

*“Cedar Rapids is a vibrant urban hometown –
a beacon for people and businesses invested in building
a greater community now and for the next generation.”*

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, September 24, 2013 at 4:00 p.m. in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (Please silence cell phones and pagers.)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
 - ❖ Proclamation – BackPack Week (Amanda Pieper, HACAP Food Reservoir Director)
 - ❖ Proclamation – Parks and Recreation Volunteer Recognition Day (Sven Leff, Parks and Recreation Director)
 - ❖ Presentation – Employer Support of the Guard and Reserve (Mark Henessey, Area 6 Chair)

PUBLIC HEARINGS

1. A public hearing will be held to consider a change of zone for property at 1010 Boyson Road NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by The Commons at Boyson Park, LLC and SB/CB Partnership. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 1010 Boyson Road NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by The Commons at Boyson Park, LLC and SB/CB Partnership. CIP/DID #RZNE-003427-2013
2. A public hearing will be held to consider a change of zone for property at 6677 16th Avenue SW from A, Agriculture Zone District and C-3, Regional Commercial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Sharp Investments, LLC. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 6677 16th Avenue SW from A, Agriculture Zone District and C-3, Regional Commercial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Sharp Investments, LLC. CIP/DID #RZNE-004447-2013

3. A public hearing will be held to consider a change of zone for property at 3015 and 3233 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Linn Area Credit Union and First Assembly of God Church. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 3015 and 3233 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Linn Area Credit Union and the First Assembly of God Church. CIP/DID #RZNE-004536-2013
4. A public hearing will be held to consider a change of zone for 32 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District and O-S, Office/Service Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids (**FLOOD**). (Vern Zakostelecky)
 - a. First and possible Second and Third Readings: Ordinance granting a change of zone for 32 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District and O-S, Office/Service Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids (**FLOOD**). CIP/DID #RZNE-005279-2013
5. A public hearing will be held to consider the continuation of the disposition of excess City-owned property by sealed bid, described as a single family residential property at 1816 Hamilton Street SW. (Rob Davis)
 - a. Resolution to continue the disposition of excess City-owned property by sealed bid, described as a single family residential property at 1816 Hamilton Street SW. CIP/DID #3302500004-00
6. A public hearing will be held to consider the execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC in connection with improvements to high-speed Internet service for property located on City-owned land easterly of and adjacent to 5750 1st Avenue NW. (Rob Davis)
 - a. Resolution authorizing execution of a Purchase Agreement in the amount of \$4,970 and execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC, in connection with improvements to high-speed Internet service for property located on City-owned land easterly of and adjacent to 5750 1st Avenue NW. CIP/DID #49-13-031
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project (estimated cost is \$2,500,000). (Steve Hershner)
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project. CIP/DID #615180-03

PUBLIC COMMENT

If you wish to address the City Council on any subject pertaining to City Council action scheduled for today, please use the sign-up sheet (next to the agendas) located on the table outside the Council Chambers. Please approach the microphone when called upon.

MOTION TO APPROVE AGENDA

CONSENT AGENDA

***Note: These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

8. Motion to approve minutes.
9. Motion approving the beer/liquor/wine applications of: CIP/DID #964762
 - a. Benz Beverage Depot, 501 7th Avenue SE (5-day permit for an event in the street on October 12, 2013);
 - b. Blue Strawberry Coffee Company, 118 2nd Avenue SE;
 - c. Casey's General Store #2768, 1201 1st Avenue SE;
 - d. Casey's General Store #2776, 701 Ellis Boulevard NW;
 - e. Casey's General Store #2778, 201 8th Avenue SE;
 - f. Casey's General Store #2780, 5555 Edgewood Road NE;
 - g. Casey's General Store #2782, 1495 Blairs Ferry Road NE;
 - h. Casey's General Store #2790, 588 Boyson Road NE;
 - i. Casey's General Store #2791, 9125 Atlantic Drive SW;
 - j. Casey's General Store #2792, 9001 6th Street SW;
 - k. Coe College/Sodexo, 1220 1st Avenue NE;
 - l. Cooter's, 729 1st Avenue NW;
 - m. Double Inn, 629 Ellis Boulevard NW (outdoor service for an event on October 12-14, 2013);
 - n. Dug Out, 3325 Center Point Road NE (new – change in ownership);
 - o. Genghis Grill, 2230 Edgewood Road SW;
 - p. Hawkeye Convenience Store – Westgate, 4830 Johnson Avenue NW;
 - q. Hy-Vee #5 Club Room, 3235 Oakland Road NE (new – Special Class C);
 - r. Hy-Vee Drugstore #6, 505 Boyson Road NE;
 - s. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW (5-day permit for an event on October 11, 2013);
 - t. NewBo City Market, 1100 3rd Street SE;
 - u. Papa Juan's Mexican Restaurant, 5505 Center Point Road NE;
 - v. St. Pius X Parish, 4949 Council Street NE (5-day permit for an event on October 19, 2013);
 - w. Target T-1771, 3400 Edgewood Road SW;
 - x. Texas Roadhouse, 2605 Edgewood Road SW;
 - y. Time Out Lounge, 3230 16th Avenue SW (outdoor service for an event on September 28-30, 2013);

- z. Veterans of Foreign War Post #788, 3240 Southgate Place SW;
 - aa. Walgreens #12580, 324 Edgewood Road NW;
 - bb. West Side Lounge, 325 Edgewood Road NW.
10. Resolutions (2) approving payment of bills and payroll. CIP/DID #966609
11. Resolutions approving the special event applications for: CIP/DID #963727
- a. Rockwell Collins' landing of a helicopter on Rockwell property on October 9, 2013; CIP/DID #963727
 - b. Benz Beverage Depot's Cedar Rapids Beer Nuts Festival (includes road closure) on October 12, 2013; CIP/DID #929958
 - c. Czech Village Association's Czech Village Fall Festival (includes road closure) on October 13, 2013; CIP/DID #929966
 - d. Mercy Medical Center and General Mills' Especially for You Race Against Breast Cancer (includes road closure) on October 13, 2013; CIP/DID #922159
 - e. Czech Village/New Bohemia District's Marvin Cone's Mainstreet event (includes road closure) on October 19, 2013. CIP/DID #929963
12. Resolutions approving assessment actions:
- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 29 properties; CIP/DID #964744
 - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 11 properties; CIP/DID #924781
 - c. Levy assessment – Solid Waste & Recycling – clean-up costs – four properties. CIP/DID #924744
13. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**): CIP/DID #540257
- a. Premiere Developers, Inc. for property at 1520 K Street SW;
 - b. Skogman Construction of Iowa for property at 1521 K Street SW;
 - c. NewBo Development Group LLC for property at 1320 Ellis Boulevard NW;
 - d. NewBo Development Group LLC for property at 1324 Ellis Boulevard NW;
 - e. NewBo Development Group LLC for property at 1328 Ellis Boulevard NW.
14. Resolution authorizing execution of Change Order No. 9 (Revised Final 2) in the amount of \$4,004 for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – General project, accepting project, approving Performance Bond and authorizing issuance of final payment in the amount of \$517,701.85 to Kleiman Construction, Inc. (original contract amount was \$9,717,221; final contract amount is \$10,354,037). CIP/DID #535101-08
15. Resolution approving final plat of Martin Combs First Addition at 1115 Prairie Rose Drive SW. CIP/DID #FLPT-002263-2013
16. Resolution establishing “No Parking Anytime” on both the east and west sides of High Life Court SW from West Side Place SW northerly up to and including the cul-de-sac as requested by West Side Unlimited Corporation. CIP/DID #62-13-036
17. Resolution establishing a time in grade requirement for promotion to Deputy Chief of Police. CIP/DID #965035

18. Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Amendment No. 4 to renew Agreement for Mailing Services for the Utilities Department with Mailing Services, Inc. for a total annual amount not to exceed \$183,000 (original contract amount was \$175,000; renewal contract amount is \$183,000); CIP/DID #0910-055
- b. Amendment No. 1 extending the Hockey Prime Tenant Lease Agreement with Newco Riders, LLC for five years beginning June 1, 2014 and ending May 31, 2019; CIP/DID #472541
- c. Amendment No. 4 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to add forklift rental for two days for an amount not to exceed \$1,031.78 (original contract amount was \$299,520.80; total contract amount with this amendment is \$344,700.90) (**FLOOD**); CIP/DID #0113-154
- d. Amendment No. 8 to the Contract for Citywide Energy Management System with Halvorson Trane to delete the energy management system work at the Five Seasons Bus Garage and make changes to the system at the Veterans Memorial Building for a deduct of \$44,635 (original contract amount was \$475,745; total contract amount with this amendment is \$597,464.87) (**FLOOD**); CIP/DID #0110-161
- e. Amendment No. 1 to the Development Agreement with Little House, LLC for disposition and redevelopment of City-owned property at 1301 3rd Street SE (**FLOOD**); CIP/DID #811372
- f. Change Order No. 15 in the amount of \$4,914 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase II project (original contract amount was \$4,687,000; total contract amount with this amendment is \$5,188,731) (**FLOOD**); CIP/DID #VME001-04
- g. Change Order No. 16 in the amount of \$1,829 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase I project (original contract amount was \$5,540,000; total contract amount with this amendment is \$6,219,824) (**FLOOD**); CIP/DID #VME001-03
- h. Change Order No. 4 in the amount of \$8,429.47 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #2 – Interior Demo, Steel, Concrete and Roofing project (original contract amount was \$506,000; total contract amount with this amendment is \$531,689.80) (**FLOOD**); CIP/DID #VME001-06
- i. Change Order No. 5 in the amount of \$14,850.67 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project (original contract amount was \$488,000; total contract amount with this amendment is \$608,491.36) (**FLOOD**); CIP/DID #VME001-06
- j. Change Order No. 5 in the amount of \$5,135 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project (original contract amount was \$913,800; total contract amount with this amendment is \$942,918.97) (**FLOOD**); CIP/DID #VME001-06
- k. Change Order No. 1 in the amount of \$474.68 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project (original contract amount was \$1,256,500; total contract amount with this amendment is \$1,256,974.68) (**FLOOD**); CIP/DID #VME001-06
- l. Change Order No. 5 in the amount of \$2,079.32 with Rathje Construction Company for the Willowbrook-Georgia Water & Sewer Improvements project (original contract amount was \$567,244.60; total contract amount with this amendment is \$593,851.96); CIP/DID #2012027-02
- m. Change Order No. 10 (Final) deducting the amount of \$112,636.34 with Pirc-Tobin Construction, Inc. for the 10th Street SE from 1st Avenue E to 4th Avenue SE Improvements project (original contract amount was \$2,177,865.85; total contract amount with the amendment is \$2,125,195.75); CIP/DID #3012026-04

- n. Change Order No. 9 in the amount of \$1,209 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 (original contract amount was \$189,177.50; total contract amount with this amendment is \$262,655.58); CIP/DID #3017012-01
- o. Change Order No. 24 deducting the amount of \$3,732 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project (original contract amount was \$28,273,698; total contract amount with this amendment is \$29,750,369); CIP/DID #535100-23
- p. Change Order No. 11 (Revised Final 2) in the amount of \$15,507 with Day Mechanical Systems, Inc. for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – Mechanical project (original contract amount was \$4,481,800; total contract amount with this amendment is \$5,156,380); CIP/DID #535101-09
- q. Pierce Manufacturing repair of corrosion damage on the Fire Department's 2002 Pierce Dash Fire Pumper for a total amount of \$57,543; CIP/DID #965029
- r. Iowa Homeland Security and Emergency Management Division's Commitment to Award and Accept Funds in the amount of \$185,000 to the City of Cedar Rapids by the Iowa Homeland Security and Emergency Management Division for the Cedar Rapids Division of Iowa Task Force One; CIP/DID #965023
- s. Joint Communications Agency purchase of equipment and accessories from RACOM Corporation for public safety use in connection with the Linn County 800 MHz Radio System, for an amount not to exceed \$33,854.75; CIP/DID #660990
- t. Release of partial final payment in the amount of \$85,693.85 to Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project (original contract amount was \$10,917,000; total contract amount is \$12,175,150); CIP/DID #535100-24
- u. 28E Agreement with Linn County to participate in the cost of construction of a Portland Cement Concrete (PCC) overlay in connection with the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project; CIP/DID #3012069-00
- v. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$78,590 for design and engineering services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project; CIP/DID #325008-01
- w. Offer to purchase property and the execution of a Total Acquisition Purchase Agreement in the amount of \$149,000, plus an amount estimated to be \$32,050 in relocation benefits to Joshua M. Perkins for property at 4514 C Avenue NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project; CIP/DID #301446-00
- x. Professional Services Agreement with Shive Hattery, Inc. for an amount not to exceed \$31,300 for the 2014 Water Pollution Control Facility Roof Replacement project; CIP/DID #615190-03
- y. Contract for Benefit Consultant Services with Holmes Murphy and Associates for the Human Resources Department for an amount not to exceed \$180,000; CIP/DID #0613-277
- z. Contract for Economic Development Strategic Plan Consultant Services with Angelou Economics for the Development Services Department for an amount not to exceed \$75,000; CIP/DID #0613-271
- aa. Rental Agreement with Koch Brothers for three Lanier digital copiers for the Sewer/Streets, Engineering and Building Services departments; CIP/DID #0813-042
- bb. Public Works Department – Engineering Division purchase of additional bath accessories and value engineering deduct to reduce the cost of the bath fixtures for the Convention Complex Hotel from Creo Hospitality in the amount of \$21,946.54 (original purchase was \$306,490.70; final project cost is \$321,661.08); CIP/DID #0712-027

- cc. Contract for Compressor Repair Services and Parts with Mid Iowa Tools for the Water Pollution Control Facility for an amount not to exceed \$50,000 annually; CIP/DID #0513-268
- dd. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for Schissel LLC; CIP/DID #959319
- ee. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for New Bo West LLC; CIP/DID #959319
- ff. Application for \$138,000 to renew HUD Grant Funding for two Housing and Family Self-Sufficiency (FSS) Program Coordinators; CIP/DID #375326
- gg. Development Agreement and Special Warranty Deed with Schissel, LLC for the redevelopment of City-owned property at 428, 422 and 416 2nd Street SW and 208 5th Avenue SW through the Multi-Family New Construction Program (**FLOOD**); CIP/DID #08-DRH-208
- hh. Development Agreement and Special Warranty Deed with NewBo Development Group LLC for the redevelopment of City-owned property at 1332, 1336 and 1338 Ellis Boulevard NW through the Multi-Family New Construction Program (**FLOOD**); CIP/DID #08-DRH-208
- ii. Memorandum of Agreement with Czech Village/New Bohemia Main Street District including Fiscal Year 14 grant of \$45,000 for operational services. CIP/DID #421344

REGULAR AGENDA

- 19. Report on bids for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (estimated cost for Phase II is \$60,000; total project cost is \$180,000). (Doug Carper) CIP/DID #635125-02
- 20. Report on bids for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project (estimated cost is \$120,000). (Steve Hershner)
 - a. Resolution awarding and approving contract in the amount of \$175,540, bond and insurance of Academy Roofing & Sheet Metal Co. of the Midwest, Inc. for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project. CIP/DID #625663-04
- 21. Discussion and Resolution authorizing negotiation of a Development Agreement with Little House, LLC for disposition and redevelopment of City-owned property at 1305 3rd Street SE (**FLOOD**). (Paula Mitchell) CIP/DID #811372

ORDINANCES

(Second and possible Third Readings)

22. Ordinance vacating public ways and grounds in and to the property described as a 15-foot wide strip of excess alley right of way located southwesterly of and adjacent to 1017 9th Avenue SE as requested by Hatch Development Group. CIP/DID #41-14-010
 - a. Resolution authorizing the disposition of the property described as a 15-foot wide strip of excess alley right of way located southwesterly of and adjacent to 1017 9th Avenue SE and accepting an easement for public storm sewer, sanitary sewer, water main and public utility easement as requested by Hatch Development Group. CIP/DID #41-14-010
23. Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by deleting Section 61.038 therefrom, and enacting a new Section 61.038 establishing regulations for school bus activation of amber warning lights to reflect the State Code. CIP/DID #958812

PUBLIC INPUT

This is an opportunity for the public to address the City Council on any subject pertaining to City Council business.

COUNCIL COMMITTEE REPORTS

1. Development Committee (Chair, Council member Monica Vernon)
2. Finance & Administrative Services Committee (Chair, Council member Kris Gulick)
3. Flood Recovery Committee (Chair, Council member Don Karr)
4. Infrastructure Committee (Chair, Council member Chuck Swore)
5. Public Safety Committee (Chair, Council member Justin Shields)

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

*Note: During this portion of the meeting Council Members may bring forward communications, concerns and reports on various matters and may discuss the items specifically listed:

1. Mayor Corbett:
2. Council member Gulick:
3. Council member Karr:
4. Council member Olson:
5. Council member Poe:
6. Council member Shey:
7. Council member Shields:
8. Council member Swore:
9. Council member Vernon:

It is the policy of the City of Cedar Rapids that all City Council public meetings are accessible to people with disabilities. If you need assistance in participating in City Council public meetings due to a disability as defined under the ADA, please call the City Clerk's Office at (319) 286-5060 at least two (2) business days prior to the scheduled meeting to request an accommodation.

**Weekly agendas for the Regular City Council Meeting, as well as Council meeting minutes, can be viewed at the following web site: www.cedar-rapids.org*



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

Alternate Contact Person: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Description of Agenda Item: ☐ **Consent** ☒ **Public Hearing** ☐ **Regular Agenda**

A public hearing will be held to consider a change of zone for property at 1010 Boyson Road NE from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by The Commons at Boyson Park, LLC and SB/CB Partnership. CIP/DID #RZNE-003427-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on July 18, 2013 and recommended unanimously for approval on an 8 to 0 vote. There were no objectors in attendance.

The subject property is currently undeveloped and the applicant is requesting rezoning to allow for the development of a multi-family owner occupied condominium complex. The Preliminary Site Development Plan as submitted shows the following proposed improvements to the property:

- Total site area is 139,392 sq. ft. (3.20 acres).
- Proposed structures include 4 with 10 condominiums unit in each for a total of 40 units.
- Total proposed hard surfaced area including buildings is 79,547 sq. ft.
- Total open space proposed is 59,845 sq. ft. (42.9% of site area).
- Total parking required is 80 spaces, provided is 80 spaces in garages and additional spaces in front of garages.
- Access will be from Doubletree Road NE.
- Storm water detention has been development for the overall development and is not needed on this site.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none">• City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none">• The City Planning Commission reviewed the application on July 18, 2013 and recommended approval unanimously on an 8 to 0 vote. There were no objectors present. A portion of the minutes are

	enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for September 24, 2013. Two additional readings of the Ordinance are required by State law before approval is final. Approval will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

City staff recommends holding the public hearing and possible First Reading.

Alternative Recommendation:

Table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Location Map





Attachment A
City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, July 18, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice – Chair
Allan Thoms
Mike Tertinger
Carletta Knox-Seymour
Virginia Wilts
Samantha Dahlby
Richard Pankey

DSD Staff: Vern Zakostelecky, Planner
Joe Mailander, Manager
Dave Houg, Zoning Specialist

CD Staff: Seth Gunnerson, Planner
Betty Sheets, Administrative Assistant

The meeting was called to order at 3:03 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from June 27, 2013 and called for additions or corrections.

Commissioner Tertinger made a motion to approve the minutes from June 27, 2013. Commissioner Wilts seconded the motion. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion to approve the agenda. Allan Thoms stated he would be recusing himself from the discussion of the Conditional Use at 4200 1st Avenue NE because he has a contractual contract with Verizon. Commissioner Pankey stated he would be recusing himself from the discussion of 5610 4th Street Court SW because he is the developer.

Commissioner Knox-Seymour made a motion to approve the agenda. Commissioner Halverson seconded the motion. The motion passed unanimously with none opposed.

REGULAR AGENDA

1. Case Name: 1010 Boyson Road NE (Rezoning) Case No: RZNE-003427-2013 Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District as requested by The Commons at Boyson Park LLC (Applicant) and SB/CB Partnership (Titleholder).

Vern Zakostelecky, Development Services, stated the subject property is currently undeveloped and the applicant is requesting rezoning to allow for the development of a multi-family owner occupied condominium complex. The Preliminary Site Development Plan as submitted, shows the following proposed improvements to the property: The site area is 139,392 sq ft (3.20 acres); the proposed structures will include 4 buildings with 10 condominiums units in each building; total parking required and provided is 80 spaces with additional parking in front of garages; the access will be from Doubletree Road and there is no need for storm water detention as that has been developed. Mr. Zakostelecky presented the location map, aerial photo of the site, site plan and renderings. The applicant held a neighborhood meeting with no major concerns expressed.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Thoms asked if there was any concern about traffic. Mr. Zakostelecky reported that Traffic Engineering looked at this and did not have a concern with the density.

Commissioner Overland called for a representative of the applicant. Chad Pelley, Hall & Hall Engineers, 1860 Boyson Road was present stating Vern did a great job of explaining this project. This property has been vacant for 18 years and he thinks it is a wonderful project complementary to the neighborhood.

Commissioner Overland asked if there were any questions of the representative. Commissioner Dahlby stated that looking at the plan it looked like there are sidewalks that go up to the private drives but no sidewalks within the development area. Mr. Pelley stated sidewalks will be along Boyson and Doubletree as developments like this often do not have connecting sidewalks to allow for more green space.

Commissioner Overland called for members of the public who wished to speak. No member of the public wished to speak.

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Halverson made a motion to approve the Rezoning from O-S, Office/Service Zone District to RMF-1, Multiple Family Residence Zone District. Commissioner Thoms seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Overland stated he likes the design and thought it is a complementary development to the neighborhood. Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:48 p.m.

Respectfully Submitted, Betty Sheets, Administrative Assistant II, Community Development

ORDINANCE NO.

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS
AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA,
BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT
AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE
PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA,
as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code
of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

Lot 16, Boyson Park Second Addition to the City of Cedar Rapids, Linn County, Iowa

for property at 1010 Boyson Road NE, now zoned O-S, Office/Service Zone District, and as
shown on the "District Map," be rezoned and changed to RMF-1, Multiple Family Residence
Zone District, and that the property be used for such purposes as outlined in the RMF-1,
Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of
Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are
subject to the conditions which have been agreed to and accepted prior to the passage of this
Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the
owners, successors, heirs, and assigns, as follows:

1. If the construction of this project is in phases, accommodations must be made to allow solid waste collection equipment the ability to turn around on dead ends.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to construct 6' wide concrete sidewalk along Boyson Road NE and 4' wide sidewalk along Doubletree Road NE adjoining this site. The City will reimburse the property owner for a 2' wide portion of the 6' wide sidewalk in accordance with City policy. The property owner shall construct the sidewalk improvements in accordance with City Standards, ADA requirements, and improvement plans accepted by the City Public Works Director/City Engineer.
3. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Agreement for Private Storm Water Detention. The City Public Works Department shall provide a copy of the Agreement form upon request by the property owner.
4. That lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
5. That landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A. This includes a minimum 15' buffer yard along the north property where the development abuts single family residential. Screening for car headlights needs to be taken into consideration along the other 3 sides of the site.
6. That existing trees 5" dbh or larger removed to make way for the development will need to

be replaced on a one-for-one basis. This requirement is over and above the typical landscaping requirements.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 27th day of August, 2013.

ACCEPTANCE OF CONDITIONS OF REZONING

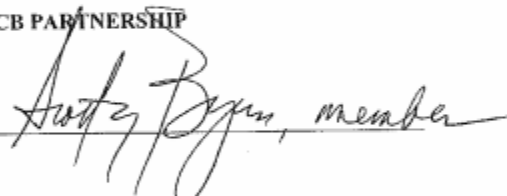
ORDINANCE NO. _____

I/we hereby agree to the terms and conditions set out in the attached Ordinance dated this

_____ day of _____, 2013

SB/CB PARTNERSHIP


BY

 member

SCOTT G. BYERS MEMBER
(Please Print Name and Title)

SB/CB PARTNERSHIP

BY

 member

CRAIG M BYERS, member
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

Alternate Contact Person: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Description of Agenda Item: ☐ **Consent** ☒ **Public Hearing** ☐ **Regular Agenda**

A public hearing will be held to consider a change of zone for property at 6677 16th Avenue SW from A, Agriculture Zone District and C-3, Regional Commercial Zone District to PUD-1, Planned Unit Development One Zone District as requested by Sharp Investments, LLC. CIP/DID #RZNE-004447-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on August 29, 2013 and recommended unanimous approval by a vote of 6 to 0. There were objections from the neighborhood.

The applicant is requesting rezoning to allow for a mixed use development. The mix of uses proposed are commercial, office, and multi-family and single-family residential. The property is currently developed as a 9-hole golf course with a club house.

The Master Plan consists of the following:

- Rezoning to PUD-1, Planned Unit Development One Zone District
- Redevelop 9-hole golf course with a mixed of uses including commercial, office, multi & single-family residential.
- Total site is approximately 37 acres.
- Access to Stoney Point Road & 16th Avenue SW.
- Street extensions to south & west property line to allow for future connectivity.
- Existing club house to be converted to office/commercial use.
- Metal building to be removed
- Phasing Plan:
 - ✓ Development will be in phases based on market demand for the different uses
- Proposed Uses:
 - ✓ Commercial along 16th Avenue & corner of 16th Avenue & Stoney Point Road SW
 - ✓ Commercial/office going south
 - ✓ Multi-family residential at southwest corner
 - ✓ Single-family residential at southeast corner
 - ✓ No specific uses have been identified.

A requirement of the PUD Zoning District approval is to enter into a development agreement with

the City that is approved by City Council resolution. The development agreement includes the following information:

- Estimated phasing for the development.
- Level of design the property will be developed including the State green building standards, creative storm water management techniques; landscaping that exceeds the City's minimum requirements and parking in the rear with the buildings closer to the street were feasible.

The development agreement also includes modifications/variances the applicant is asking for in exchange for a higher level of building and site design including:

- Reduced front yard setbacks.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none">City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none">The City Planning Commission reviewed the application on August 29, 2013 and recommended unanimous approval by a 6 to 0 vote. A portion of the minutes are enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none">A Public Hearing and First Reading of the Ordinance are scheduled for September 24, 2013.Two additional readings of the Ordinance are required by State law before approval is final.Approval will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

City staff recommends holding the public hearing and voting on the First Reading.

Alternative Recommendation:

Table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

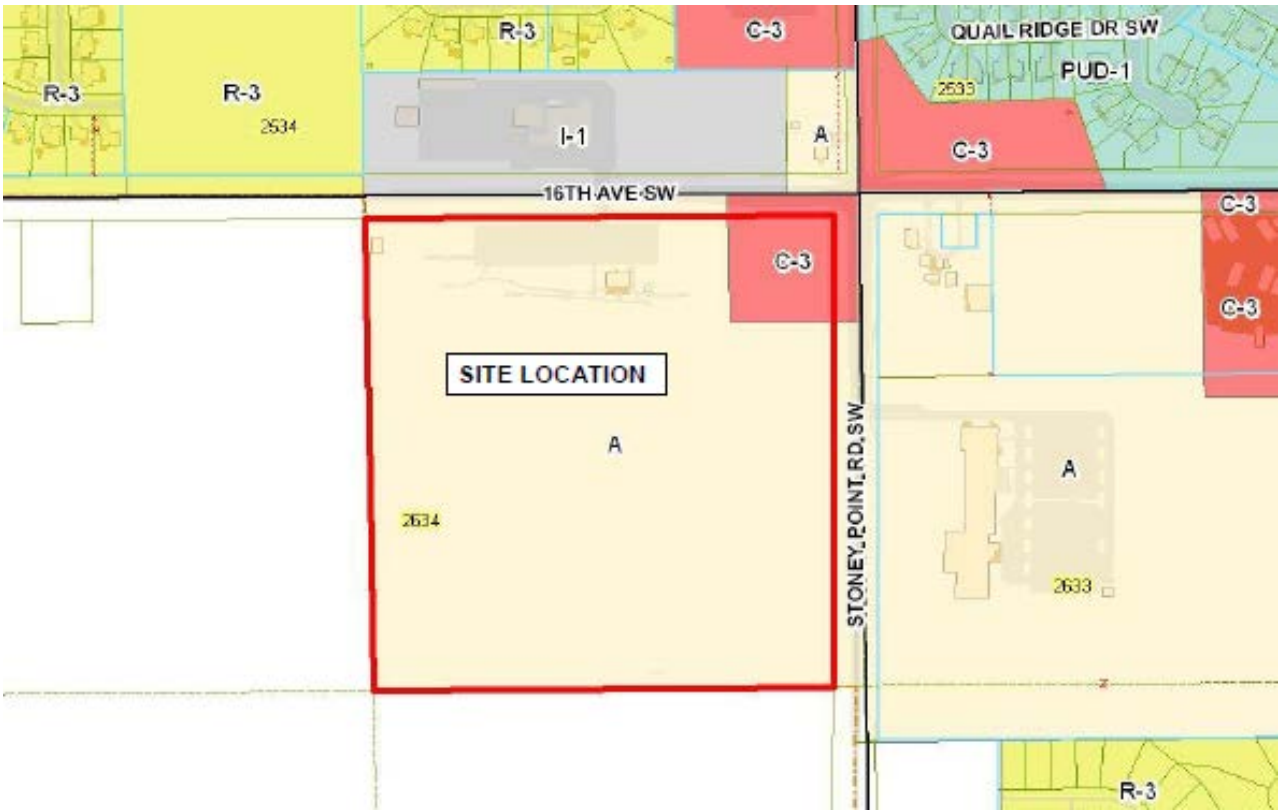
Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

Location Map



MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, August 29, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
Jim Halverson, Vice – Chair
Samantha Dahlby
Carletta Knox-Seymour
Richard Pankey
Allan Thoms

Members Absent: Mike Tertinger
Virginia Wilts

DSD Staff: Vern Zakostelecky, Planner
CD Staff: Betty Sheets, Administrative Assistant

The meeting was called to order at 3:03 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with six (6) Commissioners present and two (2) absent.

Commissioner Overland stated Commissioners have received the minutes from August 8, 2013 and called for additions or corrections. Seeing there are no additions or corrections they stand approved as read.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.

REGULAR AGENDA

1. Case Name: 6677 16th Avenue SW (Rezoning) Case No. RZNE-004447-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from A, Agriculture Zone District and C-3, Regional Commercial Zone District to PUD-1, Planned Unit Development Zone District as requested by Sharp Investments LLC (Applicant/Titleholder).

