

*“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, October 8, 2013 at 12:00 noon in the Council Chambers, 3<sup>rd</sup> 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 – National Disability Employment Awareness Month (LaSheila Yates, Assisted Housing Program Manager)
  - ❖ Proclamation – White Cane Safety Day (Dolores Reisinger)
  - ❖ Proclamation – Cedar Rapids Equity and Civil Rights Day  
(John-Paul Chaisson-Cárdenas, Executive Director, Stefanie Munsterman-Robinson, Investigator, Janet Abejo, Investigator, Monica Challenger, Education and Outreach Coordinator and Keith Rippy, Chairman, all of the Civil Rights Commission)

## **PUBLIC HEARINGS**

## **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 and will be approved by one motion without separate discussion unless Council requests an item be removed to be considered separately.**

1. Motion to approve minutes.
2. Motions setting public hearing dates for:
  - a. October 22, 2013 – to consider the vacation and disposition of public ways and grounds in and to the property described as a .058 acre strip of City-owned right-of-way located along the southwesterly property line of 500 1<sup>st</sup> Street SE as requested by TrueNorth Real Estate, L.C.; CIP/DID #41-13-044
  - b. October 22, 2013 – to consider the vacation and disposition of public ways and grounds in and to the property described as a 6,010 square-foot parcel of right-of-way located in the alley between 7<sup>th</sup> Street and 8<sup>th</sup> Street SE and between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue SE as requested by Mercy Medical Center; CIP/DID #41-14-012
  - c. October 22, 2013 – to consider the disposition of five vacant City-owned properties at 600 2<sup>nd</sup> Street SW, 517 3<sup>rd</sup> Street SW, 202 6<sup>th</sup> Avenue SW, 208 6<sup>th</sup> Avenue SW and 216 6<sup>th</sup> Avenue SW and inviting competitive proposals from any persons interested in acquisition and redevelopment of these properties (**FLOOD**); CIP/DID #973225
  - d. October 22, 2013 – to consider an addendum to the Parking Assets Lease and Sale Agreement with Downtown Parking Management, Inc. to add the Event Center Parking Ramp and 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue; CIP/DID #973257
  - e. October 22, 2013 – to consider expansion of the Downtown Cedar Rapids Self-Supported Municipal Improvement District (SSMID); CIP/DID #572853
  - f. November 19, 2013 – to consider citizen comments concerning a 28E Agreement with the City of Marion to delineate a future annexation growth boundary; CIP/DID #655625
  - g. November 19, 2013 – to consider a request by Hunter Companies for an Urban Revitalization Area designation for construction of a new headquarters facility for West Side Transport at 11160 High Life Court SW. CIP/DID #973228
3. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 6, 2013 (estimated cost is \$1,490,000). CIP/DID #3012049-03
4. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the 8<sup>th</sup> Street NW at Ellis Lane NW Flood Protection Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 23, 2013 (estimated cost is \$86,000). CIP/DID #304285-01

5. Motion filing specifications, form of contract, estimated cost, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results on October 23, 2013 (estimated cost is \$230,000) **(FLOOD)**. CIP/DID #0813-038
6. Motion approving the beer/liquor/wine applications of: CIP/DID #972896
  - a. Basket Bowtique, 116 3<sup>rd</sup> Avenue SE;
  - b. Brewed Café, 1101 3<sup>rd</sup> Street SE (5-day permit for an event on October 12, 2013 at Veterans Memorial Coliseum, 50 2<sup>nd</sup> Avenue Bridge);
  - c. Brick's Bar & Grill, 320 2<sup>nd</sup> Avenue SE;
  - d. Buffalo Wild Wings, 1100 Blairs Ferry Road NE;
  - e. Chrome Horse Slop House & Saloon, 1202 3<sup>rd</sup> Street SE (outdoor service for an event on October 18-19, 2013);
  - f. Chrome Horse Slop House & Saloon, 1202 3<sup>rd</sup> Street SE (outdoor service for an event on November 8-10, 2013);
  - g. Eures Dining Services (AEGON), 6400 C Street SW;
  - h. Holiday Inn Express – 33<sup>rd</sup> Avenue, 3320 Southgate Court SW;
  - i. Holiday Inn Express – Collins Road, 1230 Collins Road NE;
  - j. Lancer Lanes, 3203 6<sup>th</sup> Street SW;
  - k. Leonardo's Pizza, 2228 16<sup>th</sup> Avenue SW;
  - l. Liquid Lounge Downtown, 303 2<sup>nd</sup> Avenue SE;
  - m. Noodles & Company, 310 Collins Road NE;
  - n. Oyama Sushi Japanese Steakhouse, 5350 Council Street NE;
  - o. Paramount Theatre (VenuWorks of Cedar Rapids), 119 3<sup>rd</sup> Avenue SE;
  - p. St. George Branch 45 Cedar Rapids, 210 16<sup>th</sup> Avenue SW (5-day permit for an event on November 1, 2013);
  - q. Stadium Lounge Bar & Grill, 957 Rockford Road SW (outdoor service for an event on October 12-13, 2013);
  - r. Taste of India, 1060 Old Marion Road NE;
  - s. Tienda Mexicana La Guanajuato, 3915 Center Point Road NE;
  - t. White Star Ale House, 305 2<sup>nd</sup> Avenue SE.
7. Resolutions (3) approving payment of bills and payroll. CIP/DID #972887
8. Resolution thanking Candace Bloomhall-Nanke for serving on the Cedar Rapids Historic Preservation Commission. CIP/DID #691376
9. Resolutions approving assessment actions:
  - a. Intent to assess – Solid Waste & Recycling – clean-up costs – four properties; CIP/DID #972894
  - b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 31 properties; CIP/DID #973245
  - c. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 16 properties; CIP/DID #935770
  - d. Levy assessment for delinquent weed mowing charges – 24 properties. CIP/DID #973258

10. Resolutions accepting projects, approving Performance Bonds or authorizing issuance of final payments:
- a. Rogers Road (3753) Sanitary Sewer Improvements project (original contract amount was \$20,476.06; final contract amount is \$18,071.46); CIP/DID #655940-02
  - b. 74<sup>th</sup> Street NE From West Park Road to 500' West of White Ivy Place Reconstruction project, final payment in the amount of \$36,869.22 to Rathje Construction Company (original contract amount was \$852,650.19; final contract amount is \$737,384.35); CIP/DID #301150-04
  - c. CEMAR Trail from 20<sup>th</sup> St NE to 29<sup>th</sup> St NE Drainage & Landscape Improvements project (original contract amount was \$50,930; final contract amount is \$48,205); CIP/DID #325012-04
  - d. Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension project, authorizing an amendment to Purchase Order No. 304380-01 in the amount of \$5,594.14 and final payment in the amount of \$57,714.14 to Rathje Construction Company (original contract amount was \$52,120; final contract amount is \$57,714.14); CIP/DID #304380-01
  - e. Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Mechanical & Plumbing project, final payment in the amount of \$139,886.55 to Modern Piping, Inc. (original contract amount was \$2,639,000; final contract amount is \$2,797,731.07) **(FLOOD)**; CIP/DID #PTE001-22
  - f. NE Quad Water Main Replacement project, final payment in the amount of \$20,565.09 to Rathje Construction Co. (original contract amount was \$431,861.75; final contract amount is \$411,301.78); CIP/DID #2010022-02
  - g. Library Furniture and Shelving for the West Side Ladd Branch, final payment in the amount of \$520.75 to Phelan's Interiors (original contract amount was \$9,397.38; final contract amount is \$9,397.38); CIP/DID #0612-242
  - h. Library Furniture and Shelving for the Downtown Library project, partial retainage payment in the amount of \$34,709.38 to Library Furniture International, Inc. (original contract amount was \$684,412.98; total contract amount is \$713,164.57) **(FLOOD)**; CIP/DID #0612-242
  - i. Library Furniture and Shelving for the Downtown Library project, final payment in the amount of \$9,912.94 to Iowa Prison Industries (original contract amount was \$198,258.85; final contract amount is \$198,258.85) **(FLOOD)**. CIP/DID #0612-242
11. Resolution approving final plat of O'Connell Addition to Linn County, Iowa located at 1101 Morgan Bridge Road SW (north of Highway 30). CIP/DID #47-13-001
12. Resolution authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) **(FLOOD)**. CIP/DID #3302500001
13. Resolution adopting funding priorities for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period covering July 1, 2014 - June 30, 2015. CIP/DID #71743
14. Resolution adopting the Administrative Plan for the Fourth Round of the Single Family New Construction (SFNC) Program. CIP/DID #540257
15. Resolution adjusting the fee schedule for sidewalk snow and ice control abatement costs for the 2013/2014 winter season. CIP/DID #80-14-002



16. Resolution approving the elimination of the following positions; Lead Data Coordinator (CDBG), Assistant Data Admin Finance (CDBG) and Field Operations Manager (CDBG) from the Development Services Department and Secretary IV from the Golf Division. CIP/DID #973243
17. Resolution accepting citizen petition regarding flood protection dated September 19, 2013. CIP/DID #353029-01
18. Resolutions approving actions regarding Purchases/Contracts/Agreements:
- a. Amendment No. 1 to the Contract for Library Furniture and Shelving for the West Side Ladd Library with Library Furniture International, Inc. to reflect additional shelving and tables for an amount not to exceed \$18,777 (original contract amount was \$144,383.44; total contract amount with this amendment is \$163,160.44); CIP/DID #0612-242
  - b. Amendment No. 3 to the Contract for Lagoon Ash Sand Storage with Mike McMurrin Trucking, Inc. to reflect the cost for 5,535 additional tons of lagoon ash sand to be stored for an amount not to exceed \$55,294.65 (original contract amount was \$199,800; total contract amount with this amendment is \$404,944.65); CIP/DID #1012-098
  - c. Amendment No. 3 to the Contract for Lagoon Ash Sand Hauling with Mike McMurrin Trucking, Inc. to reflect the cost for an estimated 5,535 additional tons of lagoon ash sand hauling for an amount not to exceed \$18,210.15 (original contract amount was \$65,800; total contract amount with this amendment is \$133,360.15); CIP/DID #0413-225
  - d. Amendment No. 2 to the Contract for Library Furniture and Shelving for the Downtown Library with Storey Kenworthy to reflect changes and additions to Sections 19 and 30 for an amount not to exceed \$105,034.84 (original contract amount was \$307,560.18; total contract amount with this amendment is \$412,422.40) **(FLOOD)**; CIP/DID #0612-242
  - e. Change Order No. 5 in the amount of \$91,303.72 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 \$622,993.52) **(FLOOD)**; CIP/DID #VME001-06
  - f. Change Order No. 1 in the amount of \$5,000 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project (original contract amount was \$88,500; total contract amount with this amendment is \$93,500) **(FLOOD)**; CIP/DID #VME001-06
  - g. Change Order No. 15 in the amount of \$2,900 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing And Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$1,947,940.06); CIP/DID #354004-05
  - h. Change Order No. 10 in the amount of \$35,225.87 with Hawkeye Electric Company for the Cedar Rapids Public Library Project – Electrical, Telecommunications, Electronic Safety & Security project (original contract amount was \$3,093,185; total contract amount with this amendment is \$3,323,583.50) **(FLOOD)**; CIP/DID #PLE001-22
  - i. Change Order No. 6 deducting the amount of \$2,889.16 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$2,871,315.24) **(FLOOD)**; CIP/DID #SSD005-02
  - j. Change Order No. 1 in the amount of \$29,681.47 with Schrader Excavating & Grading Co. for the Repair of Water Service Lines FY13 project (original contract amount was \$235,000; total contract amount with this amendment is \$264,681.47); CIP/DID #521108-13
  - k. Professional Services Agreement with Anderson-Bogert for an amount not to exceed \$126,521 for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project; CIP/DID #2011061-01

- l. Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$1,193,185 for design services in connection with the Cedar River East Flood Wall from B Avenue NE to Cedar Lake – Quaker Area Flood Wall project; CIP/DID #330260-03
- m. Awarding and approving contract in the amount of \$46,000, bond and insurance of Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements project (estimated cost is \$40,000); CIP/DID #304363-02
- n. 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
- o. Release of partial final payment in the amount of \$508,063.65 to Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project (original contract amount was \$10,917,000; final contract amount is \$12,161,273); CIP/DID #535100-24
- p. Purchase of rock salt from Cargill, Inc. – Deicing Technology for an amount not to exceed \$666,561.40 for a maximum purchase of 9,840 tons of rock salt for winter snow and ice control; CIP/DID #80-14-006
- q. Special Warranty Deed with Scallon Custom Homes, L.L.C. for property at 726 8<sup>th</sup> Street NW through the Residential Property Disposition Program; CIP/DID #565513
- r. Public Works Department – Engineering Division purchase of wall padding for the Veterans Memorial Stadium from Fisher Athletic Equipment, Inc. in the amount of \$50,677; CIP/DID #0813-037
- s. Fleet Services Division purchase of a 2014 Caterpillar 420 F ST backhoe loader from Altorfer CAT for use by Parks Construction in the amount of \$89,028.62; CIP/DID #4425
- t. Public Works – Street Operations Division purchase of various snowplow blades from Altorfer, Inc. in the amount of \$29,426.70; CIP/DID #0813-030
- u. Agreement for Sale of Advertising Sponsorships for the Our CR newsletter for the City Manager's Office with ME&V for a 25% commission on all new advertising contracts. CIP/DID #0613-284

## **REGULAR AGENDA**

- 19. Report on bids for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 – 2013 project (estimated cost is \$837,000). (Dave Wallace)
  - a. Resolution awarding and approving contract in the amount of \$833,344 plus incentive up to \$15,000, bond and insurance of Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 – 2013 project (**FLOOD**). CIP/DID #SSD104-04

## **ORDINANCES**

### **(Second and possible Third Readings)**

20. 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
21. Ordinance granting a change of zone for property at 6677 16<sup>th</sup> 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
22. 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

### **(First Reading)**

23. Ordinance granting a change of zone for property at 605 G Avenue NW from I-2, General Industrial Zone District to RMF-2, Multiple Family Residence Zone District as requested by Neighborhood Development Corporation of Cedar Rapids, Inc. CIP/DID #RZNE-004282-2013

## **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:

**\*\*\* The City Council will meet immediately following the City Council Regular Session to discuss pending litigation with legal counsel and also for the City Manager's annual performance review. This meeting may be closed pursuant to Iowa Code Sections 21.5(1)(c) and (i) (2013).**

*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](http://www.cedar-rapids.org)*



## Council Agenda Item Cover Sheet

### MOTION TO SET PUBLIC HEARING

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5822

**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** Yes/No Map

Motion to set a public hearing for October 22, 2013 to consider the vacation and disposition of public ways and grounds in and to the property described as a .058 acre strip of City-owned right-of-way located along the southwesterly property line of 500 First Street SE as requested by TrueNorth Real Estate, L.C. CIP/DID #41-13-044

**Background:**

TrueNorth Real Estate, L.C. has requested the vacation and disposition of this excess City-owned right-of-way (known as Plat of Survey No. 1836 Parcel A) to accommodate a monument sign for business purposes at this location. They are also granting an easement for public storm sewer, water main and public utilities over the vacated right of way.

**Action / Recommendation:**

City staff recommends approving the vacation of said right-of-way and accepting an easement for public storm sewer, water main and public utilities.

**Alternative to the Recommendation:**

Require TrueNorth to select another location for their monument sign.

**Time Sensitivity:** Normal

**Resolution Date:** Proposed timeline as follows:

Public Hearing Date and possible 1<sup>st</sup> reading of Ordinance: October 22, 2013.

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: November 5, 2013.

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** N/A

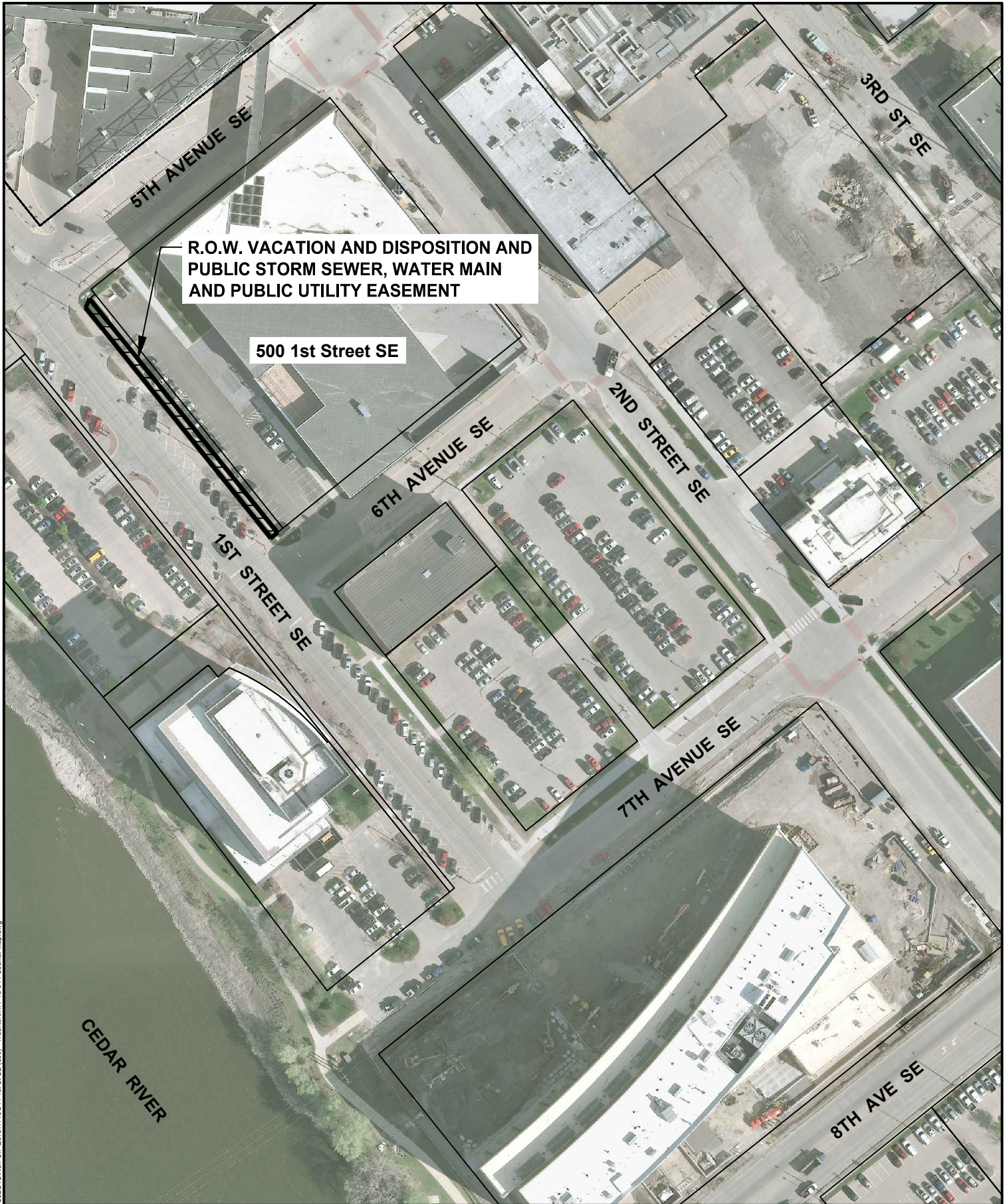
**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This does not fit the criteria outlined in the policy and therefore, does not apply.

