partitions, ceilings, flooring materials, mechanical and electrical devices. It is possible that main ducts and electrical services may remain in place. The existing holding cells, sally port, and elevator currently used to transport prisoners to courtrooms will remain in place. An additional elevator shaft was installed as part of the original design but an elevator was never installed. This space will be analyzed to determine the best use of this area.

Pottawattamie County Space Evaluation

POLICE AREA MECHANICAL

Heating Systems

The Police Area has one 86% efficiency Aerco KC1000 boiler. The boiler provides 860 MBH heating output. The boiler appears to be in reasonably good condition and operating properly. Per ASHRAE HVAC Applications Handbook - 2007, section 35, table 4, the life expectancy of this type of boiler is 25 years. Therefore, it is recommended that new, higher efficiency condensing type boilers replace the existing equipment in the next 10 years.

The boiler and pump provide hot water to Air Handling Equipment located within the main Mechanical Room. The temperature controls for the Boiler appears to be localized and is recommended to be renovated to the existing Building Management System.

Cooling Systems

The Courthouse has an air cooled condensing unit located on the roof to provide cooling for all air handling units. The unit appears to be original to the building with R-22 refrigerant. R-22 refrigerant has been phased out by the E.P.A., and becoming harder to locate for equipment service. Per ASHRAE Applications manual 2007-Section 36, table 4, the life expectancy of an air-cooled condenser is 20 years. Therefore, the current condenser has reached the end of its useful life.

Air Handling Systems

The original air handling units, McQuay 217, and McQuay 108, and return fans are still installed and operating. The units appear to be properly maintained; however have reached the end of their useful life. New air handling equipment along with new piping connections, outdoor air monitoring, and controls are recommended at next renovation to provide better energy efficiencies.

The dual duct terminal boxes that provide temperature zone control for the building appear to be original. Per ASHRAE HVAC Applications 2007, section 36, table 4, the terminal boxes have a 20-year life expectancy, therefore should be considered for upgrade or replacement in the near future.

The restrooms in the building have exhaust ventilation provided by roof top fans. The locker room has showers that create humidity and may not be exhausted properly. Small areas such as Janitors Closets do not currently have exhaust and need to be added. It is recommended to address all exhaust air ventilation in the next renovation ensure ventilation rates meet current code.

The entire project area has outdated Honeywell-controls. A new building management system needs to be installed throughout to meet new County standards.

Plumbing Systems

All soil, waste and vent piping and domestic water piping appear as originally installed in 1974. The current restrooms in the Police Area do not meet current ADA standards.

The Police Area is not currently fire sprinkled but should be.

Portawattamie County Space Evaluation

POLICE AREA ELECTRICAL

Electrical Service and Distribution

This portion of the building is fed by a 480V/277, 3Ø, 400A Motor Control Center with distribution section fed from the building main switchboard.

Branch circuit panels are original and appear to be in reasonably good condition for their age, but should be replaced with any renovations. Circuit directories show multiple changes have occurred over the years.

Panelboards L1, L4 and L7 are all 120/208V, 3Ø, 100A panels fed from the same 30kVA transformer.

Lighting and Wiring Devices

Recessed exit lights appear to be incandescent or fluorescent and should be replaced throughout.

All lighting is fluorescent throughout. There are not any automatic lighting controls used. To meet current energy codes, all lighting will need to be upgraded to more efficient fluorescent or LED fixtures with occupancy and daylight controls added throughout.

All receptacles appear to be original and in reasonably good condition for their age.

Fire Alarm Systems

With any renovations, the fire alarm system will need to be connected to the main system in the courthouse.

Special Systems

The voice/data networks in this area will need to be upgraded to tie into the existing Courthouse network. Including new data closets, (one per floor), Category 6 cabling to each outlet.