Mr. Zakostelecky presented a location map that showed the location at the southwest corner of 16th Avenue and Stoney Point Road SW. The property closest to the intersection is zoned C-3, and the rest is zoned agricultural. The property is currently a nine-hole golf course. The metal building will be removed as the property develops. There is a club house on the site that is planned to be retrofitted for office use or some commercial business. This is a request for a PUD-1, the development calls for mixed use of commercial, office, multi-family and single-family residential. It is about 37 acres. They will be providing access onto 16th Avenue and Stoney Point Road and they will provide street extensions to the west and the south for connectivity for future development. As part of the general information in the development agreement, general phasing plan, this is a five year build out and City Planning Commission will be reviewing PSDP's as they come in for actual developments. The developer has not identified any specific uses. Green space will be incorporated in the stormwater management areas, and other amenities include, but are not limited to landscaping that exceeds City standards, trails, walks, playgrounds in the residential area and rain gardens. A retention basin is planned for the overall development. Buildings will be built to LEED certification standards. The developers will utilize local contractors to the extent possible and the exterior materials of the buildings will be mostly natural stones and brick. Mr. Zakostelecky also produced an aerial photo, site plan and master plan.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Dahlby asked if the Commission would see future plans for this development. Mr. Zakostelecky stated with the PUD-1, the master plan gets approved with the development agreement and as each individual site or phrase comes in CPC will see the preliminary site plans for review and approval.

Commissioner Halverson asked if when the Traffic Engineering Department completed their study if things would change. Mr. Zakostelecky stated that once they review the impact study those areas according to the requirements of the study will be addressed as conditions of future site plan approvals. Site plans will be approved by City Planning Commission resolutions.

Commission Thoms asked how long before the project needs to be completed. Mr. Zakostelecky stated the City would want to see activity on a site over a period of time. Basically there is a sunset clause for master plan approval and if they continue to actively work on the project, the time gets extended. The plan could get withdrawn and the developer would have to go through a new master plan approval process. There are provisions in the PUD ordinance for monitoring the site activity.

Commissioner Overland called for a representative of the applicant. Larry Sharp, Sharp Investments LLC, 3614 Sue Lane NW, Cedar Rapids, Iowa stated he would be happy to answer any questions. The answer to the last question is that we want to see this completed as soon as possible.

Commissioner Overland called for questions of the applicant. No questions were presented.

Commissioner Overland called for members of the public who wished to speak. Patricia Sawell, 2001 Stony Point Road SW, Cedar Rapids, Iowa raised a concern regarding the multi-family that is already in the area and asked how definite is it that there would be more than in the master plan. Mr. Zakostelecky stated that uses contemplated on the master plan could expand or decrease depending on market demand.

Commissioner Halverson asked if a project could change dramatically within a PUD or is there a benchmark where it has to start. Mr. Zakostelecky stated that there are some percentages that state increases or decreases by more than 20% would have to come back for review. Commissioner Halverson asked if the site would be posted for adjacent property owners so they know who to contact in the City. Mr. Zakostelecky stated Development Services would be working with the developer to define uses in the development agreement. As the developer goes through PSDP, there will be posting of signs, courtesy mailings and the project would be brought to CPC.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Pankey made a motion to approve the rezoning from A, Agriculture Zone District and C-3, Regional Commercial Zone District to PUD-1, Planned Unit Development Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:50 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant II
Community Development

ORDINANCE NO.

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS
AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA,
BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT
AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE
PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA,
as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

The Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Thirty-four (34), excepting therefrom the following: Beginning at a point Sixty (60) Feet South of the Northeast Corner of the said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) on the East line thereof, said point being on the present Southerly right of way line of Primary Road No. U.S. 30; thence North Eighty-nine Degrees Thirty-nine and One-fourth Minutes West (N 89° 39 ¼ W), Sixty and Nine Tenths (60.9) Feet along said right of way line; thence South Zero Degrees Fifty-six and One-half Minutes West (S 0° 56 ½' W), One Thousand Two Hundred Sixty and Four Tenths (1260.4) Feet to the South line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) as presently fenced; thence South Eighty-nine Degrees Three Minutes East (S 89° 03' E), Eighty-one and Sixth Tenths (81.6) Feet along said South line to the East line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4); thence North One Thousand Two Hundred Sixty-one and Two Tenths (1261.2) Feet along said East line to the point of beginning; all in Township Eighty-three (83) North, Range Eight (8) West of the 5th P.M., Linn County, Iowa.

for property at 6677 16th Avenue SW, now zoned A, Agriculture Zone District and C-3, Regional Commercial Zone District and as shown on the "District Map," be rezoned and changed to PUD-1, Planned Unit Development Zone District, and that the property be used for such purposes as outlined in the PUD-1, Planned Unit Development Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

1. That subject property shall be platted per State and City platting regulations.
2. That future development under this rezoning action shall be subject to the PUD Preliminary Site Development Plan review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.
3. The enclosures for dumpsters will need be full screen enclosures including the gates and

preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.

4. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
5. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
6. Landscaping and buffering/screening shall be provided per the Zoning Ordinance, Subsection 32.05.030.A.
7. The site plan should to the extent possible be reflective of the Development Agreement between the City and the Developer.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 24th day of September, 2013.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

I/we hereby agree to the terms and conditions set out in the attached Ordinance dated this

_____ day of _____, 2013

SHARP INVESTMENTS LLC

BY Larry D Sharp

LARRY D. SHARP Pres/Mgr
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

Alternate Contact Person: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Description of Agenda Item: ☐ **Consent** ☒ **Public Hearing** ☐ **Regular Agenda**

A public hearing will be held to consider a change of zone for property at 3015 and 3233 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Linn Area Credit Union and the First Assembly of God Church. CIP/DID #RZNE-004536-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on August 29, 2013 and recommended unanimously for approval on a 6 to 0 vote. There was one objector in attendance.

The applicant is requesting rezoning to allow for expansion of their existing credit union. The property is currently an undeveloped portion of the First Assembly of God Church property.

The Preliminary Site Development Plan consists of the following:

- Total site area is 2.59 acres including the credit union & church property.
- Total building area is 29,936 sq. ft. including 18,702 sq. ft. existing and 11,234 sq. ft. for the proposed addition.
- Total hard surface are proposed including building is 85,577 sq. ft.
- Total open space- proposed is 2,724 sq. ft. (24.1% of total site area).
- Total parking required is 120 spaces-provided are 130 spaces including 5 handicap spaces.
- Access will remain the same from Blairs Ferry Road NE.
- Storm water management for the new improvements will be provided underground in the new parking area.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none">City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none">The City Planning Commission reviewed the application on August 29, 2013 and recommended approval unanimously on a 6 to 0 vote. There was one objector present. A portion of the minutes are enclosed as Attachment A.
City Council	<ul style="list-style-type: none">A Public Hearing and First Reading of the Ordinance are scheduled



Attachment A
City Planning Commission
City of Cedar Rapids
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, August 29, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
 Jim Halverson, Vice – Chair
 Samantha Dahlby
 Carletta Knox-Seymour
 Richard Pankey
 Allan Thoms

Members Absent: Mike Tertinger
 Virginia Wilts

DSD Staff: Vern Zakostelecky, Planner
CD Staff: Betty Sheets, Administrative Assistant

The meeting was called to order at 3:03 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with six (6) Commissioners present and two (2) absent.

Commissioner Overland stated Commissioners have received the minutes from August 8, 2013 and called for additions or corrections. Seeing there are no additions or corrections they stand approved as read.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.

REGULAR AGENDA

1. Case Name: 3015 and 3233 Blairs Ferry Road NE (Rezoning) Case No. RZNE-004536-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Linn Area Credit Union (Applicant/Titleholder) and Assembly of God Church (Titleholder).

Mr. Zakostelecky stated Linn Area Credit Union is requesting rezoning to expand the existing credit union. The property is currently an undeveloped portion of the First Assembly of God Church property. The Preliminary Site Development Plan consists of a total site area of 2.59 acres including the credit union & church property. The total building area is 29,936 sq. ft. including 18,702 sq. ft. existing and 11,234 sq. ft. for the proposed addition. The total hard surface proposed includes a building of 85,577 sq. ft. with total open space proposed as 2,724 sq. ft. (24.1% of total site area). The total parking required is 120 spaces and 130 spaces will be provided including 5 handicap spaces. Access to the site will remain the same from Blairs Ferry Road NE and storm water management for the new improvements will be provided underground in the new parking area. The area the credit union is purchasing from the church is relatively small. Mr. Zakostelecky also had an aerial photo, site plan and building renderings.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Dahlby asked if the trees where the parking lot will be expanding, will be replaced? Mr. Zakostelecky said he would defer that question to the applicant.

Commission Thoms said the number of parking spaces were rather surprising. Mr. Zakostelecky stated that corporate meetings are held at this location and therefore the credit union needs the additional parking spaces. Commission Thoms asked if the church can take responsibility of providing buffer trees and the maintenance of those trees. Mr. Zakostelecky stated it is his understanding the church wanted to sell as little of their property as they had to allow this expansion to happen and they are volunteering to have those plantings on their property and the credit union is responsible for the cost of planting and maintenance. Condition No. 5 states "that a 15' side bufferyard is required where adjacent to a residential district or a variance must be obtained. In lieu of providing the buffer yard on the Linn Area Credit Union property, the applicant can provide an agreement between the First Assembly of God Church and Linn Area Credit Union agreeing to the buffer yard being on the Church property. Said agreement shall include provisions for who will provide long term maintenance of the plantings and shall be recorded and a copy submitted to the City Development Services Department prior to issuance of a temporary or final certificate of occupancy."

Commissioner Halverson asked if the access drive was not changing. Mr. Zakostelecky stated that was correct.

Commissioner Overland called for a representative of the applicant. Michael Dryden, Ament Design, 625 32nd Avenue SW, Cedar Rapids, Iowa. Mr. Dryden stated the buffer area will be maintained by the Credit Union even though the church did not want to sell the addition space to accommodate the parking lot. Mr. Dryden further stated that this is Linn Area Credit Unions training facility for education and company meetings.

Commissioner Overland called for questions of the applicant. Commissioner Pankey asked what the scheduled was for starting. Mr. Dryden stated they would like to start this fall.

Commissioner Overland called for members of the public who wished to speak. Jerry Huggins, 1021 Bolder Street, Hiawatha stated this is a highly traveled street with plenty of noise and wishes the church did not sell the property to the credit union.

Commission Thoms asked for the location map to be displayed and asked the citizen where on the map he lived. The citizen indicated where his house was located.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Pankey made a motion to approve the rezoning from A, Agriculture Zone District to C-2, Multiple Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:50 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant II
Community Development

ORDINANCE NO.

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS
AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA,
BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT
AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE
PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA,
as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code
of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

Lot 1 of Blairs Forest 4th Addition in the City of Cedar Rapids, Linn County,
Iowa.

and

Part of Parcel "A", Plat of Survey No. 1339, Cedar Rapids, Linn County,
Iowa described as follows:
Commencing at the northwest corner of Lot 1 of Blairs Forest Fourth
Addition; thence South on the West line of said Lot 1, 38.8 feet; thence
West 39 feet; thence South 355 feet; thence easterly, 39 feet to the
southwest corner of said Lot 1; thence North on said West line, 355 feet to
the point of beginning.

and located at 3015 and 3233 Blairs Ferry Road NE, now zoned A, Agriculture Zone District,
and as shown on the "District Map," be rezoned and changed to C-2, Community Commercial
Zone District, and that the property be used for such purposes as outlined in the C-2,
Community Commercial Zone District, as defined in Chapter 32 of the Municipal Code of Cedar
Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are
subject to the conditions which have been agreed to and accepted prior to the passage of this
Ordinance in writing (shown by attached Acceptance) by the owners and are binding upon the
owners, successors, heirs, and assigns, as follows:

PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner
shall be responsible to submit to the City a signed Agreement for Private Storm Water Quality
improvements on this site. The City Public Works Department shall provide a copy of the
Agreement form upon request by the property owner.

1. That subject property shall be platted per State and City platting regulations.
2. That said lot shall be combined with adjacent property so as to constitute a single zoning lot
and tax parcel.
3. That effective screening shall be provided and maintained so as to screen the open parking

spaces and the drive thereto where adjacent to a residential district per provisions of the Zoning Ordinance or a variance be obtained.

4. That a 15' side bufferyard is required where adjacent to a residential district or a variance must be obtained. In lieu of providing the buffer yard on the Linn Area Credit Union property, the applicant can provide an agreement between the First Assembly of God Church and Linn Area Credit Union agreeing to the buffer yard being on the Church property. Said agreement shall include provisions for who will provide long term maintenance of the plantings and shall be recorded and a copy submitted to the City Development Services Department prior to issuance of a temporary or final certificate of occupancy.
5. The enclosure for the dumpster will need be a full screen enclosure including the gates and preferably designed using the same building material as the principal building as per Subsection 32.05.030.A.7. of the Zoning Ordinance.
6. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
7. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained. This includes, but is not limited to screening of outdoor roof top and ground mounted mechanical.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 24th day of September, 2013.

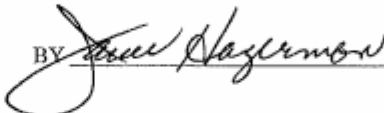
ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

I/we hereby agree to the terms and conditions set out in the attached Ordinance dated this

_____ day of _____, 2013

Linn Area Credit Union

BY 
James Hagerman, President
(Please Print Name and Title)

First Assembly of God Church

BY 
Larry R. Sohn, Senior Pastor
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Development Services

Presenter at meeting: Vern Zakostelecky **Phone Number/Ext:** 319 286-5043
Email: v.zakostelecky@cedar-rapids.org

Alternate Contact Person: Joe Mailander **Phone Number/Ext:** 319 286-5822
Email: j.mailander@cedar-rapids.org

Description of Agenda Item: ☐ **Consent** ☒ **Public Hearing** ☐ **Regular Agenda**

A public hearing will be held to consider a change of zone for 32 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District and O-S, Office/Service Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids (**FLOOD**). CIP/DID #RZNE-005279-2013 and 540257

Background:

This is the sixth batch of City owned properties brought before the City Council for rezoning. These properties are being requested to be rezoned to R-TN, Residential Traditional Neighborhood, in order to remove technical barriers to redevelopment. It is anticipated that these properties will be developed as part of the City's ROOTs Program. The Administrative Plan directed by City Council limited the program to infill within the Neighborhood Revitalization Area, the area outside the Construction /Study Area and Greenway as well as the 100-year floodplain. In addition, the City would utilize lots that are being acquired through the Voluntary Acquisition Program and provide those to developers at no cost and in exchange for consideration of the reinvestment of new housing. The properties are located at:

1003 3rd Street SW	713 F Avenue NW
1007 3rd Street SW	718 L Street SW
1205 3rd Street SW	719 H Avenue NW
1406 M Street SW	724 F Avenue NW
1406 N Street SW	818 10th Street SW
235 11th Street NW	916 G Avenue NW
330 Rockford Road SW	922 9th Street SW
358 7th Avenue SW	923 5th Avenue SW
410 4th Avenue SW	928 7th Street SW
422 7th Avenue SW	217 7th Avenue SW
500 F Avenue NW	221 7 th Avenue SW
502 F Avenue NW	1201 N Street SW
503 6th Avenue SW	387 12th Avenue SW
612 L Street SW	1309 8th Street NW
623 3rd Avenue SW	1111 3rd Street SW
1019 11 th Street NW	1347 F Avenue NW

Rezoning:

The 32 properties being brought forward by a City-initiated rezoning are in areas of residential redevelopment identified through the Neighborhood Planning Process. These properties are zoned R-3, R-3D, RMF-1, RMF-2, and O-S. As is the case with nearly all of the lots, the current zoning classification is not an appropriate match for the size and square footage of the lots making them legal non-conforming lots. The rezoning to the R-TN will allow new housing to blend into the neighborhood context in terms of meeting setbacks of the neighborhood. In addition, it is important that there not be any issues such as the need for variances in current zoning or being legal non-conforming lots, which might create financing issues with lenders, future buyers or with homeowners insurance. The zoning of the lots were established prior to the City's adoption of the R-TN Zoning District, which was used in the Oakhill/Jackson Neighborhood as part of the City's Housing and Neighborhood Development (HAND) program. In mimicking the results that were achieved through the HAND project, staff is initiating rezoning on all City-owned lots to the R-TN Zoning District prior to deeding of the properties to the identified developers for in-fill construction of new flood replacement housing. The attached map provides an overview of where the properties proposed for rezoning are located.

After a presentation by Community Development staff and any comments, issues, and/or concerns are heard from citizens, City staff will be looking for a recommendation to forward to City Council.

City Planning Commission reviewed this City initiated rezoning on August 29, 2013 and unanimously recommended approval on a 6 to 0 vote. A portion of the minutes are enclosed as Attachment A.

Application Process:

Actions	Comments
City staff review	<ul style="list-style-type: none">• City staff reviewed the lots and recommend approval of this amendment.
City Planning Commission review	<ul style="list-style-type: none">• City Planning Commission reviewed the application on August 29, 2013 and voted 6 to 0 to approve. This is a flood related item since the redevelopment of these lots will provide flood replacement housing.
City Council consideration	<ul style="list-style-type: none">• The next step in the process is to hold a Public Hearing on September 24, 2013 at the City Council meeting to consider this application and allow for public input.• After the Public Hearing and the First Reading, two additional readings of the Ordinance by City Council are required by State law before approval is final.

Action / Recommendation:

City staff recommends holding the public hearing and approval of the First, Second and Third Reading. Combining readings will allow for maximization of the construction season and will streamline the process in light of other required steps, such as environmental review, which have a prescribed duration and must be completed prior to construction.

Alternative Recommendation:

Table the motion and request additional information.

Time Sensitivity:

The Community Development Department Housing Division is requesting City Council adopt the rezoning by voting on all three of the readings on September 24, 2013 in order to make the properties available to developers to start building housing this fall. This has been standard practice for City-owned properties participating in the ROOTs Program in an effort to streamline the process and maximize the construction season.

Resolution Date: N/A

Estimated Presentation Time: 5 Minutes

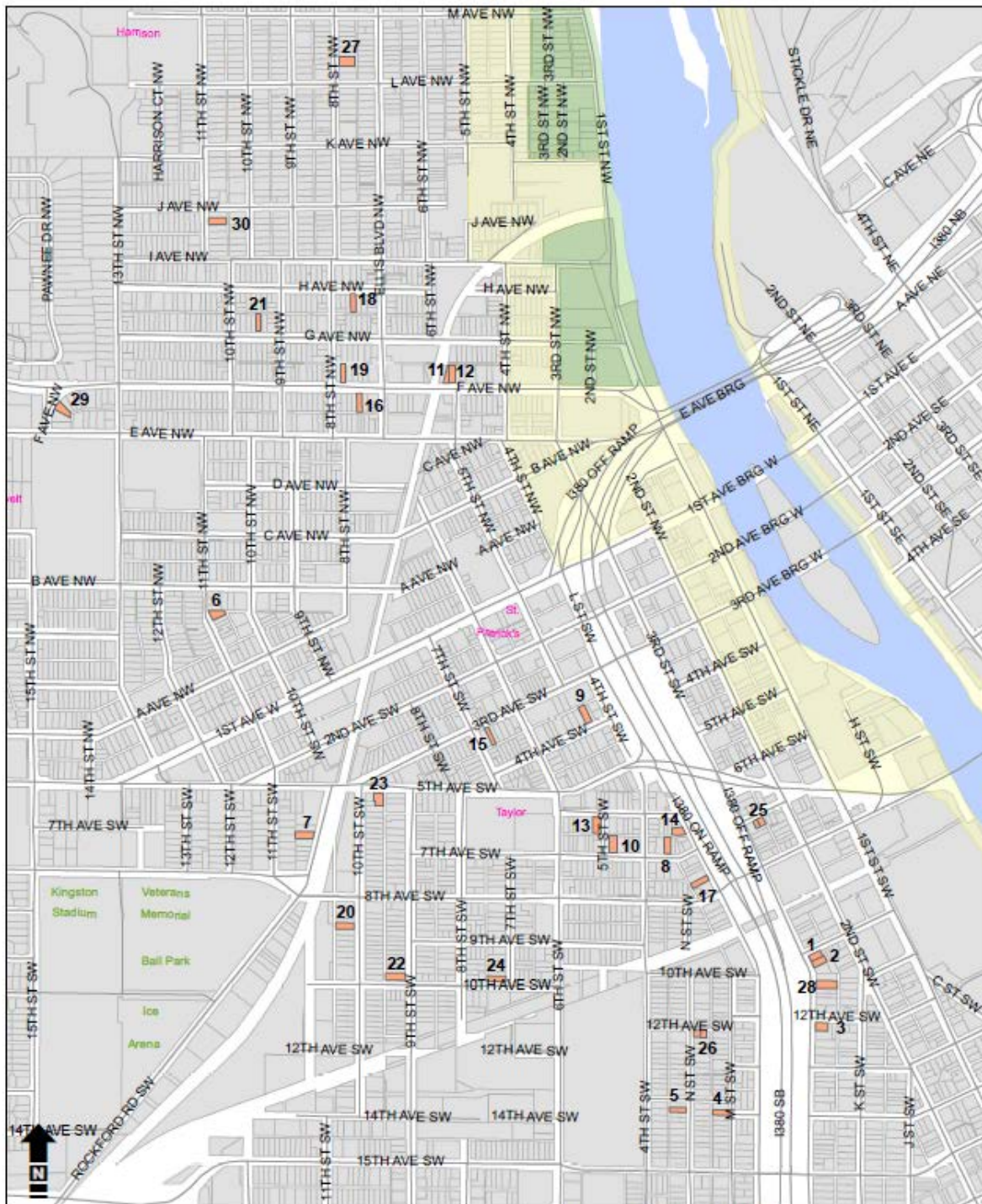
Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):



Rezoning #6

Parcels to be Rezoned
 Greenway
 Construction/Study Area

0 0.15 0.3 Miles

City of Cedar Rapids
 Community Development
 101 First Street SE
 Cedar Rapids, Iowa 52401



Attachment A
 City Planning Commission
 City of Cedar Rapids
 101 First Street SE
 Cedar Rapids, IA 52401
 Telephone: (319) 286-5041

MINUTES
CITY PLANNING COMMISSION REGULAR MEETING,
Thursday, August 29, 2013 @ 3:00 p.m.

Cedar Rapids City Hall Council Chambers, 101 First Street SE

Members Present: Scott Overland, Chair
 Jim Halverson, Vice – Chair
 Samantha Dahlby
 Carletta Knox-Seymour
 Richard Pankey
 Allan Thoms

Members Absent: Mike Tertinger
 Virginia Wilts

DSD Staff: Vern Zakostelecky, Planner
CD Staff: Betty Sheets, Administrative Assistant

The meeting was called to order at 3:03 p.m.

Opening statements were presented stating the protocol of the meeting and the purpose of the City Planning Commission.

Roll call was answered with six (6) Commissioners present and two (2) absent.

Commissioner Overland stated Commissioners have received the minutes from August 8, 2013 and called for additions or corrections. Seeing there are no additions or corrections they stand approved as read.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Overland stated with no additions or corrections, the agenda stands approved.

New Business

1. City initiated rezoning for 39 City-owned lots for the Rebuilding Ownership Opportunities Together Program (ROOTS) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; and O-S, Office/Service Zone District to R-TN, Traditional Neighborhood Residence Zone District.

Mr. Zakostelecky stated that this rezoning is for actually 31 City-owned lots not the 39 that is listed. The request from the City is to rezone these properties to R-TN, Traditional Neighborhood Residence Zone District which was created before the flood to allow for development of infill lots in core areas that do not meet any of our other district requirements in terms of minimal square footage and lot width. These were properties that were damaged beyond repair in the flood of 2008. The City purchased them through the Voluntary Acquisition Program and are

offering the lots to developers to provide affordable workforce housing in these areas. Mr. Zakostecky produced a map showing where the lots were located.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Dahlby asked if these lots would be available for people to purchase if they wanted to build a home on these lots, for instance can residences purchase and rent them out. Mr. Zakostecky stated builders need to have a track record of building homes that are up to energy standards and new residential energy code compliance that they have to meet. The City does take proposals on these lots.

Commissioner Knox-Seymour asked if these were in line with workforce housing. Mr. Zakostecky stated that most of the houses built in the Single Family New Construction Program (SFNC) and Rebuilding Ownership Opportunities Together Program (ROOTs) were in the range of \$150,000 to \$180,000. There is money available to developers up to \$12,000 per lot for construction improvements like sidewalks replacement and water and sewer upgrades. If you are a qualified buyer based on income level you get a buy at a lower market value.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Thoms made a motion to approve the rezoning for 31 City-owned lots for the Rebuilding Ownership Opportunities Together Program (ROOTs) from R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; and O-S, Office/Service Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with none opposed.

The meeting was adjourned at 3:50 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant II
Community Development

ORDINANCE NO.

AN ORDINANCE PASSED IN ACCORDANCE WITH CHAPTER 32, AS AMENDED, OF THE MUNICIPAL CODE OF CEDAR RAPIDS, IOWA, BEING THE ZONING ORDINANCE, CHANGING THE ZONING DISTRICT AS SHOWN ON THE "DISTRICT MAP" FOR THE PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. That in accordance with Chapter 32, as amended, of the Municipal Code of Cedar Rapids, Iowa, being the Zoning Ordinance, that the property described as follows;

Lot 1, Clark's Addition to West Cedar Rapids, Linn County, Iowa;

Lot 2, "Clark's Addition to West Cedar Rapids";

The Front 93 feet of Lot 10, Block 6, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa;

North 40 feet of Lot 5, Block 84, O.N. Hulls Eighth Addition to Cedar Rapids, Linn County, Iowa;

North 25 feet of Lot 5 and South 12 1/2 feet of Lot 6, Block 85, O.N. Hulls Eighth Addition to Cedar Rapids, Linn County, Iowa;

Lot 14 and 15, Sub-division of Out Lot B in Dean's First Addition to Cedar Rapids, Linn County, Iowa;

Lot 13, Block 1, Wood Lawn Park Addition to Cedar Rapids, Iowa;

Lot 4, Subdivision of Block 14, A.K. Murray's Third Addition to the City of Cedar Rapids, Iowa;

Lot 19, Auditor's Plat No. 37, Cedar Rapids, Linn County, Iowa;

Lot 5, Block 5, A.K. Murray's Addition to West Cedar Rapids, Linn County, Iowa;

East 4 feet of Lot 11 and all of Lot 12, Block 8, "Brown's Second Addition" to the City of Cedar Rapids, Lin Co., Iowa;

Lot 11, excepting therefrom the East 4 feet, Block 8, "Brown's Second Addition" to the City of Cedar Rapids, Linn Co., Iowa;

Lot 1, Block 4, Murray's Addition to West Cedar Rapids, Linn County, Iowa;

Rear or 50 feet of Lot 1, Block 1, A.K. Murray's Addition to West Cedar Rapids, Linn County, Iowa and That part of Lot 1;

Block 1, A.K. Murray's Addition to West Cedar Rapids, Linn County, Iowa described as follows: Beginning at a point where the North line of the South 50 feet of said Lot 1, produced, intersects the West line of L Street S.W. as now used; thence N-ly along the W-ly line of said L Street S.W. to its intersection with a line drawn parallel to and 60 feet North of the South line of said Lot 1; thence SW-ly to a point on the North line of the South 50 feet of said Lot 1, 20 feet East of the West line of Lot 1; thence East along the North line of the South 50 feet of said Lot 1 to the point of beginning. Except the Public Highway";

The SW-ly 20 feet of Lot 4 and the NE-ly 10 feet of Lot 5, Block 48, "Brown's Addition to West Cedar Rapids, Linn County, Iowa;

Lot 4, Block 28, Brown's Third Addition to Cedar Rapids, Linn County, Iowa;

NW-ly 40 feet of Lot 2, Block 13, A.K. Murray's Third Addition to Cedar Rapids, Iowa;

Lot 1, Block 17, Brown's Fifth Addition to Cedar Rapids, Iowa;

Lot 9, Auditor's Plat No. 34, in Cedar Rapids, Linn County, Iowa;

The South 5 Feet of Lot 4 and all of Lot 5, Block 53, "James C. Young's Eighth Addition to Cedar Rapids", Linn County, Iowa;

Lot 13, Block 5, Belmont Park Addition to Cedar Rapids, Iowa;

Lot 5, Block 15, Buchanan and Reed's Addition to Cedar Rapids, Linn County, Iowa;

North 90 feet of Lot 1 and North 90 feet of East 21 feet of Lot 2 and West 2 feet East 23 feet North 60 feet of Lot 2, all in Block 50, "James C. Young's Eighth Addition to Cedar Rapids", Linn County, Iowa;

South 40 feet of the East 70 feet of Lot 6, Block 17, Buchanan and Reed's Addition to Cedar Rapids, Linn County, Iowa;

The Rear 47 feet of Lot 10, Block 5, ""May and Covells Addition to Kingston"" (name of which Addition was by Act of the Legislature of Iowa of 1855 altered to West Cedar Rapids);

The E-ly 33 feet of the W-ly 93 feet of Lot 10, Block 5, ""May and Covells Addition to Kingston"" (Name of which addition was by act of the Legislature of Iowa of 1855 altered to West Cedar Rapids), Linn County, Iowa;

The West 52 feet of Lot 13, Block 4, James C. Young's First Addition to Cedar Rapids, Linn County, Iowa;

The West 42 feet of the East 75 feet of Lot 13, Block 4, James C. Young's First Addition to Cedar Rapids, Linn County, Iowa;

Lot 5 and the South 28 Feet of Lot 7, Block 2, Larimer's Second Addition to the City of Cedar Rapids, Linn County, Iowa;

Lot 9, Block 1, McClenahan and Buchanan's Addition to West Cedar Rapids, Linn County, Iowa;

Lot 148, Belmont Park Additions to the City of Cedar Rapids, Iowa, and

Lot 6, Block 11, O N Hulls Third Addition to the City of Cedar Rapids, Iowa

and located at 1003 3rd Street SW, 1007 3rd Street SW, 1205 3rd Street SW, 1406 M Street SW, 1406 N Street SW, 235 11th Street NW, 330 Rockford Road SW, 358 7th Avenue SW, 410 4th Avenue SW, 422 7th Avenue SW, 500 F Avenue NW, 502 F Avenue NW, 503 6th Avenue SW, 612 L Street SW, 623 3rd Avenue SW, 713 F Avenue NW, 718 L Street SW, 719 H Avenue NW, 724 F Avenue NW, 818 10th Street SW, 916 G Avenue NW, 922 9th Street SW, 923 5th Avenue SW, 928 7th Street SW, 217 7th Avenue SW, 221 7th Avenue SW, 1201 N Street SW, 387 12th Avenue SW, 1309 8th Street NW, 1111 3rd Street SW, 1347 F Avenue NW and 1019 11th Street NW now zoned R-3, Single Family Residence Zone District; R-3D, Two Family Residence Zone District; RMF-1, Multiple Family Residence Zone District; RMF-2, Multiple Family Residence Zone District; and O-S, Office/Service Zone District, and as shown on the "District Map," be rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the property be used for such purposes as outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

Section 2. That this Ordinance and the zoning granted by the terms hereof are subject to the conditions which have been agreed to and accepted prior to the passage of this Ordinance in writing by the owners and are binding upon the owners, successors, heirs, and assigns, as follows:

No Conditions applied.