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

**Explanation (if necessary):**





Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113044 1st St SE (500) - TrueNorth\1:13044 Council Map.dwg



**500 1ST STREET SE**  
**R.O.W. VACATION AND DISPOSITION AND PUBLIC STORM**  
**SEWER, WATER MAIN AND PUBLIC UTILITY EASEMENT**



0 FEET 125

41-13-044





## Council Agenda Item Cover Sheet

### MOTION TO SET PUBLIC HEARING

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5822

**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** Yes/No Map

Motion to set a public hearing for October 22, 2013 to consider the vacation and disposition of public ways and grounds in and to the property described as a 6,010 square-foot parcel of right-of-way located in the alley between 7th Street and 8th Street SE and between 4th Avenue and 5th Avenue SE as requested by Mercy Medical Center. CIP/DID #41-14-012

**Background:**

Mercy Medical Center has requested the vacation and disposition of this excess alley right-of-way (known as Plat of Survey No. 1440 Parcel A) to accommodate future development of the block. Mercy owns all adjacent parcels, and public access is no longer necessary through this block. Additionally, they are granting an easement for communication lines and sanitary sewer over the vacated alley right-of-way.

**Action / Recommendation:**

City staff recommends approving the vacation of said right-of-way and accepting an easement for communication lines and sanitary sewer.

**Alternative to the Recommendation:**

Require Mercy to modify their development plans for this block.

**Time Sensitivity:** Normal

**Resolution Date:** Proposed timeline as follows:

Public Hearing Date and possible 1<sup>st</sup> reading of Ordinance: October 22, 2013

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: November 5, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This does not fit the criteria outlined in the policy and therefore, does not apply.

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

**Explanation (if necessary):**





PLAT OF SURVEY No. 1440  
AND UTILITY EASEMENT

Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\012 Mercy Medical - Alley from 7th St to 8th St SE and b/twn 4th Ave & 5th Ave SE\1-14-012 Council Map.dwg





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell  
**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5852

**Alternate Contact Person:** Caleb Mason  
**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5188

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

Motion setting a public hearing for October 22, 2013 to consider the disposition of five (5) vacant City-owned properties at 600 2<sup>nd</sup> Street SW, 517 3<sup>rd</sup> Street SW, 202 6<sup>th</sup> Avenue SW, 208 6<sup>th</sup> Avenue SW and 216 6<sup>th</sup> Avenue SW and inviting competitive proposals from any persons interested in acquisition and redevelopment of these properties (**FLOOD**). NEW

### **Background:**

On September 25, 2013, the Development Committee voted unanimously to recommend the disposition and redevelopment of five City-owned properties in the Kingston Village Area through a competitive proposal process.

Based on their location outside the 100-year floodplain in the Neighborhood Revitalization Area, these five vacant lots are eligible for sale and redevelopment:

1. 600 2<sup>nd</sup> Street SW
2. 517 3<sup>rd</sup> Street SW
3. 202 6<sup>th</sup> Avenue SW
4. 208 6<sup>th</sup> Avenue SW
5. 216 6<sup>th</sup> Avenue SW

The City may use the standard competitive proposal process to invite and evaluate proposals on the redevelopment and reuse of these parcels based on the level of reinvestment and long-term benefit to the neighborhood. In addition to the standard criteria used to evaluate proposals, the following criteria is being recommended:

1. Demonstrated capacity to complete a redevelopment project of this size and scope.
2. If a commercial proposal, previous commercial operations experience or identified business tenant and marketing plan based on current market conditions.
3. Financial feasibility based on sources/uses of funds for the redevelopment project costs and operational pro forma.
4. Project financing documented by a letter of commitment from a financial institution.
5. Timeline for redevelopment and operations.
6. Consistency with the results of the Neighborhood Planning Process and Kingston Village Plan, including

- a. Redevelopment consistent with the existing neighborhood character;
  - b. Plan to address on-site and neighborhood parking;
  - c. Sustainable design features;
  - d. Provides for a mix of uses and creates density throughout the area.
7. Economic impact, including number/wage rate of jobs to be created, total project cost, and projected post-development property valuation.
  8. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.
  9. Readiness to proceed.

Following is a proposed timeline for the competitive proposal process, allowing time for comprehensive redevelopment proposals to be prepared:

- 10/08/13 Motion to set a Public Hearing
- 10/22/13 Public Hearing
- 11/15/13 Proposal deadline
- Week of 11/18/13 Initial proposal evaluations
- 12/03/13 City Council consideration of proposals

**Action / Recommendation:**

City staff recommends setting a public hearing.

**Alternative Recommendation:**

Table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 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):**

On September 25, 2013, the Development Committee recommended disposition of these five (5) vacant City-owned properties and inviting competitive proposals from any persons interested in acquisition and redevelopment of these properties.

Location Map





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 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:**

Motion setting a public hearing date for October 22, 2013 to consider the execution of an addendum to the Parking Assets Lease and Sale Agreement with Downtown Parking Management Inc. to add the Event Center Parking Ramp and 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue

**Background:**

The City has issued debt to finance the construction of the Event Center Parking Ramp. This addendum will allow the City to collect net income from the Event Center Parking Ramp and 2<sup>nd</sup> Street SE Parking Ramp for the term of the outstanding debt on these two parking ramps in order to pay the debt service.

The City has made Downtown Parking Management Inc. aware of this addendum and will negotiate a fee for the management of these facilities. Downtown Parking Management Inc. will be responsible for operating both facilities like the other facilities they currently manage. The only exception is that the City will be paid the net income from these facilities twice a year, on November 30<sup>th</sup> and May 31<sup>st</sup>.

**Action / Recommendation:**

City Council approve addendum #1.

**Alternative Recommendation:**

If addendum not approved current agreement in place will keep net income with Downtown Parking Management.

**Time Sensitivity:**

**Resolution Date:** October 8, 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):**





## **Council Agenda Item Cover Sheet**

**Council Meeting**                      October 8, 2013  
**Date:**

**Submitting Department:**    Community Development

**Presenter at meeting:**    Seth Gunnerson  
**Email:**    [s.gunnerson@cedar-rapids.org](mailto:s.gunnerson@cedar-rapids.org)

**Phone Number/Ext:**    319 286-5129

**Alternate Contact Person:**    Jennifer Pratt  
**Email:**    [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Phone Number/Ext:**    319 286-5047

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

Motion setting a public hearing for October 22, 2013 to consider expansion of the Downtown Cedar Rapids Self-Supported Municipal Improvement District (SSMID). CIP/DID #572853

### **Background:**

On July 26 the City received a petition from property owners in downtown Cedar Rapids to expand the Downtown Self-Supported Municipal Improvement District (Downtown SSMID) to include approximately 8 square blocks of land in SE Cedar Rapids.

The proposed expansion closes a gap that was created by the establishment of the MedQuarter SSMID in 2011. The identified properties are completely surrounded by the two districts. The expansion area is the only property west of 10<sup>th</sup> Street SE and north of 8<sup>th</sup> Avenue SE in the core of the City that is not currently in a SSMID district. A map of the proposed expansion area is attached to this cover letter.

The Downtown SSMID was established in 1986 in order to provide streetscape and beautification improvements, encourage development, and promote the district. In 2007 the District was renewed for 10 additional years, continuing until 2017. Property within the expansion area will be taxed at the same rate as the overall SSMID, which is currently capped at \$2.75 per thousand dollars of assessed value. The petition states that money generated from the assessment will be used for:

- Downtown Economic Development Programs
- Communications and Advocacy
- Capital Improvements downtown
- Enhanced Maintenance
- Parking Management

City Planning Commission reviewed the petition on September 19, 2013 and unanimously recommended approval. Based on Council action, a public hearing will be held on October 22, 2013. State law requires a 30 day waiting period before action can be taken by City Council. The First Reading of the proposed ordinance will be held on December 3, 2013.

**Action / Recommendation:**

City staff recommends setting a public hearing.

**Alternative Recommendation:**

Table and request additional information.

**Time**

**Sensitivity:** N/A

**Resolution**

**Date:** N/A

**Estimated Presentation**

**Time:** 0 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):**

Update was provided to Development Committee on September 25.







## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Alex Sharpe  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5428

**Alternate Contact Person:** Joe O'Hern  
**Email:** [j.ohern@cedar-rapids.org](mailto:j.ohern@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5292

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

Motion setting a public hearing for November 19, 2013 to consider a 28E Annexation Agreement with the City of Marion to delineate a future annexation growth boundary. CIP/DID #655625

### **Background:**

The Development Committee recommends approval of an annexation agreement with the City of Marion to establish a future growth boundary for the two cities. An open house was held on October 1 for all property owners in Linn County to provide comment and ask questions of staff from both Cities. The proposed annexation agreement will focus on the northern growth corridor for Cedar Rapids, north of future Tower Terrace Road.

Properties already within any City limits are not affected by this agreement. The agreement does not compel existing property owners to annex into either city, nor does it establish a timeline for future annexation. The annexation agreement indicates which community the land will be incorporated into, if development occurs, and allows both communities to plan for future services and land use. This new agreement is an extension of an annexation agreement that lapsed in July 2008.

The agreement will remain in place for ten years from the date it is enacted. Under the proposed agreement, each community agrees not to annex any territory across the boundary line. Either City is able to annex property located in Area C. The agreement also details that each City must inform the other of annexation applications to ensure continuity between land use.

The City of Marion will hold a public hearing on the agreement on November 7, and may adopt the agreement at this time.

### **Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 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):** Development Committee recommended approval on August 28, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

**Phone Number/Ext:** 319 286-5047

**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Alternate Contact Person:** Joe O'Hern

**Phone Number/Ext:** 319 286-5292

**Email:** [j.ohern@cedar-rapids.org](mailto:j.ohern@cedar-rapids.org)

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

Motion setting a public hearing for November 19, 2013 to consider a request by Hunter Companies for an Urban Revitalization Area designation for construction of a new headquarters facility for West Side Transport at 11160 High Life Court SW. NEW

### **Background:**

A request has been submitted by Hunter Companies for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a new headquarters facility for West Side Transport to be located at 11160 High Life Court SW. The proposed project would be completed in phases with vertical construction beginning in spring, 2014. The project will provide the facilities needed to retain the West Side Transport headquarters and for future expansion of the facility.

### **Project Details:**

Office Building – 20,000 square feet  
 Drivers Dorm – 34,587 square feet  
 Maintenance Shop – 30,000 square feet with 22,222 square yards of paving  
 Trailer Parking – 25,422 square yards  
 Fueling Station – 13,100 square yards of paving with 4 diesel pumps and 4 future pumps  
 Project cost - \$13,250,000  
 Estimated assessed value - \$8,000,000

### **Benefits to the Community:**

- Retaining West Side Transport headquarters in Cedar Rapids.
- New facilities to promote future expansion.
- Location utilizes existing infrastructure and City services.

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new addition. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$8,000,000. This would generate an additional \$300,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$1,700,000 collected in tax revenues and \$1,300,000 deferred as tax exempt.

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Based on a projected increased taxable value of \$8,000,000 generated by the new construction, the estimated total over the ten-year period is an additional \$1,700,000 collected in tax revenues and \$1,300,000 deferred as tax exempt.

**Local Preference Policy** Applies ☐ Exempt ☐ N/A ☒

**Explanation:**

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

**Explanation (if necessary):**



## **Council Agenda Cover Sheet Motion Setting Public Hearing, filing plans and advertising for bids**

**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** **YES MAP**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 6, 2013 (estimated cost is \$1,490,000). CIP/DID #3012049-03

### **Background:**

The condition of 76<sup>th</sup> Avenue SW within the project limit has deteriorated. College Community School District (CCSD) has added schools to their campus making the current two lane rural section roadway obsolete in its current condition. The CCSD and City have a 28E Agreement for cost sharing the replacement improvements.

### **Action / Recommendation:**

The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the 76<sup>th</sup> Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements.

### **Alternative to the Recommendation:**

Re-negotiate 28E Agreement and revise.

**Time Sensitivity:** Requested motion must be acted on by October 8, 2013 to maintain project schedule which must occur ahead of the October 22, 2013 public hearing and the November 6, 2013 bid opening.

**Resolution Date:** Proposed Resolution adopting plans and specs, form of contract and estimated cost: October 22, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** CIP 3012049

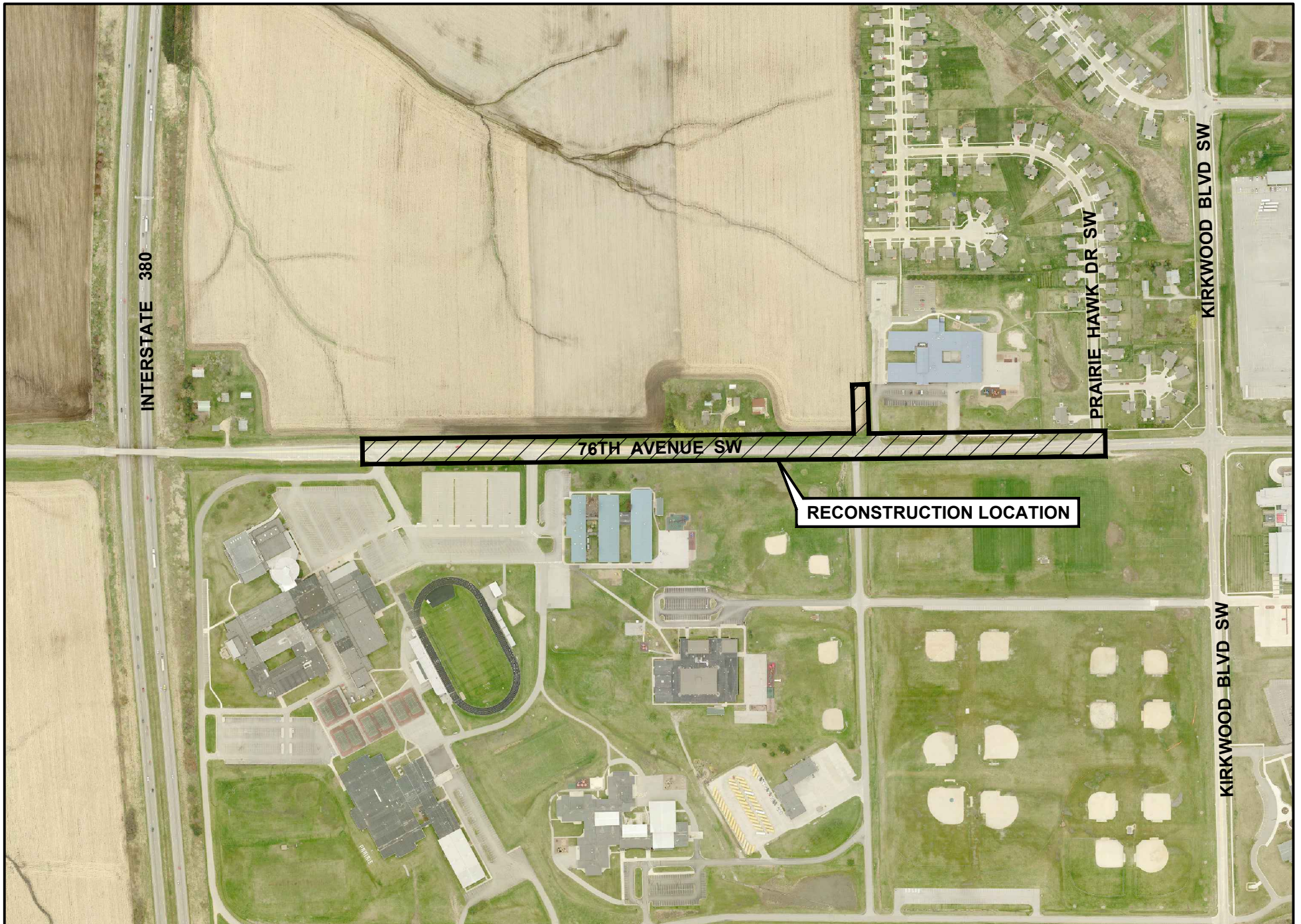
**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** Chapter 26 of the Code of Iowa requires construction contracts for highway, bridge, or culvert improvements be awarded to the lowest responsive, responsible bidder.

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

**Explanation (if necessary):** Infrastructure Committee









## **Council Agenda Cover Sheet Motion Setting Public Hearing, filing plans and advertising for bids**

**Submitting Department:** Public Works Department

**Presenter at meeting:** Scott Sovers, PE  
**E-mail Address:** s.rovers@cedar-rapids.org

**Phone Number/Extension:** 5547

**Alternate Contact Person:** Dave Wallace, PE  
**E-mail Address:** d.wallace@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the 8th Street NW at Ellis Lane NW Flood Protection Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on October 23, 2013 (estimated cost is \$86,000). CIP/DID #304285-01

### **Background:**

The northwest quadrant of Cedar Rapids (adjacent to Ellis Boulevard NW) has experienced frequent flooding, including in 2008, and more recently from the ice jams in spring 2013. This is one of two projects that will provide flood protection to this area by constructing a berm across the Ellis Park entrance off of Ellis Lane NW. The available funding for this activity is \$150,000 and subject to receipt of acceptable bids, construction is scheduled to begin in December 2013 and be completed by May 2014.

### **Action / Recommendation:**

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the project.

**Alternative to the Recommendation:** Defer the project to the future.

**Time Sensitivity:** Normal

**Resolution Date Adopting Plans and Specs:** October 22, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** CIP 304285: \$150,000 (Local Option Sales Tax - LOST)

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** Does not apply to public improvement projects.

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

**Explanation (if necessary):** Infrastructure committee on September 16, 2013 and Flood Committee on September 19, 2013.





**PROJECT  
LOCATION**

CEDAR RIVER

ELLIS LN NW

8TH STREET NW

ELLIS BLVD NW

Q AVE NW

ELLIS BLVD NW

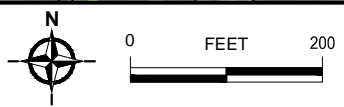
PENN AVE NW

9TH ST NW

8TH ST NW



**8TH STREET NW AT ELLIS LANE NW  
FLOOD PROTECTION IMPROVEMENTS**





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 10-08-13

**Submitting Department:** Finance-Purchasing Services

**Presenter at meeting:** consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** John Riggs  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Phone Number/Ext:** 5981

### **Description of Agenda Item:**

Motion filing specifications, form of contract, estimated cost, setting a public hearing date for October 22, 2013 and advertising for bids by publishing notice to bidders for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels Project and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results at the Office of the City Clerk, City Hall, at 11:00 am on October 23, 2013. (Estimate of cost is \$230,000) (**FLOOD**). CIP/DID # 0813-038

### **Background:**

The Work to be performed under this project is to provide all-inclusive environmental remediation and demolition services for ten (10) flood-damaged parcels consisting of 11 main structures and 6 accessory structures, all funded through the Community Development Block Grant (CDBG) Program. Payment for environmental remediation and demolition services rendered shall be based on a firm fixed price basis.

### **Action / Recommendation:**

Recommend City Council set a public hearing date for October 22, 2013 to advertise for bids by publishing notice to bidders for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels Project and authorizing the Purchasing Manager, or designee, to receive and open bids and publicly announce the results at the Office of the City Clerk, City Hall, at 11:00 am on October 23, 2013.

**Alternative Recommendation:** none

**Time Sensitivity:** Time Sensitive. A delay in the project will impact the neighborhoods.

**Resolution Date:** 10-08-13

**Estimated Presentation Time:** consent

### **Budget Information (if applicable):**

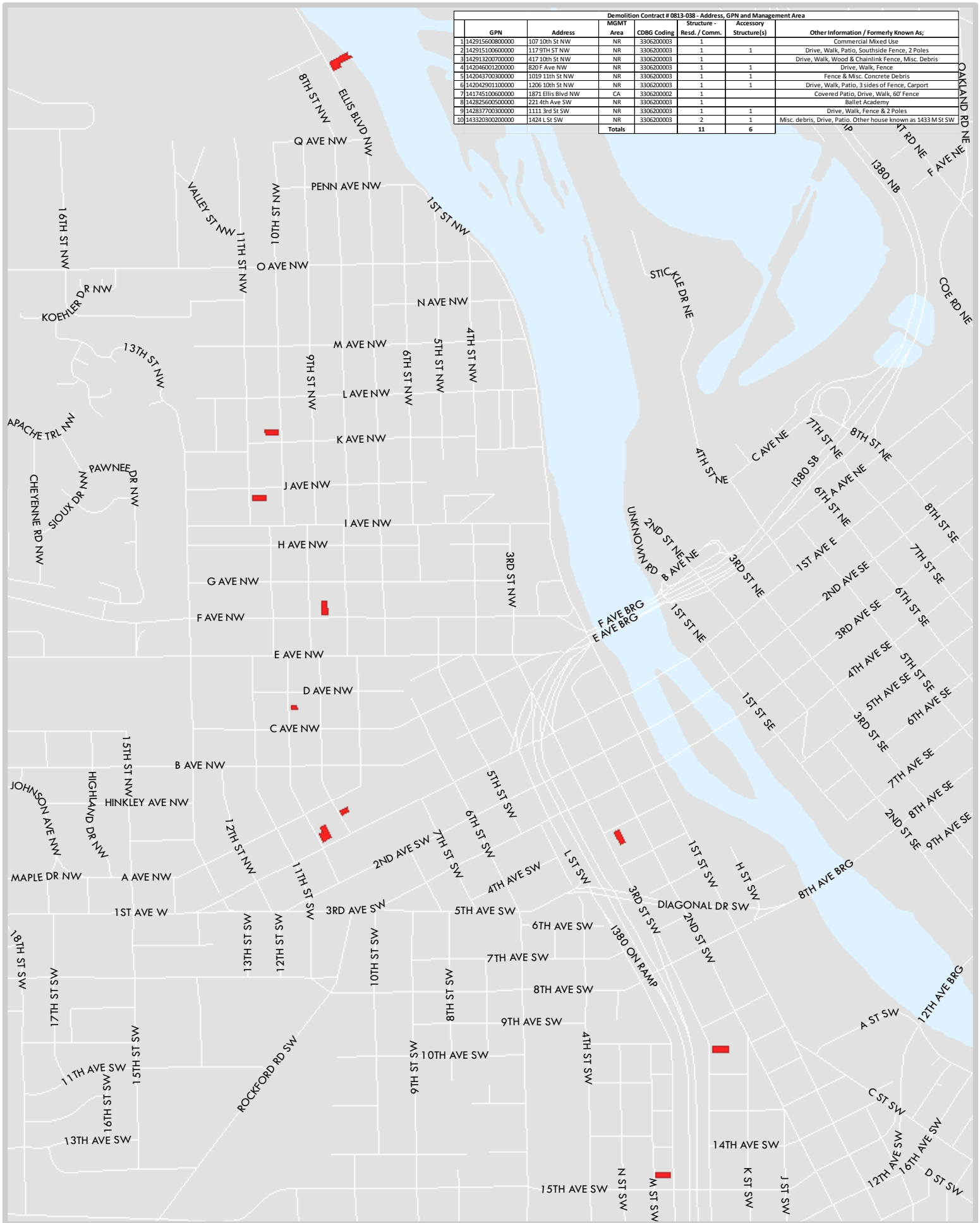
**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** CDBG funded

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

**Explanation (if necessary):** Federal Funds-CDBG

Demolition Contract # 0813-038 - Address, GPN and Management Area							
	GPN	Address	MGMT Area	CDBG Coding	Structure - Resd. / Comm.	Accessory Structure(s)	Other Information / Formerly Known As:
1	14291560800000	107 10th St NW	NR	3306200003	1		Commercial Mixed Use
2	14291510060000	11797th St NW	NR	3306200003	1	1	Drive, Walk, Patio, Southside Fence, 2 Poles
3	14291320070000	417 10th St NW	NR	3306200003	1		Drive, Walk, Wood & Chainlink Fence, Misc. Debris
4	14204600120000	820 F Ave NW	NR	3306200003	1	1	Drive, Walk, Fence
5	14204370030000	1019 11th St NW	NR	3306200003	1	1	Fence & Misc. Concrete Debris
6	14204290110000	1206 10th St NW	NR	3306200003	1	1	Drive, Walk, Patio, 3sides of Fence, Carport
7	14174510060000	1871 Ellis Blvd NW	CA	3306200002	1		Covered Patio, Drive, Walk, 60' Fence
8	14282560050000	221 4th Ave SW	NR	3306200003	1		Ballet Academy
9	14283770030000	1111 3rd St SW	NR	3306200003	1	1	Drive, Walk, Fence & 2 Poles
10	14332030020000	1424 L St SW	NR	3306200003	2	1	Misc. debris, Drive, Patio, Other house known as 1433 M St SW
Totals					11	6	



Contract #0813-038

Parcels

1:15,000



Cedar Rapids IT-GIS  
3601 42nd St NE  
Cedar Rapids, IA 52402  
Date: 9/19/2013



DISCLAIMER: This is a product of the City of Cedar Rapids GIS Division. The data depicted here has been developed by the City for city purposes. Any use is at the sole risk and responsibility of the User. There are no warranties, expressed or implied, associated with the use of this map.



## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 10/8/2013

**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. Basket Bowtique, 116 3RD AVE SE;
2. Brewed Cafe, 1101 3RD ST SE (5-day permit for an event on October 12, 2013 at Veterans Memorial Coliseum, 50 2nd Avenue Bridge);
3. Bricks Bar & Grill, 320 2ND AVE SE;
4. Buffalo Wild Wings - Blairs Ferry, 1100 BLAIRS FERRY RD NE;
5. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on November 8-10, 2013);
6. Chrome Horse Slop House & Saloon, 1202 3RD ST SE (outdoor service for an event on October 18-19, 2013);
7. Eurest Dining Services (Aegon), 6400 C ST SW;
8. Holiday Inn Express - 33rd Ave, 3320 SOUTHGATE CT SW;
9. Holiday Inn Express - Collins Road, 1230 COLLINS RD NE;
10. Lancer Lanes, 3203 6TH ST SW;
11. Leonardo's Pizza, 2228 16TH AVE SW;
12. Liquid Lounge Downtown, 303 2ND AVE SE;
13. Noodles & Company, 310 COLLINS RD NE;
14. Oyama Sushi Japanese Steakhouse, 5350 COUNCIL ST NE;
15. Paramount Theatre, 119 3RD AVE SE;
16. St. George Branch 45, Cedar Rapids, 510 16TH AVE SE (5-day permit for an event on November 1, 2013);
17. Stadium Lounge Bar & Grill, 957 ROCKFORD RD SW (outdoor service for an event on October 12-13, 2013);
18. Taste of India, 1060 OLD MARION RD NE;

19. Tienda Mexicana La Guanajuato, 3915 CENTER POINT RD NE;  
20. White Star Ale House, 305 2ND AVE SE;

**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 **X**

**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:** 10/8/2013

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Basket Bowtique 116 3RD AVE SE	1	0	0	0
Brewed Cafe 1101 3RD ST SE	1	0	0	0
Bricks Bar & Grill 320 2ND AVE SE	97	0	1	4
Buffalo Wild Wings - Blaris Ferry 1100 BLAIRS FERRY RD NE	30	0	1	2

Chrome Horse Slop House & Saloon 1202 3RD ST SE	34	1	0	6
Chrome Horse Slop House & Saloon 1202 3RD ST SE	34	1	0	6
Eurest Dining Services (Aegon) 6400 C ST SW	21	0	0	0
Holiday Inn Express - 33rd Ave 3320 SOUTHGATE CT SW	14	0	0	2
Holiday Inn Express - Collins Road 1230 COLLINS RD NE	12	0	0	1
Lancer Lanes 3203 6TH ST SW	9	0	0	2
Leonardo's Pizza 2228 16TH AVE SW	15	0	0	0
Liquid Lounge Downtown 303 2ND AVE SE	150	0	0	27
Noodles & Company 310 COLLINS RD NE	2	0	0	1
Oyama Sushi Japanese Steakhouse 5350 COUNCIL ST NE	6	0	0	2
Paramount Theatre 119 3RD AVE SE	0	0	0	0
St. George Branch 45, Cedar Rapids 510 16TH AVE SE	0	0	0	0
Stadium Lounge Bar & Grill 957 ROCKFORD RD SW	7	0	0	0

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated October 8, 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 8<sup>th</sup> day of October, 2013.

REC  
TED  
FIR  
PD  
TRS  
EIA

FIN  
CLK  
VET  
WTR  
WPC  
STR

RESOLUTION NO.

TRANSFER OF FUNDS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Treasurer and City of Cedar Rapids Finance Director are hereby authorized and directed to transfer funds as per the attached listing.

Passed this 8<sup>th</sup> day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** City Clerk

**Presenter at meeting:** Amy Stevenson

**Phone Number/Ext:** 319-286-5061

**Email:** [a.stevenson@cedar-rapids.org](mailto:a.stevenson@cedar-rapids.org)

**Alternate Contact Person:**

**Phone Number/Ext:** 319-286-5272

**Email:** [d.weimer@cedar-rapids.org](mailto:d.weimer@cedar-rapids.org)

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

Resolution thanking Candace Bloomhall-Nanke for serving on the Cedar Rapids Historic Preservation Commission. CIP/DID #691376

**Background:**

City staff received a letter of resignation effective September 26, 2013, from Candace Bloomhall-Nanke from the Cedar Rapids Historic Preservation Commission. The City of Cedar Rapids wants to thank Candace for her service on this commission.

**Action / Recommendation:**

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, Candace Bloomhall-Nanke has devoted considerable time and effort as a member of the Cedar Rapids Historic Preservation Commission,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Candace Bloomhall-Nanke for serving as a member of the Cedar Rapids Historic Preservation Commission.

Passed this 8<sup>th</sup> day of October, 2013.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

**Email:** [m.jones@cedar-rapids.org](mailto:m.jones@cedar-rapids.org)

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

**Email:** [s.augustine@cedar-rapids.org](mailto:s.augustine@cedar-rapids.org)

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

1. Resolutions approving assessment actions:

Intent to assess – Solid Waste & Recycling – clean-up costs – four properties.

### **Background:**

The Solid Waste and Recycling Division is responsible for abating garbage nuisances on public and private property. Under normal circumstances property owners receive a "Notice of Abatement" letter which allows them seven (7) days to correct the problem identified in the letter and its attachments. If a property owner fails to abate the nuisance, the Solid Waste and Recycling Division abates the nuisance and issues an invoices for services rendered.

Property owners have 30 days to pay their invoice. Failure to pay the invoice results in a "Intent to Assess" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following the approval of the Intent to Assess Resolution, the property owner receives another mailing, which includes all the original documentation and a copy of the Intent to Assess Resolution. The property owner then has an additional 30 day period to pay their invoice. Failure to pay the outstanding invoice following the second 30 day period results in a "Levy Assessment" action against the property being prepared by the Solid Waste and Recycling Division and presented to City Council in the form of a Resolution.

Following approval of the "Special Assessment" Resolution, the nuisance abatement information is turned over to the Linn County Treasurer and the outstanding payment is levied against the property owner's taxes for collection.

### **Action / Recommendation:**

The Solid Waste and Recycling Division recommends that the Resolution for the Intent to Assess be approved.

### **Alternative Recommendation:**

The City Council could decide not to assess.

### **Time Sensitivity:**

**Resolution Date:** 10-08-13

**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.

INTENT TO ASSESS

WHEREAS, NUISANCE ABATEMENTS have been made among various properties within the City of Cedar Rapids, Iowa, and,

WHEREAS, the property owner has failed to pay the required invoice(s) sent out for costs associated with the nuisance abatement within the prescribed time period noted on the City's invoice, and,

WHEREAS, the City of Cedar Rapids may assess the cost of nuisance abatements against the property for failure to pay invoices, and

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, 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 3:30 p.m., November 6, 2013.

Passed this 8th day of October, 2013.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Intent To Assess List  
9/10/13 - 9/10/13

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
9/10/2013	A01251	142237601900000	The Sod House LLC		620	15th St	SE	12	15	\$ 196.00	
9/10/2013	A01250	142215402400000	Michael J.	Meyers	1840	Park Ave	SE	14	20	\$ 236.00	
9/10/2013	A00434	142828300100000	Ryan L.	Montague	600	1st St	SW	1	16	\$ 24.00	
9/10/2013	A01249	142242901500000	Cynthia L.	Dunham	418	18th St	SE	8	4	\$ 24.00	
										<u>\$ 480.00</u>	



**Council Agenda Item Cover Sheet**☒ **Consent Agenda**      ☐ **Regular Agenda****Council Meeting Date:** October 8, 2013**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner    **Phone No.:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)**Alternate Contact:** Kevin Kirchner    **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 31 properties; CIP/DID #

Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (Out of the 31 properties to be liened, there are five 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:** 10/08/13**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 19<sup>th</sup> 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 3:00 p.m., November 19, 2013.

Passed this 8<sup>th</sup> day of October, 2013.

## LIEN INTENTS (SPECIAL ASSESSMENTS) 9-24-13

			Lien Intents 10-08-13		
#		Balance Due	Premise Address		Flood
1		\$ 131.53	33 FLORIDA CT SW		
2		\$ 213.21	66 MILLER AVE SW #3		
3		\$ 124.47	136 BOWLING ST SW		Y
4		\$ 186.20	211 OUTLOOK DR SW		
5		\$ 232.10	222 SAND LN NW		
6		\$ 229.10	415 6TH AVE SW		Y
7		\$ 206.47	433 8TH AVE SW #A		Y
8		\$ 252.88	834 27TH ST NE		
9		\$ 125.61	935 25TH ST SE		
10		\$ 207.67	1004 WESTWOOD DR NW		
11		\$ 238.83	1215 28TH ST SE		
12		\$ 121.37	1216 N ST SW		Y
13		\$ 148.05	1231 6TH ST NW		Y
14		\$ 150.82	1459 COUNCIL ST NE		
15		\$ 147.74	1526 12TH AVE SE		
16		\$ 234.52	1827 WILLIAMS BLVD SW		
17		\$ 207.56	1847 O AVE NW		
18		\$ 130.62	2053 LINN BLVD SE		
19		\$ 260.70	2101 MALLORY ST SW		
20		\$ 130.54	2205 C ST SW #2		
21		\$ 121.44	2335 26TH ST NW		
22		\$ 225.05	2343 RIDGE TRAIL NE		
23		\$ 185.38	2527 B AVE NE		
24		\$ 109.65	2816 FRUITLAND BLVD SW		
25		\$ 169.40	2905 E AVE NE		
26		\$ 231.71	3203 KENRICH DR SW		
27		\$ 894.69	3315 RIVERPOINTE CIRCLE NE		
28		\$ 1,142.99	4120 BOOTH ST SW		
29		\$ 134.20	4126 LARK CT NE		
30		\$ 125.76	5601 GORDON AVE NW		
31		\$ 233.58	7414 WORCESTER ROAD, PALO		
		<b>\$ 7,253.84</b>	<b>Grand Total</b>		
		<b>31</b>	<b>Number of Properties</b>		
		<b>\$ 109.65</b>	<b>Balance Due - Low</b>		
		<b>\$ 1,142.99</b>	<b>Balance Due - High</b>		

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Kevin Kirchner      **Phone No.:** 5902      **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 16 properties. CIP/DID #935770

Out of the 16 properties to be assessed, there is one flood property. The property address listing is included with the resolution [Note: The Intent to Assess Resolution was approved at the August 27<sup>th</sup> 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. 1360-08-13 on August 27, 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:** 10/08/13

**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 8<sup>th</sup> day of October, 2013.

## SPECIAL ASSESSMENTS (TO BE LIENED) 10-08-13

				<b>SPECIAL ASSESSMENTS 10-08-13</b>		
				<b>Lien Intents 8-27-13</b>		
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>		<b>Flood</b>
1		\$ 111.12		167 BRENTWOOD DR NE		
2		\$ 107.28		218 15TH ST NE		
3		\$ 259.81		246 11TH ST NW		
4		\$ 118.74		416 15TH ST SE		
5		\$ 199.88		416 40TH ST NE		
6		\$ 292.13		450 8TH AVE SW		Y
7		\$ 156.31		563 FOREST DR SE		
8		\$ 235.69		823 DANIELS ST NE		
9		\$ 168.88		1106 9TH ST SE		
10		\$ 158.32		1140 12TH ST NE		
11		\$ 264.86		1400 STAUB CT NE		
12		\$ 138.75		1603 7TH AVE SE		
13		\$ 171.75		1603 WASHINGTON AVE SE		
14		\$ 123.83		2019 WILLIAMS BLVD SW		
15		\$ 177.63		4525 COUNCIL ST NE		
16		\$ 163.25		5829 MUIRFIELD DR SW #2		
		<b>\$ 2,995.55</b>		<b>Grand Total</b>		
		<b>16</b>		<b>Number of Properties</b>		
		<b>\$ 107.28</b>		<b>Balance Due - Low</b>		
		<b>\$ 292.13</b>		<b>Balance Due - High</b>		



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance Department

**Presenter at meeting:** Casey Drew

**Phone Number/Ext:** 5097

**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Alternate Contact Person:** Judy Jones

**Phone Number/Ext:** 5134

**Email:** [j.jones2@cedar-rapids.org](mailto:j.jones2@cedar-rapids.org)

**Description of Agenda Item:**

Levy Special Assessments for delinquent weed mowing charges - 24 properties.

**Background:**

The Finance Department is responsible for the billing and collection of charges incurred by the Public Works Maintenance Division to bring properties into compliance with Cedar Rapids Municipal Code Chapter 21.13, and Ordinance 046-12 (Weeds).

Between August 2, 2013 and August 13, 2013, twenty-four (24) property owners did not submit payment for invoices issued due to a violation of the City's weed ordinance. Property owners were notified by letter that if payment was not made the charges would be levied against their property and collected in the same manner as property taxes. The levied amount totals \$3980.00.

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

**Action / Recommendation:**

The Finance Department recommends approval of the Resolution to levy Special Assessments.

**Alternative Recommendation:**

Should the City Council decide not to approve the resolution, the City will not be reimbursed for work performed by the contractor and paid for by the City.

**Time Sensitivity:** Normal

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** PW Operating – Roadside Vegetation Mgmt

**Local Preference Policy** Applies ☐ Exempt ☒

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

RESOLUTION NO.