Section 3. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 24th day of September, 2013.



Council Agenda Item Cover Sheet PUBLIC HEARING AND RESOLUTION

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis
E-mail Address: RobD@cedar-rapids.org

Phone Number/Extension: 5808

Alternate Contact Person: Carol Morgan
E-mail Address: c.morgan@cedar-rapids.org

Phone Number/Extension: 5092

Description of Agenda Item: ☐ Consent Agenda ☒ Regular Agenda

Public Hearing to consider the continuation of the disposition of excess City-owned property by sealed bid, and described as a single family residential property located at 1816 Hamilton Street SW.

Resolution to continue the disposition of excess City-owned property by sealed bid, and described as a single family residential property located at 1816 Hamilton Street SW. CIP/DID #3302500004-00

Background:

The City of Cedar Rapids acquired this parcel in April of 2013 through the Voluntary Property Acquisition Program. The City received interest from the public to dispose of this property and include the existing structure. As determined by the City Assessor, the most recent assessed value of this single family residential property is \$91,081, which will be the list price for the sealed bid process.

Before the City can proceed with the disposition of this real estate, in accordance with the Iowa Code, the City Council must hold a public hearing providing the opportunity for public input. Subsequently, the City Council shall vote on a resolution authorizing the disposition by sealed bid or vote not to dispose of this City-owned property.

By disposing of this property, the City will no longer be responsible for the maintenance of the property and will attain the goal of placing this property back on the tax roll.

Action / Recommendation:

If there are no objections during the public hearing, the Public Works Department recommends approving the resolution continuing the disposition of the excess City-owned property located at 1816 Hamilton Street SW.

Alternative to the Recommendation:

Continue to maintain the property and opt not to receive the benefit of property taxes on this parcel, or demolish the structure and sell the vacant lot.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): n/a

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Does not fit the criteria, therefore, does not apply.

Recommended by Council Committee: Yes ☒ No ☐ N/A ☐

Explanation (if necessary): Recommended by Flood Recovery Committee

RESOLUTION NO.

RESOLUTION TO CONTINUE THE DISPOSITION OF EXCESS CITY-OWNED PROPERTY
BY SEALED BID

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned property acquired through the Voluntary Property Acquisition Program and described as:

A single family residential property located at 1816 Hamilton Street SW
, and

WHEREAS, on September 24, 2013 at the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Council hereby authorizes the continuation of the disposition of said excess City-owned property by sealed bid.

Passed this 24th day of September, 2013.



Cadd File Name: W:\PROJECTS\CI\330330250\330250 Council Map.dwg



**CDBG ACQUIRED PARCELS
DISPOSITION OF RESIDENTIAL PROPERTY
1816 Hamilton Street SW**





Council Agenda Item Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis
E-mail Address: RobD@cedar-rapids.org

Phone Number/Extension: 5808

Alternate Contact Person: Carol Morgan
E-mail Address: c.morgan@cedar-rapids.org

Phone Number/Extension: 5092

Description of Agenda Item: ☐ **Consent Agenda** ☒ **Regular Agenda**

A public hearing will be held to consider the execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC in connection with improvements to high-speed internet service for property located on City-owned land easterly of and adjacent to 5750 1st Avenue NW.

Resolution authorizing execution of a Purchase Agreement in the amount of \$4,970 and execution of an Easement Agreement with Qwest Corporation d/b/a CenturyLink QC in connection with improvements to high-speed internet service for property located on City-owned land easterly of and adjacent to 5750 1st Avenue NW. CIP/DID #49-13-031

Background:

The City of Cedar Rapids has received a request from Qwest Corporation d/b/a CenturyLink QC to grant a permanent easement to accommodate existing buried cables, cabinet and the placement of new cabinets for high-speed internet service on land easterly of and adjacent to 5750 1st Avenue NW.

Action / Recommendation:

The Public Works Department recommends approving the execution of said purchase agreement and easement agreement.

Alternative to the Recommendation:

If the Council does not vote to approve this easement, Qwest Corporation will be required to revise their plans for these improvements.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Local Preference Policy does not apply to the granting of easements.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

ENG
CLK
AUD FILE
FIN
TRS
RCR
CENTURYLINK
49-13-031
CRMFR# 12424

RESOLUTION NO.

WHEREAS, Qwest Corporation d/b/a CenturyLink QC is requesting a permanent easement from City-owned land to accommodate existing buried cables, cabinet and the placement of new cabinets for high-speed internet service, and

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, Owner of the real property known and described as:

See Attached Exhibit "A"

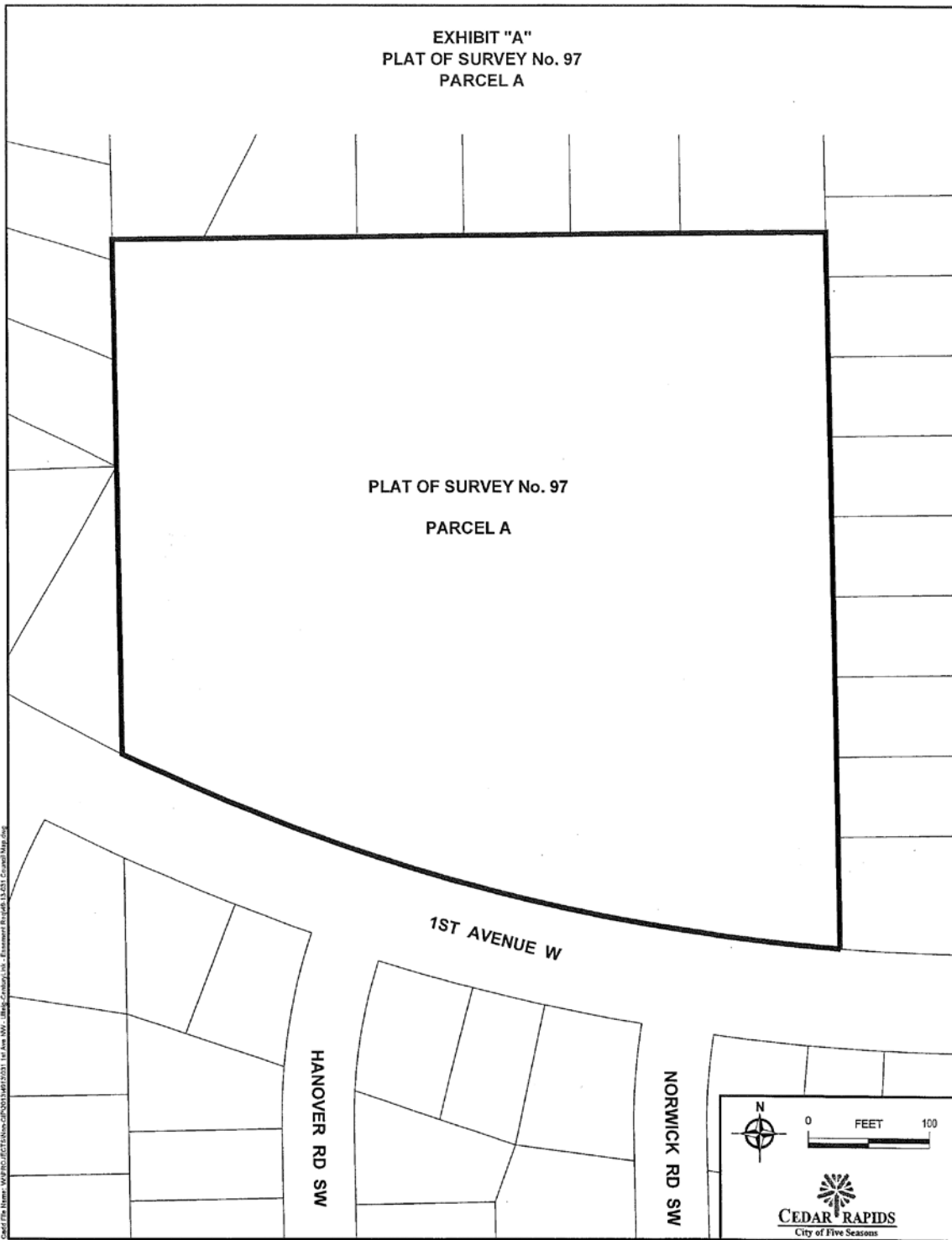
has agreed to convey to Qwest Corporation d/b/a CenturyLink QC the necessary easement located on City-owned land located easterly of and adjacent to 5750 1st Avenue NW for the consideration of \$4,970, and

WHEREAS, the City of Cedar Rapids held a Public Hearing on September 24, 2013, in which no objections were presented or heard, now therefore

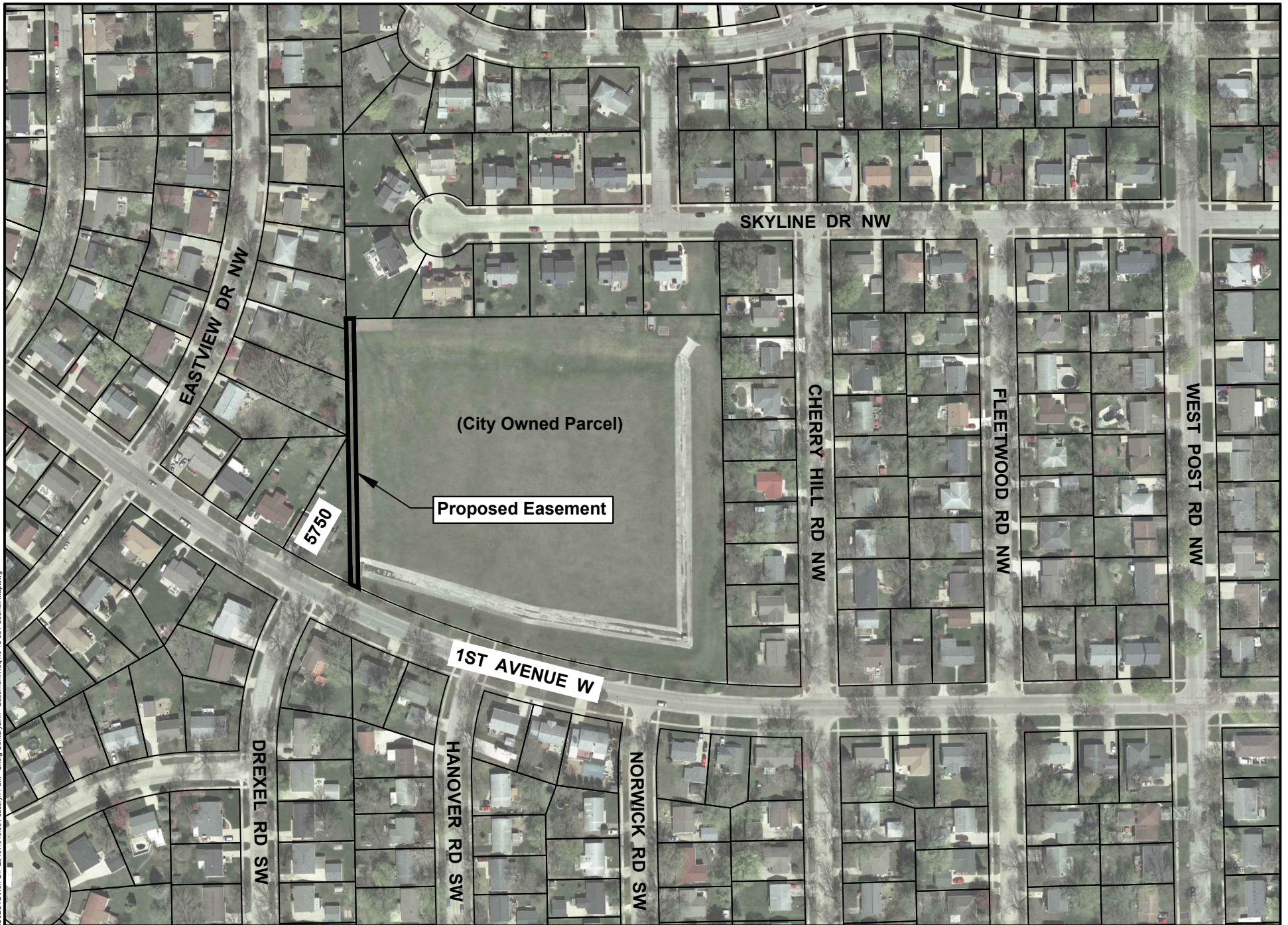
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the associated Purchase Agreement and Easement Agreement be accepted and that the City Manager and City Clerk are hereby authorized to execute said agreements, and

BE IT FURTHER RESOLVED, that the Easement Agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th day of September, 2013



49-13-031



**PROPOSED EASEMENT
CITY OWNED PARCEL EASTERLY OF
5750 1ST AVENUE NW**



0 FEET 200

PUBLIC HEARING Item Cover Sheet

☐ Consent Agenda

☒ Regular Agenda

Council Meeting Date: September 24, 2013

Submitting Department: Utilities – WPC

Presenter at meeting: Steve Hershner **Phone:** 5281 **E-mail:** s.hershner@cedar-rapids.org

Alternate Contact: Matt Jensen **Phone:** 5937 **E-mail:** m.jensen@cedar-rapids.org

Description of Agenda Item:

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project (estimated cost is \$2,500,000). (Steve Hershner)

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project. CIP/DID #615180-03

Background:

The City of Cedar Rapids WPC (Water Pollution Control) Facility owns and operates a cryogenic liquid oxygen plant that produces gaseous pure and liquid oxygen for use in the treatment of industrial wastewater. The cryogenic plant is 30+ years old and is still using the same pneumatic control system that was originally installed during construction. Spare parts for the pneumatic control system have become increasingly difficult to find due to the technological obsolescence of pneumatic control systems. The primary intent of this project is to convert the pneumatic control system for the cryogenic plant to an electronic control system, similar to what is industry standard at this time.

The project also includes several other equipment upgrades to improve the efficiency of the cryogenic plant and to minimize the amount of future maintenance required to keep the plant operational. This includes the replacement of the existing cooling tower, replacement of the liquid oxygen vaporizers with a new model that requires less energy and less maintenance, and re-sealing of the CAS Deck to prevent gaseous pure oxygen from being wasted by leaking out the joints in the deck.

This filing is a re-bidding of the project since last April. A review of the bidding documents was undertaken with the one bidder, and with other potential bidders. This review revealed that, among other things, cryogenic process control firms prefer the role of a subcontractor. Changes made to the bidding documents for this re-bidding of the project include promoting general contractors bidding the project with the approved cryogenic control specialist firms identified for use as subcontractors, and extension of milestone dates to give the contractors more flexibility in their construction schedules.

A pre-bid meeting was held September 23rd at the Water Pollution Control Facility Administration Building. Bids will be opened and publicly announced October 23rd, 2013.

Action / Recommendation:

The Utilities Department – WPC Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project.

Alternative Recommendation: None

Time Sensitivity: Action needed 9-24-13

Resolution Date: 9-24-13

Estimated Presentation Time: 2 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2013 and FY2014 WPC Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$3,500,000 in the FY2014 Capital Improvement Projects budget for WPC for the construction of the WPC Cryogenic Plant Upgrades. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615180.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy

Applies ☐ Exempt ☒

Explanation: Capital Improvement Projects are not subject to local preference policy.

Recommend by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on September 10, 2013 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the WPC Cryogenic Plant Upgrades project (Contract No. 615180-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the plans, specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

Passed this 24th day of September, 2013.



COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 9/24/2013

Submitting Department: City Clerk

Presenter at Meeting: Chief Jerman

Phone Number/Ext: 5374

Email:

Alternate Contact Person: Wanda Miller

Phone Number/Ext: 5274

Email: wandam@cedar-rapids.org

Description of Agenda Item:

Motion approving the beer/liquor/wine applications of:

1. Benz Beverage Depot, 501 7TH AVE SE (5-day permit for an event in the street on October 12, 2013);
2. Blue Strawberry Coffee Company, 118 2ND AVE SE;
3. Casey's General Store #2768, 1201 1ST AVE SE;
4. Casey's General Store #2776, 701 ELLIS BLVD NW;
5. Casey's General Store #2778, 201 8TH AVE SE;
6. Casey's General Store #2780, 5555 EDGEWOOD RD NE;
7. Casey's General Store #2782, 1495 BLAIRS FERRY RD NE;
8. Casey's General Store #2790, 588 BOYSON RD NE;
9. Casey's General Store #2791, 9125 ATLANTIC DR SW;
10. Casey's General Store #2792, 9001 6TH ST SW;
11. Coe College, 1220 1ST AVE NE;
12. Cooter's, 729 1ST AVE NW;
13. Double Inn, 629 ELLIS BLVD NW (outdoor service for an event on October 12-14, 2013);
14. Dug Out, 3325 CENTER POINT RD NE (new-change in ownership);
15. Genghis Grill, 2230 EDGEWOOD RD SW;
16. Hawkeye Convenience Store - Westgate, 4830 JOHNSON AVE NW;
17. Hy-Vee #5 Club Room, 3235 OAKLAND RD NE (new - Special Class C);
18. Hy-Vee Drugstore #6, 505 BOYSON RD NE;
19. National Czech & Slovak Museum & Library, 1400 INSPIRATION PL SW (5-day permit for an event on October 11, 2013);
20. NewBo City Market, 1100 3RD ST SE;

21. Papa Juan's Mexican Restaurant, 5505 CENTER POINT RD NE;
22. St. Pius X Parish, 4949 Council ST NE (5-day permit for an event on October 19, 2013);
23. Target T-1771, 3400 EDGEWOOD RD SW;
24. Texas Roadhouse, 2605 EDGEWOOD RD SW;
25. Time Out Lounge, 3230 16TH AVE SW (outdoor service for an event on September 28-30, 2013);
26. VFW Post #788, 3240 SOUTHGATE PL SW;
27. Walgreens #12580, 324 EDGEWOOD RD NW;
28. West Side Lounge, 325 EDGEWOOD RD NW;

Background:

Action/Recommendation: Approve motion to grant new and/or renewal licenses.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: N/A

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy: Applies Exempt ☒

Explanation:

Recommended by Council Committee: Yes No N/A

Explanation: (if necessary):



Cedar Rapids Police Department Memorandum

To: Chief Jerman

From: Lt. Walter Deeds

Subject: Beer/Liquor License Applications Calls For Service Summary

Date: 9/24/2013

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Benz Beverage Depot 501 7TH AVE SE	3	0	0	0

Blue Strawberry Coffee Company 118 2ND AVE SE	10	0	0	0
Casey's General Store #2768 1201 1ST AVE SE	132	4	2	5
Casey's General Store #2776 701 ELLIS BLVD NW	167	3	2	8
Casey's General Store #2778 201 8TH AVE SE	448	3	0	5
Casey's General Store #2780 5555 EDGEWOOD RD NE	58	0	0	0
Casey's General Store #2782 1495 BLAIRS FERRY RD NE	70	0	0	0
Casey's General Store #2790 588 BOYSON RD NE	107	0	0	0
Casey's General Store #2791 9125 ATLANTIC DR SW	20	0	0	3
Casey's General Store #2792 9001 6TH ST SW	48	1	0	4
Coe College 1220 1ST AVE NE	0	0	0	0
Cooter's 729 1ST AVE NW	33	1	1	1
Dug Out 3325 CENTER POINT RD NE	0	0	0	0
Genghis Grill 2230 EDGEWOOD RD SW	10	0	0	0
Hawkeye Convenience Store - Westgate 4830 JOHNSON AVE NW	88	0	0	2
Hy-Vee #5 Club Room 3235 OAKLAND RD NE	79	0	1	7
Hy-Vee Drugstore #6 505 BOYSON RD NE	10	0	1	0
National Czech & Slovak Museum & Library 1400 INSPIRATION PL SW	0	0	0	0
NewBo City Market 1100 3RD ST SE	150	2	1	1
Papa Juan's Mexican Restaurant 5505 CENTER POINT RD NE	14	0	0	3
St. Pius X Parish	0	0	0	0

4949 Council ST NE				
Target T-1771	79	0	0	4
3400 EDGEWOOD RD SW				
Texas Roadhouse	49	0	0	0
2605 EDGEWOOD RD SW				
Texas Roadhouse	37	0	1	5
2605 EDGEWOOD RD SW				
Time Out Lounge	37	0	1	5
3230 16TH AVE SW				
VFW Post #788	12	0	0	0
3240 SOUTHGATE PL SW				
Walgreens #12580	12	0	0	1
324 EDGEWOOD RD NW				
West Side Lounge	32	0	3	2
325 EDGEWOOD RD NW				

RESOLUTION NO.

WHEREAS, the attached listing of bills dated September 24, 2013 has been examined and approved by the proper departments, therefore:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City of Cedar Rapids Finance Director be and is hereby authorized and directed to draw checks on the City Treasurer in favor of the holders thereof and for the various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: City Manager's Office

Presenter at meeting: Sandi Fowler

Phone Number/Ext: 319-286-5077

Email: s.fowler@cedar-rapids.org

Alternate Contact Person: Kim Greene

Phone Number/Ext: 319-286-5083

Email: kimg@cedar-rapids.org

Description of Agenda Item: (insert same wording as used on agenda summary)

Resolutions (four) approving the following events:

1. Resolution approving Rockwell Collins landing of a helicopter (on Rockwell property) on October 9, 2013. CIP/DID #963727
2. Resolution approving the Benz Beverage Depot "Cedar Rapids Beer Nuts Festival" event (includes road closure) on October 12, 2013. CIP/DID #929958
3. Resolution approving the Czech Village Association "Czech Village Fall Festival" event (includes road closure) on October 13, 2013. CIP/DID #929966
4. Resolution approving the Mercy Medical Center and General Mills "Especially for You Race Against Breast Cancer" event (includes road closure) on October 13, 2013. CIP/DID #922159

Background:

Referencing the Special Event application received for the above special events which are requesting permission to hold activities with street closures in Cedar Rapids. Street closures and helicopter landings in the city limits require City Council approval.

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt X

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A X

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Ray Kessenich on behalf of Rockwell Collins has requested approval for the landing of a helicopter on private property at the Rockwell Collins campus, north of the Recreation Center near the intersection of Rockwell Drive NE and Collins Road NE, on Wednesday, October 9, 2013, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions:

1. Applicant shall comply with all applicable FAA regulations.
2. Applicant shall provide a safe landing zone at the location, which shall be secured before landing with adequate ground personnel on hand during arrival and departure.
3. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
4. Applicant shall upon completion of the event, clean up all areas associated with the event.
5. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

Passed this 24th day of September, 2013.

RESOLUTION NO.

WHEREAS, Matt Hanlin of Benz Beverage Depot located at 501 7th Avenue SE has requested approval for the "Cedar Rapids Beer Nuts Festival", a beer tasting event, at the Benz parking lot on 7th Avenue SE and on adjacent public property areas including a request to close 7th Avenue SE between 5th and 6th Streets on Saturday, October 12, 2013, from 7 AM until 7 PM (including setup and teardown) for a promotional beer tasting event including participant fees, live musical entertainment and food cooked on site, the following is provided, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions

1. Applicant's insured traffic control contractor shall provide all barricades and traffic control required by the City for the street closure. All barricades shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the traffic control devices to the Police Department and the Traffic Engineering Division.
2. Applicant shall provide written notification to all property owners adjacent to the street closure. Written notification shall include the location and dates of the event, time required for street closure, and the name and telephone number of the applicant's contact person. A copy of the notification shall be provided to the City Manager's office.
3. Access for fire-fighting purposes in the neighborhood must be maintained, therefore the street may not be blocked with any items not easily moved.
4. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.
5. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
6. Applicant and food vendors shall meet all applicable requirements of both the Linn County Health Department and the City Code.
7. Applicant shall provide complete maintenance of the area prior to it being opened to traffic and shall reimburse the City for damage to any portion of public property.
8. Applicant shall contact Fire Marshal Vance McKinnon at 319-286-5862 to obtain an Outdoor place of assembly permit required: \$55.00
9. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) to hire off-duty police officers to provide traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
 - Applicant will be required to hire one off-duty officer for the event from 1 PM – 6 PM (five hours at \$49 per hour)
 - Estimated cost of off-duty officers is \$245 (however is dependent upon final determination at event time).
10. Applicant shall install and maintain a fence that encompasses the entire alcohol service area. No alcoholic beverages shall be permitted beyond the fences

11. Applicant shall not obstruct the public sidewalk or impede normal pedestrian traffic. A minimum sidewalk clear width of five (5) feet shall be maintained on all public sidewalks adjacent to the event site. The outermost fence shall be no closer than two (2) feet from all public sidewalks
12. Applicant shall insure that proper egress is available as required by the Cedar Rapids Fire Department.
13. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Cedar Rapids Police Department reserves the right to terminate the event if complaints are received.
14. Applicant shall contact the City Clerk's office to obtain appropriate alcohol related applications.
15. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
16. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 24th day of September, 2013.

RESOLUTION NO.

WHEREAS, Pam Imerman on behalf of the Czech Village Association, has requested approval for the "Czech Village Fall Festival" event in Czech Village including music, crafts and food vendors, and

WHEREAS, the application includes a request for approval to close 16th Avenue SW from "A" Street to "C" Street from 8 AM until 6 PM on Sunday, October 13, 2013, (including setup and teardown time), and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions

1. Applicant's insured traffic control contractor shall provide all barricades required by the City for the street closure. All barricades shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall contact their insured traffic control contractor and provide a traffic control plan to the Traffic Engineering Division and the Police Department at least one month prior to the event date.
2. Applicant shall not use any equipment that penetrates or damages the City street or parking lot surfaces. All tents, stages, and other structures shall be water barrel or sand weight supported. No markings of any kind will be permitted upon City streets.
3. Applicant and participants shall comply with all existing parking regulations on all areas of public property.
4. Access for fire-fighting purposes in the neighborhood must be maintained in accordance with Fire Department requirements; therefore streets may not be blocked with any items not easily moved.
5. Applicant shall provide written notification to all adjacent property owners affected by the street closure related to the "Czech Festival". Written notification shall include identification of the street closure areas, event date and times required for street closures, and the name and telephone number of applicant's contact person. A copy of the notification shall be provided to the City Manager's Office.
6. Applicant and food vendors shall meet all applicable requirements of both the Linn County Health Department and the City Code.
7. Applicant shall provide adequate restroom facilities for the event.
8. Applicant shall provide complete cleanup of the area prior to it being reopened to traffic and shall reimburse the City for damage to any portion of public property.
9. Applicant shall not obstruct the public sidewalk or impede normal pedestrian traffic. A minimum sidewalk clear width of five (5) feet shall be maintained on all public sidewalks adjacent to the event site. The outermost fence shall be no closer than two (2) feet from all public sidewalks
10. Applicant shall insure that proper egress is available as required by the Cedar Rapids Fire Department.

11. Applicant shall contact Fire Marshal Vance McKinnon at 319-286-5862 to obtain an LP permit (is using LP): \$50 permit fee.
12. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) as soon as possible to hire off-duty police officers to provide traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
 - Applicant will be required to hire one off-duty officer for the event from 10 AM – 5 PM
 - Estimated cost of off-duty officers is \$343 (however is dependent upon final determination at event time).
13. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Cedar Rapids Police Department reserves the right to terminate the event if complaints are received.
14. Applicant and participants shall comply with all existing parking regulations and posted parking restrictions in all areas of public property.
15. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
16. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 24th day of September, 2013.

RESOLUTION NO.

WHEREAS, Michelle Cole on behalf of Mercy Medical Center and General Mills, have requested approval to conduct the "Especially for You Race Against Breast Cancer", a competitive 5K Run/Walk and a non-competitive 1 Mile Walk on separate courses on city streets starting at 8 AM until approximately 10 AM on Sunday, October 13, 2013, and

WHEREAS, the application includes a request to close the following streets for their event:

Street Closures

8th Street SE from 3rd Avenue SE to 8th Avenue SE from 5 AM to 11 AM.
10th Street SE from 3rd Avenue SE to 8th Avenue SE from 5 AM to 11 AM.
4th Avenue SE from 7th Street SE to 10th Street SE from 5 AM to 11 AM.
5th Avenue SE from 7th Street SE to 10th Street SE from 5 AM to 11 AM.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions:

1. No other streets are officially barricade closed for the race except as provided by the Police Department for traffic control to safely manage the interface of pedestrian and motor traffic.
2. The event opening ceremonies will start at 7:45 AM on Mercy Medical Center property. The races will start at 8:00 AM on 10th Street SE.
3. Race staging area for participants will be on Mercy Medical Center property adjacent to 10th Street SE and in the 500, 600 and 700 blocks of 10th Street SE.

5K Run/Walk route:

Start on 10th Street SE south of 5th Avenue, proceed north on 10th Street to 5th Avenue SE, east on 5th Avenue to 14th Street SE, north on 14th Street to 3rd Avenue SE, east on 3rd Avenue to Grande Avenue SE, east on Grande Avenue to Crescent Street SE, north on Crescent Street SE to Linden Drive SE, west on Linden Drive to 3rd Avenue SE, west on 3rd Avenue to 18th Street SE, north on 18th Street to 2nd Avenue SE, west on 2nd Avenue to 12th Street SE, south on 12th Street to 4th Avenue SE, west on 4th Avenue to the finish line near 8th Street SE.

1 mile walk route (on sidewalks):

Start on 10th Street SE south of 5th Avenue, proceed north on 10th Street to 5th Avenue SE, west on 5th Avenue to 5th Street SE, north on 5th Street to 4th Avenue SE, west on the diagonal sidewalk through Greene Square Park to 3rd Avenue SE,

east on 3rd Avenue to 6th Street SE,
south on 6th Street SE to 5th Avenue SE,
east on 5th Avenue to 8th Street SE,
north on 8th Street to the finish line in the 400 block of 8th Street SE.