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on twenty-four (24) properties in violation of the City's Weed Ordinance 046-12 and the Municipal Code Chapter 21.13;

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 a total amount of \$3980.00, as shown below, and which have been invoiced and are on file with the Finance Department, and

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

#	Service Location	Name	Amount	Service Date	GPN	Invoice
1	5445 Cedar Dr NW	Joan D Tiedtke	162.50	8/7/2013	132615500800000	AST-10006600
2	1100 10th St NW	Donald W Wade	230.00	8/2/2013	142043301100000	AST-10006602
3	616 4th St SW	Christopher Russell	145.00	8/2/2013	142832901000000	AST-10006603
4	221 34th St Dr SE	Bank of New York Mellon	162.50	8/6/2013	141130301300000	AST-10006604
5	1606 K Ave NE	Norman F & Jane A Carpenter	180.00	8/6/2013	141525301900000	AST-10006605
6	1557 Park Ave SE	Brian E & Renee Stutzman	145.00	8/6/2013	142228100200000	AST-10006606
7	1420 9th St SW	Anthony C Russell Trustee	145.00	8/6/2013	143210300400000	AST-10006607
8	1808 C St SW	William M Bilsland III	145.00	8/7/2013	143310300700000	AST-10006608
9	115 24th Ave SW	Jeremy & Amber Teel	150.00	8/7/2013	143342900200000	AST-10006609
10	948 N St SW	Stephen B McDade	145.00	8/7/2013	142835201200000	AST-10006610
11	215 Norwick Rd SW	Bradley G & Elaina J Shoemaker	170.00	8/7/2013	132643200700000	AST-10006611
12	1221 K St SW	Krystal Nielsen & Karen Schmitt	245.00	8/8/2013	142838001100000	AST-10006612

#	Service Location	Name	Amount	Service Date	GPN	Invoice
13	1301 19th Ave SW	John G & Carol A Brune	215.00	8/8/2013	143227700100000	AST-10006613
14	3426 Amanda Ct NW	James K Maurice	145.00	8/8/2013	132440300600000	AST-10006614
15	1323 Ellis Blvd NW	Ruby & Joseph Souza	205.00	8/9/2013	142018700700000	AST-10006615
16	6108 River Pkwy NE	Dwayne M & Debra A Simpson	145.00	8/12/2013	131242900600000	AST-10006616
17	1208 6th Ave SE	Ernest Brauch	145.00	8/12/2013	142233401300000	AST-10006617
18	1026 10th Ave SE	Willie C & Arnie J Jones	145.00	8/12/2013	142720302600000	AST-10006618
19	1015 8th St SE	Chris & Kathryn M Pyle	145.00	8/12/2013	142723901500000	AST-10006619
20	413 5th Ave SW	Robert L Jones	145.00	8/13/2013	142826000400000	AST-10006621
21	1300 M St SW	Russell B Olson	230.00	8/13/2013	142835501900000	AST-10006622
22	1413 5th St NW	Larry E & Amy J Tubbs	145.00	8/13/2013	142018100600000	AST-10006624
23	1700 8th St NW	Travis M Legate	145.00	8/13/2013	142012700800000	AST-10006625
24	1725 10th St NW	Ryan T & Jennifer L Larson	145.00	8/13/2013	142012800300000	AST-10006626

Passed this 8th day of October, 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** **Yes Map**

Resolution accepting project and approving Performance Bond of BWC Excavating, LC for the Rogers Road (3753) Sanitary Sewer Improvements project (original contract amount was \$20,476.06; final contract amount is \$18,071.46). CIP/DID #655940-02

### Background:

Construction has been substantially completed by BWC Excavating for the Rogers Road (3753) Sanitary Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 655940-02) with a final construction contract amount of \$18,071.46. 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 recommends adoption of the Resolution to accept the project and performance bond.

### 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 (four-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:** October 8, 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 ☒

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Rogers Road (3753) Sanitary Sewer Improvements project (Contract No. 655940-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated May 7, 2013 in the amount of \$20,476.06 covering said work filed by BWC Excavating LC and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary for this project is as follows:

Original Contract Amount	\$20,476.06
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, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-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 Rogers Road (3753) Sanitary Sewer Improvements project, (Contract 655940-02) be and the same is hereby accepted as being substantially completed.

The final contract price is \$18,071.46 distributed as follows: \$18,071.46 655-655000-655940, 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 8<sup>th</sup> day of October, 2013.



PROJECT LOCATION

3753 Rogers Road NW

ROGERS ROAD NW

MORRIS AVE NW

WOLF DR NW

WILEY BLVD NW

M AVENUE NW

MOOSE DR NW

WESTLAND RD NW



### 3753 ROGERS ROAD SANITARY SEWER IMPROVEMENTS







## 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** **Yes Map**

Resolution accepting project, approving Performance Bond and authorizing final payment in the amount of \$36,869.22 to Rathje Construction Company for the 74<sup>th</sup> Street NE From West Park Road to 500' West of White Ivy Place Reconstruction project (original contract amount was \$852,650.19; final contract amount is \$737,384.35). CIP/DID #301150-04

### Background:

Construction has been substantially completed by Rathje Construction Company for the 74<sup>th</sup> Street NE From West Park Road to 500' West of White Ivy Place Reconstruction. This is an approved Capital Improvements Project (CIP No. 301150-04) with a final construction contract amount of \$737,384.35. 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 recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$36,869.22.

### 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, four-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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

### Budget Information (if applicable):

CIP 301150 (FY 2013 and prior)	\$1,327,000
Special Assessments:	<u>\$199,000</u>
Total of Above	\$1,526,000

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** Project is a roadway project. Per Code of Iowa, City Council must award contract to lowest responsible, responsive bidder or reject all bids.

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

**Explanation** (if necessary): City Council Infrastructure Committee directed Public Works Department to prepare a preliminary assessment plat and schedule for City Council consideration and approved project concept.



RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 74<sup>th</sup> Street NE From West Park Road to 500' West of White Ivy Place Reconstruction project (Contract No. 301150-04), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 10, 2012 in the amount of \$828,450.19 covering said work filed by Rathje Construction Company and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary for this project is as follows:

Original Contract Amount	\$828,450.19
Possible Incentive	24,200.00
Change Order No. 1	125.03
Change Order No. 2	585.00
Change Order No. 3	964.08
Change Order No. 4	669.82
Change Order No. 5	935.08
Change Order No. 6	13,103.05
Change Order No. 7 (Final)	-109,447.90
Removal of Original Incentive	<u>-22,200.00</u>
Amended Contract Amount	\$737,384.35

, now therefore

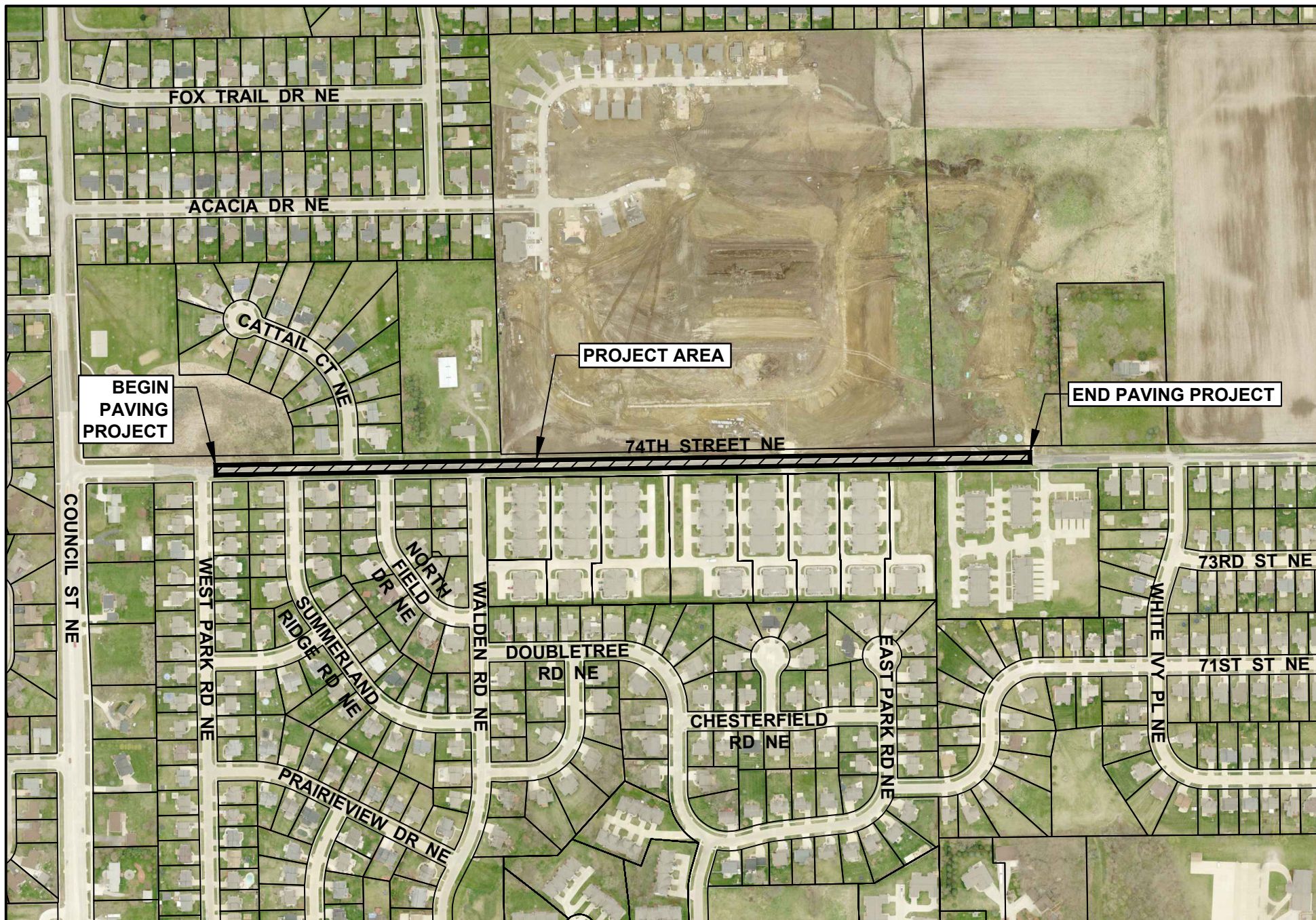
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 74<sup>th</sup> Street NE From West Park Road to 500' West of White Ivy Place Reconstruction project, (Contract No. 301150-04) 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 \$36,869.22 to Rathje Construction Company as final payment.

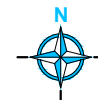
The final contract price is \$737,384.35 distributed as follows: \$737,384.35 301-301000-301150, and

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 8<sup>th</sup> day of October, 2013.



74TH STREET NE FROM WEST PARK ROAD TO 500-FEET WEST OF  
WHITE IVY PLACE PAVEMENT RECONSTRUCTION PROJECT  
Motion Filing Contract Documents and Setting Public Hearing



0 FEET 400





## 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:** [select from drop-down list]

**Phone Number/Extension:** 5848

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

Resolution accepting project and approving Performance Bond of Vieth Construction Corporation for the CEMAR Trail from 20<sup>th</sup> St NE to 29<sup>th</sup> St NE Drainage & Landscape Improvements project (original contract amount was \$50,930; final contract amount is \$48,205). CIP/DID #325012-04

### Background:

Construction has been substantially completed by Vieth Construction Corporation for the CEMAR Trail from 20<sup>th</sup> St NE to 29<sup>th</sup> St NE Drainage & Landscape Improvements project. This is an approved Capital Improvements Project (CIP No. 325012-04) with a final construction contract amount of \$48,205. 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 recommends adoption of the Resolution to accept the project and performance bond.

### 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 (four-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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

**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 CEMAR Trail from 20<sup>th</sup> St NE to 29<sup>th</sup> St NE Drainage & Landscape Improvements project (Contract No. 325012-04), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated March 27, 2012 in the amount of \$50,930 covering said work filed by Vieth Construction Corporation and executed by North American Specialty Insurance Company provides a four-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary for this project is as follows:

Original Contract Amount	\$50,930
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,now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-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 CEMAR Trail from 20<sup>th</sup> St NE to 29<sup>th</sup> St NE Drainage & Landscape Improvements project, (Contract No. 325012-04) be and the same is hereby accepted as being substantially completed.

The final contract price is \$48,205 distributed as follows:325-325000-325012  
, and

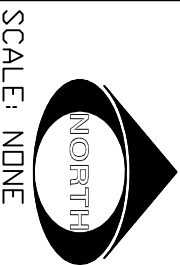
BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

Passed this 8<sup>th</sup> day of October, 2013.





CEMAR TRAIL FROM 20TH ST NE TO 29TH ST NE  
DRAINAGE AND LANDSCAPE IMPROVEMENTS







## 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:** Loren Snell  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

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

Authorizing an amendment to Purchase Order No. 304380-01 in the amount of \$5,594.14 and accepting project, approving Performance Bond and authorizing final payment in the amount of \$57,714.14 to Rathje Construction Company for the Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension project (original contract amount was \$52,120; final contract amount with this amendment is \$57,714.14). CIP/DID 304380-01

### Background:

This amendment to the purchase order is to pay for additional work due to storm sewer redesign. The work includes all material cost differentials, increased labor charges, and equipment time. The submitted prices have been reviewed by the Construction Engineering Manager and are recommended for approval based on contractor invoices and supplier documentation.

Construction has been substantially completed by Rathje Construction for the Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension. This is an approved Capital Improvements Project (CIP No. 304380-01) with a final construction contract amount of \$57,714.14. 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 recommends approval of the amendment to Purchase Order No. 304380-01 and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$57,714.14.

### Alternative to the Recommendation:

If Council does not approve the amendment to the purchase order, payments due to the Contractor will accrue interest until approval of the amendment occurs and payment is made. 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 (payment cannot be released to Contractor, four-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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, Purchase Order No. 304380-01 authorized the Public Works Department to purchase goods and services in the amount of \$52,120 from Rathje Construction company for construction services in connection with the Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension project (CIP 304380-01), and

WHEREAS, modifications were made to the sanitary sewer design to satisfy a homeowner resulting in additional material costs, labor charges, and equipment time, and

WHEREAS, said repairs in the amount of \$5,594.14 are required for this project, and

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension project (Contract No. 304380-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 11, 2013 in the amount of \$52,120 covering said work filed by Rathje Construction Company and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary for this project is as follows:

Original Contract Amount	\$52,120.00
Amend PO	<u>5,594.14</u>
Amended Contract Amount	\$57,714.14

,now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-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 Greenlefe Drive NW from Greenlefe Court to 275 Feet South Storm Sewer Extension project, (Contract No. 304380-01) 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 \$57,714.14 to Rathje Construction Company as final payment.

The final contract price is \$57,714.14 distributed as follows: \$57,714.14 304-304000-304380, 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 8<sup>th</sup> day of October, 2013.









## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

**Alternate Contact Person:** John Ryan  
**E-mail Address:** [John.Ryan@Ryancompanies.com](mailto:John.Ryan@Ryancompanies.com)

**Phone Number/Extension:** 515/202-7456

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

Resolution accepting project, approving Performance Bond and authorizing final payment in the amount of \$139,886.55 to Modern Piping, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Mechanical & Plumbing project (original contract amount was \$2,639,000; final contract amount is \$2,797,731.07) (**FLOOD**). CIP/DID #PTE001-22

#### **Background:**

Construction has been substantially completed by Modern Piping, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Mechanical & Plumbing project. This is an approved Capital Improvements Project (FLOOD No. PTE001-22) with a final construction contract amount of \$2,797,731.07. Funding resources for this project were approved in FY13 and prior years and the project is completed within the approved budget.

#### **Action / Recommendation:**

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$139,105.65 to be paid by the City of Cedar Rapids and \$780.90 to be paid by Paramount Tenant LLC, for a total final payment amount of \$139,886.55.

#### **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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** FEMA

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** Non-local monies are funding this project

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

**Explanation (if necessary):** This project has not been considered by a Council Committee.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Mechanical & Plumbing project (Flood No. PTE001-22), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated September 1, 2013 in the amount of \$2,639,000 covering said work filed by Modern Piping, Inc. and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship, and

WHEREAS, the final cost summary for this project is as follows:

Original Contract Amount	\$2,639,000.00
Possible Incentive	15,000.00
Change Order No. 1	18,785.00
Change Order No. 2	4,172.00
Change Order No. 3	21,309.00
Change Order No. 4	16,853.82
Change Order No. 5	8,894.00
Change Order No. 6	4,469.25
Change Order No. 7	41,638.00
Change Order No. 8	11,992.00
Change Order No. 9	4,147.00
Change Order No. 10	5,644.00
Change Order No. 11	6,313.00
Change Order No. 12	1,477.00
Change Order No. 13	13,037.00
Removal of Original Incentive	<u>-15,000.00</u>
Amended Contract Amount	\$2,797,731.07

,now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, 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 Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – Mechanical & Plumbing project, (Contract No. PTE001-22) 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 \$139,105.65 to Modern Piping, Inc. and Paramount Tenant LLC is authorized and directed to issue a warrant in the sum of \$780.90 to Modern Piping, Inc. as final payment.

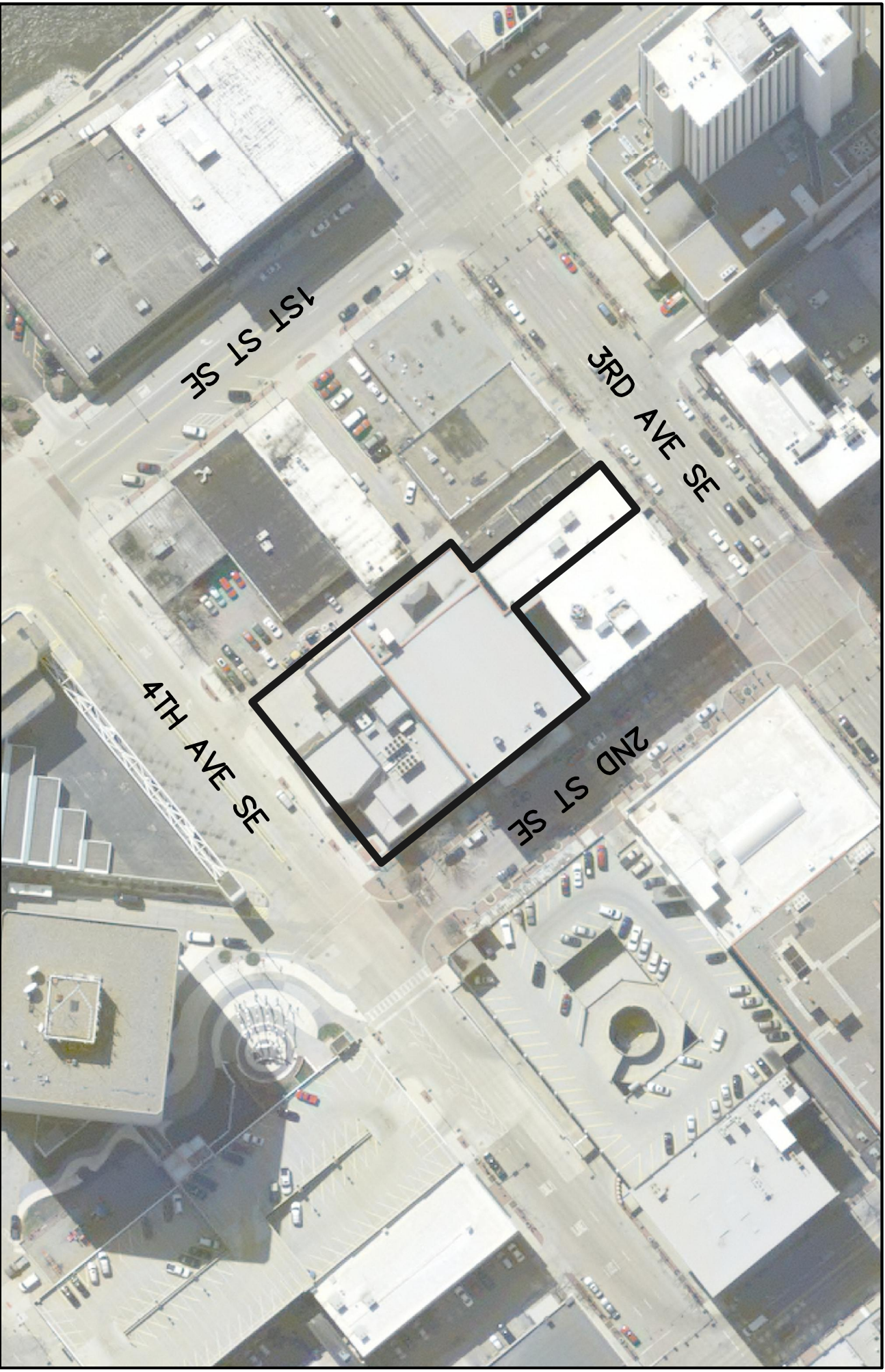
The final contract price is \$2,797,731.07 distributed as follows; \$2,797,731.07; \$2,350,232.97 552000-330-330820-18512-PTE001, \$292,524.80 552000-330-330820-18517-PTE001-HTC (City of Cedar Rapids portion), \$15,618 552000-330-330820-18517-PTE001-HTC (Paramount Theatre LLC's portion), \$139,355.30 552000-330-330820-18517-PTE001-IJN

, 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 8<sup>th</sup> day of October, 2013.