4. Applicant's insured traffic control contractor shall provide all barricades and traffic controls required by the city to conduct the races. All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades and traffic control to the Police Department and Traffic Engineering Division.
5. For traffic and pedestrian safety purposes, the City Traffic Engineering Division will approve temporary "No Parking" signs, meeting City specifications, to be placed along the following streets for this event:
 - 12th Street SE from 2nd Avenue SE to 5th Avenue SE – both sides
 - 14th Street SE from 3rd Avenue SE to 5th Avenue SE – both sides
 - 4th Avenue SE from 7th Street SE to 10th Street SE – both sides
 - 5th Avenue SE from 7th Street SE to 14th Street SE – both sides
 - Crescent Street SE from Grande Avenue SE to Linden Drive SE – both sides
 - Linden Drive SE from Crescent Street SE to 19th Street SE – both sides
 - a. The appropriate signs, as specified by the Traffic Engineering Division, will be installed, maintained and removed by an insured traffic control contractor that will be hired and paid by Mercy Medical Center. Signs shall be stake mounted and a minimum size of 24" X 18", spaced at a maximum distance of 75' apart on all listed streets.
 - b. The temporary "No Parking" signs shall be installed by the traffic control contractor no earlier than Friday, 10/11/2013, and removed no later than Monday, 10/14/2013.
 - c. The Applicant shall provide advance written notification to adjacent property owners on the above named streets of the event dates and times and the temporary "No Parking" posting. A copy of the notice shall be provided to the Traffic Engineering Division prior to the event.
6. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) at least 30 days before the event to hire off-duty police officers.
 - A. Applicant will be required to hire off-duty officers and commanders as follows (estimated):
 - i. Two off-duty police officers for 6 hours from 5-11AM (12 hrX\$49/hr) = \$588
 - ii. Forty off-duty police commanders for 3 hours from 7:15 – 1015AM(120 hrsX\$49/hr) = \$5,880
 - iii. Two commanders for 4 hours from 6:15-10:15 (8 hrsX\$54/hr) = \$432
 - Total estimated cost of off-duty officers is \$6,900 (however is dependent upon final determination at event time).
7. Participants shall observe all traffic control devices and obey all traffic regulations unless otherwise directed by a uniformed police officer.
8. Applicant assures cooperation of participants with public officials concerning public safety requirements for this event.

9. All equipment (stage, canopies, etc.) shall be set-up on Mercy Medical Center property prior to the start of the race to minimize loading and unloading vehicles while participants are arriving for the event.
10. Participants of the 1-mile walk shall walk on the sidewalks. Participants of the 5K run/walk shall run/walk on the public sidewalks and/or streets, where there are no sidewalks available, as directed by a uniformed police officer.
11. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with event instructions, race monitoring and event participant safety.
12. Applicant agrees to provide written notification of the event to all churches along the 5K race route (to help minimize traffic conflicts between church service attendees and race participants), and to residents along the route. Written notification shall include information on the race route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of the notification shall be provided to the City Managers' Office and Traffic Engineering in advance of the event.
13. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
14. Applicant agrees that any event route markings required for this event will be done with prior approval of the City Traffic Engineering Department, and no permanent markings of any type will be permitted.
15. Applicant will be responsible for contacting the Union Pacific Railroad Co. to assure no conflicts will occur along the 4th Street railroad tracks during the 1-Mile Walk event.
16. Applicant shall be responsible for receiving from each participant in the races an individual signed Waiver of Liabilities of the City of Cedar Rapids.
17. Applicant shall provide adequate restroom facilities for the event.
18. Applicant is responsible for clean-up of the event area when the event is completed.
19. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
20. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 24th day of September, 2013.

RESOLUTION NO.

WHEREAS, Jennifer Pruden on behalf of Czech Village / New Bohemia District, has requested approval for the "Marvin Cone's Mainstreet" event on 3rd Street SE between 13th Avenue SE and 14th Avenue SE, and on adjacent public property areas including a request to close 3rd Street SE between 13th Avenue SE and 14th Avenue SE, on Saturday, October 19, 2013, from 7 AM until 3 PM (including setup and teardown), and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request is approved subject to the following conditions

1. Applicant shall contact and hire an insured traffic control contractor at least 15 to 30 days prior to the event date. Applicant's insured traffic control contractor shall provide all barricades and traffic controls required by the City. All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the traffic control contractor providing the barricades, and a traffic control plan to the Traffic Engineering Division.
2. Applicant shall contact Fire Marshal Vance McKinnon (319-286-5862) to obtain an LP permit: \$50 if needed.
3. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) to hire off-duty police officers to provide traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
 - Applicant will be required to hire one off-duty officer for the event from 10 AM – 2 PM (four hours at \$49 per hour)
 - Estimated cost of off-duty officers is \$220 (however is dependent upon final determination at event time).
4. Applicant shall provide written notification to all property owners adjacent to the street closure. Written notification shall include the location and dates of the event, time required for street closure, and the name and telephone number of the applicant's contact person. A copy of the notification shall be provided to the City Manager's office.
5. Access for fire-fighting purposes in the neighborhood shall be maintained, therefore the street may not be blocked with any items not easily moved.
6. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.
7. Applicant and participants shall comply with all existing parking regulations on all adjacent areas of public property.
8. Applicant and participants shall not obstruct the public sidewalk or impede normal pedestrian traffic.
9. Applicant and food vendors shall meet all applicable requirements of both the Linn County Health Department and the City Code.
10. Applicant shall provide complete maintenance of the area prior to it being opened to traffic, and reimburse the City for damage to any portion of public property.

11. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
12. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 8th day of October, 2013.

**Council Agenda Item Cover Sheet**☒ **Consent Agenda** ☐ **Regular Agenda****Council Meeting Date:** September 24, 2013**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner **Phone No.:** 5281 **E-mail:** s.hersnher@cedar-rapids.org**Alternate Contact:** Kevin Kirchner **Phone No.:** 5902 **E-mail:** k.kirchner@cedar-rapids.org**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 29 properties; CIP/DID #

Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (Out of the 29 properties to be liened, there are seven flood properties. The property address listing is included with the resolution.)

Background:

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Water Division initiates the Notice of Intent to Assess process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated

A Notice of Intent to Assess letter is mailed (after Council approves the Resolution of Intent to Assess) giving the property owners 30 days to pay their delinquent municipal utility bill before a resolution for special assessment is approved by City Council to lien properties.

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution for Intent to Assess various properties for delinquent municipal utility bills be approved.

Alternative Recommendation (if applicable): The City Council could decide not to assess delinquent utility bills or they could approve lien intents to assess properties as a motion item eliminating the need for a resolution.

Time Sensitivity: None, routine item**Resolution Date:** 9/24/13**Estimated Presentation Time:** 0 Minute(s)**Budget Information (if applicable):** N/A**Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** N/A**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒**Explanation (if necessary):**

RESOLUTION NO.

INTENT TO ASSESS

WHEREAS, utility service charges (water, sewer, storm sewer, solid waste and recycling), penalties and Iowa sales tax have been provided to various properties in the City of Cedar Rapids, Iowa, and

WHEREAS, the occupants of the properties have failed to pay the municipal utility billings mailed for the utility service charges, and

WHEREAS, the utility service charges are now delinquent at these properties, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that special assessments be made against the properties and for the amounts shown on the attached listing, will be made by the City Council on the 5th day of November, 2013 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., November 5, 2013.

Passed this 24th day of September, 2013.

LIEN INTENTS (SPECIAL ASSESSMENTS) 9-24-13

		Lien Intents 9-24-13			
#		Balance Due	Premise Address		Flood
1		\$ 43.73	100 Front St Robins		
2		\$ 117.79	204 4TH AVE SW		Y
3		\$ 135.94	253 SINCLAIR AVE SE		
4		\$ 138.22	327 30TH ST DR SE		
5		\$ 264.66	348 19TH ST SE		
6		\$ 325.93	350 19TH ST SE		
7		\$ 252.56	506 17TH ST NE		
8		\$ 261.16	810 15TH ST SE		
9		\$ 266.15	820 A AVE NW		Y
10		\$ 254.12	901 ELLIS BLVD NW		Y
11		\$ 238.00	915 A AVE NW		Y
12		\$ 196.14	922 E AVE NW		Y
13		\$ 281.66	1105 C AVE NW		Y
14		\$ 114.14	1114 12TH ST NE		
15		\$ 116.89	1200 CENTER POINT RD NE		
16		\$ 163.18	1219 1ST ST SW		Y
17		\$ 238.27	1330 1ST AVE NW		
18		\$ 121.66	1421 4TH AVE SE		
19		\$ 125.20	1501 N AVE NW		
20		\$ 148.63	1546 C AVE NE		
21		\$ 216.03	1547 E AVE NE		
22		\$ 122.77	1549 6TH AVE SE		
23		\$ 165.84	2320 FRUITLAND BLVD SW		
24		\$ 105.69	2323 COLDSTREAM AVE NE		
25		\$ 150.76	2412 B AVE NE		
26		\$ 163.65	2715 FRANKLIN AVE NE		
27		\$ 211.07	3503 E AVE NW #B		
28		\$ 226.95	5101 GORDON AVE NW		
29		\$ 264.57	6700 STONYBROOK LN NE		
		\$ 5,431.36	Grand Total		
		29	Number of Properties		
		\$ 43.73	Balance Due - Low		
		\$ 325.93	Balance Due - High		

Council Agenda Item Cover Sheet

☒ **Consent Agenda** ☐ **Regular Agenda**

Council Meeting Date: September 24, 2013

Submitting Department: Utilities – Water Division

Presenter at meeting: Steve Hershner **Phone No.:** 5281 **E-mail:** s.hersnher@cedar-rapids.org

Alternate Contact: Kevin Kirchner **Phone No.:** 5902 **E-mail:** k.kirchner@cedar-rapids.org

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 11 properties. CIP/DID #924781

Out of the 11 properties to be assessed, there are no flood properties. The property address listing is included with the resolution [Note: The Intent to Assess Resolution was approved at the August 13th Council Meeting.]

Background:

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The Utilities Department – Water Division initiates the Special Assessment process whenever delinquent utility balances are unpaid; collection efforts have been ignored; and active services have been terminated. After Council approves the Intent to Assess resolution, a Notice of Intent to Assess letter is mailed to the customer at least 30 days prior to this Special Assessment.

Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated
- A Notice of Intent to Assess letter is mailed to the customer
- Special Assessment is approved by the City Council at least thirty days after the Intent to Assess letter is mailed

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 1268-08-13 on July 23, 2013.

Following approval of the "Special Assessment" Resolution, the delinquent municipal utility information will be certified with the Linn County Treasurer. This becomes a "Special Assessment" against the properties and has equal precedence to property taxes.

Action / Recommendation: The Utilities Department – Water Division recommends that the Resolution to levy Special Assessments be approved.

Alternative Recommendation (if applicable): The City Council could decide not to assess delinquent utility bills or they could approve routine "special assessments" as a motion item and eliminate the need for a resolution.

Time Sensitivity: N/A

Resolution Date: 9/24/13

Estimated Presentation Time: 0 Minutes

Budget and Purchase Process Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒

Explanation: N/A

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary): N/A

RESOLUTION NO.

SPECIAL ASSESSMENTS

WHEREAS, the City Council of the City of Cedar Rapids, Iowa has heretofore passed a Resolution of Intent to Assess various properties in the City of Cedar Rapids, Iowa for delinquent municipal utility service charges (water, sewer and storm sewer), penalties and Iowa sales tax, and

WHEREAS, a listing of the various properties for said delinquent utility service charges has been filed with the City Clerk and notice of assessment has been given to the property owners, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against various properties for the amounts shown on the attached listing and made a part of this resolution, and

BE IT FURTHER RESOLVED, that a copy of this resolution be certified to the County Treasurer in order that the said assessments may be collected in the same manner as property taxes.

Passed this 24th day of September, 2013.

SPECIAL ASSESSMENTS (TO BE LIENED) 9-24-13

				SPECIAL ASSESSMENTS 9-24-13		
				Lien Intents 8-13-13		
#		Balance Due		Premise Address		Flood
1		\$ 220.28		249 DREXEL DR SW		
2		\$ 210.97		349 22ND AVE SW		
3		\$ 226.57		424 MAYBERRY DR NW		
4		\$ 228.19		1259 GOLFVIEW DR NE		
5		\$ 132.73		1725 WASHINGTON AVE SE		
6		\$ 220.83		2212 LAUREN DR SW		
7		\$ 121.18		2656 WORTHINGTON DR SW		
8		\$ 251.84		2962 CIRCLE DR NE		
9		\$ 156.49		4408 REGAL AVE NE		
10		\$ 190.48		5029 LOUISA ST NE		
11		\$ 177.42		5841 MUIRFIELD DR SW #2		
		\$ 2,136.98		Grand Total		
		11		Number of Properties		
		\$ 121.18		Balance Due - Low		
		\$ 251.84		Balance Due - High		

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Solid Waste & Recycling

Presenter at meeting: Mark Jones

Phone Number/Ext: 4791

Email: m.jones@cedar-rapids.org

Alternate Contact Person: Sarah

Phone Number/Ext: X4786

Email: s.augustine@cedar-rapids.org

Description of Agenda Item: (insert same wording as used on agenda summary)

Resolutions approving assessment actions:

- a. Levy Assessment – Solid Waste & Recycling – clean-up costs – four properties.

Authorize the Solid Waste & Recycling Division to Levy Assessments (to lien various properties for delinquent nuisance abatements).

(Note: The Intent to Assess Resolution was approved at the Council Meeting on August 13, 2013.)

Background:

The Solid Waste and Recycling Division is responsible for abating garbage nuisances on public and private property. The Solid Waste and Recycling Division also initiates the Special Assessment process whenever delinquent nuisance abatements are unpaid and after a Notice of Intent to Assess were mailed at least 30 days prior to this Special Assessment. Below are the steps taken for typical abatements:

- Initial inspection and photos taken
- Abatement letter and photos mailed out (property owner has 7 days to abate nuisance)
- Clean up is performed by Department, if nuisance is not cleaned up after 7 days
- Invoice mailed out
- Notice of Intent to Assess (authorized by the City Council) is mailed
- Special Assessment is approved by the City Council at least thirty days after the Intent to Assess is mailed

The Notice of Intent to Assess these properties were approved by Resolution No. 1266-08-13 passed on August 13, 2013.

Following approval of the "Levy Assessment" Resolution, the nuisance abatement information will be certified with the Linn County Treasurer. This becomes a "Special Assessment" against the properties and has equal precedence to property taxes.

Action / Recommendation:

The Solid Waste and Recycling Division recommends that the Resolution to Levy Assessments be approved.

Alternative Recommendation:

The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 9-24-13

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable):

Local Preference Policy Applies ☐ Exempt ☒
Explanation:

Recommended by Council Committee Yes ☐ No ☒ N/A ☐
Explanation (if necessary):

RESOLUTION NO.

LEVY ASSESSMENT

WHEREAS, the City Council of the City of Cedar Rapids, Iowa, has heretofore passed a Resolution to assess property for the following:

NUISANCE ABATEMENTS

WHEREAS, a report of the cost of said abatements has been filed with the City Clerk and notice of assessment has been given to the property owners, now therefore

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that there be and is hereby levied an assessment against the lots, parts of lots and parcels of ground for the amounts shown in said assessments, which invoiced listing attached is made a part of this resolution, and the names of the owners are shown thereon so far as practicable, and

BE IT FURTHER RESOLVED, that a copy of this resolution be certified to the County Treasurer in order that the said assessments may be collected in the same manner as property taxes.

Passed this 24th day of September, 2013.

City of Cedar Rapids
Solid Waste & Recycling Department
Special Assessment List
Service Dates: 7-13-13 - 7-13-13

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
7/13/2013	A00574	142235201100000	Janae M	Edwards	520	Cobban Ct	SE	3	1	\$ 300.30	
7/13/2013	A00485	141538400900000	Bank of America NA		1633	D Ave	NE	5	6	\$ 331.30	
7/13/2013	A01151	142720602300000	Melvin R	Trotter	1037	10th St	SE	7	1	\$ 194.00	
7/13/2013	A00493	141047700500000	Ida L	Carnell	3123	D Ave	NE	10	2	\$ 578.30	
										\$ 1,403.90	

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #540257

- a. Premiere Developers, Inc. for property at 1520 K Street SW
- b. Skogman Construction of Iowa for property at 1521 K Street SW
- c. NewBo Development Group LLC for property at 1320 Ellis Boulevard NW
- d. NewBo Development Group LLC for property at 1324 Ellis Boulevard NW
- e. NewBo Development Group LLC for property at 1328 Ellis Boulevard NW

Background:

The resolutions for City Council's consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated City owned properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the development agreements and deeds to allow construction on the homes to begin. To date, 127 such agreements and deeds for City property have been executed for the ROOTs program.

A highlight of the terms and conditions contained in the Development Agreements are as follows:

- a. The property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. The developer agrees to commence construction within one year of the execution of the agreement and complete all projects prior to the end of the program in December 2014;
- c. The developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. The developer is responsible for maintaining the property in accordance with all City and state codes;
- e. The developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On November 9, 2010, by Resolution No. 1306-11-10, the City Council approved the Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

Through a competitive proposal process, developers submitted applications for the program which listed "preference sites" either owned by the City or being acquired through the Voluntary Property Acquisition Program. A team of City staff, members of the Home Builders Association, and the Neighborhood Planning Process Steering Committee evaluated the proposals based on:

- financial and performance capacity;
- experience with projects of similar scope;
- architectural design;
- compatibility with the existing neighborhood;
- green building practices; and
- marketing plan.

A total of 200 properties were identified by 23 developers through three phases of property allocation for this round of the program.

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

Table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation: Federal grant funds

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SKOGMAN CONSTRUCTION
COMPANY OF IOWA FOR CITY-OWNED PROPERTY AT 1521 K STREET SW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1521 K Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Skogman Construction Company of Iowa

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH PREMIERE DEVELOPERS, INC. FOR
CITY-OWNED PROPERTY AT 1520 K STREET SW PARTICIPATING IN THE
THIRD ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1520 K Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on May 18, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on May 28, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Premiere Developers, Inc.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH NEWBO DEVELOPMENT GROUP LLC
FOR CITY-OWNED PROPERTY AT 1320 ELLIS BOULEVARD NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1320 Ellis Boulevard NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with NewBo Development Group LLC

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH NEWBO DEVELOPMENT GROUP LLC
FOR CITY-OWNED PROPERTY AT 1324 ELLIS BOULEVARD NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1324 Ellis Boulevard NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with NewBo Development Group LLC

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH NEWBO DEVELOPMENT GROUP LLC
FOR CITY-OWNED PROPERTY AT 1328 ELLIS BOULEVARD NW
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 9, 2010, the City Council passed Resolution 1306-11-10 approving the administrative plan and local program guidelines for the third phase of the Single Family New Construction Program (SFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the SFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1328 Ellis Boulevard NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on August 17, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on August 27, 2013 on the possible disposition of this property in accordance with Iowa Code; and

WHEREAS, the City Council has determined that the private investment made by the Developer to construct a single-family dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with NewBo Development Group LLC

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Steve Bauer
E-mail Address: sbauer@frewy6ndev.com

Phone Number/Extension: 319-739-4040

Alternate Contact Person: Rob Davis
E-mail Address: r.davis@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution authorizing Change Order No. 9 (Revised Final 2) in the amount of \$4,004, accepting project, approving Performance Bond and authorizing final payment in the amount of \$517,701.85 to Kleiman Construction, Inc. for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – General project (original contract amount was \$9,717,221; total contract amount with this amendment is \$10,354,037). CIP/DID #535101-08

Background:

WCD = Work Change Directive

WCD #11	Time and material for painting and vinyl wall covering work in the hotel. A portion of these areas were damaged by 3 rd party trades and will be back-charged accordingly.	\$2,880
WCD #12	Add steel support plates to the parlor suite sliding glass doors to prevent the doors from sagging and scraping on the floor. This WCD #12 shall serve as the final change request from Kleiman pending no further requests from the owner.	\$1,124

Construction has been substantially completed by Kleiman Construction, Inc. for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – General project. This is an approved Capital Improvements Project (CIP No. 535101-08) with a final construction contract amount of \$10,354,037. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend approval of Change Order No. 9 (Revised Final 2) submitted by Kleiman Construction, Inc. and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$517,701.85.

Alternative to the Recommendation:

There is no alternative recommendation but an alternative action is to not accept the project. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractor, two-year maintenance bond period cannot begin) and City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: The project is funded locally and must be awarded to the lowest responsible bidder.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Cedar Rapids Convention Complex Hotel – Interior and Exterior Cladding General project (Contract No. 535101-08), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated July 24, 2012 in the amount of \$9,717,221 covering said work filed by Kleiman Construction, Inc. and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 (Revised Final 2) in the amount of \$4,004 with Kleiman Construction, Inc. for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – General project, Contract No. 535101-08. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$9,717,221
Change Order No. 1	(10,000)
Change Order No. 2	240,404
Change Order No. 3	6,638
Change Order No. 4	19,480
Change Order No. 5	83,133
Change Order No. 6	64,243
Change Order No. 7 (Final)	224,352
Change Order No. 8 (Revised Final)	4,562
Change Order No. 9 (Revised Final 2)	<u>4,004</u>
Amended Contract Amount	\$10,354,037

General ledger coding for this Change Order to be as follows: \$4,004 535-535000-535101, and

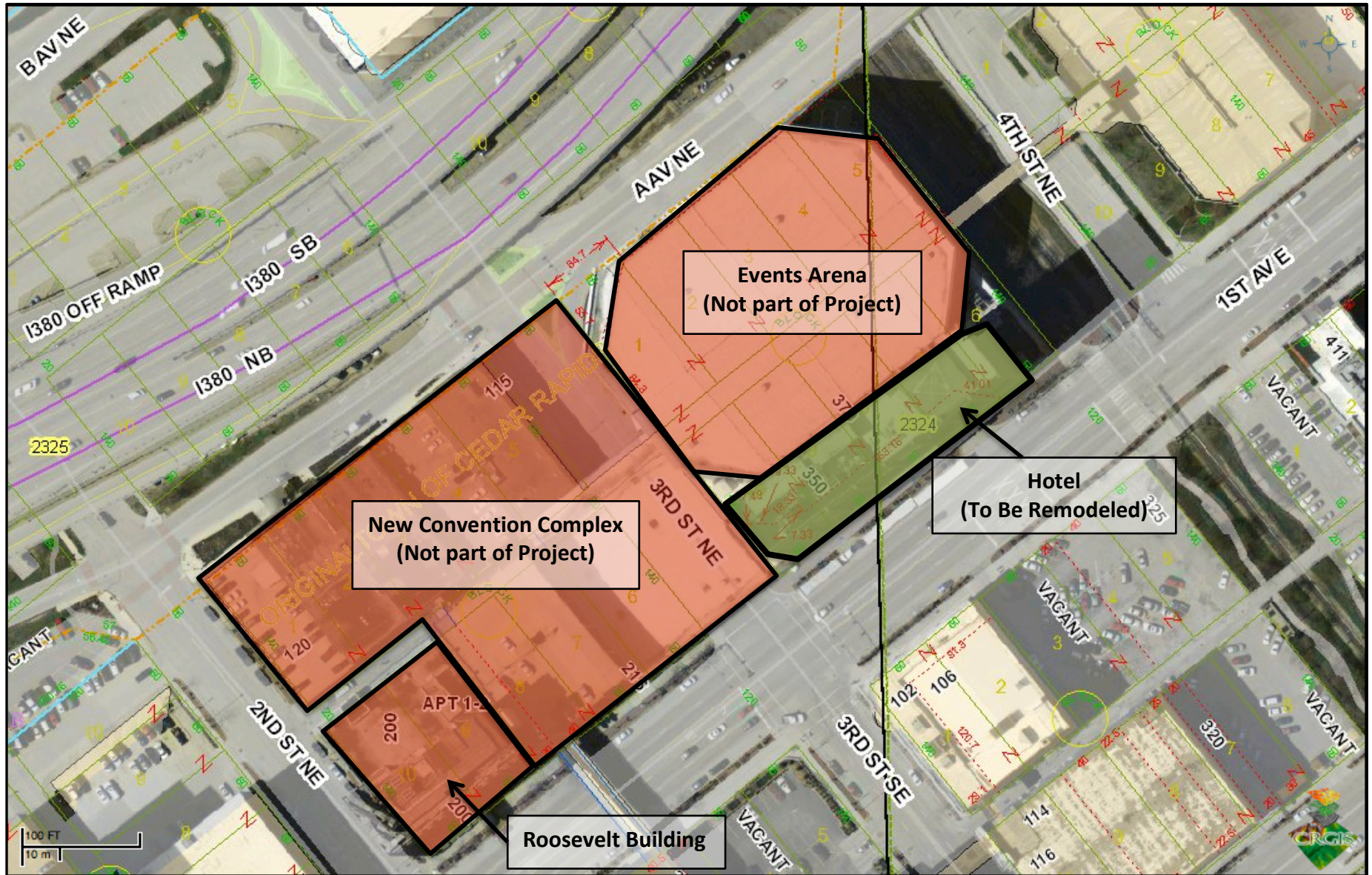
BE IT FURTHER RESOLVED, that the two-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Cedar Rapids Convention Complex Hotel – Interior and Exterior Cladding General project, (Contract No. 535101-08) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$517,701.85 to Kleiman Construction, Inc. as final payment.

The final contract price is \$10,354,037 distributed as follows: \$10,354,037 535-535000-535101, and

BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: John Reasoner
E-mail Address: j.reasoner@cedar-rapids.org

Phone Number/Extension: 5806

Alternate Contact Person: Chris Strecker, PE
E-mail Address: c.strecker@cedar-rapids.org

Phone Number/Extension: 5820

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**
Resolution approving the Final Plat of Martin Combs First Addition located at 1115 Prairie Rose Drive SW. CIP/DID #FLPT-002263-2013

Background:

The developer submitted the Final Plat in conformance with previously approved preliminary plat. The Public Works Department reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats.

This plat contains two (2) lots and a total plat area of 0.63 acre.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve the Final Plat of Martin Combs First Addition to Cedar Rapids, Linn County, Iowa.

Alternative to the Recommendation:

1. Defer action until additional information is provided by the developer to address City Council requests.
2. Deny approval of plat and specify supplemental reasonable requirements to be met prior to reconsideration.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Policy not applicable to final platting subdivisions.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

ENG
DSD
SWM
BSD
PD
FIR
WTR
STR
IT
LC SHERIFF
AMBULANCE
POST OFFICE
FLPT-002263-2013
CRMFR# 12411

RESOLUTION NO.
RESOLUTION APPROVING PLAT

WHEREAS, A PLAT OF MARTIN COMBS FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, containing Two (2) numbered lots, numbered Lot One (1) and Lot Two (2), both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The City Council concurs with the recommendation of the City Public Works Director/City Engineer, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plat and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Martin Combs First Addition in the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes as shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

Passed this 24th day of September, 2013.

ELY ROAD SW

C STREET SW

MUIRFIELD DR SW

SCARLET SAGE DR SW

WHEATLAND DR SW

PRAIRIE ROSE DR SW

FINAL PLAT OF
MARTIN COMBS
1ST ADDITION

FINAL PLAT OF
MARTIN COMBS 1ST ADDITION
Location Map



0 FEET 400

FLPT-002263-2013

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Cari Pauli
E-mail Address: c.pauli@cedar-rapids.org

Phone Number/Extension: 5157

Alternate Contact Person: Tom Peterson
E-mail Address: t.peterson@cedar-rapids.org

Phone Number/Extension: 5847

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution establishing "No Parking Anytime" on both the east and west sides of High Life Court SW from West Side Place SW northerly up to and including the cul-de-sac as requested by West Side Unlimited Corporation. CIP/DID #62-13-036

Background:

The Public Works Department was contacted by David Figler on behalf of West Side Unlimited Corporation located at 550 West Side Place SW, requesting placement of signs restricting parking on both the east and west sides of High Life Court from West Side Place SW northerly up to and including the cul-de-sac. This request relates to the petitioner's concerns about the congestion that occurs in the area due to unrestricted vehicle parking on the street conflicting with trucks and other commercial vehicles accessing this area to conduct business. Mr. Figler has provided a petition with signatures representing 100% of the affected property owners in this area supporting the proposed parking restriction.

Action / Recommendation:

The Public Works Department recommends approving the resolution.

Alternative Recommendation:

Should the Council determine not to approve the requested parking change, the existing unrestricted parking on High Life Court SW will remain in place and another solution to the vehicle congestion will need to be sought by the commercial property owners.

Time Sensitivity: Normal.

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Local Preference Policy does not apply to parking.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

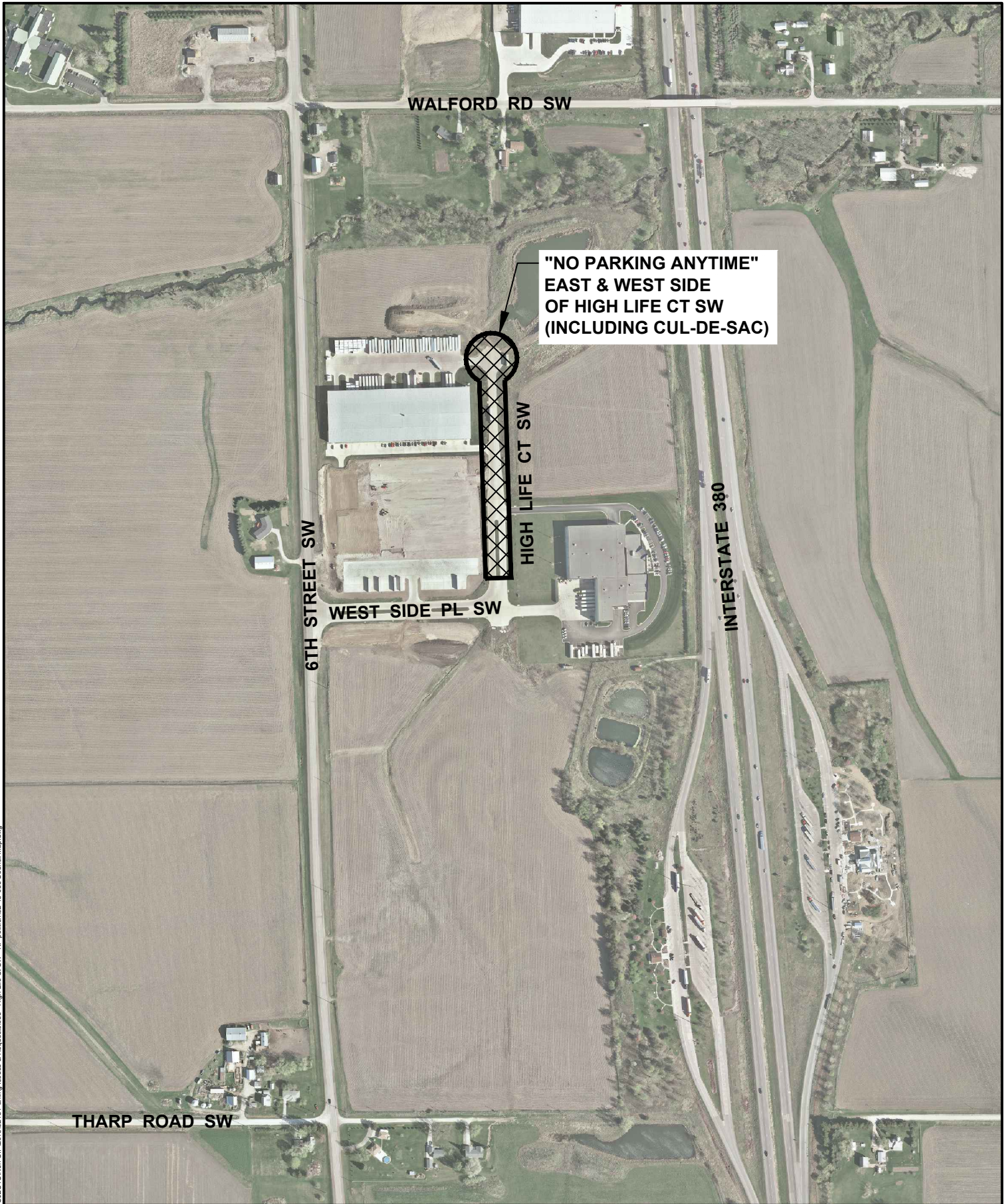
WHEREAS, David Figler on behalf of West Side Unlimited Corporation located at 550 West Side Place SW has requested placement of signs restricting parking on both the east and west sides of High Life Court SW from West Side Place SW up to and including the cul-de-sac north of West Side Place SW, and

WHEREAS, Mr. Figler has provided a petition with signatures representing 100% of the affected property owners located along the proposed parking restriction supporting the proposed parking restrictions, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended establishing "No Parking Anytime" on both the east and west sides of High Life Court SW to the north up to and including the cul-de-sac, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that "No Parking Anytime" on both the east and west sides of High Life Court SW to the north up to and including the cul-de-sac, is hereby approved.

Passed this 24th day of September, 2013



Cadd File Name: W:\PROJECTS\Non-CIP\2013\6213 Parking Issues & Requests\036 - High Life Ct SW - NP petition\62-13-036 Council Map.dwg



**"NO PARKING ANYTIME"
EAST & WEST SIDE OF HIGH LIFE CT SW
(INCLUDING CUL-DE-SAC)**



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Chief Jerman **Phone Number/Ext:** 319-286-5374
E-mail Address: w.jerman@cedar-rapids.org

Alternate Contact Person: Lieutenant Long **Phone Number/Ext:** 319-286-5342
E-mail Address: b.long@cedar-rapids.org

Description of Agenda Item:

Resolution establishing a time in grade requirement for promotion to Deputy Chief of Police.
CIP/DID #NEW

Background:

In October 2013, the Civil Service Commission will begin the testing process to fill the position of Deputy Chief. In reviewing the requirements for testing, a discrepancy was found between active directives of the Cedar Rapids Police Department and the qualifications set by the Civil Service Commission. This discrepancy involves the "time in grade" requirements for Lieutenant to be eligible to take the Deputy Chief of Police promotions. As you can see by the attachment, the current requirements to test for Deputy Chief are to be a Lieutenant or Captain with ten years experience in law enforcement. The Chief of Police requests that an applicant of the rank of Lieutenant must have at least two years' experience as a Lieutenant. (See Exhibit "A") The promotional process should take no more than three weeks once it commences. The Deputy Chief position is tentatively slated to be filled by November 30, 2013.

Additionally, on Wednesday, September 18, 2013, the Civil Service Commission was contacted regarding the discrepancy and requested change. Two members responded approving this action. Chief Jerman is scheduled to personally appear before the Commission on Tuesday, September 24, 2013 at 8:15 to formally present and receive final approval.

Action / Recommendation:

The Cedar Rapids Police Department recommends the City Council approve the two year time in grade requirement for Lieutenants to be eligible to test for Deputy Chief of Police position.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: 0

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☐
Explanation: NA

Recommended by Council Committee Yes No ☐ N/A x☐

EXHIBIT “A” – POLICE PROMOTIONALS MATRIX

A. POLICE

PRESENT POSITION	PROMOTIONAL TEST FOR	*SERVICE	*EDUCATIONAL REQUIREMENTS
POLICE OFFICER DETECTIVE IDENTIFICATION OFFICER	SERGEANT	THREE YEARS CONTINUOUS SERVICE PRESENT POSITION	**ASSOCIATES OF ARTS DEGREE
DETECTIVE ID OFFICER SERGEANT	LIEUTENANT	FIVE YEARS WORK EXPERIENCE IN LAW ENFORCEMENT	***BACCALAUREATE DEGREE
SERGEANT LIEUTENANT	CAPTAIN	TEN YEARS WORK EXPERIENCE IN LAW ENFORCEMENT	***BACCALAUREATE DEGREE
LIEUTENANT	DEPUTY CHIEF	TEN YEARS EXPERIENCE IN LAW ENFORCEMENT <u>PROPOSED: TWO YEARS CONTINUOUS SERVICE IN PRESENT POSITION</u>	***BACCALAUREATE DEGREE
CAPTAIN	DEPUTY CHIEF	TEN YEARS EXPERIENCE IN LAW ENFORCEMENT	***BACCALAUREATE DEGREE
LIEUTENANT CAPTAIN DEPUTY CHIEF	CHIEF	FIFTEEN YEARS WORK EXPERIENCE IN LAW ENFORCEMENT	****BACCALAUREATE DEGREE (MASTERS DEGREE PREFERRED)****

* BY DATE OF WRITTEN EXAMINATION

** AN ASSOCIATES OF ARTS DEGREE AT AN ACCREDITED INSTITUTION– OR COURSE WORK EQUIVALENT TO AN ASSOCIATE’S OF ARTS DEGREE

*** A BACCALAUREATE DEGREE AT AN ACCREDITED EDUCATIONAL INSTITUTION.

**** FIVE POINTS WILL BE ADDED TO THE TOTAL SCORE ACHIEVED BY THE CANDIDATE IF THE PREFERRED DEGREE HAS BEEN OBTAINED.

CANDIDATES MAY REQUEST A PRIOR CERTIFICATION FROM THE CIVIL SERVICE COMMISSION THAT THE CANDIDATE MEETS THE REQUIRED OR PREFERRED EDUCATIONAL REQUIREMENTS, BY SUBMITTING A WRITTEN REQUEST ON A FORM TO BE PROVIDED BY THE CIVIL SERVICE COMMISSION.

RESOLUTION NO.

WHEREAS, the Cedar Rapids Police Department is preparing to request the Cedar Rapids Civil Service Commission begin the process to qualify candidates to be promoted to the rank of Deputy Chief of Police, and

WHEREAS, there is some inconsistency as to whether there is a "time in grade" requirement for Lieutenants to be eligible for promotion to Deputy Chief of Police, and

WHEREAS, the Cedar Rapids Police Chief recommends that a two year "time in grade" requirement for Lieutenants to be eligible for promotion to Deputy Chief of Police be confirmed, and

WHEREAS, the recommended two year "time in grade" requirement for Lieutenants has been reviewed and agreed upon by Cedar Rapids Civil Service Commission,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that a two year time in grade as a Lieutenant requirement be added to the selection criteria and process for the rank of Deputy Chief of Police.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Kevin Kirchner

Phone Number/Ext: X5902

Email: k.kirchner@cedar-rapids.org

Description of Agenda Item:

Amendment No. 4 to renew Agreement for Mailing Services for the Utilities Department with Mailing Services, Inc. for a total annual expenditure not to exceed \$183,000 (original contract amount was \$175,000, renewal contract amount is \$183,000). CIP/DID #0910-055

Background:

The Utilities Department mails approximately 340,000 municipal utility statements annually. Purchasing Services solicited bids for mailing services in 2010 which included the daily processing and mailing of these statements. Mailing Services, Inc. was the only company who submitted a bid. They have agreed to renew the agreement through September 30, 2014 with pricing held to rates that were adjusted by approximately 4.5% on previous Amendment No. 3. The estimated annual expenditure is \$183,000. The City will be charged for exact quantity of statements processed.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 4 to Agreement for Mailing Services for a total estimated annual amount not to exceed \$183,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 621-621008-542108

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Mailing Services, Inc. is a certified local business

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department desires to amend the Agreement with Mailing Services, Inc. for mailing services; and

WHEREAS, the initial agreement was for the one-year period of October 1, 2010 through September 30, 2011 with options for four (4) one-year renewals; and

WHEREAS, Mailing Services, Inc. has agreed to an amendment to renew the Agreement for a fourth year through September 30, 2014; and

WHEREAS, the total annual expenditure is not to exceed \$183,000, budgeted in GL account #621-621008-542108; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 4 with Mailing Services, Inc. as described herein.

Passed this 24th day of September, 2013.



18b

Council Agenda Item Cover Sheet

Council Meeting Date: 09/24/2013

Submitting Department: Finance

Presenter at meeting: Consent

Phone Number/Ext:

Email:

Alternate Contact Person: Casey Drew

Phone Number/Ext: 286-5097

Email: c.drew@cedar-rapids.org

Description of Agenda Item:

Amendment #1 extending the Hockey Prime Tenant Lease Agreement with Newco Riders, LLC for five (5) years beginning June 1, 2014 and ending May 31, 2019. (472541)

Background:

The current lease agreement with the Cedar Rapids Roughriders allows the City to extend the current lease agreement an additional five years. Under the previous five year agreement the annual rent paid by Newco Riders, LLC was \$70,000 annually. Under the new five year agreement the annual rent will be as follows:

June 1, 2014 – May 31, 2015	\$72,100.00
June 1, 2015 – May 31, 2016	\$74,984.00
June 1, 2016 – May 31, 2017	\$78,733.00
June 1, 2017 – May 31, 2018	\$82,670.00
June 1, 2018 – May 31, 2019	\$86,803.00

Action / Recommendation:

Approve the five year extension.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable):

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids is the owner of an Arena located in Cedar Rapids, Iowa currently known as the "Cedar Rapids Ice Arena" (the "Arena"); and

WHEREAS, VenuWorks Inc. manages the Arena and negotiated an option of the Hockey Prime Tenant Lease Agreement to extend the term of the lease with Newco Riders, LLC for an additional five (5) years beginning June 1, 2014 and ending May 31, 2019 on behalf of the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, that the City Manager is authorized to sign Amendment #1 to extend the lease of the Newco Riders, LLC for an additional five (5) years beginning June 1, 2014 and ending May 31, 2019.

Passed the 24th day of September 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rob Davis

Phone Number/Ext: 5808

Email: robd@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 4 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions to add forklift rental for two days for an amount not to exceed \$1,031.78 (original contract amount was \$299,520.80; total contract amount with this amendment is \$344,700.90) (**FLOOD**). CIP/DID #0113-154

Background:

City Council awarded the Contract to Triplett Interior Solutions for Packages 1 and 10 of the City Services Center Furniture, Fixtures and Equipment (FF&E) project through Resolution No. 0504-03-13 for \$299,520.80. The City Manager signed Amendment No. 1 to the Contract on July 5, 2013 for the addition of glass stackers on aisle panels for \$22,527.11. City Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for \$18,433.26. City Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 for glass panels in open office 131 and additional furnishings for the Assessor's Office for \$3,187.95.

Amendment No. 4 is for the rental of a forklift for two days due to the elevator not being operational for a not-to-exceed price of \$1,031.78.

Ryan Companies US, Inc., the Construction Manager for the City Services Center is recommending this change and the Public Works Department – Engineering Division concurs with this recommendation.

Contract summary:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	<u>\$ 1,031.78</u>	Not-to-exceed
Amended Contract Amount	\$344,700.90	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): PWE006

Local Preference Policy Applies ☐ Exempt ☒

Explanation: FEMA funded project

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department – Engineering Division and Triplett Interior Solutions are parties to a Contract for the purchase and installation of furniture at the City Services Center, authorized by Resolution No. 0504-03-13 for \$299,520.80; and

WHEREAS, the City Manager signed Amendment No. 1 to the Contract to add glass stackers to the workstation panels on all aisles on July 5, 2013 for \$22,527.11; and

WHEREAS, Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for an additional \$18,433.26; and

WHEREAS, Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 to add glass panels in open office 131 and additional furnishings in the Assessor's Office for \$3,187.95; and

WHEREAS, Amendment No. 4 is to add forklift rental for two days due to the elevators not being operational for \$1,031.78; and

WHEREAS, Ryan Companies US, Inc., the City's Contract Manager for the City Services Center is recommending this change; and

WHEREAS, the Public Works Department – Engineering Division concurs with this recommendation; and

WHEREAS, a cost summary of the Contract changes for this project is as follows:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	<u>\$ 1,031.78</u>	Not-to-exceed
Amended Contract Amount	\$344,700.90	

WHEREAS, this project is federally funded through FEMA.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 4 with Triplett Interior Solutions as described herein.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Dean Archer

Phone Number/Ext: 5891

Email: d.archer@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 8 to the Contract for Citywide Energy Management System with Halvorson Trane to delete the energy management system work at the Five Seasons Bus Garage and make changes to the system at the Veterans Memorial Building for a deduct of \$44,635 (original contract amount was \$475,745.00; total contract amount with this amendment is \$597,464.87) **(FLOOD)**. CIP/DID #0110-161

Background:

City Council passed Resolution No. 0342-04-10 to award the contract to Halvorson Trane to replace the Citywide Energy Management System that was damaged in the flood of 2008. This Amendment is to delete the energy management system work at the Five Seasons Bus Garage and make changes to the system at the Veterans Memorial Building.

Contract summary:

Description	Cost
Base Agreement, Resolution No. 0342-04-10	\$475,745.00
Amendment No. 1, signed by the City Manager 01/06/11	N/C
Amendment No. 2, signed by the City Manager 05/09/11	-\$8,944.23
Amendment No. 3, Resolution No. 1317-09-11	\$151,125.00
Amendment No. 4, signed by the City Manager 04/11/12	\$1,107.02
Amendment No. 5, signed by the City Manager 04/11/12	N/C
Amendment No. 6, Resolution No. 1786-12-12	\$11,250.00
Amendment No. 7, Resolution No. 0333-02-13	\$11,817.08
Amendment No. 8, not-to-exceed	(\$44,635.00)
Agreement Total	\$597,464.87

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): FME001

Local Preference Policy Applies ☐ Exempt ☒

Explanation: FEMA funded project

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Facilities Maintenance Services Division and Halvorson Trane are parties to a Contract for the Citywide Energy Management System, authorized by Resolution No. 0342-04-10; and

WHEREAS, the Contract will be amended to delete the energy management system work at the Five Seasons Bus Garage and make changes to the system at the Veterans Memorial Building for a deduct of \$44,635; and

WHEREAS, a cost summary of the contract changes for this project is as follows:

Description	Cost
Base Agreement, Resolution No. 0342-04-10	\$475,745.00
Amendment No. 1, signed by the City Manager 01/06/11	N/C
Amendment No. 2, signed by the City Manager 05/09/11	-\$8,944.23
Amendment No. 3, Resolution No. 1317-09-11	\$151,125.00
Amendment No. 4, signed by the City Manager 04/11/12	\$1,107.02
Amendment No. 5, signed by the City Manager 04/11/12	N/C
Amendment No. 6, Resolution No. 1786-12-12	\$11,250.00
Amendment No. 7, Resolution No. 0333-02-13	\$11,817.08
Amendment No. 8, not-to-exceed	(\$44,635.00)
Agreement Total	\$597,464.87

WHEREAS, this project is federally funded through FEMA.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 8 with Halvorson Trane as described herein.

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell
Email: p.mitchell@cedar-rapids.org

Phone Number/Ext: 319 286-5852

Alternate Contact Person: Caleb Mason
Email: c.mason@cedar-rapids.org

Phone Number/Ext: 319 286-5188

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolution authorizing Amendment No. 1 to the Development Agreement with Little House, LLC for disposition and redevelopment of City-owned property at 1301 3rd Street SE (**FLOOD**). CIP/DID #811372

Background:

On May 14, 2013, the City Council authorized execution of a Development Agreement with Little House, LLC for the redevelopment of City-owned property located at 1301 3rd Street SE, in the Bohemian Commercial Historic District. This includes the rehabilitation of the existing structure for lower level commercial use and upper level residential rental use. A photo of the subject property is provided as an attachment to this memo. The effective date of the agreement is May 15, 2013.

The terms of the Development Agreement include milestones for performance, including a provision that within 120 days, the Developer is to provide an elevation or flood proofing certificate from an architect or land surveyor licensed in the State of Iowa to facilitate obtaining amended deed restrictions from the Iowa Economic Development Authority, and a rehabilitation plan detailing the improvements to obtain a finding of no adverse effect by the State Historic Preservation Office. On September 3, 2013, the City received a request from the developer to amend the agreement to grant an extension to the period to provide these documents.

The developer has been in regular communication with staff regarding their plans and to seek clarifications where the State's elevation and flood proofing requirements differ from the local requirements for historic buildings. An architect has been retained to provide the materials, but additional time is requested in order to provide the detailed plans. The amendment would provide the developer with an additional 30 days to provide the materials.

Action / Recommendation:

Community Development recommends approval of the resolution.

Alternative Recommendation:

Table the resolution and request additional information.

Time Sensitivity: .

If no amendment is authorized, the Development Agreement will enter default status

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation: No goods or services are being purchased.

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

ATTACHMENT A



1301 3rd Street SE

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO
THE DEVELOPMENT AGREEMENT WITH LITTLE HOUSE LLC FOR
THE DISPOSITION AND REDEVELOPMENT OF CITY-OWNED
PROPERTY LOCATED AT 1301 3RD STREET SE

WHEREAS, on May 14, 2013 the City Council adopted Resolution No. 0766-05-13 authorizing the execution of a Development Agreement (the "Agreement") with Little House, LLC (the "Developer") for the redevelopment of City owned property at 1301 3rd Street SE; and

WHEREAS, the Developer has requested an extension to the performance period in order to perform its covenants and obligations contained in the Agreement; and

WHEREAS, the parties wish to further amend the Agreement as set forth in Amendment No. 1 to the Agreement which extends the time for which the Developer may perform the obligations pursuant to the Agreement by providing an elevation or flood-proofing certificate and acceptable flood occurrence plan no later than 30 days following the effective date of the amendment; and

WHEREAS, the City Council has determined that a revised timeline in the Amendment provides reasonable assurances that the covenants and obligations will be performed within the amended timeline;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk or their designees are authorized and directed to execute Amendment No. 1 to the Development Agreement with Little House, LLC.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 15 in the amount of \$4,914 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase II project (original contract amount was \$4,687,000; total contract amount with this amendment is \$5,188,731) (**FLOOD**); CIP/DID #VME001-04

Background:

TCIDC #2009 – moving switch locations on 4 th fl; adding fire alarm heads & relays for	
Elevator inspector	\$3,009.00
PR #2034 – prep & painting of 5 doors & frames & 3 elevator doors & frames	\$1,905.00

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 15 to increase the contract amount for Rinderknecht Associates, Inc.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-04

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
RINDERKNECHT
NEUMANN
VME001-04
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 15 in the amount of \$4,914 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase II project, Contract No. VME001-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,687,000.00
Change Order No. 1	48,369.00
Change Order No. 2	46,305.00
Change Order No. 3	79,418.00
Change Order No. 4	64,175.00
Change Order No. 5	69,383.00
Change Order No. 6	2,697.00
Change Order No. 7	12,635.00
Change Order No. 8	64,498.00
Change Order No. 9	9,937.00
Change Order No. 10	7,763.00
Change Order No. 11	0.00
Change Order No. 12	82,227.00
Change Order No. 13	6,592.00
Change Order No. 14	2,818.00
Change Order No. 15	<u>4,914.00</u>
Amended Contract Amount	\$5,188,731.00

General ledger coding for this Change Order to be as follows:

\$4,914.00 Fund 330, Dept ID 330020, Project VME001-04

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 16 in the amount of \$1,829 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase I project (original contract amount was \$5,540,000; total contract amount with this amendment is \$6,219,824) (**FLOOD**); CIP/DID #VME001-03

Background:

PR #037 – Add'l steel at the stage structure for wall framing

\$1,829.00

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 16 to increase the contract amount for Rinderknecht Associates, Inc.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-03

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
RINDERKNECHT
NEUMANN
VME001-03
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 16 in the amount of \$1,829 with Rinderknecht Associates, Inc. for the Veterans Memorial Phase I project, Contract No. VME001-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,540,000.00
Change Order No. 1	9,264.00
Change Order No. 2	249,446.00
Change Order No. 3	86,896.00
Change Order No. 4	48,251.00
Change Order No. 5	109,121.00
Change Order No. 6	11,625.00
Change Order No. 7	30,883.00
Change Order No. 8	54,510.00
Change Order No. 9	38,822.00
Change Order No. 10	922.00
Change Order No. 11	5,826.00
Change Order No. 12	0.00
Change Order No. 13	8,134.00
Change Order No. 14	14,811.00
Change Order No. 15	9,484.00
Change Order No. 16	<u>1,829.00</u>
Amended Contract Amount	\$6,219,824.00

General ledger coding for this Change Order to be as follows:

\$1,829.00 Fund 330, Dept ID 330020, Project VME001-03

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 4 in the amount of \$8,429.47 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #2 – Interior Demo, Steel, Concrete and Roofing project (original contract amount was \$506,000; total contract amount with this amendment is \$531,689.80) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC #3007 – patch existing holes in the aud concrete floor per structural engineers
direction

\$7,189.75

PR #3007 – demo existing concrete bulkhead at mezz breakroom

\$1,239.72

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 4 to increase the contract amount for Tricon General Construction, Inc.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-06

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
TRICON
NEUMANN
VME001-06
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 4 in the amount of \$8,429.47 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #2 – Interior Demo, Steel, Concrete and Roofing project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$506,000.00
Change Order No. 1	11,100.98
Change Order No. 2	1,711.76
Change Order No. 3	4,447.59
Change Order No. 4	<u>8,429.47</u>
Amended Contract Amount	\$531,689.80

General ledger coding for this Change Order to be as follows:

\$8,429.47 Fund 330, Dept ID 330020, Project VME001-06

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 5 in the amount of \$14,850.67 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #4– Carpentry, Doors, Hardware and Specialties project (original contract amount was \$488,000; total contract amount with this amendment is \$608,491.36) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC #3003 – remove & replace all perimeter window caulking for N tower ballroom	
Windows	\$3,101.06
PR #3005 – added cost to supply & install 6 manually operated window shades at mezz	
Weight room	\$2,315.86
PR #3009 – misc demo at door threshold after stair demo, infill under door threshold w/	
Flowable grout & replace 2 stair sections complete w/landing, risers &	
Treads	\$9,433.75

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 5 to increase the contract amount for Tricon General Construction, Inc.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-06

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
TRICON
NEUMANN
VME001-06
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 5 in the amount of \$14,850.67 with Tricon General Construction, Inc. for the Veterans Memorial Phase III – Bid Package #4 – Carpentry, Doors, Hardware and Specialties project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$488,000.00
Change Order No. 1	14,235.61
Change Order No. 2	86,335.34
Change Order No. 3	3,559.44
Change Order No. 4	1,510.30
Change Order No. 5	<u>14,850.67</u>
Amended Contract Amount	\$608,491.36

General ledger coding for this Change Order to be as follows:

\$14,850.67 Fund 330, Dept ID 330020, Project VME001-06

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 5 in the amount of \$5,135 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project (original contract amount was \$913,800; total contract amount with this amendment is \$942,918.97) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC #2003 – Original design documents didn't account for add'l steel supports that were installed beneath the AHU's in Phase 2 as they were not installed at the time of design; steel beams were required under the RTU's in Ph 2 as a chge to the contract due to existing conditions; this raised the RTU catwalk design design in Ph 3 \$5,135.00

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 5 to increase the contract amount for Day Mechanical System, Inc.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-06

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
DAY MECHANICAL
NEUMANN
VME001-06
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 5 in the amount of \$5,135 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$913,800.00
Change Order No. 1	(\$1,009.00)
Change Order No. 2	8,302.00
Change Order No. 3	15,949.97
Change Order No. 4	741.00
Change Order No. 5	<u>5,135.00</u>
Amended Contract Amount	\$942,918.97

General ledger coding for this Change Order to be as follows:

\$5,135.00 Fund 330, Dept ID 330020, Project VME001-06

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 1 in the amount of \$474.68 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project (original contract amount was \$1,256,500; total contract amount with this amendment is \$1,256,974.68) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC #3009 – Added cost to hook up 2 temporary a/c units on the mezz as directed by
the owner \$474.68

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 1 to increase the contract amount for Hawkeye Electrical Contractors of Cedar Rapids, Ltd.

Alternative Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time:

Budget Information (if applicable): VME001-06

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
HAWKEYE
NEUMANN
VME001-06
FLOOD
377545
470681

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 1 in the amount of \$474.68 with Hawkeye Electrical Contractors of Cedar Rapids, Ltd. for the Veterans Memorial Phase III – Bid Package #13 – Electrical & Telecommunications project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,256,500.00
Change Order No. 1	<u>474.68</u>
Amended Contract Amount	\$1,256,974.68

General ledger coding for this Change Order to be as follows:

\$474.68 Fund 330, Dept ID 330020, Project VME001-06

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, PE
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Authorizing Change Order No. 5 in the amount of \$2,079.32 with Rathje Construction Co. for the Willowbrook-Georgia Water & Sewer Improvements project (original contract amount was \$567,244.60; total contract amount with this amendment is \$593,851.96). CIP/DID #2012027-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 5 submitted by Rathje Construction Co.

Alternative to the Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☒ Exempt ☐

Explanation:

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
RATHJE
MCCLURE
2012027-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$2,079.32 with Rathje Construction Co. for the Willowbrook-Georgia Water & Sewer Improvements, Contract No. 2012027-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$567,244.60
Change Order No. 1	19,800.00
Change Order No. 2	1,565.50
Change Order No. 3	2,205.00
Change Order No. 4	957.54
Change Order No. 5	2,079.32

Amended Contract Amount	\$593,851.96
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General ledger coding for this Change Order to be as follows: \$.50 655-655000-65585-655935, \$2,078.82 625-625000-625542-6252012027-02

Passed this 24th day of September, 2013.



18m

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Authorizing Change Order No. 10 (Final) deducting the amount of \$112,636.34 with Pirc-Tobin Construction, Inc. for the 10th Street SE from 1st Avenue E to 4th Avenue SE Improvements project (original contract amount was \$2,177,865.85; total contract amount with this amendment is \$2,125,195.72). CIP/DID #3012026-04

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Due to the deletion of the 1st Avenue turn lane and the widened section from 3rd Avenue to 4th Avenue SE, additional quantities remained. This change order finalizes those quantity changes.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 10 (Final) submitted by Pirc-Tobin Construction, Inc.

Alternative to the Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): Funded out of TIF, CIP No. 3012026

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: State Bidding Requirements Apply

Recommended by Council Committee: Yes ☒ No ☐ N/A ☐

Explanation: This project was presented to the Infrastructure Committee to review the project relating to acquisition needs and construction schedule on May 17, 2011; July 19, 2011; and November 15, 2011. This project was also presented to the full City Council at a brown bag lunch presentation on November 16, 2011. Proposed 1st Avenue E right turn lane was presented to the Infrastructure Committee on February 21, 2012.

ENG
AUD FILE
FIN
CLK
PIRC-TOBIN
ANDERSON-BOGERT
3012026-04

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 10 Final deducting the amount of \$112,636.34, with Pirc-Tobin Construction, Inc. for the 10th Street SE from 1st Avenue E to 4th Avenue SE Improvements, Contract No. 3012026-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,140,365.85
Possible Incentive	37,500.00
Change Order No. 1	10,551.06
Change Order No. 2	9,802.82
Change Order No. 3	30,270.92
Change Order No. 4	8,366.83
Change Order No. 5	(73,388.41)
Change Order No. 6	21,668.30
Change Order No. 7	19,343.29
Change Order No. 8	8,330.10
Change Order No. 9	30,021.30
Change Order No. 10 Final	(112,636.34)
Removal of Original Incentive Value	<u>(5,000.00)</u>
Amended Contract Amount	\$2,125,195.72

General ledger coding for this Change Order to be as follows:

(\$112,636.34) 301-301000-3012026

Passed this 24th day of September, 2013.





18n

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Pat Wieneke
E-mail Address: p.wieneke@cedar-rapids.org

Phone Number/Extension: 5848

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**
Resolution authorizing Change Order No. 9 in the amount of \$1,209 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (original contract amount was \$189,177.50; total contract amount with this amendment is \$262,655.58). CIP/DID #3017012-01

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 9 submitted by BWC Excavating, LC.

Alternative to the Recommendation:

If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Per Code of Iowa, Chapter 26, contracts for public improvements not related to public utilities must be awarded to the lowest responsive, responsible bidder.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of \$1,209 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, Contract No. 3017012-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$185,177.50
Possible Incentive	4,000.00
Change Order No. 1	56,093.20
Change Order No. 2	7,816.50
Change Order No. 3	1,350.75
Change Order No. 4	5,369.13
Change Order No. 5	133.50
Change Order No. 6	310.50
Change Order No. 7	405.00
Change Order No. 8	790.50
Change Order No. 9	<u>1,209.00</u>
Amended Contract Amount	\$262,655.58

General ledger coding for this Change Order to be as follows:

\$1,209	301-301000-3017012
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Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Todd Nelson, CFO, FDG **Phone Number/Extension:** 319-739-4042
E-mail Address: tnelson@frewdev.com

Alternate Contact Person: Rob Davis, P.E. **Phone Number/Extension:** 5808
E-mail Address: r.davis@cedar-rapids.org

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**
Authorizing Change Order No. 24 deducting the amount of \$3,732 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project (original contract amount was \$28,273,698; total contract amount with this amendment is \$29,750,369). CIP/DID #535100-23

Background:

WCD = Work Change Directive

WCD	Contractor backcharge for costs incurred to perform video	
#63	exploration, identification, and removal of debris in the Arena	
	sanitary sewer piping that was determined to have caused the	(\$5,348)
	June 1, 2013 sewage back-up.	
	Additional costs associated with drywall patching required after	
	installation of new door frame at door C33.3.	\$1,616

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend approval of Change Order No. 24 submitted by Miron Construction Company, Inc.

Alternative to the Recommendation:

If Council does not approve the Change Order, the Contractor may submit a delay claim resulting in additional cost.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable)

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: : I-JOBS funding and Economic Development Administration (EDA) requirements.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

RESOLUTION NO.