SCALE: NONE

# PARAMOUNT THEATER FLOOD RECOVERY PROJECT



CEDAR RAPIDS  
City Of Five Seasons

PT001-10

**Council Agenda Item Cover Sheet**☒ **Consent Agenda**      ☐ **Regular Agenda****Council Meeting Date:** October 8, 2013**Submitting Department:** Utilities – Water**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)**Alternate Contact:** Ken Russell              **Phone:** 5926    **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolutions accepting projects, approving Performance Bonds and authorizing issuance of final payments:

- a. NE Quad Water Main Replacement Project, final (retainage) payment in the amount of \$20,565.09 to Rathje Construction Co. (original contract amount was \$431,861.75; final contract amount is \$411,301.78). CIP/DID #2010022-02

Note: The original contract amount was \$431,861.75 and the final contract amount is \$411,301.78; the contract included five (5) change orders totaling \$-20,559.97.

**Background:**

The Utilities Department – Water Division replaced approximately 1,240.5 LF of 8-inch water main and 12.5 LF of 6-inch water main along 35th Street NE from Oakland Road to Zach Johnson Drive NE; along Culver Street NE from Old Marion Road to Estroy Drive NE and along 43<sup>rd</sup> Street NE from Culver Street to F Avenue NE; pavement replacement, water service reconnection and seeding.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that City Council accept the project and performance bond and issue final (retainage) payment to Rathje Construction Co. in the amount of \$20,565.09, thirty days after acceptance in accordance with Iowa Code.

**Alternative Recommendation:**

There is no alternative to the 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 the Contractor and the two-year maintenance bond period cannot begin) and the City could be subject to claims since the Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** None, routine item**Resolution Date:** 10/08/13**Estimated Presentation Time:** 0 Minute(s)**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Funded in FY12 CIP budget for Water Main Extensions and the general ledger coding is 553000-625-625000-6252010022-625884.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY12 CIP budget included \$1,500,000 for engineering and construction of replacement type projects under CIP number 625884.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy**              **Applies** ☐    **Exempt** ☒**Explanation:** N/A**Recommended by Council Committee**              Yes ☐              No ☐              N/A ☒**Explanation (if necessary):**

WTR  
AUD FILE  
FIN  
CLK  
ENG  
RATHJE  
2010022-02

## RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division certifies construction contract work on the NE Quad Water Main Replacement Project (Contract No. 2010022-02) has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 14, 2012 in the amount of \$431,861.75 covering said work filed by Rathje Construction Co. 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 two-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that the Utilities Department – Water Division recommends the NE Quad Water Main Replacement Project (Contract No. 2010022-02) be hereby accepted and that the City of Cedar Rapids Finance Director be hereby authorized and directed to issue a warrant in the sum of \$20,565.09 for final (retainage) payment to Rathje Construction Co. thirty days after acceptance in accord with Iowa State Code. The original contract amount was \$431,861.75 and the final contract amount is \$411,301.78; the contract included five (5) change orders totaling \$-20,559.97. The project was funded from the Utilities Department – Water Division fiscal year 2012 CIP budget and coded to 553000-625-625000-6252010022-625884.

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 8<sup>th</sup> day of October, 2013.



**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Bob Pasicznyuk**Phone Number/Ext:** 739-0401**Email:** pasicznyukb@crlibrary.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Resolution accepting project and Performance Bond and authorizing issuance of final payment in the amount of \$520.75 to Phelan's Interiors for Library Furniture and Shelving for the West Side Ladd Branch. (original contract amount was \$9,397.38; final contract amount is \$9,397.38). CIP/DID # 0612-242

**Background:**

This project is for furniture and shelving at the West Side Ladd Library Branch. The contract with Phelan's Interiors was signed by the City Manager on October 31, 2012. The Cedar Rapids Public Library has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated October 5, 2012 in the amount of \$9,397.38 covering said work, filed by Phelan's Interiors and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship.

This resolution is to release final payment to Phelan's Interiors of \$520.75.

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 7010-701000-701057-01**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 and Phelan's Interiors are parties to a Contract for Library Furniture and Shelving at the West Side Ladd Branch Library, signed by the City Manager on October 31, 2012; and

WHEREAS, the Cedar Rapids Public Library has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications; and

WHEREAS, a Performance Bond dated October 5, 2012 in the amount of \$9,397.38 covering said work filed by Phelan's Interiors 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 two-year correction period as provided by the Performance Bond commences on this date; and

A cost summary of the contract for this project is as follows:

Original Contract, signed by the City Manager on October 31, 2012	\$9,397.38
<b>Contract Total</b>	<b>\$9,397.38</b>

AND BE IT FURTHER RESOLVED that based on the recommendation by the Cedar Rapids Public Library that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$520.75 to Phelan's Interiors; and

BE IT FURTHER RESOLVED that payment shall be issued 30 days from the date of resolution.

Passed this 8<sup>th</sup> day of October, 2013.





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Bob Pasicznyuk

**Phone Number/Ext:** 739-0401

**Email:** pasicznyukb@crlibrary.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

**Email:** d.rodenkirk@cedar-rapids.org

**Description of Agenda Item:**

Resolution accepting substantial completion on the project and Performance Bond and authorizing issuance of partial retainage in the amount of \$34,709.38 to Library Furniture International, Inc. for the Library Furniture and Shelving project. (original contract amount was \$684,412.98; current contract amount is \$713,164.57) (**FLOOD**). CIP/DID # 0612-242

**Background:**

City Council awarded Sections 6 and 9 of the Library Furniture and Shelving project to Library Furniture International, Inc. through Resolution No. 1434-09-12. Amendment No. 1 for \$9,774.68 for additional shelving was signed by the City Manager on December 20, 2012. The Cedar Rapids Public Library has certified that the work covered under the original contract and Amendment No. 1 is substantially complete and request a partial release of retention of \$34,709.38. Retention will still be held for subsequent amendments that added items to the Contract, as those items have not been delivered and installed.

A Performance Bond dated October 3, 2012 in the amount of \$684,412.98 covering said work filed by Library Furniture International, Inc. and executed by Allegheny Casualty Company provides a two-year correction period for defects in materials and workmanship.

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 531109-330-330010-18512-PLE002

**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 and Library Furniture International, Inc. are parties to a Contract for Library Furniture and Shelving for the Downtown Library, authorized by Resolution No. 1434-09-12; and

WHEREAS, the Cedar Rapids Public Library has certified that the Contract work under the original contract and Amendment No. 1 has been substantially completed in accordance with the approved plans and specifications; and

WHEREAS, the Cedar Rapids Public Library has requested that the \$34,709.38 retention withheld on the original contract and Amendment No. 1 be released to Library Furniture International, Inc.; and

WHEREAS, retention will still be held for subsequent amendments that added items to the Contract, as those items have not been delivered and installed; and

WHEREAS, a Performance Bond dated October 3, 2012 in the amount of \$684,412.98 covering said work filed by Library Furniture International, Inc. and executed by Allegheny 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 two-year correction period as provided by the Performance Bond commences on this date; and

A cost summary of the contract for this project is as follows:

Original Contract, Resolution No. 1434-09-12	\$684,412.98
Amendment No. 1, signed by the City Manager December 20, 2012	\$9,774.68
Subtotal for retention release	\$694,187.66
Amendment No. 2, signed by the City Manager August 28, 2013	\$9,001.91
Amendment No. 3, not-to-exceed	\$9,975.00
Contract Total	\$713,164.57

AND BE IT FURTHER RESOLVED that based on the recommendation by the Cedar Rapids Public Library that the Library Furniture and Shelving project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue partial retention for the sum of \$34,709.38 to Library Furniture International, Inc.; and

BE IT FURTHER RESOLVED that payment shall be issued 30 days from the date of resolution.

Passed this 8<sup>th</sup> day of October, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Bob Pasicznyuk**Phone Number/Ext:** 739-0401**Email:** pasicznyukb@crlibrary.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Resolution accepting project and authorizing issuance of final payment in the amount of \$9,912.94 to Iowa Prison Industries for Library Furniture and Shelving for the Downtown Library. (original contract amount was \$198,258.85; final contract amount is \$198,258.85) (**FLOOD**). CIP/DID #0612-242

**Background:**

City Council awarded Sections 7 and 8 of the Library Furniture and Shelving project at the Downtown Library to Iowa Prison Industries through Resolution No. 1433-09-12. OPN Architects and the Cedar Rapids Public Library have certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

This resolution is to release final payment to Iowa Prison Industries of \$9,912.94.

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 531109-330-330010-18512-PLE002**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 and Iowa Prison Industries are parties to a Contract for Library Furniture and Shelving for the Downtown Library, authorized by Resolution No. 1433-09-12; and

WHEREAS, the Cedar Rapids Public Library has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications; and

A cost summary of the contract for this project is as follows:

Original Contract, Resolution No. 1433-09-12	\$198,258.85
<b>Contract Total</b>	<b>\$198,258.85</b>

AND BE IT FURTHER RESOLVED that based on the recommendation by the Cedar Rapids Public Library that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$9,912.94 to Iowa Prison Industries; and

BE IT FURTHER RESOLVED that payment shall be issued 30 days from the date of resolution.

Passed this 8<sup>th</sup> day of October, 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** **Yes Map**  
 Resolution approving the Final Plat of O'Connell Addition to Linn County, Iowa located at 1101 Morgan Bridge Road SW (north of Highway 30). CIP/DID #47-13-001

### 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 four (4) lots and a total plat area of 37.95 acres.

### Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plat of O'Connell Addition to 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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** N/A

**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  
47-13-001  
CRMFR# 12411

RESOLUTION NO.  
RESOLUTION APPROVING PLAT

WHEREAS, A PLAT OF O'Connell Addition to Linn County, Iowa containing Lot 1, Outlot A, Lot A, and Lot B, 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

WHEREAS, the property owner(s) has submitted the following executed agreement(s), and are included as part of the final plat documents:

1. AGREEMENT TO ANNEX
2. CONCRETE PAVEMENT PETITION AND ASSESSMENT AGREEMENT
3. AGREEMENT TO CONNECT TO CITY SANITARY SEWER FACILITIES CITY OF CEDAR RAPIDS, IOWA
4. SANITARY SEWER PETITION AND ASSESSMENT AGREEMENT
5. DEVELOPMENT AGREEMENT

and

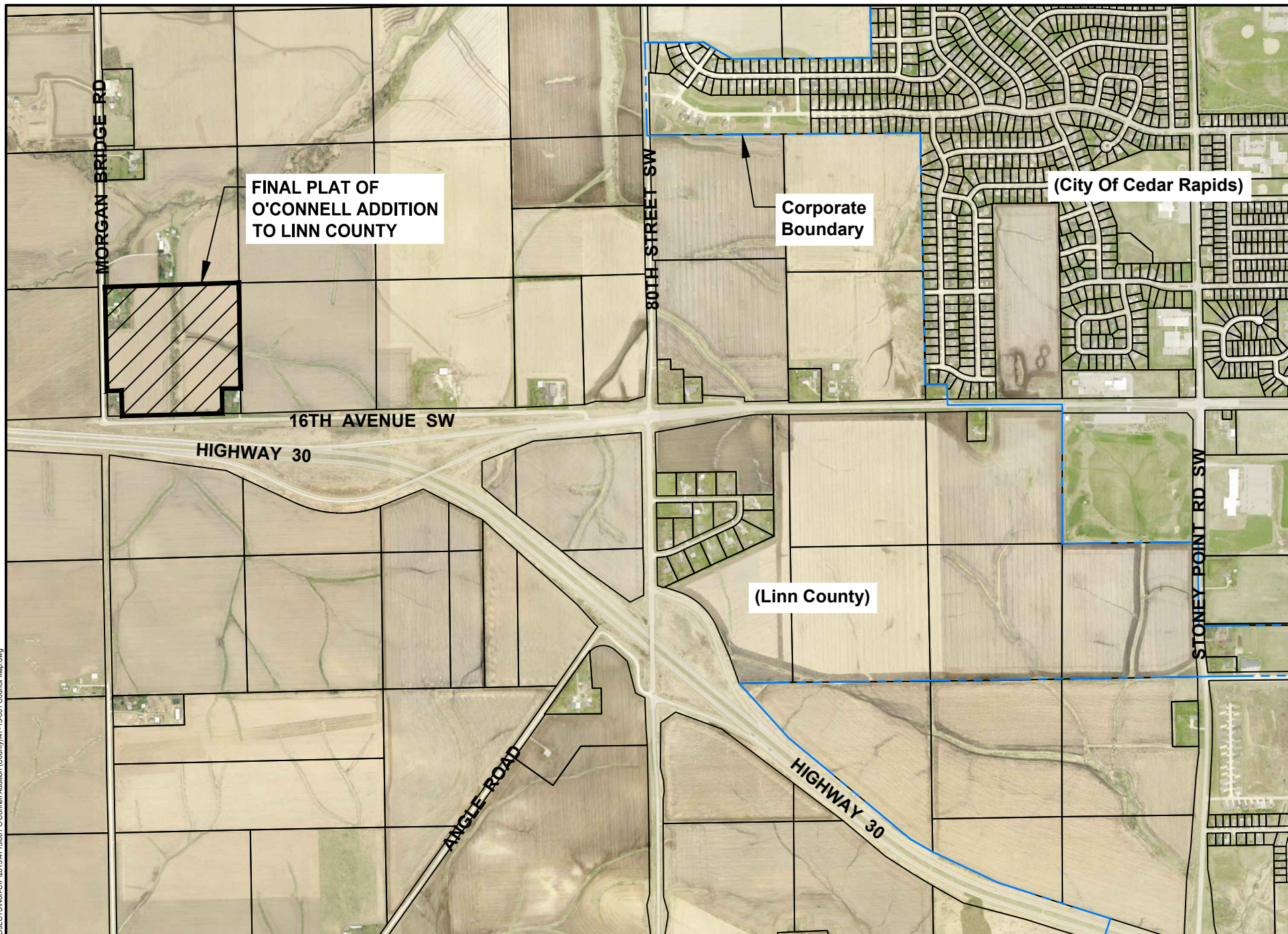
WHEREAS, the agreement(s) as submitted are recommended for approval by the Public Works Director / City Engineer,

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 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 Plats 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 O'Connell Addition to 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 to the public of all lands within the plat that are designated for streets, more specifically Lot A (Morgan Bridge Road SW) and Lot B (16<sup>th</sup> Avenue SW) is hereby approved and accepted, and the dedication of the public easements for the purposes 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 8<sup>th</sup> day of October, 2013.

Cadd File Name: W:\PROJECTS\Non-CIP\2013\4713\001 O'Connell Addition (County)\47-13-001 Council Map.dwg



**FINAL PLAT OF  
O'CONNELL ADDITION TO LINN COUNTY**



0 FEET 1250



## Council Agenda Item Cover Sheet

**\*FLOOD\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Joe O'Hern  
**E-mail Address:** j.ohern@cedar-rapids.org

**Phone Number/Extension:** 5292

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

Resolution authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) (**FLOOD**). CIP/DID #3302500001

### Background:

The City of Cedar Rapids received a HUD Community Development Block Grant award on November 4, 2009, to voluntarily acquire approved parcels located in the Greenway Area, Construction/Study Area and the Neighborhood Revitalization Area. To date, 211 property owners have opted to not participate in the voluntary property acquisition program.

To date, 1,285 offers were previously accepted by City Council. The total accepted offers, including the one offer within this agenda item yet to be approved by City Council, will bring the total signed offers to 1,286.

The eligible Owner(s) of real property located in the flood-impacted areas, as outlined on the Exhibits attached to the resolution, have agreed to convey their property to the City of Cedar Rapids for pre-flood assessed value (adjusted to 107%) less any duplication of benefits.

### Action / Recommendation:

The Public Works Department recommends to accept the offers to voluntarily convey property in the flood-impacted areas to the City of Cedar Rapids in accordance with the terms set forth in the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance of one property as provided in the HUD Community Development Block Grant previously approved by Resolution No. 1137-11-09 and as amended per Resolution No. 0469-05-10.

### Alternative Recommendation:

If Council does not approve the resolution, the HUD Community Development Block Grant program will not be implemented as previously approved.

**Time Sensitivity:** Normal

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information** (if applicable): 330/330000/330250/3302500001, 3302500002 and 3302500003

ENG  
AUD FILE  
CD  
FIN  
ASR  
TRS  
3302500001  
3302500002  
3302500003  
330250-01  
330250-02  
330250-03  
377545

## RESOLUTION NO.

WHEREAS, parcels located in the flood-impacted area were offered the opportunity to participate in the HUD Community Development Block Grant (CDBG) program, and

WHEREAS, the City of Cedar Rapids received a HUD Community Development Block Grant award on November 4, 2009, to voluntarily acquire approved parcels, and

WHEREAS, the original contract with the Iowa Economic Development Authority approved to voluntarily acquire 854 parcels and a contract amendment approved an additional 211 parcels, all parcels located in the Greenway Area, the Construction/Study Area and the Neighborhood Revitalization Area, and

WHEREAS, subsequent contract amendments were approved as additional parcels registered for the voluntary buyout program, and

WHEREAS, one eligible Owner(s) of real property as outlined on Exhibit "A" have agreed to convey their property to the City of Cedar Rapids, and

WHEREAS, as provided in the HUD Community Development Block Grant Administrative Plan previously approved by Resolution No. 0057-01-10, it is recommended the City Council approve the additional following benefit payments to the Owner(s), if applicable, as defined on Exhibit "A", and

WHEREAS, the Public Works Director / City Engineer has reviewed the compensation recommendations as outlined in Exhibit "A", and subsequently recommends to accept the Owner(s) offers to voluntarily convey their flood-impacted property to the City of Cedar Rapids in accordance with the terms set forth in the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance, and

WHEREAS, the City Council has allocated Capital Improvement funds for HUD Community Development Block Grant Program (Fund 330, Dept ID 330000, Project 3302500001, 3302500002 and 3302500003),

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 Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance as described herein, and

BE IT FURTHER RESOLVED that the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City Manager and or his designee be authorized to execute the approved HUD Closing Statement, and

BE IT FUTHER RESOLVED the City of Cedar Rapids Finance Director be authorized to issue payment per the HUD Closing Statement and Check Request form, for each parcel closing, and

BE IT FUTHER RESOLVED that upon the transfer of title for the property outlined in Exhibit "A", the recorded deeds and other required conveyance documents be accepted and filed with the City of Cedar Rapids Finance Director.