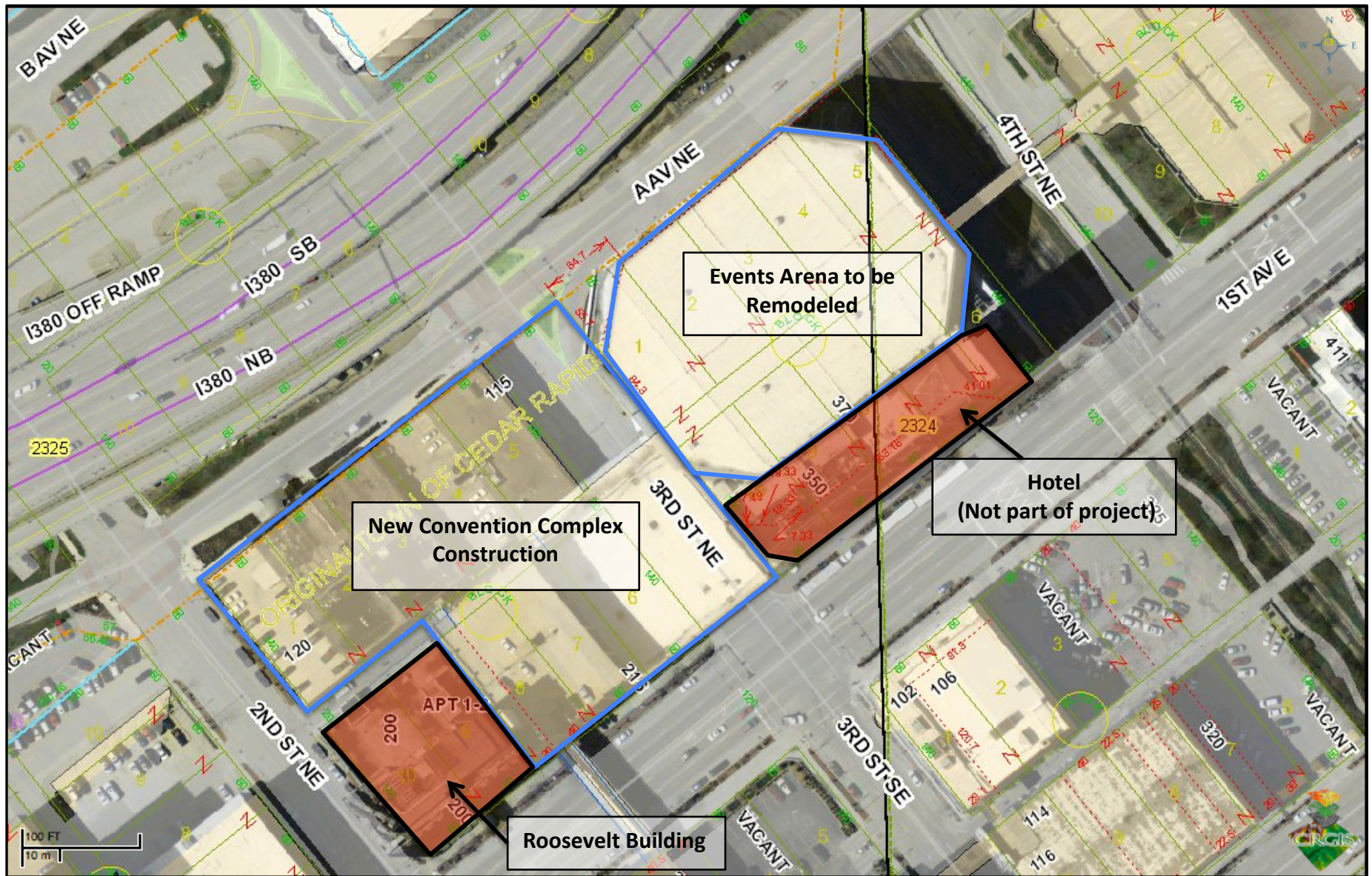
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 24 deducting the amount of \$3,732 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project, Contract No. 535100-23. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$28,273,698
Change Order No. 1	63,221
Change Order No. 2	221,371
Change Order No. 3	47,099
Change Order No. 4	4,856
Change Order No. 5	135,829
Change Order No. 6	61,065
Change Order No. 7	119,199
Change Order No. 8	153,813
Change Order No. 9	1,089
Change Order No. 10	85,897
Change Order No. 11	29,884
Change Order No. 12	(22,774)
Change Order No. 13	0
Change Order No. 14	65,183
Change Order No. 15	79,137
Change Order No. 16	9,748
Change Order No. 17	34,243
Change Order No. 18	33,894
Change Order No. 19	72,852
Change Order No. 20	29,890
Change Order No. 21	61,183
Change Order No. 22	13,930
Change Order No. 23	179,794
Change Order No. 24	<u>(3,732)</u>
Amended Contract Amount	\$29,750,369

General ledger coding for this Change Order to be as follows:

(\$3,732) 535-535000-535100

Passed this 24th day of September, 2013





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Steve Bauer
E-mail Address: sbauer@frewdev.com

Phone Number/Extension: 319-739-4040

Alternate Contact Person: Rob Davis
E-mail Address: r.davis@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Authorizing Change Order No. 11 (Revised Final 2) in the amount of \$15,507 with Day Mechanical Systems, Inc. for the Cedar Rapids Convention Complex Hotel – Interiors and Exterior Cladding – Mechanical project (original contract amount was \$4,481,800; total contract amount with this amendment is \$5,156,380). CIP/DID #535101-09

Background:

WCD = Work Change Directive

WCD #14 Maintain and troubleshoot the 16th floor chiller to operate continuously to cool the 16th floor restaurant, kitchen, and ballroom space. Due to the long lead time to replace the chiller pumps due to design changes, additional maintenance had to be performed prior to the new pumps being installed. It was also discovered the contactor switch to the chiller compressor was not functioning properly and tripping the electrical breaker to the system. The contactor switch was replaced and the unit is now functioning properly.

\$15,507

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend approval of Change Order No. 11 (Revised Final 2) submitted by Day Mechanical Systems, Inc.

Alternative to the Recommendation:

If Council does not approve the change orders, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: The project is funded locally and must be awarded to the lowest responsible bidder.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
DAY MECH
FREW
535101-09

RESOLUTION NO.

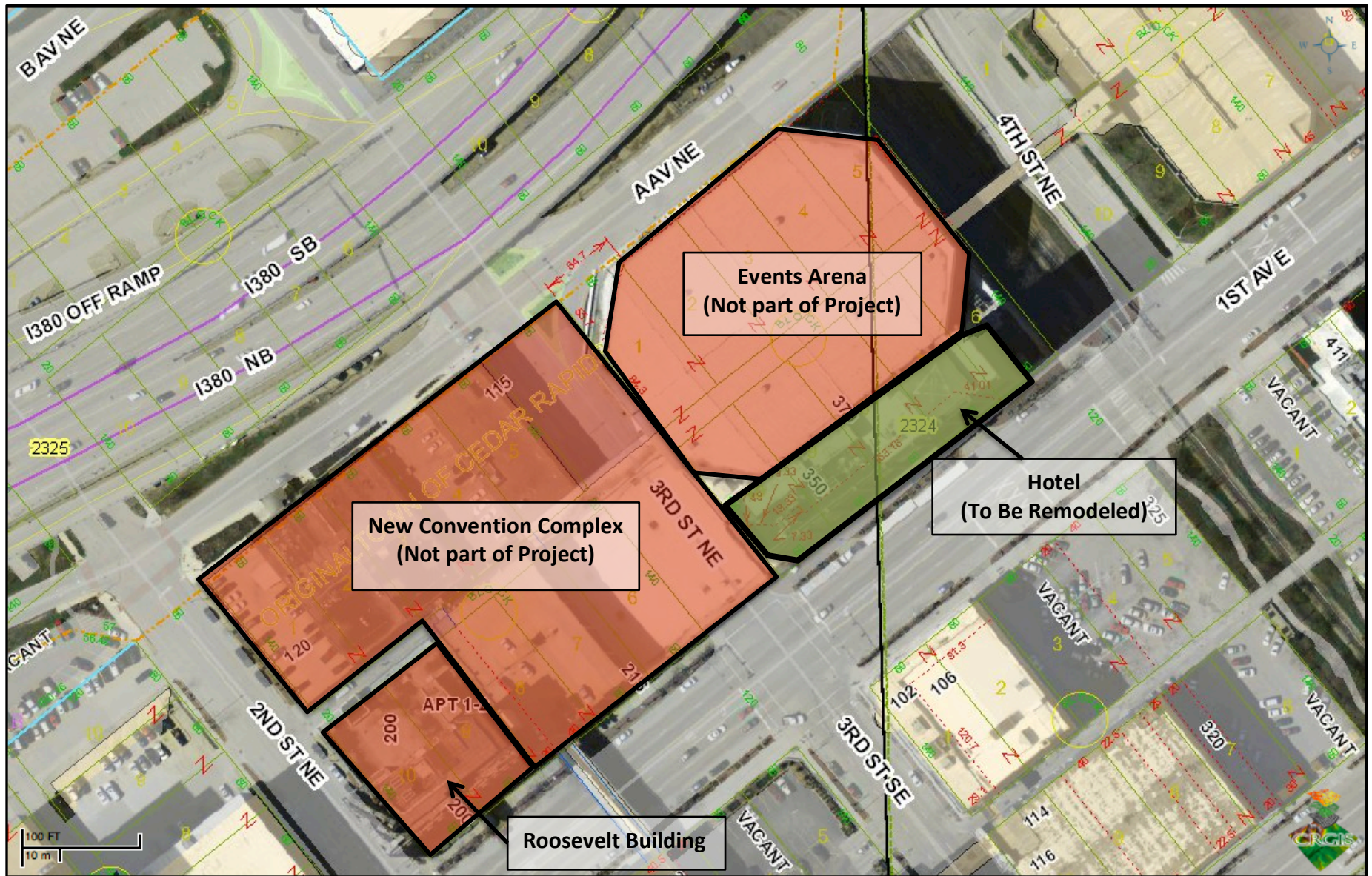
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 11 (Revised Final 2) in the amount of \$15,507 with Day Mechanical Systems, Inc. for the Cedar Rapids Convention Complex Hotel - Interiors and Exterior Cladding – Mechanical project, contract No. 535101-09. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,481,800
Change Order No. 1	119,375
Change Order No. 2	46,973
Change Order No. 3	113,723
Change Order No. 4	95,408
Change Order No. 5	104,293
Change Order No. 6	49,449
Change Order No. 7	33,811
Change Order No. 8	19,716
Change Order No. 9 Final	71,085
Change Order No. 10 Revised Final	5,240
Change Order No. 11 Revised Final 2	<u>15,507</u>
Amended Contract Amount	\$5,156,380

General ledger coding for this Change Order to be as follows:

\$15,507 535-535000-535101

Passed this 24th day of September, 2013





Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Fire

Presenter at meeting: Mark English
Email: m.english@cedar-rapids.org

Phone Number/Ext: (319) 286-5220

Alternate Contact Person: Greg Buelow
Email: g.buelow@cedar-rapids.org

Phone Number/Ext: (319) 286-5163

Description of Agenda Item:

Resolution authorizing Pierce Manufacturing to repair corrosion damage on the Fire Department's 2002 Pierce Dash Fire Pumper for a total amount of \$57,543.

Background:

The Fire Department's 2002 Pierce Dash Fire Pumper used as Engine #2 has corrosion damage and needs repaired by the fire engine manufacturer. During maintenance at Fleet Services, corrosion damage was found on the frame and water tank cradle of the fire pumper. Further, corrosion was found on seven body compartment roll-up doors. The corrosion is likely from usage in inclement weather and the effects of salt and brine rusting the steel. Pierce Manufacturing will remove components of the vehicle and needle scale and/or sandblast all areas of corrosion on the chassis frame and pump house assembly front frame area. Pierce Manufacturing will also apply rust inhibitor, prime and finish the frame, replace the seven damaged roll-up doors and include a guard/drip pan designed to protect the roll-up doors from damage when in the retracted position and contain any water spray.

Action / Recommendation:

The Fire Department recommends approval of the corrosion repair.

Alternative Recommendation:

There is delamination of the fire engine's frame rails impacting the rear suspension mounts, mounting hardware, and mounting components. The damage will not self-improve; no action is possible from Fleet Services to mitigate the damage without frame refurbishment. Failure of the suspension system is possible without repair. The fire engine may need to be taken out of service if damage is too severe.

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: N/A

Budget Information (if applicable): Cost of the repairs is \$57,543 with funding from the Fire Department Operations account, Account # 522106-071-071000.

Local Preference Policy Applies ☐ Exempt X

Explanation: Repairs need to be made at Pierce Manufacturing; the fire engine is disassembled and reassembled for corrosion repair.

Recommended by Council Committee Yes ☐ No ☐ N/A X

Explanation (if necessary): N/A

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fire Department has authorized Pierce Manufacturing, 2600 American Drive, P.O. Box 201, Appleton, WI 54913, to repair corrosion damage on the Fire Department's 2002 Pierce Dash Fire Pumper in the amount of \$57,543, Account # 522106-071-071000.

Passed this 24th day of September, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** September 24, 2013**Submitting Department:** Fire**Presenter at meeting:** Mark English**Phone Number/Ext:** (319) 286-5220**Email:** m.english@cedar-rapids.org**Alternate Contact Person:** Greg Buelow**Phone Number/Ext:** (319) 286-5163**Email:** g.buelow@cedar-rapids.org**Description of Agenda Item:**

Resolution authorizing execution of Iowa Homeland Security and Emergency Management Division's Commitment to Award and Accept Funds in the amount of \$185,000 to the City of Cedar Rapids by the Iowa Homeland Security and Emergency Management Division for the Cedar Rapids Division of Iowa Task Force One.

Background:

On October 8, 2003, the City of Cedar Rapids entered into a 28E Agreement with the State of Iowa and the Iowa Homeland Security and Emergency Management Division to supplement and enhance disrupted or overburdened local emergency and disaster operations. The Cedar Rapids Fire Department applied for a United States Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force One for the grant year 2013. The City of Cedar Rapids has received a grant for 2013 in this program, HSGP Grant #EMW-2013-SS-0004-S01, in the amount of \$185,000.

The attached resolution authorizes execution of the Commitment to Award and Accept Funds for the Homeland Security Grant Program grant. There is no local financial match required for any of the agreements.

Action / Recommendation:

Approval of resolution.

Alternative Recommendation:

Request additional information.

Time Sensitivity: N/A**Resolution Date:** September 24, 2013**Estimated Presentation Time:** Consent Agenda**Budget Information (if applicable):****Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** N/A**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒**Explanation (if necessary):** N/A

RESOLUTION NO.

WHEREAS, the Cedar Rapids Fire Department is a sponsoring agency of Iowa Task Force 1, which is an urban search and rescue team that is recognized under Iowa Code Chapter 29C to supplement and enhance disrupted or overburdened local emergency and disaster operations, and

WHEREAS, the Cedar Rapids Fire Department applied for a United States Homeland Security Grant on behalf of the Cedar Rapids Division of Iowa Task Force 1, and

WHEREAS, the Homeland Security Grant Program (HSGP) will provide funding for training and equipment of the Cedar Rapids Division of Iowa Task Force 1 to provide assistance to communities under the Emergency Management Assistance Compact, and

WHEREAS, the Homeland Security Grant Program has approved the following grant:

HSGP Grant #EMW-2013-SS-0004-S01 - \$185,000

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute the Homeland Security Grant Program Commitment to Award and Accept Funds on behalf of the Cedar Rapids Fire Department and the Cedar Rapids Division of Iowa Task Force 1.

Passed this 24th of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Charlie McClintock **Phone Number/Ext:** 5383
E-mail Address: c.mcclintock@cedar-rapids.org

Alternate Contact Person: Chief Jerman **Phone Number/Ext:** 5374
E-mail Address: w.jerman@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing Joint Communications Agency to purchase equipment and accessories from RACOM Corporation for public safety use in connection with the Linn County 800 MHz Radio System. CIP/DID # 660990

Background:

Funds for radio equipment and accessories have been previously allocated and are available in the Linn County 800 MHz Radio System project #065002. The amount requested at this time is for a total amount not to exceed \$33,854.75 for the purchase of radio equipment and accessories from RACOM Corporation.

Action / Recommendation:

It is recommended that City Council approve authorization for Joint Communications Agency to purchase equipment and accessories as noted above.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: September 24, 2013

Estimated Presentation Time: 0

Budget Information (if applicable): Account

Local Preference Policy: Applies ☐ Exempt x☐

Explanation: NA

Recommended by Council Committee Yes No ☐ N/A x☐

Explanation: NA

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids owns and maintains equipment on the Linn County 800 MHz Radio System from Harris Corporation, and

WHEREAS, Harris Corporation is the sole source provider of maintenance and equipment for the radio system, and

WHEREAS, the authorized Harris Corporation service shop, equipment reseller and installer for the system is RACOM Corporation, 201 West State Street, Marshalltown, Iowa 50158, and

WHEREAS, the City of Cedar Rapids recognizes the importance and safety of having a 24 x 7 operational public safety radio communications system and service shop for public safety use, and

WHEREAS, funds for radio equipment and accessories have been allocated and are available in the Linn County 800 MHz Radio System project – 065002, and funding Resolution Number 1156-07-13,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Joint Communications Agency be authorized to purchase equipment and accessories for an amount not to exceed \$33,854.75, from RACOM Corporation.

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Todd Nelson, CFO, FDG **Phone Number/Extension:** 319-739-4042

E-mail Address: tnelson@frewdev.com

Alternate Contact Person: Rob Davis, P.E. **Phone Number/Extension:** 5808

E-mail Address: r.davis@cedar-rapids.org

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes Map**

Resolution authorizing release of partial final payment in the amount of \$85,693.85 to Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project (original contract amount was \$10,917,000; amended contract amount is \$12,161,273). CIP/DID #535100-24

Background:

Construction has been substantially completed by Modern Piping, Inc., Inc. for the Cedar Rapids Convention Complex – Mechanical project with an amended construction contract amount of \$12,161,273. Funding resources for this project were approved in FY14 and prior years and the project is within the approved budget.

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend the issuance of partial final payment to the contractor in the amount of \$508,063.65. The final release of \$15,000 in retainage will be held until additional construction items are completed.

Alternative to the Recommendation:

Council could decide to hold entire retainage amount until additional construction items are complete.

Time Sensitivity: Normal

Resolution Date: October 8, 2013

Estimated Presentation Time: 0 Minute(s)

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: : I-JOBS funding and Economic Development Administration (EDA) requirements.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation: Project was awarded prior to policy implementation.

Revised to correct amounts

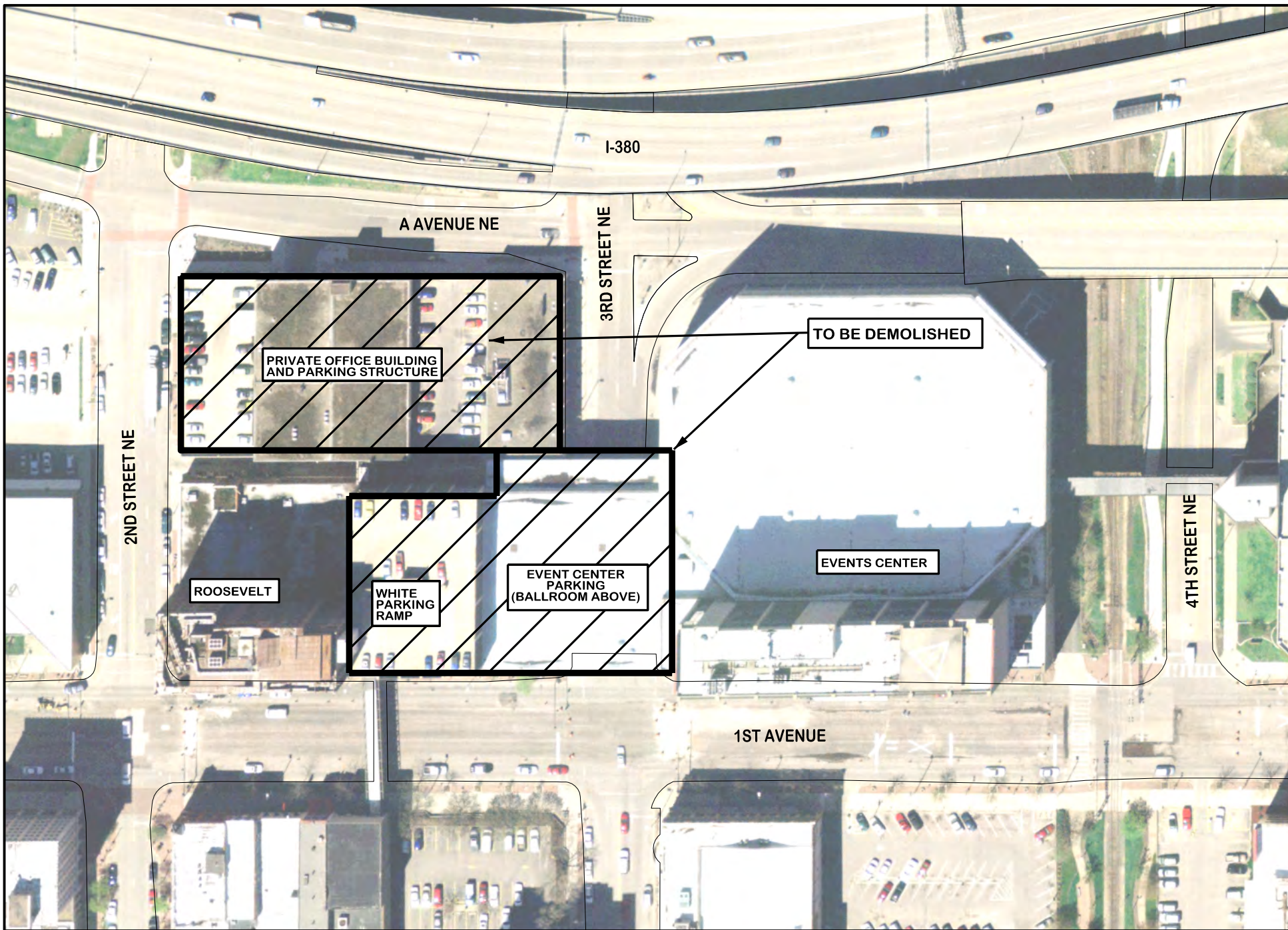
ENG
FIN
CLK
TRS
MODERN
FREW
535100-24

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Public Works Director / City Engineer certifies that the work on Cedar Rapids Convention Complex – Mechanical project (Contract No. 535100-24), has been substantially completed in accordance with the plans and specifications and that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$85,693.85 to Modern Piping, Inc. as a partial final payment, and

BE IT FURTHER RESOLVED that \$15,000 of the retainage will be held until additional work is completed.

Passed this 8th day of October, 2013.



**CEDAR RAPIDS CONVERSION COMPLEX
DEMOLITION, SITE WORK AND UTILITY PROJECT**





18u

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, PE
E-mail Address: d.wilson@cedar-rapids.org

Phone Number/Extension: 5141

Alternate Contact Person: Gary Petersen, PE
E-mail Address: g.petersen@cedar-rapids.org

Phone Number/Extension: 5153

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution authorizing execution of a 28E Agreement with Linn County to participate in the cost for construction of a Portland Cement Concrete (PCC) overlay in connection with the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project. CIP/DID #3012069-00

Background:

Linn County is proposing to improve the road surface on Wright Brothers Boulevard from east of Highway 151 to east of Cherry Valley Road by construction of a PCC overlay resurfacing during the 2014 construction season. This portion of the project that the City will be participating in begins approximately 1,340 feet east of Tissel Hollow Road to 1,850 east of Cherry Valley Road. This concrete resurfacing will extend the street service life approximately 20 years.

This agreement will be terminated upon final acceptance of the work by the City and final settlement of the financial conditions as set forth in Paragraph 7 of the 28E Agreement. Total estimated cost of the project where the road is either shared jurisdiction or completely within the corporate limits of the City, is approximately \$478,000, with the City's share estimated at \$382,000.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement to participate in the cost for construction of a Portland Cement Concrete (PCC) overlay with Linn County on Wright Brothers Boulevard.

Alternative to Recommendation:

If the City Council decides not to approve the 28E Agreement, Linn County may choose to delete a portion of the resurfacing within the City corporate limits from their construction project, and the public would not benefit from the improved roadway surface and the extended pavement life of the resurfacing.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): CIP 3012069

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: State Bidding Requirements Apply

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Linn County is proposing to improve the rideability and service life of the existing pavement on Wright Brothers Boulevard from east of Highway 151 to east of Cherry Valley Road by construction of a Portland Cement Concrete (PCC) overlay, and

WHEREAS, a portion of this roadway segment is located within the corporate limits of the City of Cedar Rapids, and

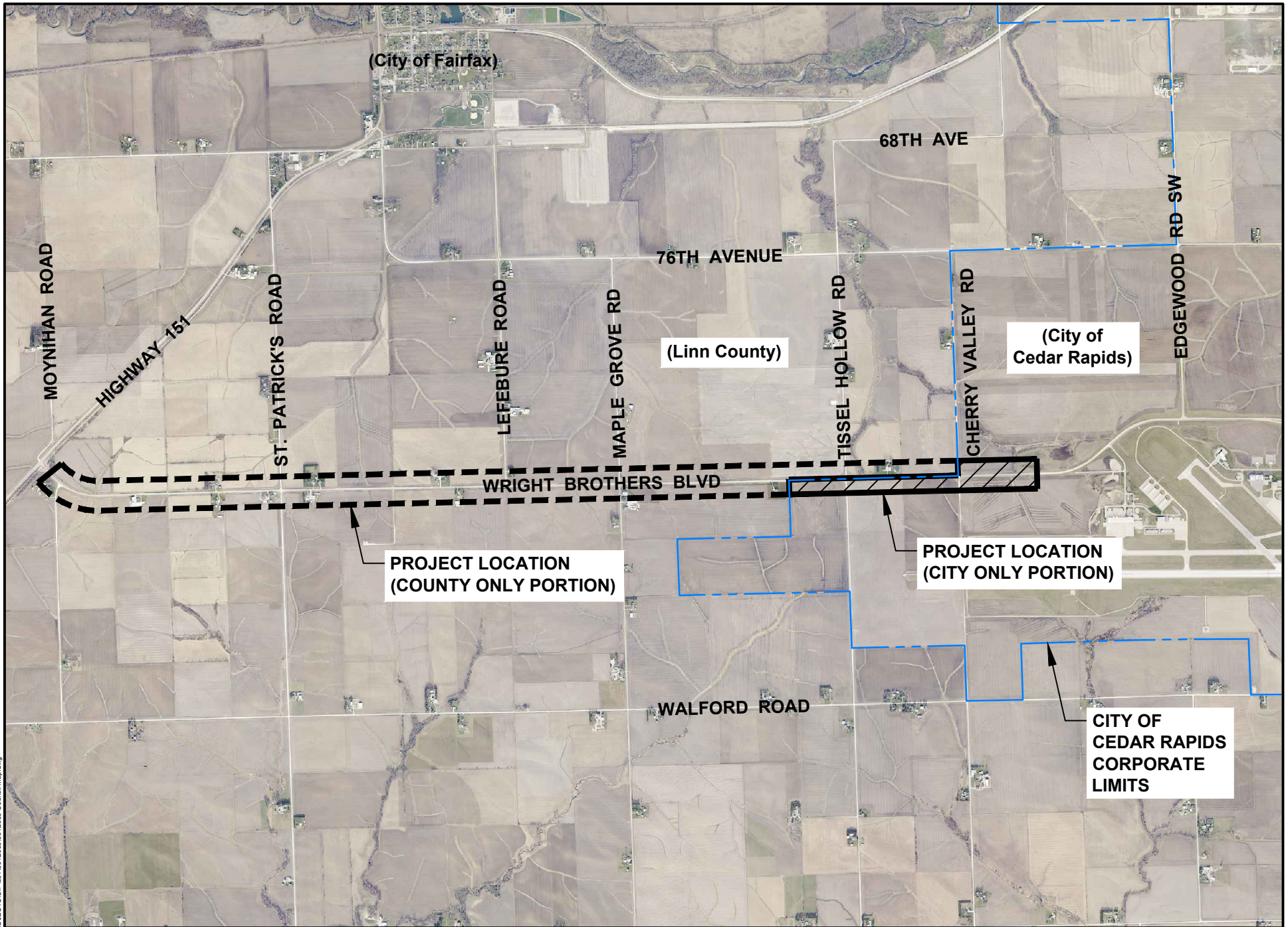
WHEREAS, the Public Works Director /City Engineer recommends the City execute a 28E Agreement with Linn County providing for cooperative action pursuant to the proposed concrete resurfacing project, and

WHEREAS, this agreement will be terminated upon final acceptance of the work by the City and final settlement of the financial conditions as set forth in Paragraph 7 of the 28E Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to sign the 28E Agreement with Linn County to participate in the construction costs in connection with the Wright Brothers Boulevard from East of Highway 151 to East of Cherry Valley Road project (CIP No. 3012069-00),

BE IT FURTHER RESOLVED that said agreement shall be filed with the City of Cedar Rapids Finance Director and thereafter filed with the Office of the Secretary of State.

Passed this 24th day of September, 2013.





18v

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Wilson, PE
E-mail Address: d.wilson@cedar-rapids.org

Phone Number/Extension: 5141

Alternate Contact Person: Gary Petersen, PE
E-mail Address: g.petersen@cedar-rapids.org

Phone Number/Extension: 5153

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution authorizing execution of a Professional Services Agreement with McClure Engineering Co. in an amount not to exceed \$78,590 for design and engineering services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project. CIP/DID #325008-01

Background:

This project is the addition of a multi-use pathway along Edgewood Road NW from the end of the Ellis trail at Ellis Road to O Avenue. The work will include design for construction and associated improvements.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with McClure Engineering Co.

Alternative Recommendation:

Identify other options to complete design and construction documents for letting by the Iowa Department of Transportation.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 325008, Includes Iowa Department of Transportation Managed Federal Funding (80/20 Match)

Local Preference Policy: Applies ☒ Exempt ☐

Explanation:

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project(s) below, and

WHEREAS, the Public Works Director / City Engineer has determined McClure Engineering Co. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$78,590, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 325008-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project (Fund 325, Dept ID 325000, Project 325008),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the contract for the services noted herein.

Passed this 24th day of September, 2013.



Cadd File Name: W:\PROJECTS\CP\251325008 Edgewood Trail O Ave to Ellis Blvd\325008 Council Map.dwg



**EDGEWOOD ROAD NW MULTIUSE PATHWAY
FROM O AVENUE TO ELLIS ROAD NW**



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Sarah Cook
E-mail Address: s.cook2@cedar-rapids.org

Phone Number/Extension: 5875

Alternate Contact Person: Rob Davis
E-mail Address: RobD@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution authorizing offer to purchase property and the execution of a Total Acquisition Purchase Agreement in the amount of \$149,000, plus an amount estimated to be \$32,050 in relocation benefits to Joshua M. Perkins for property located at 4514 C Avenue NE in connection with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project. CIP/DID #301446-00

Background:

In 1999, the City Council adopted the Collins Road Corridor Study. This document has become the basis for:

- 1) Phase I included improvements from 1st Avenue East from 40th Street to Tama Street and Collins Road from Twixt Town Road NE to Commerce Way SE.
- 2) Environmental Assessment (EA) for the Phase I segment, plus Collins Road from Center Point Road to Twixt Town Road. The Environmental Assessment included improvements to C Avenue NE from Collins Road to Nilsen Road (south of Old Marion Road) and the Environmental Assessment was approved by the Federal Highway Administration in December 2009.
- 3) Adjacent coordination of Development/Redevelopment of adjoining parcels.
- 4) Grant funding applications and approval of Agreements.
- 5) Revenue funding in multiple fiscal year Capital Improvement Program budgets since completion of Collins Road Corridor Study in 1999.

This purchase is needed to accommodate the proposed Iowa 100 (Collins Road) roadway, with improvements including the installation of sidewalks, street paving, and utility extensions, including improvements along C Avenue NE from Collins Road to Nilsen Road. Compensation amounts proposed are based on an appraisal of the subject property provided by a qualified appraiser hired by the City. The relocation benefits are based on the difference between the appraised value of the current house (\$149,000) and the cost of a comparable house (\$30,700), plus the cost of moving expenses (\$1,350).

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing the offer to purchase and the execution of a Total Acquisition Purchase Agreement from Joshua M. Perkins in the amount of \$149,000, plus \$32,050 in relocation benefits.

Alternative Recommendation:

Alternative to the recommendation would be to re-design the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project to avoid the property located at 4514 C Avenue NE. However, this will increase project costs and grant funds may expire.

Time Sensitivity: Normal

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301/301000/301446

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Local Preference Policy does not apply to land transactions.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need to acquire the property at 4514 C Avenue NE, Cedar Rapids, Iowa 52402 in the amount of \$149,000 from Joshua M. Perkins, OWNER, in association with the Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project, and

WHEREAS, the OWNER has agreed to convey the property at 4514 C Avenue NE by a Warranty Deed to the City of Cedar Rapids for consideration of \$149,000, and

WHEREAS, the Public Works Department has recommended Relocation Assistance to the OWNER in an amount estimated to be \$32,050, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the property and provide relocation assistance in accordance with the terms set forth in the Total Acquisition Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Iowa 100 (Collins Road) from Council Street NE to 1st Avenue project (Fund 301, Dept ID 301000, Project 301446-00),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Total Acquisition Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the Public Works Department shall finalize the transaction and the City of Cedar Rapids Finance Director be authorized to issue payment(s) necessary in the amount of \$149,000, plus relocation benefits to Joshua M. Perkins, Linn County Treasurer and lien holders, if applicable.

BE IT FURTHER RESOLVED that upon receipt, the Warranty Deed from Joshua M. Perkins be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th day of September, 2013.



Cadd File Name: W:\PROJECTS\CI\301301446\301446 C Ave NE Property Exhibit.dwg

Council Agenda Item Cover Sheet

☒ **Consent Agenda** ☐ **Regular Agenda**

Council Meeting Date: September 24, 2013

Submitting Department: Utilities – Water Pollution Control Facility

Presenter at meeting: Steve Hershner **Phone No.:** 5281 **E-mail:** s.hershner@cedar-rapids.org

Alternate Contact: Andrew Lundy **Phone No.:** 5968 **E-mail:** a.lundy@cedar-rapids.org

Description of Agenda Item:

Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$31,300 for the 2014 Water Pollution Control Facility Roof Replacement project. CIP/DID #615190-03

Background:

The Water Pollution Control Facility (WPCF) was initially constructed between 1977 and 1980; the Anaerobic Facility was constructed in 1999. In order to properly maintain all of the buildings at WPCF, a comprehensive long-term roof maintenance plan has been developed. This maintenance plan includes: inspection, maintenance, repair, and replacement. The plan will be routinely re-evaluated and will change, as necessary, to meet changes in conditions and plant requirements. This project will consist of engineering services for a roof evaluation, material selection, and design for selected buildings at the Water Pollution Control Facility. For FY14, the Utilities Department – WPC staff plans to address the roofs on the Administration Building and the Solids Pump/Gravity Belt Thickener Building.

The City solicited Statements of Qualifications (SOQ) from four engineering firms. SOQ's were returned from Shive-Hattery, Inc. and HR Green, Inc. After evaluation by the selection committee, Shive-Hattery, Inc. was selected by the staff based on better experience with work of similar magnitude and complexity and favorable schedule and staff time commitment for the scope of the project.

Action / Recommendation:

The Utilities Department – Water Pollution Control Facility Staff recommends approval of the Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$31,300 for the 2014 Water Pollution Control Facility Roof Replacement project and authorizing the City Manager and City Clerk to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: Action needed 9-24-13

Resolution Date: 9-24-13

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes, funding for these improvements has been included in CIP budget for FY14. Project costs will be coded to 553000-615-615000-615190.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work for FY14 is \$250,000. The anticipated completion date for these improvements is December 2014.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy Applies ☒ Exempt ☐

Explanation Consultant Evaluation form gives preference to local consultants.

Recommend by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Water Pollution Control Facility was initially constructed between 1977-1980 with the Anaerobic Facility being constructed in 1999, and

WHEREAS, in order to properly maintain all of the buildings at the WPCF, a comprehensive long-term roof maintenance plan has been developed which includes inspection, maintenance, repair, and replacement, and

WHEREAS, for FY2014, the Utilities Department – WPC staff plans to address the roofs on the Administration Building and the Solids Pump/Gravity Belt Thickener Building, and

WHEREAS, the City solicited Statements of Qualifications from four engineering firms, with Shive Hattery, Inc. and HR Green, Inc responding, and

WHEREAS, after evaluation by the selection committee, Shive Hattery, Inc. was selected by the staff based on better experience with work of similar magnitude and complexity, and favorable schedule and staff time commitment for the scope of the project, and

WHEREAS, the Utilities Department – Water Pollution Control Facility recommends approval of the Professional Services Agreement with Shive Hattery, Inc., for the Water Pollution Control Facility Roof Replacement project and authorizing the City Manager and City Clerk to execute said Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with Shive Hattery, Inc. for the 2014 Water Pollution Control Facility Roof Replacement Project for an amount not to exceed \$31,300 and the City Manager and City Clerk be authorized to execute. To be funded from the FY14 CIP budget and coded to 553000-615-615000-615190.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: 09-24-13

Submitting Department: Human Resources

Presenter at meeting: consent

Phone Number/Ext:

Email:

Alternate Contact Person: Conni Huber

Phone Number/Ext:

Email: c.huber@cedar-rapids.org

Description of Agenda Item:

Contract for Benefit Consultant Services project with Holmes Murphy and Associates for the Human Resources Department for an amount not to exceed \$180,000. (CIP/DID #0613-277)

Background:

A Request for Proposals was issued on June 25, 2013 for Benefit Consultant Services. Proposals were received from eight firms and were carefully evaluated and ranked by an Evaluation Team of City Staff. The proposal from Holmes Murphy and Associates was ranked the highest.

Summary of initial evaluation:

	Name of Firm	Location	Evaluation Score
1	Holmes Murphy	Cedar Rapids, IA	870.1
2	Perspective Consulting Partners LLC	Urbandale, IA	857.10
3	The Segal Company	Bloomington, MN	820
4	Aon Hewitt	Chicago, IL	786.10
5	True North	Cedar Rapids, IA	738.70
6	Gallagher Benefit Services, Inc.	Greenwood Village, CO	712.50
7	Wells Fargo Insurance Services USA	Des Moines, IA	587.40
8	Mercer H&B	Iowa City, IA	541.10

Four firms were short-listed and then evaluated after their presentation:

	Name of Firm	Location	Evaluation Score
1	Holmes Murphy and Associates	Cedar Rapids, IA	870.1 proposal 889.90 presentation 1,760 total
2	Perspective Consulting Partners LLC	Urbandale, IA	857.10 proposal 836.65 presentation 1,693.75 total
3	The Segal Company	Bloomington, MN	820 proposal 806.65 presentation 1,626.65 total
4	Aon Hewitt	Chicago, IL	786.10 proposal 798.40 presentation 1,584.50 total

Services to be provided include:

- a) prepare bid specifications and analysis of responses for any combination of benefit products and services,
- b) support City staff in implementing changes; and
- c) provide on-going expertise, advice and data analysis of the City's benefit programs, including implementation of the Affordable Care Act (Health Care Reform.)

Action / Recommendation:

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to execute the Contract with Holmes Murphy and Associates.

Alternative Recommendation:

None

Time Sensitivity: Sensitive

Resolution Date: 09-24-13

Estimated Presentation Time: consent

Budget Information (if applicable): \$180,000 over the life of the contract which will be charged to the Health Fund

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Holmes Murphy and Associates is a certified local vendor

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City issued a Request for Proposal Employee Benefit Consultant Services on June 25, 2013; and

WHEREAS, proposals were received from eight firms as follows;

	Name of Firm	Location
1	Holmes Murphy and Associates	Cedar Rapids, IA
2	Perspective Consulting Partners LLC	Urbandale, IA
3	The Segal Company	Bloomington, MN
4	Aon Hewitt	Chicago, IL
5	True North	Cedar Rapids, IA
6	Gallagher Benefit Services, Inc.	Greenwood Village, CO
7	Wells Fargo Insurance Services USA	Des Moines, IA
8	Mercer H&B	Iowa City, IA

AND WHEREAS, the evaluation team carefully evaluated all proposals, interviewed the top four firms and recommends award of the contract to Holmes Murphy and Associates of Cedar Rapids, Iowa; and

WHEREAS, the cost for the scope of work for the three year term of the contract shall not exceed \$180,000 charged to the Health Fund; and

WHEREAS, and the services will be billed at firm fixed prices \$5,000 per month; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above recommendation be accepted and that the City Manager and the City Clerk are hereby authorized to execute a contract with Holmes Murphy and Associates.

Passed this 24th day of September 2013.



18z

Council Agenda Item Cover Sheet**Council Meeting Date:** September 24, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Jasmine Almoayed**Phone Number/Ext:** 5349**Email:** j.almoayed@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Contract for Economic Development Strategic Plan Consultant Services with Angelou Economics for the Development Services Department for an amount not to exceed \$75,000. CIP/DID #0613-271

Background:

Purchasing Services solicited proposals on behalf of the Development Services Department for economic development strategic plan consultant services. Four proposals were received. An evaluation committee reviewed all four proposals, conducted interviews with the top two companies and is recommending award to Angelou Economics.

The project will be completed by May 31, 2014. Evaluation results are as follows:

Company Name	Location	Price	Evaluation Score
Angelou Economics	Austin, TX	\$75,000	852.50
Avalanche Consulting, Inc.	Austin, TX	\$82,500	802.50
Fourth Economy	Pittsburgh, PA	\$82,350	760.00
TIP Strategies, Inc.	Austin, TX	\$75,000	720.00

Action / Recommendation: Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** September 24, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 353-353000-353044**Local Preference Policy** Applies ☒ Exempt ☐

Explanation: No local company submitted a proposal

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited proposals for Economic Development Strategic Plan Consulting Services on behalf of the City of Cedar Rapids Development Services Department; and

WHEREAS, responses were received from four vendors; and

WHEREAS, an evaluation committee reviewed all the proposals, conducted interviews with the top two companies and is making the following recommendation for award to Angelou Economics who ranked the highest following the evaluation; and

WHEREAS, the project will be completed by May 31, 2014; and

WHEREAS, the not-to-exceed price is \$75,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Angelou Economics as described herein.

Passed this 24th day of September, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: 09-24-13

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Email:

Alternate Contact Person: Judy Lehman

Phone Number/Ext: x5022

Email: j.lehman@cedar-rapids.org

Description of Agenda Item:

Rental Agreement with Koch Brothers for the rental of three Lanier digital copiers for the following city departments; Sewer/Streets, Engineering, and Building Services. (CIP/DID #0813-042)

Background:

The proposed digital copiers are replacements for existing copiers and printers that have reached the end of their useful life. These copiers will be placed in the new City Services Center.

	City Department	Make/Model	Price per Page Black & White	Price per Page Color
1	Building Services	Lanier MPC3003	.0271	.069
2	Engineering	Lanier MPC3003	.0271	.069
3	Sewer/Streets	Lanier MPC4503	.0271	.069

These rental agreements will be for a period of 60 months. The cost per copy is based upon the size of the machine and the anticipated volume. The cost per copy includes all service, parts, labor and toner.

The City has standardized to Lanier copiers. Koch Brothers extends the pricing to all political subdivisions, including the City, from the University of Iowa contract number 14428.

Per Iowa law, a notice was published of the proposed action and the time and place of the meeting which the council proposes to take action (September 24, 2013). At that meeting, council shall receive any oral or written objections to the action.

Action / Recommendation:

Recommend that the City Council approve the Resolution for the rental of three Lanier digital copiers as described above and that the City Manager and the City Clerk are authorized to execute a Rental Agreement with Koch Brothers.

Alternative Recommendation:

none

Time Sensitivity: Not time sensitive

Resolution Date: 09-24-13

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): Departments' operating budgets

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Piggyback on to the University of IA contract #14428. Koch Brothers is a certified local business.

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, during its September 24, 2013 meeting, the Cedar Rapids City Council considered a proposal to enter into a term "cost per copy" agreement with Koch Brothers, 228 Northland Court NE, Cedar Rapids, Iowa 52402; and

WHEREAS, notice that the Cedar Rapids City Council would be considering this proposal had been published in the Cedar Rapids Gazette on September 14, 2013; and

WHEREAS, during this meeting, the Cedar Rapids City Council gave opportunity for interested parties to present information both for and against this proposal and otherwise received information concerning aspects of this proposed transaction; and

WHEREAS, information received by the Cedar Rapids City Council indicates that the term of the proposed rental agreement is shorter than the expected economic life of the property subject of the proposal; and

WHEREAS, the City of Cedar Rapids, Iowa desires to rent the copiers listed below from Koch Brothers for a period of 60 months at a flat cost per page rate.

	City Department	Make/Model	Price per Page Black & White	Price per Page Color
1	Building Services	Lanier MPC3003	.0271	.069
2	Engineering	Lanier MPC3003	.0271	.069
3	Sewer/Streets	Lanier MPC4503	.0271	.069

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that based upon the facts as cited herein above, that the City Manager and the City Clerk are authorized to execute the agreement with Koch Brothers.

Passed this 24th day of September 2013.



18bb

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rob Davis

Phone Number/Ext: 5808

Email: robd@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Public Works Department – Engineering Division purchase of additional bath accessories and value engineering deduct to reduce the cost of the bath fixtures for the Convention Complex Hotel from Creo Hospitality in the amount of (\$21,946.54). (original purchase was \$306,490.70; final project cost with this resolution is \$321,661.08) CIP/DID #0712-027

Background:

City Council awarded the purchase and delivery of bath fixtures (shower rods, vanity/sink/faucet combos, robe hooks, towel bars, toilet paper holders) for the Convention Complex Hotel to Creo Hospitality through Resolution No. 1400-10-12 for \$306,490.70. City Council awarded the purchase of additional bath fixtures through Resolution No. 0390-03-13 for \$37,116.92.

Frew Development Group, LLC, the City's construction manager for the Convention Complex is recommending the purchase of additional bath accessories for \$2,354.47, plus a deduct of \$24,301.01 for value engineering that reduced the final cost of this project. The Public Works Department – Engineering Division concurs with this recommendation.

Project cost summary:

Original purchase	\$306,490.70	Resolution No. 1400-10-12
Additional bath fixtures	\$37,116.92	Resolution No. 0390-03-13
Bath accessories, value engineering	(\$21,946.54)	
Total project cost	\$321,661.08	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 535-535000-535101

Local Preference Policy Applies ☒ Exempt ☐

Explanation: No local company submitted a bid

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, City Council awarded the purchase and delivery of bath fixtures for the Cedar Rapids Convention Complex Hotel to Creo Hospitality through Resolution No. 1400-10-12 for \$306,490.70; and

WHEREAS, City Council approved the purchase of additional bath fixtures through Resolution No. 0390-03-13 for \$37,116.92; and

WHEREAS, Frew Development Group, LLC, the City's construction manager for the Convention Complex is recommending the purchase of additional bath accessories from Creo Hospitality for the Convention Complex Hotel for \$2,354.47 and a deduct of \$24,301.01 for value engineering to reduce costs of the bath fixtures and accessories; and

WHEREAS, the Public Works Department – Engineering Division concurs with this recommendation; and

WHEREAS, the total project cost is as follows:

Original purchase	\$306,490.70	Resolution No. 1400-10-12
Additional bath fixtures	\$37,116.92	Resolution No. 0390-03-13
Bath accessories, value engineering	(\$21,946.54)	
Total project cost	\$321,661.08	

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the proposal documents as described herein.

Passed this 24th day of September, 2013.



18cc

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Bill Kiesel

Phone Number/Ext: 5293

Email: w.kiesel@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Contract for Compressor Repair Services & Parts with Mid Iowa Tools for the Water Pollution Control Facility for an amount not to exceed \$50,000 annually. CIP/DID #0513-268

Background:

Purchasing Services solicited bids on behalf of the Water Pollution Control Facility for as-needed compressor repair services. Mid Iowa Tools was the only company who submitted a bid. The Water Pollution Control Facility is recommending award to Mid Iowa Tools. The contract period will be October 1, 2013 through September 30, 2014 with four one-year renewal options.

Mid Iowa Tools will be compensated for the actual work performed based on the following:

1	Diagnostic services hourly rate	\$95.00
2	Technician services hourly rate	\$95.00
3	Machine shop fee upcharge	10%

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity: Contract begins October 1, 2013

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Mid Iowa Tools is a certified local vendor

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for compressor repair services and parts on behalf of the City of Cedar Rapids Water Pollution Control Facility; and

WHEREAS, responses were received from one vendor; and

WHEREAS, the Water Pollution Control Facility is making the following recommendation for award to Mid Iowa Tools; and

WHEREAS, the Contract period will be October 1, 2013 through September 30, 2014, with the option of four additional one-year renewals; and

WHEREAS, the estimated annual expenditure is \$50,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Mid Iowa Tools as described herein.

Passed this 24th day of September, 2013.



18dd

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'Hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolutions of support for Housing Enterprise Zone Program Agreements with the Iowa Economic Development Authority for Schissel LLC. CIP/DID #959319

Background:

On September 12, 2013, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by Schissel LLC for construction of a six (6) unit townhome style building in the heart of the newly developed Kingston District on the southwest side of Cedar Rapids. This area has been identified and encouraged for redevelopment and expansion since the devastation of the 2008 floods which damaged much of this vital area. The Kingstons will help fill the need for large, efficient and affordable rental homes for hard working families in the median income. These units will have three bedrooms and three and a half baths. The main level will have a kitchen and a living room plus bathroom. The basement will offer another bedroom and bathroom plus a family room. Each unit will have an attached garage. The units will also offer front porches with a design that complements the century old homes surrounding it. The project has been approved by the IEDA under the fifth round of the Multi-Family New Construction Program. These units will be rental homes for a minimum of ten years. This property is located at 428 2nd Street SW, 422 2nd Street SW, 416 2nd Street SW and 208 5th Avenue SW.

The projects may be eligible for a Sales Tax and Investment Tax Credits from the State with an amount estimated value of \$132,600 for the, based on the proposed new housing construction

Action / Recommendation:

City staff recommends approval of the resolutions.

Alternative Recommendation:

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

No impact to City budget, as Enterprise Zone Program benefits are State Sales and Tax Credits.

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

RESOLUTION NO.

RESOLUTION OF SUPPORT FOR HOUSING ENTERPRISE ZONE PROGRAM
AGREEMENT WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY
SCHISSEL LLC

WHEREAS, Schissel LLC submitted application to the City of Cedar Rapids Enterprise Zone Commission for construction of a 6 unit townhome style building located within the Cedar Rapids EZ-2 Enterprise Zone; and

WHEREAS, the City of Cedar Rapids Enterprise Zone Commission approved the applications by Resolution on September 12, 2013; and

WHEREAS, New Bo West LLC is eligible to receive Sales and Tax Credits from the State for a value estimated at \$132,600 for the 6 unit townhome building, based on the proposed new housing construction; and

WHEREAS, the City Council supports the creation of high quality workforce housing in the City's core neighborhoods and leveraging of State funds to keep the homes affordable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager, or his designee, is hereby authorized to execute the Housing Enterprise Zone Program Agreements with Schissel LLC and related documentation as required.

Passed this 24th day of September, 2013.



18ee

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'Hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolution of support for Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for New Bo West LLC. CIP/DID #959319

Background:

On September 12, 2013, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by New Bo West LLC for construction of ten (10) new multi-family units at 1612 C Street SW. The application is with the Iowa Economic Development Authority (IEDA).

The property is located at 1612 C Street SW. One unit will be on the 1st floor of an existing commercial building and nine will be on new construction residential-only 2nd and 3rd floors. The multi-family units being constructed consist of five (5) one-bedroom and five (5) two-bedroom units. The units will be designed to attract near downtown area workers with amenities and cost to be competitive with rentals being offered within more distant greenfield developments. All units will include appliances and washer/dryer.

The project is eligible to receive Sales and Investment Tax Credits from the State for a value estimated at \$70,679, based on the proposed new housing construction.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

No impact to City budget, as Enterprise Zone Program benefits are State Sales and Tax Credits.

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

RESOLUTION NO.

RESOLUTION OF SUPPORT FOR HOUSING ENTERPRISE ZONE PROGRAM
AGREEMENT WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY
NEW BO WEST LLC

WHEREAS, New Bo West LLC submitted application to the City of Cedar Rapids Enterprise Zone Commission for construction of a ten new multi-family units located within the Cedar Rapids EZ-2 Enterprise Zone; and

WHEREAS, the City of Cedar Rapids Enterprise Zone Commission approved the applications by Resolution on September 12, 2013; and

WHEREAS, New Bo West LLC is eligible to receive Sales and Tax Credits from the State for a value estimated at \$70,679 for the ten new multi-family units, based on the proposed new housing construction; and

WHEREAS, the City Council supports the creation of high quality workforce housing in the City's core neighborhoods and leveraging of State funds to keep the homes affordable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager, or his designee, is hereby authorized to execute the Housing Enterprise Zone Program Agreements with New Bo West LLC and related documentation as required.

Passed this 24th Day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: LaSheila Yates
Email: l.yates@cedar-rapids.org

Phone Number/Ext: 319 286-5192

Alternate Contact Person: Pam Mosbaugh
Email: p.mosbaugh@cedar-rapids.org

Phone Number/Ext: 319 286-5195

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolution authorizing an application for \$138,000 to renew HUD Grant Funding for two Housing and Family Self-Sufficiency (FSS) Program Coordinators. CIP/DID #375326

Background:

The Family Self-Sufficiency Program (FSS) is a voluntary program available only to Section 8 HUD participants. The FSS mission is to assist housing participants in becoming economically self-sufficient from Federal and State assistance programs, and to help improve their quality of life. There will be no City funds used for this program as the FSS Grant program is budget neutral. This includes salaries and benefits.

Program features:

- Development of a 5 year contract to set goals to address personal needs and barriers as families move to higher income levels.
- Connections with available community resources.
- Assistance in increasing families' personal and employment needs.
- Opportunity to build an Escrow Savings Account based on increase in household earnings.

Program Results: 2012

- 157 families participated in the Family Self-Sufficiency (FSS) program in 2012.
- 19 families established new escrow accounts.
- 106 families had positive escrow balances or 67% of FSS families served.
- 15 families graduated from Family Self-Sufficiency program with escrow savings totaling \$114,988.
- 18 FSS program graduates moved to non-subsidized rental housing.
- 2 FSS program graduates transitioned from rental assistance to homeownership.

Action / Recommendation:

City staff recommends approval of the Resolution.

Alternative Recommendation:

Table the resolution and request additional information.

Time Sensitivity:

The grant is due to HUD no later than October 7, 2013

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

The program is funded through federal funds.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: No goods or services being purchased.

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE 2013 RENEWAL OF U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT GRANT FUNDING FOR ADMINISTRATIVE FEE FUNDING FOR
HOUSING CHOICE VOUCHER FAMILY SELF-SUFFICIENCY PROGRAM COORDINATOR
TO THE PUBLIC AND INDIAN HOUSING GRANTS MANAGEMENT CENTER

WHEREAS, the City of Cedar Rapids, Iowa, currently administers a Section 8 Housing Choice Voucher Program funded through the U.S. Department of Housing and Urban Development; and

WHEREAS, the Section 8 Housing Choice Voucher Program is required to administer a Family Self-Sufficiency Program for a minimum of 120 participating families; and

WHEREAS, the U.S. Department of Housing and Urban Development is accepting funding applications for two (2) Family Self-Sufficiency Coordinators to administer the program;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, acting as the local governing body, that Staff is authorized to submit a Funding Application in the amount of \$138,000 for the "Housing Choice Voucher Program Family Self-Sufficiency Program Coordinators" to the U.S. Department of Housing and Urban Development through the Public and Indian Housing Grants Management Center.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Schissel, LLC for the redevelopment of City-owned property at 428, 422 and 416 2nd Street SW and 208 5th Avenue SW through the Multi-Family New Construction Program (**FLOOD**). CIP/DID #08-DRH-208

Background:

The resolution for City Council's consideration provides for the execution of a Development Agreement and Special Warranty Deed with Schissel, LLC for City owned properties through the fifth round of the Multi Family New Construction Program. The properties have been awarded through a competitive proposal process and the City and Schissel, LLC are ready to execute the Development Agreement and Special Warranty Deed to allow construction of the project.

A highlight of the terms and conditions contained in the Development Agreements are as follows:

- a. The property is being conveyed to the developer based on the investment provided by the developer in the construction of a six (6) unit row house;
- b. The developer agrees to commence construction within 60 days of the execution of the agreement and complete all projects prior to the end of the program in December 2014;
- c. The developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. The developer is responsible for maintaining the property in accordance with all City and state codes;
- e. The developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

The Developer was awarded \$360,000 through the Iowa Economic Development Authority (IEDA) as part of the Multi-Family New Construction (MFNC) Program. The MFNC funds are leveraging private investment of approximately \$500,000 which will result in six housing units in the Kingston Village Area.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

Table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒ N/A ☐

Explanation: Federal grant funds

Recommended by Council Committee Yes ☒ No ☐ N/A ☐

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH SCHISSEL, LLC FOR THE
REDEVELOPMENT OF CITY-OWNED PROPERTY AT 428, 422 AND 416 2nd
STREET SW AND 208 5th AVENUE SW THROUGH THE MULTI-FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 13, 2012, the City Council passed Resolution 1580-11-12 approving the administrative plan and local program guidelines for the fifth round of the Multi-Family New Construction Program (MFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the MFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 428, 422 and 416 2nd Street SW and 208 5th Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on April 28, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on May 8, 2012 on the possible disposition of these properties in accordance with Iowa Code; and

WHEREAS, on May 8, 2012 the City Council adopted Resolution No. 0634-05-12 to continue in the disposition of the properties; and

WHEREAS, the City Council has determined that the private investment made by Schissel, LLC to construct a six-unit row house dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Schissel, LLC;

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Description of Agenda Item: ☒ **Consent** ☐ **Public Hearing** ☐ **Regular Agenda**

Resolution authorizing execution of a Development Agreement and Special Warranty Deed with NewBo Development Group LLC for the redevelopment of City-owned property at 1332, 1336 and 1338 Ellis Boulevard NW through the Multi-Family New Construction Program (**FLOOD**). CIP/DID #08-DRH-208

Background:

The resolution for City Council's consideration provide for the execution of a Development Agreement and Special Warranty Deed with NewBo Development Group LLC for City-owned properties through the fifth round of the Multi Family New Construction Program. The properties have been awarded through a competitive proposal process and the City NewBo Development Group LLC is ready to execute the Development Agreement to allow construction of the project.

A highlight of the terms and conditions contained in the Development Agreements are as follows:

- a. The property is being conveyed to the developer based on the investment provided by the developer in the construction of a four (4) unit row house;
- b. The developer agrees to commence construction within 60 days of the execution of the agreement and complete all projects prior to the end of the program in December 2014;
- c. The developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. The developer is responsible for maintaining the property in accordance with all City and state codes;
- e. The developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

The Developer was awarded \$270,000 through the Iowa Economic Development Authority (IEDA) as part of the Multi-Family New Construction (MFNC) Program. The MFNC funds are leveraging private investment of approximately \$600,000 which will result in four housing units on Ellis Boulevard NW.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

Table the items and request additional information.

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒ N/A ☐

Explanation: Federal grant funds

Recommended by Council Committee Yes ☒ No ☐ N/A ☐

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH NEWBO DEVELOPMENT GROUP LLC
FOR THE REDEVELOPMENT OF CITY-OWNED PROPERTY AT 1332, 1336 AND
1338 ELLIS BOULEVARD NW THROUGH THE MULTI-FAMILY NEW
CONSTRUCTION PROGRAM

WHEREAS, on November 13, 2012, the City Council passed Resolution 1580-11-12 approving the administrative plan and local program guidelines for the fifth round of the Multi-Family New Construction Program (MFNC); and

WHEREAS, the guidelines adopted in the administrative plan for the MFNC program limited redevelopment sites to private and City owned lots within the Neighborhood Revitalization Area of the flood inundation area; and

WHEREAS, the City purchased property at 1332, 1336 and 1338 Ellis Boulevard NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on April 28, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on May 8, 2012 on the possible disposition of these properties in accordance with Iowa Code; and

WHEREAS, on May 8, 2012 the City Council adopted Resolution No. 0634-05-12 to continue in the disposition of the properties; and

WHEREAS, the City Council has determined that the private investment made by the NewBo Development Group LLC to construct a four-unit row house dwelling on City-owned property constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of the Development Agreement which is now ready for execution on behalf of the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with NewBo Development Group LLC;

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property in accordance with the Development Agreement and that the Resolution and Special Warranty

Deed be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th Day of September, 2013

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**

Resolution authorizing the execution of a Memorandum of Agreement with Czech Village/New Bohemia Main Street District including FY14 grant of \$45,000 for operational services. CIP/DID#421344

Background:

The Czech Village/New Bohemia Main Street District has requested a fifth year of financial assistance from the City of Cedar Rapids. Previous funding has been as follows:

- | | |
|--|------------------|
| 1. Annual grants of \$50,000 in FY 10, 11, & 12
Approved Feb. 9, 2009 (Resolution No. 0133-02-09) | \$150,000 |
| 2. Annual Grant of \$45,000 from General Fund
Approved July 24, 2012 (Resolution No. 1097-07-12) | <u>\$ 45,000</u> |
| Total | \$195,000 |

For FY14, the Main Street Program was awarded \$15,000 through an application for Hotel/Motel funds. The City has received a request for an additional \$45,000 in grant funds for a total grant of \$60,000. The Hotel/Motel funds will be distributed according to program guidelines. The additional \$45,000 will be distributed quarterly upon receipt of an invoice for eligible operational expenditures.