Passed this 8<sup>th</sup> day of October, 2013.



**EXHIBIT "A"**  
**CDBG Community Development Block Grant Program**  
**City of Cedar Rapids, Iowa - Offer to Buy Real Estate and Acceptance**  
**Batch # 73**

Flood ID #	Deed Holder Name(s)	Flood Address	Legal Description	Pre-Flood Value	Offer Amount - less DOB (CDBG)	Other Benefits (CDBG*)	Other Benefits (LOST**)	Estimated Total Proceeds	Property Ownership Status
CR5441 CA	Delbert A. Franck	1719 B St SW	SE-1/4 1/2 of Lot 10, Block 16, Hulls ReSurvey of Blocks 15 and 16 of L.S. May's Addition to West Cedar Rapids, Linn County, Iowa.	\$72,464.68	\$53,722.02	\$750.00	\$0.00	\$54,472.02	Primary Residence

Totals \$72,464.68 \$53,722.02 \$750.00 \$0.00 \$54,472.02

\* CDBG - Other Benefits  
Replacement Housing Assistance  
Moving Allowance  
Unmet Needs  
\*\*LOST - Other Benefits  
Flood Insurance Incentive  
Replacement Housing Assistance (GAP)  
Contract Sellers (GAP)



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

**Phone Number/Ext:** 319 286-5852

**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Alternate Contact Person:** Chrystal Shaver

**Phone Number/Ext:** 319 286-5182

**Email:** [c.shaver@cedar-rapids.org](mailto:c.shaver@cedar-rapids.org)

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

Resolution adopting funding priorities for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs for the period covering July 1, 2014 – June 30, 2015.  
CIP/DID #71743

### **Background:**

In effort to better target the City's declining CDBG and HOME entitlement resources; an annual prioritization process was established in September 2012 to target funds towards highest priority community needs. These needs were determined using City Council's strategic goals and priorities, as well as the City's 5-year Consolidated Plan and other City planning efforts.

One requirement of the US Department of Housing and Urban Development is to assist with capacity building and funding of Community Housing Development Organizations (CHDOs). Therefore an additional priority would be set for the HOME program that would set-aside \$150,000 for CHDO organizations applying for eligible HOME program activities.

Recommended dollar amounts are based off of FY2013 funding levels of \$1,085,181 for CDBG. Recommendations are shown on the table following this memo. In general, the recommendations focus on activities that improve housing stock and promote neighborhood quality of life either through infrastructure improvements or through provision of services in core neighborhoods.

It is also recommended that \$150,000 of the budgeted \$309,892 for HOME program funds be prioritized for CHDO applicants.

### **Preliminary timeline and Next Steps:**

1. **October 8, 2013** – City Council consideration of proposed priorities for the FY2014 CDBG and HOME program year.
2. **October 2013** – Pre-application workshop for CDBG and HOME applicants and distribution of funding applications.
3. **December 2013** – Applications are due to the City.
4. **January – February 2014** – Consideration of funding applications by the Grants and.

Programs Citizens Advisory Committee.

5. **March 2014** – Public Hearing on proposed Annual Action Plan and budget with 30-day public review period.
6. **May 2013** – City Council adoption of final Annual Action Plan and budget.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

Table the resolution and request additional information.

**Time Sensitivity:**

Staff traditionally holds a pre-application workshop in October for potential applicants

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies ☐ Exempt ☐ N/A ☒

**Explanation:** No goods or services being purchased.

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

**Explanation (if necessary):**

Recommended by the Development Committee on September 25, 2013.

## ATTACHMENT A – FUNDING PRIORITIES

Proposed FY14 CDBG Priority Percentages				
City Council Goal	City Council Desired Outcome	CDBG Activity	CDBG Percentage Allocation	Budget Amount
<b>Create Current and Future Financial Strength</b>	Balanced budget and long term financial plan	Admin Costs – CDBG Services provided without cost to the General Fund	20%*	\$217,036
<b>Bold moves in Economic Development</b>	Provide workforce housing options	Housing Activities, Including Owner-Occupied Rehabilitation, Rental Rehabilitation, Acquisition Rehabilitation	50%	\$542,590
<b>Strategic/ Intentional Community Planning</b>	Wide range of housing options  Targeted use of resources to maximize impact and rebuild core of city			
<b>Strategic / Intentional Community Planning</b>	Walkable and livable neighborhoods  Connectivity	Neighborhood Infrastructure Projects with priority given to projects that are identified in an existing neighborhood plan, such as the recent Wellington Heights Neighborhood Plan adopted in July 2013.	10%	\$108,518
		Public Services Including Neighborhood Services, Youth Services, Elder Services, Homeless Services, Handicap Services, and Other Eligible Expenses	15%*	\$162,777
		Other Eligible activities as needed by the Community	Up to 5%	\$54,259

RESOLUTION NO.

RESOLUTION ADOPTING ANNUAL FUNDING  
PRIORITIES FOR ELIGIBLE ACTIVITIES FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) FOR THE FY2014 PROGRAM YEAR

WHEREAS, as promulgated by Federal rules and regulations of the U.S. Department of Housing and Urban Development (HUD), at 24 CFR Part 91 et al., a Citizen Participation Plan is a federally mandated pre-requisite of communities determined eligible to receive funds, in part, from the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs; and

WHEREAS, the City of Cedar Rapids, Iowa (City) is qualified as an entitlement community to annually receive funds from both the CDBG & HOME Programs, and may qualify for other HUD grant programs; and

WHEREAS, the City's annual entitlement funds have been experiencing a decline in annual funding allocations and increased competition for scarce resources; and

WHEREAS, the City desires to align funding priorities with the community's greatest priority needs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the following funding priorities are hereby adopted for FY2014 with final approval, and made a part of this resolution:

<b>Proposed FY14 CDBG Priority Percentages</b>			
<b>City Council Goal</b>	<b>City Council Desired Outcome</b>	<b>CDBG Activity</b>	<b>CDBG Percentage Allocation</b>
<b>Create Current and Future Financial Strength</b>	Balanced budget and long term financial plan	Admin Costs – CDBG Services provided without cost to the General Fund	20%*
<b>Bold moves in Economic Development</b>	Provide workforce housing options	Housing Activities, Including Owner-Occupied	50%
<b>Strategic/Intentional Community Planning</b>	Wide range of housing options  Targeted use of resources to maximize impact and rebuild core of city	Rehabilitation, Rental Rehabilitation, Acquisition Rehabilitation	



<b>Strategic / Intentional Community Planning</b>	Walkable and livable neighborhoods  Connectivity	Wellington Heights Neighborhood Infrastructure Projects Including Infrastructure Improvements that are needed to improve the quality of life in the Wellington Heights Neighborhood	10%
		Public Services Including Neighborhood Services, Youth Services, Elder Services, Homeless Services, Handicap Services, and Other Eligible Expenses	15%*
		Other Eligible activities as needed by the Community	Up to 5%

\*Percentages capped by federal regulatory limits.

<b>Proposed FY14 HOME Priorities</b>			
<b>City Council Goal</b>	<b>City Council Desired Outcome</b>	<b>CDBG Activity</b>	<b>CDBG Percentage Allocation</b>
<b>Bold moves in Economic Development</b>	Provide workforce housing options	Community Housing Development Organizations (CHDOs) eligible housing activities	\$150,000
<b>Strategic/ Intentional Community Planning</b>	Wide range of housing options  Targeted use of resources to maximize impact and rebuild core of city		

Passed this 8th day of October, 2013.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Paula Mitchell

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**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

**Alternate Contact Person:** Caleb Mason

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

Resolution adopting the Administrative Plan for the Fourth Round of the Single Family New Construction Program. CIP/DID #540257

### **Background:**

Cedar Rapids has received budget authority of \$11,130,227 to carry out a Fourth Round of the Single Family New Construction Program and is required to submit a development plan to Iowa Economic Development Authority (IEDA) prior to February 28, 2014 in order to access the funds. It is expected that the available funding can create 200 or more new single-family units. Through the program, buyers receive up to 25% of the purchase price of the home as mortgage buy down assistance as a forgivable loan. The developer may receive up to \$12,000 in infrastructure reimbursement and a developer's fee not to exceed 15% of the total development cost.

Cedar Rapids has been the recipient of three prior rounds of Single Family New Construction funding to generate replacement housing to recover from the 2008 flood. Locally, the most recent round of the program is being marketed as the "ROOTs" Program. The following matrix summarizes replacement housing created through the first three rounds of the program:

Project	Unit Type	Total Units Committed	Units Complete to-date	Public Funds Invested	Private Investment	Total Investment
<b>Single Family New Construction (SFNC)</b>						
SFNC-1	Owner Occupied	182	182	\$8,000,000	\$19,356,482	\$27,356,482
SFNC-2	Owner Occupied	241	241	\$13,355,991	\$27,174,054	\$40,530,045
SFNC-3	Owner Occupied	205	72	\$11,130,227	\$22,594,361	\$33,724,588
<b>SFNC Subtotal</b>		<b>628</b>	<b>495</b>	<b>\$32,486,218</b>	<b>\$69,124,897</b>	<b>\$101,611,115</b>

As part of the implementation of these program funds, the City undertakes market analysis periodically to ensure units brought online are being absorbed and are not unreasonably impacting the overall housing market. The most recent housing market analysis, completed in summer 2013, found that there is still a market for new housing, particularly for new homes in the core neighborhoods.

In August, staff previewed the findings of the market analysis with the Development Committee and received preliminary feedback to continue the policy focus on the core (Tier 1) neighborhoods and the downtown area. Staff has taken this feedback and is proposing administrative plan criteria for Round 4 consistent with this direction.

**Recommendations:**

Staff is recommending the following criteria for the Single Family Round 4 administrative plan:

- Development limited to Tier 1 geographic area as shown on the attached map.
- City owned property offered on a competitive basis to achieve highest and best uses.
- Privately owned property also eligible for participation.
- Creative development plans such as row housing, adaptive re-use of existing buildings, and mixed use development encouraged in appropriate locations.
- Acquisition and rehabilitation of existing housing for sale is eligible, provided the product complies with all applicable codes.
- Design guidelines similar to Round 3 to promote high quality design and neighborhood compatibility.
- Up to \$12,000 per unit available for infrastructure assistance. (Staff is currently exploring with IEDA possible ways to expand the definition of infrastructure assistance to support adaptive reuse and projects requiring more complicated site assembly and clearance).

The program also carries the following State/Federal requirements:

- Development cost per unit/total sales price may not exceed \$150,000.
- Developer's fee, included in total sales price, may not exceed 15%.
- Buyer income may not exceed 80% of Area Median Income (AMI) adjusted for household size.
- Buyers must be able to obtain mortgage financing meeting minimum standards.
- Units must be complete and funds expended by September 2015.

**Timeline and Next Steps:**

1. October 8, 2013 – City Council consideration of administrative plan.
2. October 2013 – Orientation for interested parties.
3. December 20, 2013 – Applications due.
4. January 2014 – Proposals reviewed by stakeholder committee.
5. January 2014 – Results presented at Development Committee.
6. February 2014 – City Council consideration of Development Plan.
7. February 2014 - Development Plan due to IEDA.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

Table the resolution and request additional information.

**Time Sensitivity:**

Staff proposes to hold a pre-application orientation in October for interested parties in order to allow at least 60 days for builders to prepare their proposals.

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** N/A

**Local Preference Policy** ☐ Applies ☐ Exempt ☐ N/A ☒

**Explanation:** No goods or services being purchased.

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

**Explanation (if necessary):** Recommended by the Development Committee on September 25, 2013.

RESOLUTION NO.

RESOLUTION APPROVING THE ADMINISTRATIVE PLAN FOR THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION  
PROGRAM, LOCALLY KNOWN AS THE "ROOTS" PROGRAM

WHEREAS, The City of Cedar Rapids is a disaster grantee eligible to receive Community Development Block Grant Disaster Recovery (CDBG-DR) funds through the Iowa Economic Development Authority (IEDA) in order to replace housing units lost as a result of the flood of 2008; and

WHEREAS, the City of Cedar Rapids has successfully administered three rounds of Single Family New Construction program funding to produce replacement housing; and

WHEREAS, the City of Cedar Rapids is now eligible to utilize \$11,130,227 in CDBG-DR funding for the construction of replacement housing through a fourth round of the Single Family New Construction Program (locally known as the "ROOTS" Program); and

WHEREAS, the City of Cedar Rapids is desirous of providing a range of affordable housing options throughout the city;

WHEREAS, the City Council provided direction to staff regarding the administrative plan (Attachment) as follows:

- Development limited to lots within the core neighborhoods of the City, located in the locally designated "Tier One" area as defined on the map within the administrative plan;"
- Row housing, adaptive re-use, and acquisition and rehabilitation for sale are eligible types of housing products, in addition to single family detached homes, where appropriately zoned and consistent with the neighborhood character;
- Units limited to a maximum development cost/sales price of \$150,000 or below; and
- Development proposals to include marketing budget, and development agreements to include ongoing maintenance requirements, in lieu of a "buyer in hand,"

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cedar Rapids, Iowa adopts the administrative plan and program guidelines for the fourth round of the Single Family New Construction Program and further authorizes staff to submit a development plan to the Iowa Economic Development Authority for funding approval.

Passed this 8th day of October, 2013.





## **City of Cedar Rapids Round 4 of Single Family New Construction Program**

### **PROGRAM BACKGROUND**

In June 2008, the City of Cedar Rapids experienced catastrophic flooding that devastated core neighborhoods of the community. In June of 2009, the City of Cedar Rapids in partnership with the Iowa Department of Economic Development administered the 1st Round of the Single Family – New Production Program. The program, designed to begin replacing housing units lost in the 2008 flood. Two subsequent rounds of funding have been administered to date, and over 600 new units have, or will be, created as a result of the program.

### **PROGRAM OVERVIEW & GOALS**

Working from the best practices established through the City's successful partnership with IEDA and local builders for the "Single Family – New Production Program," the City will target resources to the core neighborhoods of Cedar Rapids and infill development in the community. Development will be allowed in the following areas for the 3<sup>rd</sup> round of the program:

***Tier 1 Area*** – Development will be located in core neighborhoods ("Tier 1") with continued focus in the Neighborhood Revitalization Area. The City will provide lots acquired through the Voluntary Acquisition Program, at no cost, to qualified developers for participation in this program.

Lots located within the 100 year flood plain or the City's designated Construction Study Area will not be eligible for the program.

Each application will be reviewed and scored on a point system. Points will be given to builders and developers based on the following:

- Experience in affordable housing
- Market feasibility
- Financial feasibility
- Green building principles
- Mix of housing product types
- Price range of housing products
- Location of housing product in relation to amenities. Consideration will be given to City-owned lots located within the Neighborhood Revitalization Area and acquired through the Voluntary Acquisition Program.
- Consistency with adopted plans for the area, including the 2009 Neighborhood Planning Process and any sub-area plans such as the Kingston Village Plan, the Ellis Boulevard Plan, and the Wellington Heights Neighborhood Plan.
- Consistency with design guidelines developed for the Housing and Neighborhood Development (HAND) program previously utilized by the City of Cedar Rapids.
- Consistency with the character of the existing neighborhood.

### Program Timeline

Submission of development plans to IEDA is required. IEDA will require a minimum of 30 days for its review and approval of individual development plans. It is IEDA's goal to approve all development plans ahead of the 2014 construction season.

Recipients will have until September 30, 2015 to have all single-family dwelling units completed under this program.

### Buyer and Unit Overview

This program is limited to new constructed or substantially rehabilitated single-family / single unit dwelling units for sale to an owner-occupant. Manufactured single family dwelling units are permissible only provided the structure is affixed to a permanent foundation and will be taxed as real property upon completion, and can meet all design guidelines of the program. Adaptive re-use projects which convert commercial or warehouse space to single family condominium style units are allowed. Row house and zero lot line units will be permitted where appropriately zoned and able to meet minimum setback requirements, and where consistent with the character of the existing neighborhood. Where acquisition and rehabilitation is the activity proposed, the rehabilitation must bring the structure into compliance with all applicable codes.

Newly constructed single-family units under this activity shall be made available for sale only to persons or households whose incomes are at or below the median (80%) income limits as established by HUD, by county and by household size.

Below are the median income guidelines for this program:

<i>Household Size</i>							
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
80% AMI	\$39,800	\$45,450	\$51,150	\$56,800	\$61,350	\$65,900	\$70,450
100% AMI	\$49,700	\$56,800	\$63,900	\$71,000	\$76,700	\$82,400	\$88,100

\*Area median income values are determined annually by the US Department of Housing and Urban Development.

There is a maximum per unit development cost cap of \$150,000, which is based upon State guidelines for the program. However, participating builders should note that properties sold through the program must appraise at the proposed sale price.

Single-family dwelling units under this activity shall not be constructed within the 100 year flood plain or within the City's geographically defined "Greenway" and "Construction Study Area."

All newly constructed single family units shall be designed and constructed in accordance with all locally adopted and enforced building codes and standards. In the absence of any locally adopted and enforced building codes or standards, the requirements of the Iowa State Building Code shall apply.

It is IEDA and the City of Cedar Rapids goal to utilize the funds in a manner that results in green-built, sustainable single – family structures. All newly constructed single-family housing units should, to the extent possible, meet requirements of the Iowa Green Streets Criteria. Minimum criteria must be met as listed in the application form.

Builders and developers selected for participation under proposals should offer a variety of types and styles of housing, various sizes (square footage) and units with various numbers of bedrooms and bathrooms; all within the per unit project cost limitations. Development plans will need to be specific project by project and collective of all projects and units.

The participating builders of the single-family housing under this activity shall obtain their own construction financing for all dwelling units constructed.

Homebuyer purchased properties under this program must result in ownership in the form of fee simple title or 99 year leasehold. Condominium single-family structures shall have deed restrictions or covenants in place prior to sale regarding this type of ownership.

### **Program Financing: Forgivable Mortgage**

There is a maximum per unit CDBG-DR acquisition subsidy investment cap of 25% of per unit development cost cap, unit by unit. Effectively, the CDBG-DR funds, provided as acquisition subsidies, are used to buy-down the cost-to-construct, including the land on which it is constructed, to an affordable sales price and an affordable loan amount for income eligible homebuyers.

Assistance under this activity is provided as acquisition assistance (down payment or mortgage buy-down) invested into individual projects at the assisted homebuyer's individual principal loan closing. Assistance under this activity will not be allowed to be combined with Federal Jumpstart Homebuyer Assistance or State Jumpstart Down payment Assistance or Single Family Unit Production – New Construction from the first round of funding on the same dwelling unit or to the same person / household (homebuyer) served.

The CDBG-DR funds subsidy amounts provided to assisted homebuyers (not including project delivery cost or general administration) must be secured as a mortgage lien on the assisted homebuyer's purchased property behind (recorded in junior position) the principal lender's mortgage loan. The assistance shall be provided as a five-year receding forgivable loan. Payback of funds will be required if the assisted homebuyer sells, vacates, rents or abandons their purchased property any time within the five year affordability period.

Buyers who were impacted by the 2008 disasters are subject to a Duplication of Benefits check to determine final subsidy amount.

Participating lenders shall offer principal loan products that minimally meet the following criteria:

- Loan interest rates cannot be higher than four percentage points above the federal prime interest rate at the time of loan commitment;
- Loan-to-value ratios (LVRs) at 75%.
- No less than a 15 year, fully amortized, fixed-rate mortgage may be used (early pay-off provisions must be allowed)
- No adjustable rate mortgages or balloon payment types of mortgages will be allowed.

With the exception of a Habitat for Humanity principal loan product, the principal mortgage loan must be the only repayable loan in all individual homebuyer assistance projects under these proposals.

## **PROGRAM GUIDELINES**

### **Eligible lots**

- Eligible lots will be within the core neighborhoods ("Tier 1"), with an emphasis on sites within the Neighborhood Revitalization Area shown on the attached map. Lots shall not be located outside these boundaries.
- Lots shall NOT be located in the 100-year flood plain.
- Lots shall not be located in the City's geographically defined "Greenway" or "Construction Study" areas.

### **Builder Criteria**

- Builders will submit an application to the City of Cedar Rapids to participate in the program.
- Builders must obtain their own construction financing and provide a letter of commitment from the financial institution with their application.
- Builders must have commitment from at least three financial institutions to provide the end loans to the qualified buyers of the new units.
- Builders must provide a marketing plan for units within their application and include a budget line for marketing expenses.
- Each application will be scored competitively based on the following factors:
  - Experience in affordable housing

- Green building principles
- Market and financial feasibility
- Mix of housing product types
- Price range of housing products
- Consistency with design guidelines developed for the Housing and Neighborhood Development program previously utilized by the City of Cedar Rapids and all applicable area plans.
- Location of housing product in relation to amenities. Consideration will be given to City-owned lots located within the Neighborhood Revitalization Area that have been acquired through the Voluntary Acquisition Program.
- Builders will be allowed a builders fee (overhead and profit). Builders are allowed a builder's fee of up to fifteen percent of the cost of construction for each individual dwelling unit. Builders fees shall be included within the total cost to construct and contained within the per unit development cost limitations.

#### **Unit Criteria**

- Priority will be given to single family detached units. Row house and adaptive re-use projects may be eligible if able to meet minimum zoning and setback requirements, and are otherwise consistent with existing neighborhood character.
- Acquisition and rehabilitation is eligible but must comply with all applicable codes, and the structure must be fully code compliant upon completion.
- Units will be consistent with design guidelines used for the program to develop units consistent with the scale and character of the surrounding neighborhoods.
- Units will comply with mandatory minimum "green building" requirements, with incentive points given for measures that exceed the minimum criteria.
- The 25% subsidy will be based on the builder's proposed price; upgrades to proposed buildings are allowed but will **NOT** be subsidized by the program funding and will be at the expense of the buyer while meeting the program loan-to-value ratio of 75%.
- The per unit cost and sales price of the units will be limited to \$150,000 and below.

#### **Infrastructure Criteria**

- Based on the City's recent experiences, infill housing is often more challenging to develop due to the need to upgrade or replace existing infrastructure. To address this, up to \$3,000,000 of the total allocation of the SFNC-3 will be set aside for new and infill development infrastructure.
- There will be a cap of \$12,000 per lot that is in addition to the buyer subsidy for infrastructure improvements. Proof of all cost will be given to staff prior to closing and disbursement of funds. Funds will only be given for the amount of actual expenses incurred to make necessary improvements.

#### **Neighborhood Revitalization Area guidelines:**

- The Developer will present development concept drawings and projected construction timelines for each concept drawing within the application. Concept drawings must be consistent with design guidelines previously utilized by the City for the HAND program.
- Units must be located outside the 100 year floodplain and designated Construction Study Area.
- City provided lots from the Voluntary Acquisition Program will be rezoned prior to distribution to developers for this program.
- Units cannot exceed a purchase price of \$150,000.

#### **Federal Guidelines:**

- All single-projects developing eight (8) or more lots are subject to Davis Bacon and Related Acts (DBRA) requirements.
- All projects will be required to complete a Section 106 and Environmental Review according to Title 24 CFR Part 58.

- All federal program requirements for the Community Development Block Grant (CDBG) Program shall apply to assisted units, including Environmental Reviews, Fair Housing & Equal Opportunity, Accessibility, Employment and Contracting standards, and Conflict of Interest.

**Eligible Buyers:**

- All Eligible buyers will have incomes at or below 80% of the Area Median Income, adjusted for household size.
- Buyers must qualify for and obtain their own mortgage financing in the form of a standard mortgage loan product from a participating, regulated lender.
- Funds will be committed for individual buyers when an executed purchase contract for an approved unit is provided to the City. Ownership must be in the form of fee simple title or 99-year leasehold.
- Buyers must agree to maintain the acquired property as their primary residence for a period of five (5) years. In the event the buyer sells, rents, vacates, or abandons the property during the five-year retention period, the assistance must be repaid.
- Applicants that are flood victims will be subject to Duplication of Benefits policies to determine the funding award based on other forms of assistance.

**Approved Loan Products & Lending Procedures**

- Loans must be in the form of no less than a 15-year, fully amortized, fixed rate mortgage. Early payoff provisions must be allowed.
- No adjustable rate, balloon, or adjustable rate mortgages will be allowed.
- Loan interest rates shall not exceed four percentage points above the federal prime rate at the time of loan commitment.
- Loan to value (LTV) ratios shall generally be at 75%, as the program provides a 25% down payment. If buyer is using a portion of the assistance to cover closing costs, the LTV shall not exceed 73% (combined LTV of 98%).
- The forgivable loan for the Single Family New Production program shall be senior to all debt other than the principle mortgage on the property.
- Subordination of the forgivable loan (such as for refinancing or home equity loans) will be limited during the five year retention period. Subordination will be allowed during the retention period only if all equity is retained.





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Craig Hanson  
**E-mail Address:** c.hanson@cedar-rapids.org

**Phone Number/Extension:** 5867

**Alternate Contact Person:** Dave Elgin  
**E-mail Address:** d.elgin@cedar-rapids.org

**Phone Number/Extension:** 5803

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **No Map**  
 Resolution adjusting the fee schedule of the Municipal Code for sidewalk snow and ice control abatement costs for the 2013/2014 winter season. CIP/DID #80-14-002

**Background:**

The fee schedule has been adjusted to reflect cost changes since the last change in 2011.

**Action / Recommendation:**

The Public Works Department recommends approval of the resolution adjusting the fee schedule

**Alternative Recommendation:**

Should the City Council decide not to approve the resolution, the City will not be reimbursed for the full cost of work performed by the City.

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** Department 124201 account 431502, revenue for budget of Snow/Weed Abatements

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** No local vendors, state bid

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Department Streets Division requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution setting fees for the removal of snow and/or ice from sidewalks in violation of the City's Municipal Code, Section 9.11 Cleaning Snow From Sidewalks.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that all fees applicable to the violation for removal of snow and/or ice from the sidewalk(s) on an Invoices sent to homeowners through regular mail by the Streets Division shall be paid within 30 days of said Invoice to the City Treasurer of the City of Cedar Rapids. If payment is not made within the 30 days a special assessment plus an administrative processing fee will be assessed to the property and said fees be collected in the same manner as property taxes.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS that the cost and expenses to be assessed against the property for the removal of snow and or ice from sidewalk(s) abutting a property shall be established by the following schedule:

Bombardier Sidewalk Plow	\$84.00 per hour
Snow Blower	\$10.00 per hour
1 Ton Truck	\$20.00 per hour
Laborer/operator	\$62.00 per hour
Administrative Fee	\$75.00 per job

Non-payment administrative processing fee \$35.00

This fee schedule shall be reviewed annually and adjustments may be made in accordance with Ordinance No. 036-08.

Passed this 8<sup>th</sup> day of October 2013



### **Council Agenda Item Cover Sheet**

**Submitting Department:** Human Resources

**Presenter at meeting:** Conni Huber  
**E-mail Address:** c.huber@cedar-rapids.org

**Phone Number/Extension:** 5019

**Alternate Contact Person:** Heath Halverson  
**E-mail Address:** h.halverson@cedar-rapids.org

**Phone Number/Extension:** 5110

**Description of Agenda Item:** Elimination of Lead Data Coordinator (CDBG), Assistant Data Admin Finance (CDBG) and Field Operations Manager (CDBG) from the Development Services Department and Secretary IV from the Golf Division.

**Background:** The demolition process has reached a point where the workload of the Lead Data Coordinator (CDBG), Assistant Data Admin Finance (CDBG) and Field Operations Manager (CDBG) greatly diminished. The elimination of these positions does not result in severance, as the positions are not covered under Iowa Code, Chapter 400 and are subject to a term of employment consistent with the demolition process and funding.

In order to create efficiencies within the Golf Division the seasonal position of Secretary IV will be eliminated and an increase in hours of the regular part-time position of Customer Service II will be implemented. FTE will increase from .5 to .6.

**Action / Recommendation:** Approve elimination of the Lead Data Coordinator (CDBG), Assistant Data Admin Finance (CDBG), Field Operations Manager (CDBG) and Secretary IV positions.

**Alternative Recommendation (if applicable):** N/A

**Time Sensitivity:** Immediate

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):** N/A

RESOLUTION NO.

WHEREAS, significant progress has been made in the demolition process of flood related structures, resulting in a decrease of workload within the Development Services Department CDBG positions, and

WHEREAS, in order to create efficiencies within the Golf Division the seasonal position of Secretary IV will be eliminated and an increase in hours of the regular part-time position of Customer Service II will be implemented. FTE will increase from .5 to .6.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to eliminate the Lead Data Coordinator (CDBG) position (Job Code: NB487 / Position Number: 2618), Assistant Data Admin Finance (CDBG) position (Job Code: NB491 / Position Number: 2579), Field Operations Manager (CDBG) position (Job Code: NB485 / Position Number: 2617) and Secretary IV (Job Code: TH172 / Position Number: 2623).

Passed this 8<sup>th</sup> day of October, 2013

RESOLUTION NO.

RESOLUTION RECEIVING CITIZEN PETITION

WHEREAS, the Cedar Rapids City Council received a “petition to reopen, review, and revise the City of Cedar Rapids preferred plan 2009” containing 208 signatures on September 19, 2013; and

WHEREAS, the Flood Recovery Council Committee has recommended that the City Council accept the petition;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is directed to review the request and provide a recommendation to the City Council in response to the petition.

Passed this 8<sup>th</sup> day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Bob Pasicznyuk

**Phone Number/Ext:** 739-0401

**Email:** pasicznyukb@crlibrary.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

**Email:** d.rodenkirk@cedar-rapids.org

### **Description of Agenda Item:**

Amendment No. 1 to the Contract for Library Furniture and Shelving for the West Side Ladd Library with Library Furniture International, Inc. to reflect additional shelving and tables for an amount not to exceed \$18,777 (original contract amount was \$144,383.44; total contract amount with this amendment is \$163,160.44). CIP/DID #0612-242

### **Background:**

City Council awarded the Contract to Library Furniture International, Inc. for Sections 6 and 9 for shelving and tables for the West Side Ladd Library through Resolution No. 1434-09-12 for \$144,383.44. Amendment No. 1 is for additional shelving and tables for a not-to-exceed \$18,777.

### **Contract summary:**

Original Contract Amount	\$144,383.44	Resolution No. 1434-09-12
Amendment No. 1	<u>\$ 18,777.00</u>	not-to-exceed
Amended Contract Amount	\$163,160.44	

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 7010-701000-701057-01

**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 and Library Furniture International, Inc. are parties to a Contract for furniture and shelving for the West Side Ladd Library, authorized by Resolution No. 1434-09-12; and

WHEREAS, Amendment No. 1 is for additional shelving and tables for the West Side Ladd Library for a not-to-exceed price of \$18,777; and

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

Original Contract Amount	\$144,383.44	Resolution No. 1434-09-12
Amendment No. 1	<u>\$ 18,777.00</u>	not-to-exceed
Amended Contract Amount	\$163,160.44	

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. 1 with Library Furniture International, Inc. as described herein.

Passed this 8<sup>th</sup> day of October, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** John Ernst**Phone Number/Ext:** 4684**Email:** j.ernst@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Amendment No. 3 to the Contract for Lagoon Ash Sand Storage with Mike McMurrin Trucking, Inc. to reflect the cost for 5,535 additional tons of lagoon ash sand to be stored for an amount not to exceed \$55,294.65 (original contract amount was \$199,800; total contract amount with this amendment is \$404,944.65). CIP/DID #1012-098

**Background:**

City Council awarded the contract to Mike McMurrin Trucking, Inc. through Resolution No. 0656-04-13 for the storage of lagoon ash sand from the Water Pollution Control Facility for \$199,800. The City Manager signed Amendment No. 1 to extend the contract on July 5, 2013. City Council passed Resolution No. 1295-08-13 to add \$149,850 for additional ash sand storage. This Resolution is for an additional 5,535 tons of lash ash sand to be stored.

Hauling of the lagoon ash sand is under a separate contract.

**Contract Summary:**

Original Contract, Resolution No. 0656-04-13	\$199,800.00
Amendment No. 1, signed by the City Manager on July 5, 2013	\$0.00
Amendment No. 2, Resolution No. 1295-08-13	\$149,850.00
Amendment No. 3, not-to-exceed	\$55,294.65
<b>Contract Total</b>	<b>\$404,944.65</b>

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 521108-611-611004-611026

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Mike McMurrin Trucking, Inc. is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Water Pollution Control Facility and Mike McMurrin Trucking, Inc. are parties to a Contract for storage of lagoon ash sand authorized by Resolution No. 0656-04-13 for \$199,800; and

WHEREAS, Amendment No. 1 was signed by the City Manager on July 5, 2013 to extend the completion date of the Contract with no change in price; and

WHEREAS, City Council approved Resolution No. 1295-08-13 for storage of additional ash sand for \$149,850; and

WHEREAS, this Resolution is for an estimated 5,535 additional tons of storage for a not-to-exceed \$55,294.65; and

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

Original Contract Amount	\$199,800.00	Resolution No. 0656-04-13
Amendment No. 1	\$ 0.00	Signed by City Manager 07/05/13
Amendment No. 2	\$149,850.00	Resolution No. 1295-08-13
Amendment No. 3	<u>\$ 55,294.65</u>	Not-to-exceed
Amended Contract Amount	\$404,944.65	

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. 3 with Mike McMurrin Trucking, Inc. as described herein.

Passed this 8<sup>th</sup> day of October, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** John Ernst**Phone Number/Ext:** 4684**Email:** j.ernst@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Amendment No. 3 to the Contract for Lagoon Ash Sand Hauling with Mike McMurrin Trucking, Inc. to reflect the cost for an estimated 5,535 additional tons of lagoon ash sand hauling for an amount not to exceed \$18,210.15 (original contract amount was \$65,800; total contract amount with this amendment is \$133,360.15). CIP/DID # 0413-225

**Background:**

City Council awarded the contract to Mike McMurrin Trucking, Inc. through Resolution No. 0785-05-13 for the hauling of lagoon ash sand for the Water Pollution Control Facility. Amendment No. 1 was signed by the City Manager on July 3, 2013 to extend the completion date of the Contract to August 31, 2013. City Council approved an additional \$49,350 on Resolution No. 1296-08-13. This Resolution is for an additional 5,535 tons of lagoon ash sand that was hauled to a different site.

**Contract Summary:**

Original Contract, Resolution No. 0785-05-13	\$65,800.00
Amendment No. 1, signed by City Manager on July 3, 2013	\$0.00
Amendment No. 2, Resolution No. 1296-08-13	\$49,350.00
Amendment No. 3, not-to-exceed	\$18,210.15
<b>Contract Total</b>	<b>\$133,360.15</b>

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 521108-611-611004-611026



**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Mike McMurrin Trucking, Inc. is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Water Pollution Control Facility and Mike McMurrin Trucking, Inc. are parties to a Contract for hauling of lagoon ash sand authorized by Resolution No. 0785-05-13; and

WHEREAS, Amendment No. 1 was signed by the City Manager on July 3, 2013 to extend the completion date of the Contract with no change in price; and

WHEREAS, City Council approved Resolution No. 1296-08-13 for hauling of additional ash sand for \$49,350; and

WHEREAS, this Resolution is for an estimated 5,535 additional tons of hauling for a not-to-exceed \$18,210.15; and

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

Original Contract Amount	\$ 65,800.00	Resolution No. 0785-05-13
Amendment No. 1	\$ 0.00	Signed by City Manager 07/03/13
Amendment No. 2	\$ 49,350.00	Resolution No. 1296-08-13
Amendment No. 3	<u>\$ 18,210.15</u>	Not-to-exceed
Amended Contract Amount	\$133,360.15	

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. 3 with Mike McMurrin Trucking, Inc. as described herein.

Passed this 8<sup>th</sup> day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Bob Pasicznyuk

**Phone Number/Ext:** 739-0401

**Email:** pasicznyukb@crlibrary.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

**Email:** d.rodenkirk@cedar-rapids.org

**Description of Agenda Item:**

Amendment No. 2 to the Contract for Library Furniture and Shelving for the Downtown Library with Storey Kenworthy to reflect changes and additions to Sections 19 and 30 for an amount not to exceed \$105,034.84 (original contract amount was \$307,560.18; total contract amount with this amendment is \$412,422.40) (**FLOOD**). CIP/DID #0612-242

**Background:**

City Council awarded the Contract for Sections 19, 25 and 30 for furniture for the Downtown Library through Resolution No. 1439-09-12 for \$307,560.18. The City Manager signed Amendment No. 1 on December 20, 2012 which was a deduct of (\$172.62).

Amendment No. 2 is for additional furniture items and changes to some of the furnishings in Sections 19 and 30 for an additional \$105,034.84.

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** PLE002

**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 and Storey Kenworthy are parties to a Contract for furniture and shelving for the Downtown Library, authorized by Resolution No. 1439-09-12; and

WHEREAS, the City Manager signed Amendment No. 1 on December 20, 2012 for a deduct of (\$172.62); and

WHEREAS, Amendment No. 2 is for various changes and additions to Sections 19 and 30 for the furnishings in the Downtown Library; and

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

Original Contract Amount	\$307,560.18	Resolution No. 1439-09-12
Amendment No. 1	(\$172.62)	Signed by the City Manager 12/20/12
Amendment No. 2	<u>\$105,034.84</u>	
Amended Contract Amount	\$412,422.40	

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. 2 with Storey Kenworthy as described herein.