The purpose of the Memorandum of Agreement is to set forth expectations as the City and the Main Street District work cooperatively to improve the economic vitality and character within the Czech Village/New Bohemia Main Street District (CV/NBMS). The Memorandum of Agreement will assist in aligning the goals of the Czech Village/New Bohemia Main Street District with the goals of the City of Cedar Rapids City Council.

Highlights of the Memorandum of Agreement are as follows:

City of Cedar Rapids responsibilities:

1. City of Cedar Rapids will keep Main Street staff updated on City Council goals, city planning initiatives and opportunities.
2. The City will provide a point of contact within the City to assist in economic and land

development activities.

Main Street District responsibilities:

1. Submit monthly performance reports to the City which document the progress of the Local Main Street Program's activities.
2. Establish a dedicated funding source i.e. the creation of Self-Supporting Municipal Improvement District (SSMID).
3. Provide leadership and coordinate efforts to identify and address district-wide parking needs.
4. Work with City staff to review Main Street's strategic plan to ensure alignment with City vision and goals.
5. Provide support for implementation of the Czech Village/New Bohemia Design Overlay District, including feedback on performance, proposed changes, and representation on the committee.

Action / Recommendation:

City Staff recommends approval of the resolution.

Alternative Recommendation:

Table this item and request additional information.

Time Sensitivity: N/A

Resolution Date: September 24, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): Budgeted for FY14.

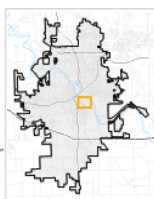
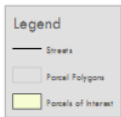
Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

Urban Main Street Committee Map



RESOLUTION NO.

RESOLUTION AUTHORIZING THE EXECUTION
OF A MEMORANDUM OF AGREEMENT WITH
THE CZECH VILLAGE/NEW BOHEMIA MAIN STREET DISTRICT

WHEREAS, the Iowa Main Street Program has been established to assist communities to develop public-private efforts to revitalize both rural and urban communities; and

WHEREAS, the Iowa Department of Economic Development (IDED) selected Czech Village/New Bohemia for the Main Street Urban Neighborhood designation in 2009; and

WHEREAS, City Council has approved annual payments in the amount of \$150,000 in FY2010-2012 and \$45,000 in FY2013; and

WHEREAS, the Czech Village/New Bohemia Main Street District has requested \$45,000 in FY2014 for eligible operational expenses; and

WHEREAS, the City Council of the City of Cedar Rapids, Iowa finds that such designation and the resulting revitalization of this flood impacted area is necessary and appropriate; and

WHEREAS, the City of Cedar Rapids and the Czech Village/New Bohemia Main Street District (CV/NBMS) will enter into a Memorandum of Agreement and CV/NBMS will submit an annual performance report in September; and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager or his designee is authorized to execute a Memorandum of Agreement with the Czech Village/New Bohemia Main Street District.

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Doug Carper
E-mail Address: d.carper@cedar-rapids.org

Phone Number/Extension: 5258

Alternate Contact Person: Robert Davis, PE
E-mail Address: r.davis@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: ☐ **Consent Agenda** ☒ **Regular Agenda**

Resolution awarding and approving contract in the amount of \$64,700, bond and insurance of Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project (estimated cost for Phase II is \$60,000; total project cost is \$180,000). CIP/DID #635125-02

Background:

Woodruff Construction, LLC, Iowa City, IA

	Base Bid	\$64,700
Alternate No. 1: Existing metal panels remain		<u>9,500</u>
Base Bid + Alternate No. 1		\$74,200

Woodruff Construction, LLC submitted the only bid received on September 18, 2013 for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project. The bid is within the approved budget. Construction work is anticipated to begin next spring and be completed by June 13, 2014.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$64,700, bond and insurance of Woodruff Construction, LLC for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project.

Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after September 24, 2013 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: October 8, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: The project is funded locally and must be awarded to the lowest responsible bidder.

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒



September 18, 2013

City Council
City of Cedar Rapids

RE: Report on bids as read for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations, Contract Number 635125-02

Dear City Council:

Bids were received on September 18, 2013 for the Five Seasons Parkade Skywalk – Phase II Exterior Renovations project as follows:

Woodruff Construction, LLC, Iowa City, IA	
Base Bid	\$64,700
Alternate No. 1: Existing metal panels remain	<u>9,500</u>
Base Bid + Alternate No. 1	\$74,200

The engineers cost opinion for this work is \$60,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

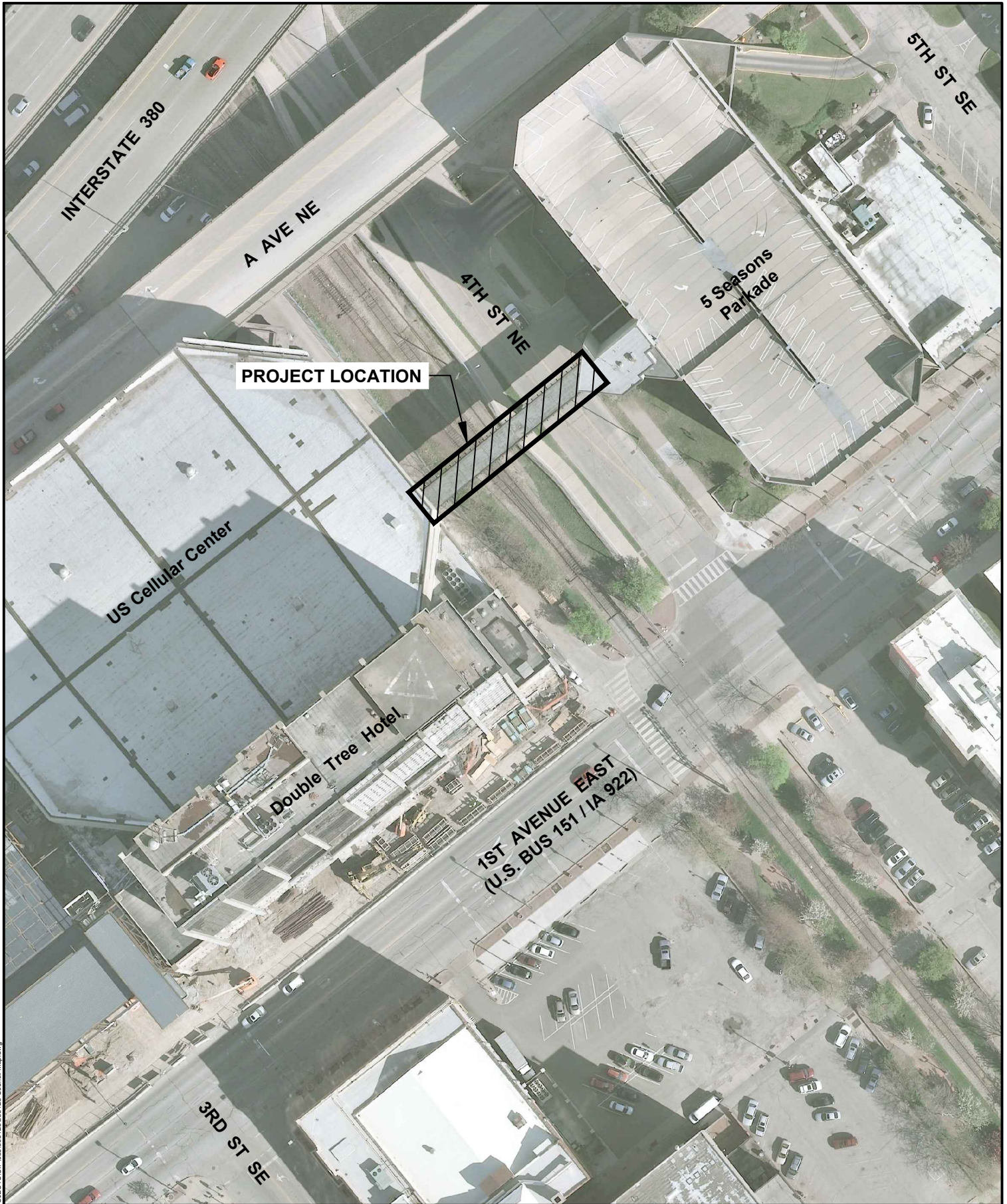
A handwritten signature in cursive script, appearing to read "Doug Carper".

Doug Carper, P.E.
Flood Recovery Construction Coordinator

DLC/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer
Robert A. Davis, P.E., Engineering Manager

Public Works Department
1201 Sixth Street S.W. • Cedar Rapids Iowa 52404-5836 • (319) 286-5802 • FAX (319) 286-5801



PROJECT LOCATION

Council Agenda Item Cover Sheet

☐ **Consent Agenda** ☒ **Regular Agenda**

Council Meeting Date: September 24, 2013

Submitting Department: Utilities - Water

Presenter at meeting: Steve Hershner **Phone No.:** 5281 **E-mail:** stevehe@cedar-rapids.org

Alternate Contact: Andrew Lundy **Phone No.:** 5968 **E-mail:** a.lundy@cedar-rapids.org

Description of Agenda Item:

Report on bids for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project (estimated cost is \$120,000). (Steve Hershner)

- a. Resolution awarding and approving contract in the amount of \$175,540, bond and insurance to Academy Roofing & Sheet Metal Co. of the Midwest, Inc. for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project. CIP/DID #625663-04

Background:

In order to properly maintain all of the buildings at the Water Treatment Plants, a comprehensive long-term roof maintenance plan has been developed. The maintenance plan consists of engineering services for a roof evaluation, material selection, and design for selected buildings at the Water Treatment Facilities. The plan will be routinely re-evaluated and will change, as necessary, to meet changes in conditions and plant requirements. For the current period, the Utilities Department – Water staff plans to address the roof on the NE Booster Station Building at the J Avenue Water Treatment Plant.

This project generally consists of a complete removal of the existing roof system down to the structural deck. A new installation, including insulation and new EPDM membrane will be installed on the roof. A mandatory pre-bid meeting was held on August 26, 2013. Bids were opened and publicly announced on September 11, 2013.

Five bids were received on September 11, 2013 for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement project.

<u>Bidder</u>	<u>Location</u>	<u>Lump Sum Bid Plus Allowance</u>
Academy Roofing & Sheet Metal Co.	Des Moines, IA	\$175,540
Dryspace, Inc.	Cedar Rapids, IA	\$184,195
T&K Roofing Company, Inc.	Ely, IA	\$199,257
Advance Builders Corp.	Cedar Rapids, IA	\$204,000
Jim Giese Commercial Roofing	Dubuque, IA	\$238,660

The engineer's opinion of probable cost for the construction of this project was \$120,000. The engineer's estimate was low due to an underestimation of the masonry costs related to the capstone. Primarily, additional removal work was determined after the project had been filed with Council and was addressed in an addendum. Also, the small masonry portion of the project attracted less masonry interest than was initially anticipated. A motion to publish a Notice of Hearing and Letting was approved by the City Council on August 13, 2013. The public hearing was held August 27, 2013. A mandatory pre-bid meeting was held on August 26, 2013. The work is anticipated to begin October 2013 and be completed by June 2014.

Action / Recommendation:

The Utilities Department recommends awarding the contract to Academy Roofing & Sheet Metal Co. of the Midwest, Inc. in the amount of \$175,540.

Alternative Recommendation: None

Time Sensitivity: Action needed on 9-24-13

Resolution Date: 9-24-13

Estimated Presentation Time: 2 minutes

Budget and Purchase Process Information:

1. **Included in Current Budget Year.** Yes, funding for these improvements has been included in the CIP budgets for FY13 and FY14. Project costs will be coded to 553000-625-625000-x-x-625663.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work in the Water Capital Budgets for FY13 and FY14 is \$120,000. Additional funding is available from budgets for other deferred water CIP projects. The anticipated completion date for these improvements is June 2014.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was publicly bid as a Capital Improvement Project.

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Capital Improvement Projects are not subject to Local Preference Policy.

Recommend by Council Committee Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 13, 2013 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the J Avenue Water Treatment Plant NE Booster Station Roof Replacement public improvement project (Contract No. 625663-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 17, 2013 pursuant to which a public hearing was held on August 27, 2013, and

WHEREAS, the following bids were received, opened and announced on September 11, 2013 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on September 24, 2013:

Academy Roofing & Sheet Metal Co., Des Moines, IA	\$175,540
Dryspace, Inc., Cedar Rapids, IA	\$184,195
T&K Roofing Company, Inc., Ely, IA	\$199,257
Advance Builders Corp., Cedar Rapids, IA	\$204,000
Jim Giese Commercial Roofing, Dubuque, IA	\$238,660

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$175,540, 553000-625-625000-x-x-625663; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA as follows:

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Academy Roofing & Sheet Metal Co. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its Base Bid plus Allowance and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Academy Roofing & Sheet Metal Co. is hereby accepted, and the contract for this public improvement is hereby awarded to Academy Roofing & Sheet Metal Co.;

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 24th day of September, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell
Email: p.mitchell@cedar-rapids.org

Phone Number/Ext: 319 286-5852

Alternate Contact Person: Caleb Mason
Email: c.mason@cedar-rapids.org

Phone Number/Ext: 319 286-5188

Description of Agenda Item: ☐ **Consent** ☐ **Public Hearing** ☒ **Regular Agenda**

Discussion and Resolution authorizing negotiation of a Development Agreement with Little House, LLC for disposition and redevelopment of City-owned property at 1305 3rd Street SE (**FLOOD**). CIP/DID #811372

Background:

On May 14, 2013, the City Council directed staff to proceed with a Notice of Public Hearing and a call for competitive proposals for several vacant City-owned parcels in the Bohemian Commercial Historic, including the parcel located at 1305 3rd Street SE. A public notice was published on May 17, 2013, and a public hearing was held on May 28, 2013. In addition, an informational meeting held on May 29, 2013 was attended by six individuals. Little House, LLC, a development entity organized by Tom and Beth DeBoom, was the sole proposer for 1305 3rd Street SE.

Little House, LLC is currently under a development agreement for rehabilitation of an adjacent structure located at 1301 3rd Street SE. The developer proposes to construct a new commercial structure on the parcel at 1305 3rd Street SE, consisting of a storefront on the first floor and residential rental on the second floor. The proposal was reviewed by an evaluation team on July 15, 2013, and again on August 16, 2013, following receipt of several clarifications requested by the reviewers. The evaluation team was composed of City staff and representatives of the following organizational interests:

- Oak Hill/Jackson Neighborhood Association
- Main Street
- Southside Development
- A local developer

The evaluation team found the Acme proposal was responsive and demonstrated capacity, and recommended moving forward with negotiation of a development agreement.

Action / Recommendation:

City staff recommends approval of the Resolution.

Alternative Recommendation:

Table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation: No goods or services are being purchased.

Recommended by Council Committee Yes ☒ No ☐ N/A ☐

Explanation (if necessary):

On April 30, 2013, the Development Committee recommended disposition of five (5) City-owned properties within the New Bohemia/Czech Village Commercial Historic District and inviting competitive proposals from any persons interested in acquisition and redevelopment of these properties.

RESOLUTION NO.

RESOLUTION AUTHORIZING NEGOTIATION OF A DEVELOPMENT
AGREEMENT FOR DISPOSITION AND REDEVELOPMENT OF CITY-OWNED
PROPERTY WITH LITTLE HOUSE LLC FOR PROPERTY AT 1305 3RD
STREET SE

WHEREAS, the City owns the property at 1305 3rd Street SE; and

WHEREAS, on April 30, 2013 the City Council's Development Committee recommended proposals be sought for redevelopment of said property; and

WHEREAS, on May 14, 2013 City Council made a motion to conduct a public hearing, a notice was published on May 17, 2013, and the public hearing was held on May 28, 2013 on the possible disposition of the property; and

WHEREAS, an informational meeting was held on May 29, 2013 for all interested proposers to discuss proposal criteria; and

WHEREAS, the City received one (1) proposal from Little House, LLC, operated by Tom and Beth DeBoom, to purchase and redevelop the property; and

WHEREAS, an evaluation team composed of City staff and representatives of Oak Hill/Jackson Neighborhood Association, Main Street, Southside Development, and a member of the development community reviewed the proposals on July 15, 2013 and August 16, 2013; and

WHEREAS, based on the evaluation of criteria set forth in the Notice of Public Hearing, the evaluation team recommends the proposal by Little House, LLC as responsive and demonstrating capacity;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

1. The City Manager is authorized and directed to negotiate the terms and conditions of a Development Agreement with Little House, LLC for the purchase and redevelopment of City-owned property at 1305 3rd Street SE.
2. At such time as the terms and conditions of the Development Agreement are sufficiently clear and definite, the City Manager is directed to present such Development Agreement to the City Council for consideration.

Passed this 24th day of September, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Development Services

Presenter at meeting: Joe Mailander

Phone Number/Extension: 319 286-5822

E-mail Address: j.mailander@cedar-rapids.org

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 319 286-5092

E-mail Address: c.morgan@cedar-rapids.org

Description of Agenda Item: ☒ **Ordinance** ☐ **Regular Agenda**

Second and possible Third Reading to consider the vacation of public ways and grounds in and to the property described as a 15-foot wide strip of excess alley right-of-way located southwesterly of and adjacent to 1017 9th Avenue SE as requested by Hatch Development Group. CIP/DID #41-14-010

Resolution authorizing the disposition of the property described as a 15-foot wide strip of excess alley right-of-way located southwesterly of and adjacent to 1017 9th Avenue SE and accepting an easement for public storm sewer, sanitary sewer, water main and public utility easement as requested by Hatch Development Group. CIP/DID #41-14-010

Background:

Hatch Development Group has requested the vacation and disposition of this excess alley right of way (to be known as Plat of Survey No. 1854) to accommodate a multi-family residential housing development at this location. They are also granting an easement for sanitary sewer and utilities over the vacated right of way.

Action / Recommendation:

City staff recommends approval of Second and Third Reading and a resolution.

Alternative to the Recommendation:

Require Hatch Development Group to modify their site plan for the multi-family residential housing development.

Time Sensitivity: Normal

Resolution Date:

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Recommended by Council Committee: Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

Location Map



DSD ENG
TED BSD
STR ASR
TRS RCR
HATCH DEVELOPMENT
41-14-010
CRMFR # 12414

ORDINANCE NO.

**AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING
PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA,
as follows:

Section 1. That the public ways and grounds in and to the property hereafter described
is permanently vacated:

Plat of Survey No. 1854 Parcel A as shown in Book 8779 on Page 344 and
recorded on August 27, 2013 in the Office of the Linn County Recorder

Section 2. That this Ordinance shall be in full force and effect from and after its passage
and publication as provided by law.

Introduced this 10th day of September, 2013.

RESOLUTION NO.

WHEREAS, a notice has been given and a public hearing held as required by law; and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

A 15-foot wide strip of excess alley right of way located southwesterly of and adjacent to 1017 9th Avenue SE (also known as Plat of Survey No. 1854 Parcel A as shown in Book 8779, Page 344 and recorded on August 27, 2013 at the Office of the Linn County Recorder)

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Hatch Development Group, 1150 6th Street SE, Cedar Rapids, Iowa 52401:

Plat of Survey No. 1854 Parcel A as shown in Book 8779, Page 344 and recorded on August 27, 2013 at the Office of the Linn County Recorder

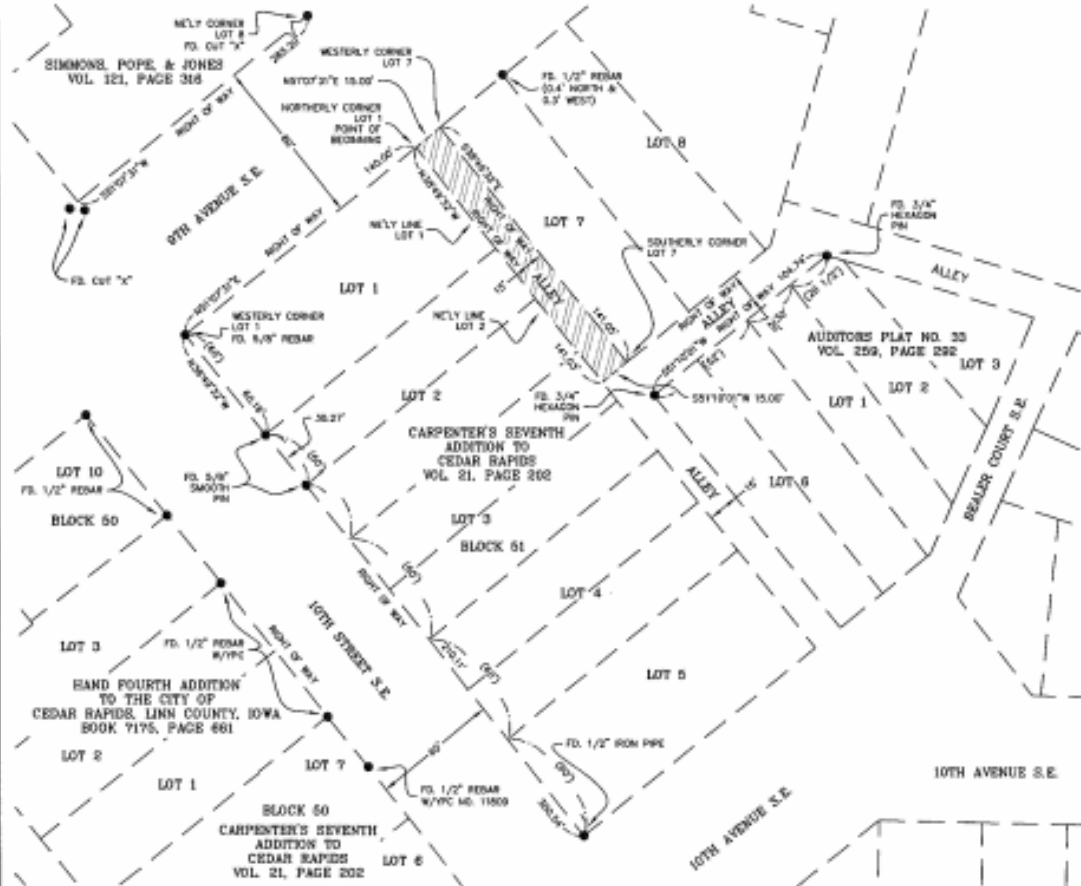
2. The Council determines the fair consideration required for the aforescribed conveyance to be \$1,587, plus a standard 5% closing fee of \$79.35.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
 - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The City shall accept a Sanitary Sewer and Utility Easement over the vacated right of way (see attached Exhibit 'A').
5. The grantee, Hatch Development Group, be required to submit a combined tax statement to the City Assessor's Office, since the square footage does not constitute a buildable lot area in and of itself.
6. The grantee, Hatch Development Group, shall pay the City Clerk all costs connected with this matter.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and accept the Sanitary Sewer and Utility Easement, and that the same are hereby approved and accepted, and that they shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 24th day of September, 2013

EXHIBIT A 15' SANITARY SEWER & UTILITY EASEMENT

PART OF THE 15' ALLEY LAYING ADJACENT TO LOTS 1, 2, PART OF LOT 3,
AND LOT 7, CARPENTER'S SEVENTH ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA



LEGAL DESCRIPTION:

PART OF THE 15' ALLEY LAYING ADJACENT TO LOTS 1, 2, PART OF LOT 3, AND LOT 7, CARPENTER'S SEVENTH ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA AS RECORDED IN VOLUME 21, PAGE 202 IN THE OFFICE OF THE LINN COUNTY, IOWA RECORDER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID LOT 1; THENCE N51°07'31"E ALONG THE SOUTHEASTELY RIGHT OF WAY OF 9TH AVENUE S.E., 15.00 FEET TO THE WESTERLY CORNER OF SAID LOT 7; THENCE S38°09'32"E ALONG THE NORTHEASTELY RIGHT OF WAY OF SAID ALLEY AND THE SOUTHWESTELY LINE OF SAID LOT 7, 141.05 FEET TO THE SOUTHERLY CORNER OF SAID LOT 7; THENCE S51°10'01"W ALONG THE SOUTHEASTELY LINE OF SAID LOT 7 EXTENDED SOUTHWESTERLY, 15.00 FEET TO THE SOUTHWESTELY RIGHT OF WAY OF SAID ALLEY; THENCE N38°09'32"E ALONG SAID SOUTHWESTELY RIGHT OF WAY AND THE NORTHEASTELY LINES OF SAID LOT 1 AND SAID LOT 2, 141.05 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2.718 ACRES, 0.08 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

PROPRIETOR CITY OF CEDAR RAPIDS, IOWA.

SURVEY LEGEND

WPC	YELLOW PLASTIC CWP
○	SET 1/2 REBAR W/PC NO. 10188
●	FOUND SURVEY MONUMENT AS NOTED
()	RECORDED AS
---	EASEMENT LINE
---	PLAT OR SURVEY BOUNDARY
---	CENTERLINE
---	EXISTING LOT LINE

SURVEY PREPARED FOR:

HATCH DEVELOPMENT GROUP
OWNER:
CITY OF CEDAR RAPIDS, IOWA
SUBSEAL:
RYAN K. REMOND, L.L. (10/11)
HALL & HALL ENGINEERS INC.
1840 BOTTION ROAD
HAWAIIA, IOWA 50235
319-362-8548



I hereby certify that this land surveying document was prepared and that related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.
Signed: _____ Date: _____
RYAN K. REMOND, L.L. (10/11)
My license renewal due is December 31, _____.
Pages or sheets covered by this seal: _____

<p>Sheet Title:</p> <p>EXHIBIT A</p> <p>15' SANITARY SEWER & UTILITY EASEMENT</p> <p>PART OF THE 15' ALLEY LAYING ADJACENT TO LOTS 1, 2, PART OF LOT 3, AND LOT 7, CARPENTER'S SEVENTH ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA</p>	<p>HALL & HALL ENGINEERS, INC.</p> <p>1840 BOTTION ROAD, HAWAIIA, IOWA 50235</p> <p>PHONE: 319-362-8548 FAX: 319-362-8549</p> <p>CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE</p> <p>LAND SURVEYING • LAND DEVELOPMENT PLANNING</p> <p>Designed by: RRR Drawn by: RRR Checked by:</p>
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Council Agenda Item Cover Sheet

Council Meeting Date: September 24, 2013

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Sgt. Wallerstedt **Phone Number/Ext:** 5460
E-mail Address: m.wallersted@cedar-rapids.org

Alternate Contact Person: Capt. Jonker **Phone Number/Ext:** 5338
E-mail Address: t.jonker@cedar-rapids.org

Description of Agenda Item:

Second and possible Third Reading of Ordinance amending Chapter 61 of the Municipal Code, Traffic Regulations, by repealing Section 61.038 therefrom and enacting and adopting a new Section 61.038 establishing regulations for school bus activation of amber warning lights to reflect the Iowa State Code. CIP/DID #958812

Background:

Chapter 61 of the Municipal Code, Traffic Regulations, Section 61.038, does not currently reflect the State Code, 321.372; specifically the distance a bus driver is required to be from a bus stop, prior to activating the amber warning lights, when the speed limit is less than 45 mph. The current City ordinance does not contain language that more accurately reflects the speed limits within the city. Once the City ordinance has been amended, the Police Department will be able to charge for violations under the City Code. First reading of the ordinance was held on September 10, 2013.

Action / Recommendation:

The Police Department recommends approval of enacting a new Section 61.038 to bring the Municipal Code of Cedar Rapids in line to reflect the State Code in terms of distances and speeds.

Alternative Recommendation: Leave current City ordinance as is.

Time Sensitivity: NA

Resolution Date: September 24, 2013

Estimated Presentation Time: 0

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☐
Explanation: NA

Recommended by Council Committee Yes No ☐ N/A ☐
Explanation:

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 61 OF THE CEDAR RAPIDS MUNICIPAL CODE BY DELETING SECTION 61.038 THEREFROM AND ENACTING A NEW SECTION 61.038 IN ITS PLACE ESTABLISHING REGULATIONS RELATING TO SCHOOL BUSES DISCHARGING PUPILS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 61 of the Cedar Rapids Municipal Code is amended as follows:

Section 1. Section 61.038 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 61.038 is enacted in lieu thereof as follows:

“61.038 – SCHOOL BUSES; DISCHARGING PUPILS; REGULATIONS.

- (a) The driver of any school bus used to transport children to and from a public or private school shall, when stopping to receive or discharge pupils, turn on flashing warning lamps at a distance of not less than 300 feet nor more than 500 feet from the point where said pupils are to be received or discharged from the bus if the speed limit at that point is 45 miles per hour or greater and shall turn on flashing warning lamps at a distance of not less than 150 feet from the point where the pupils are to be received or discharged from the bus if the speed limit at that point is less than 45 miles per hour. At the point of receiving or discharging pupils, the driver of the bus shall bring the bus to a stop, turn off the amber flashing warning lamps, turn on the red flashing lamps, and extend the stop arm. After receiving or discharging pupils, the bus driver shall turn off all flashing warning lamps, retract the stop arm, and then proceed on the route. Except to the extent that reduced visibility is caused by fog, snow, or other weather conditions, a school bus shall not stop to receive or discharge pupils unless there is at least 300 feet of unobstructed vision in each direction. However, the driver of a school bus is not required to use flashing warning lamps and the stop arm when receiving or discharging pupils at a designated loading and unloading zone at a school attendance center or at extracurricular or educational activity locations where students exiting the bus do not have to cross a street or highway. A school bus shall, while carrying passengers, have its headlights turned on.
- (b) All pupils shall be received and discharged from the right front entrance of every school bus and if said pupils must cross the street, they shall be required to pass in front of the bus, look in both directions, and proceed to cross the street only on signal from the bus driver.
- (c) The driver of any vehicle, including the driver of a vehicle operating on a private road or driveway, when meeting a school bus with flashing amber warning lamps shall reduce the speed of said vehicle to not more than 20 miles per hour and shall bring said vehicle to a complete stop when the school bus stops and the stop signal arm is extended, and said vehicle shall remain stopped until the stop signal arm is retracted after which time the driver may proceed with due caution.

- (d) The driver of any vehicle, including the driver of a vehicle operating on a private road or driveway, overtaking a school bus shall not pass a school bus when red or amber warning signal lights are flashing and shall bring said vehicle to a complete stop no closer than 15 feet from the school bus when it is stopped and the stop arm is extended, and the vehicle shall remain stopped until the stop arm is retracted and the school bus resumes motion.
- (e) The driver of a vehicle upon a highway providing 2 or more lanes in each direction need not stop upon meeting a school bus which is traveling in the opposite direction even though said school bus is stopped.
- (f) A school bus, when operating on a highway with 4 or more lanes, shall not stop to load or unload pupils who must cross the highway, except at designated stops where pupils who must cross the highway may do so at points where there are official traffic control devices or a police officer."

Section 2. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 10th day of September, 2013.

Passed this 24th day of September, 2013