Passed this 8<sup>th</sup> day of October, 2013.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 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 \$91,303.72 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 \$622,993.52) (**FLOOD**); CIP/DID #VME001-06

**Background:**

TCIDC #3008 – Revisions to the existing rigging system, access ladder & line sets to best suit the owner's needs & usages during future performances; rigging was also revised for easier & safer maintenance staff access \$91,303.72

**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:** October 8, 2013

**Estimated Presentation Time:**

**Budget Information (if applicable):** VME001-06

**Local Preference Policy** Applies ☐ Exempt

**Explanation:** This is a FEMA funded project.

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 \$91,303.72 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	8,429.47
Change Order No. 5	<u>91,303.72</u>
Amended Contract Amount	\$622,993.52

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

\$91,303.72 Fund 330, Dept ID 330020, Project VME001-06

Passed this 8<sup>th</sup> day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 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 \$5,000 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project (original contract amount was \$88,500; total contract amount with this amendment is \$93,500) (**FLOOD**); CIP/DID #VME001-06

**Background:**

ASI-3008 – Added cost for add'l subflooring required at 4 door elevations, the north stage and The south entrances to the lobby; existing concrete fill varied drastically throughout The auditorium fl requiring more subfloor material to fill larger voids \$5,000.00

**Action / Recommendation:**

Veterans Memorial recommends the approval of Change Order No. 1 to increase the contract amount for J Wood Sports Flooring, LLC

**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:** October 8, 2013

**Estimated Presentation Time:**

**Budget Information (if applicable):** VME001-06

**Local Preference Policy** Applies ☐ Exempt

**Explanation:** This is a FEMA funded project.

VET  
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J WOOD  
NEUMANN  
VME001-06  
FLOOD  
377545

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 \$5,000 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$88,500.00
Change Order No. 1	<u>5,000.00</u>
Amended Contract Amount	\$93,500.00

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

\$5,000.00 Fund 330, Dept ID 330020, Project VME001-06

Passed this 8<sup>th</sup> day of October, 2013.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

**Alternate Contact Person:** Keith Nuehring  
**E-mail Address:** k.nuehring@cedar-rapids.org

**Phone Number/Extension:** 5622

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **No Map**

Resolution authorizing Change Order No. 15 in the amount of \$2,900 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing And Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project (original contract amount was \$1,148,668; total contract amount with this amendment is \$1,947,940.06). CIP/DID #354004-05

**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. 15 submitted by Price Industrial Electric, 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:** October 8, 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):**

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. 15 in the amount of \$2,900 with Price Industrial Electric, Inc. for the Joint Communications Network Splicing And Testing – Groups 1 and 3, Traffic Signal Interconnect Groups 1 and 2 project, Contract No. 354004-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,143,668.00
Incentive Up to	5,000.00
Change Order No. 1	43,100.00
Change Order No. 2	21,600.00
Change Order No. 3	18,524.00
Change Order No. 4	68,445.38
Change Order No. 5	78,575.00
Change Order No. 6	42,287.60
Change Order No. 7	48,218.88
Change Order No. 8	124,800.00
Change Order No. 9	7,590.40
Change Order No. 10	52,182.00
Change Order No. 11 revised 2	219,900.40
Change Order No. 12	48,624.00
Change Order No. 13	15,254.40
Change Order No. 14	7,270.00
Change Order No. 15	<u>2,900.00</u>
Amended Contract Amount	\$1,947,940.06

General ledger coding for this Change Order to be as follows: \$2,900 354-354000-35486-354004

Passed this 8<sup>th</sup> day of October, 2013.



## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**Submitting Department:** Public Works Department

**Presenter at meeting:** Doug Carper, P.E.  
**E-mail Address:** d.carper@cedar-rapids.org

**Phone Number/Extension:** 5258

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**      ☒ **Consent Agenda**      ☐ **Regular Agenda**      **Yes Map**  
 Authorizing Change Order No. 10 in the amount of \$35,225.87 with Hawkeye Electric Company for the Cedar Rapids Public Library Project – Electrical, Telecommunications, Electronic Safety & Security project (original contract amount was \$3,093,185; total contract amount with this amendment is \$3,323,583.50) (**FLOOD**). CIP/DID #PLE001-22

#### Background:

WCD = Work Change Directive

WCD #14	Revised Café Storage Ceiling Height, Revised Water Heater Schedule	\$0
	Additional lockers, miscellaneous paint additions, revisions to staff break room/kitchenette, revisions to Auditorium Wood Clouds	\$0
	Street lighting change	\$0
	Room 268 sink change, DE HVAC Start-up procedure	\$0
	Additional column covers, add carpet pattern in Lounge 210, skywalk vestibule sloping floor	\$0
	Modify power and data locations to accommodate furniture locations. Floor boxes were moved on the 2 <sup>nd</sup> floor in area A, Adult Non-Fiction, and in Open Office 244. Data drops in the Children's Program Room were also relocated.	\$4,651.98
	Storm chamber excavation note, revisions to north entrance plaza	\$0
	Finish details revisions	\$0
	Add and modify electrical services and data services to meet the needs of furniture and equipment layout.	\$10,413.78
	Modify layout of floor boxes and grommets to better accommodate the layout of furniture.	\$3,192.09
	ITC #072 No change in scope	\$0
	Add Cisco phones and devices at direction from the Owner.	\$10,717.92
	Children's Projector Change - provide different projector	\$885.50
	Modify and add exit signage, delete a street light, and add electrical services to Server Room 256.	\$5,364.60
	Revise ceiling paint, vinyl wall covering, and fabric wrapped panels	\$0

#### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 10 submitted by Hawkeye Electric Company.

#### 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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** FEMA

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** FEMA policy does not allow.

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



ENG  
AUD FILE  
FIN  
CLK  
HAWKEYE  
OPN  
PLE001-22  
377545

RESOLUTION NO.

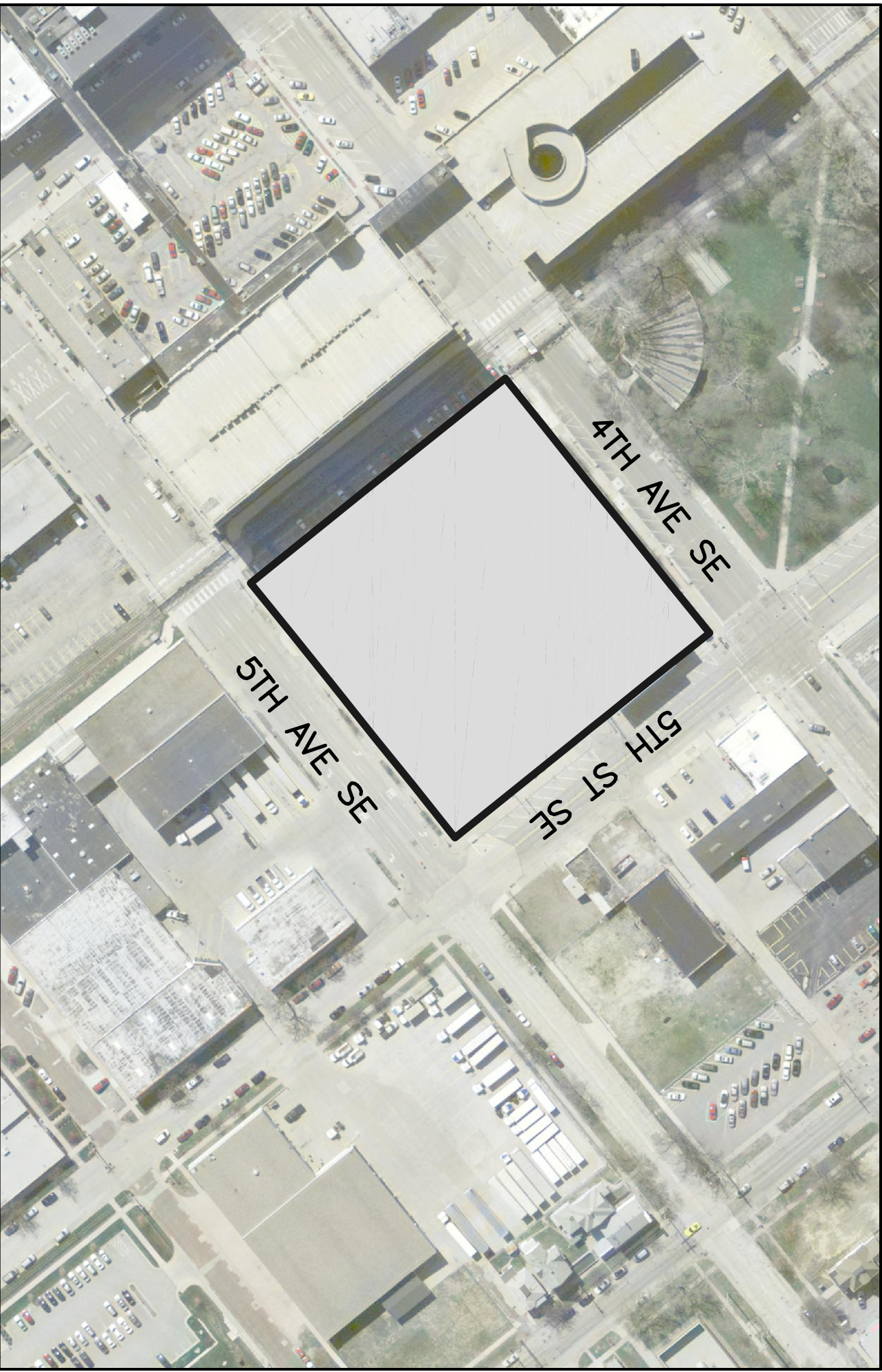
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 10 in the amount of \$35,225.87 with Hawkeye Electric Company for the Cedar Rapids Public Library – Electrical, Telecommunications, Electronic Safety & Security project, Contract No. PLE001-22. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,093,185.00
Change Order No. 1	2,534.56
Change Order No. 2	2,460.36
Change Order No. 3	1,780.33
Change Order No. 4	58,108.91
Change Order No. 5	29,125.95
Change Order No. 6	6,690.13
Change Order No. 7	12,026.97
Change Order No. 8	6,098.53
Change Order No. 9	76,346.89
Change Order No. 10	<u>35,225.87</u>
Amended Contract Amount	\$3,323,583.50

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

\$35,225.87 552000-330-330010-18512-PLE001

Passed this 8<sup>th</sup> day of October, 2013.



SCALE: NONE

# CEDAR RAPIDS PUBLIC LIBRARY



CEDAR RAPIDS  
City Of Five Seasons

PLE001



## Council Agenda Item Cover Sheet

### \*\*FLOOD\*\*

**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**      **Yes Map**  
 Resolution authorizing Change Order No. 6 deducting the amount of \$2,889.16 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$2,871,315.24) (**FLOOD**). CIP/DID #SSD005-02

#### **Background:**

This is a contract change order to adjust the contract price based on the actual quantities of completed work, and additional work based on contractor quotes reviewed and accepted based on the scope of 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. Additional work includes:

- The 42" storm sewer pipe was increased due to the detention basin being removed from plans.
- Two RA-3 intakes were deleted and two SW-541 intakes were added to project.
- The detention pond was removed so subgrade preparation, furnishing and installing the clay liner was deleted.
- A 10" gas line was in the path of the 15" storm sewer. The contractor had to lower the 15" line 2.5 feet to get under the gas main; this in turn increased the depth of intake 111 by 2.5 feet.
- The contractor had to haul the balance of the light bases to Alliant's yard for future use. There were 15 light bases bought but not used on this project.

#### **Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 6 submitted by Maxwell 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:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** SSD005

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** FEMA funded project

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

ENG  
AUD FILE  
FIN  
CLK  
MAXWELL  
HR GREEN  
SSD005-02  
377545

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. 6 deducting the amount of \$2,889.16 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project, Contract No. SSD005-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,733,296.24
Possible Incentive	58,200.00
Change Order No. 1	36,068.50
Change Order No. 2	65,512.67
Change Order No. 3	9,779.60
Change Order No. 4	7,122.35
Change Order No. 5	(35,774.96)
Change Order No. 6	<u>(2,889.16)</u>
Amended Contract Amount	\$2,871,315.24

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

\$ 21,823.00	330-330210-18511-SSD005
\$ 517.82	306-306000-306226
\$ 1,502.02	330-330210-18511-SSD105
\$-26,732.00	304-304000-304284

Passed this 8<sup>th</sup> day of October, 2013.





2ND STREET SE FROM 9TH AVE TO THE SINCLAIR SITE SANITARY SEWER RECONSTRUCTION  
CONTRACT NO. SSD005-02

NOT TO SCALE



**Council Agenda Item Cover Sheet**☒ **Consent Agenda**      ☐ **Regular Agenda****Council Meeting Date:** October 8, 2013**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)**Alternate Contact:** Ken Russell            **Phone:** 5926    **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)**Description of Agenda Item: (insert same wording as used on agenda summary)**

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Change Order No. 1 in the amount of \$29,681.47 with Schrader Excavating & Grading Co. to adjust the contract amount for additional work on the Repair of Water Service Lines FY13 Contract for the period of June 30, 2012 through July 1, 2013; (original contract amount was \$235,000.00; total contract amount with this amendment is \$264,681.47). CIP/DID #521108-13

**Background:**

The City's contract with Schrader Excavating & Grading Company is for the repair of City-owned water service lines providing water to homes and businesses within Cedar Rapids. This work consists of repairing service lines, corporation stops, and resetting or relocating curb boxes within the public right-of-way. The contractor also performs the appurtenant work necessary to complete the job, consisting of: pavement removal; excavation, sheet, brace and support the adjoining ground or structures where necessary; handle all drainage of groundwater; provide barricades, guards, and warning lights, flush and test the repair; repair sewer and drain lines disturbed by the repair; backfill and compact the excavation, restore the surface, remove and dispose of surplus excavated material, and perform final clean-up of the work site.

Each year we estimate the amount of service work that will be needed for the coming year. The estimates are based on a review and analysis of recent years' costs. Due to the nature of this type of work, it is difficult to anticipate the work that will be needed. Each work request is in response to unanticipated failures in equipment or materials, e.g. leaking service lines or broken stop boxes. This year's need for repair work is higher than expected and, therefore, costs will exceed the contract amount.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that Change Order No. 1 in the amount of \$29,681.47 submitted by Schrader Excavating & Grading Company for the Repair of Water Service Lines FY13 Contract be hereby approved and that the City Manager and City Clerk be authorized to execute Change Order No. 1.

**Alternative Recommendation:**

If Council does not approve the change order, the city will be in violation of State Code and the Construction contract requirements in regard to contractor payments.

**Time Sensitivity:** None, routine item**Resolution Date:** 10/08/13**Estimated Presentation Time:** 0 Minute(s)**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Funded from FY13 Meter Shop operations budget and the general ledger coding is 521108-621-621005-62151.



2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY13 budget included \$235,000 and the actual total amount expended for this work is \$264,681.47.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy**      **Applies** ☒      **Exempt** ☐

**Explanation:** N/A

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

**Explanation (if necessary):**

RESOLUTION NO

WHEREAS, Council Resolution No. 0859-06-12, dated June 12, 2012, extended the Contract for the Repair of Water Service Lines with Schrader Excavating & Grading Co. for one year (fiscal year 2013) , and

WHEREAS, the total estimated annual cost for the one year renewal period was \$235,000, which was calculated on the basis of anticipated unit quantities and the unit prices as stipulated in the Contract Agreement, and

WHEREAS, the actual quantities for some work items will greatly exceed the original estimates, and the final total Contract cost is now projected to be \$264,681.47, and

WHEREAS, Change Order No. 1, specifies a net increase in the amount of \$29,681.47 for the additional work items and projected costs to June 30, 2013, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order No. 1 to the Contract for the Repair of Water Service Lines FY13 with Schrader Excavating & Grading Co. in the amount of \$29,681.47 be hereby approved and that the City Manager and City Clerk be authorized to execute said Change Order No. 1. The original contract amount was \$235,000.00 and the total contract amount with this amendment is \$264,681.47. To be funded from FY13 Meter Shop operations budget and coded to 521108-621-621005-62151.

Passed this 8<sup>th</sup> day of October, 2013.

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Utilities – Water

**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)

**Alternate Contact:** Justin Koller                      **Phone:** 5994    **E-mail:** [j.koller@cedar-rapids.org](mailto:j.koller@cedar-rapids.org)

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

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with Anderson-Bogert for an amount not to exceed \$126,521 for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St, and 16<sup>th</sup> Ave SW Water Main Replacement project. CIP/DID #2011061-01

**Background:**

The Utilities Department – Water Division intends to replace approximately 4,100 feet of water main upsizing it from 6-inch to 8-inch water main or 10-inch to 12-inch water main to handle current and future water demand, improve hydraulic characteristics and increase the reliability of the water distribution system.

This project includes four (4) different areas combined into one project due to their proximity. The first area is located on Chandler Street SW between 10th Avenue SW and the Chandler Booster Station, this water main was installed in 1951.

The second area is located on 20<sup>th</sup> Street SW from its northerly connection with Chandler to its southerly connection with Chandler, a distance of about 1,250 feet. This water main was also installed in 1951.

The third area is located on 18<sup>th</sup> Street SW from Williams Blvd. SW. The water main is 8-inch Leadite and was installed in 1946. The 8-inch water main will be abandoned in place and its services will be transferred to the 20-inch water main that does not have a history of breaks or leaks in or near the project location.

The fourth area is located on 16<sup>th</sup> Avenue SW from about the 2200 block running and running west to Williams Blvd. SW, a distance of about 1,600 feet. The existing 10-inch DIP was installed in 1949.

These areas have a history of multiple breaks, service disruptions and street closures for maintenance and repair. Our schedule proposes to have plans ready for the project bid by March 12, 2014 and completed by September 2014.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that the Professional Services Agreement with Anderson-Bogert for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St, and 16<sup>th</sup> Ave SW Water Main Replacement project be approved and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:**

Should City Council decide not to approve the Professional Services Agreement, the design of the improvements will not proceed. The water mains in this neighborhood will continue to deteriorate with a likelihood of continued service interruptions, and maintenance costs.

**Time Sensitivity:** Request action during the October 8, 2013 City Council meeting in an effort to maintain the proposed design and construction schedule.

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Funded in FY14 CIP budget for Water Main Replacement and the general ledger coding is 553000-625-625000-625884-2011061
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 CIP budget included \$1,200,000 for engineering and construction of replacement type projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** N/A

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

**Explanation (if necessary):** A Statement of Qualifications (SOQ) was requested from area engineering firms for seven different water main replacement projects. All respondent firms were deemed to be qualified for water main replacement design. Anderson-Bogert was selected for this project and is a local firm.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department – Water Division needs to replace older water mains in the Southwest Quad of Cedar Rapids due to their age and history of multiple breaks. Four areas are included in the project and the locations are Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW, and

WHEREAS, a Statement of Qualifications (SOQ) was requested from area engineering firms for the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW water main replacement project, and

WHEREAS, Anderson-Bogert possess the expertise and experience needed for this project and has proposed to furnish these services for an amount not to exceed \$126,521, and

WHEREAS, the Utilities Department – Water Division staff has determined that the proposed fee is fair and reasonable for the scope of services to be furnished and recommends that the City execute a Professional Services Agreement with Anderson-Bogert for engineering services in connection with the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project (Contract No. 2011061-01), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with Anderson-Bogert for an amount not to exceed \$126,521 for engineering services in connection with the Chandler St, 20<sup>th</sup> St, 18<sup>th</sup> St and 16<sup>th</sup> Ave SW Water Main Replacement project (Contract No. 2011061-01), be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from the Utilities Department – Water Division FY14 CIP budget and coded to 553000-625-625000-625884-2011061.

Passed this 8<sup>th</sup> day of October, 2013.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Dave Wallace, PE  
**E-mail Address:** d.wallace@cedar-rapids.org

**Phone Number/Extension:** 5814

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

**Phone Number/Extension:** 5808

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

Resolution authorizing execution of a Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$1,193,185 for design services in connection with the Cedar River East Flood Wall from B Avenue NE to Cedar Lake – Quaker Area Flood Wall project. CIP/DID #330260-03

**Background:**

Replacement of the flood wall constructed by Quaker Oats with a system that meets the requirement of the US Army Corps of Engineers (USACE) and can be incorporated into the flood protection system being developed by the USACE. The design will include addressing the large water main next to the wall so that the final location of the main meets USACE requirements and needs of the City. This project will be funded by a Community Development Block Grant in the amount of \$9,085,000.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Stanley Consultants, Inc.

**Alternative Recommendation:**

The City of Cedar Rapids Staff does not currently have the expertise to design this project internally. The alternatives are to not approve the professional services agreement and delay the project until another Consultant is selected or to abandon the project.

**Time Sensitivity:** Normal

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** 330260: \$9,085,000 (CDBG Funds – Contract No. 08-DRIEF-200CR)

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** Federally funded project

**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 Stanley Consultants, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$1,193,185, and

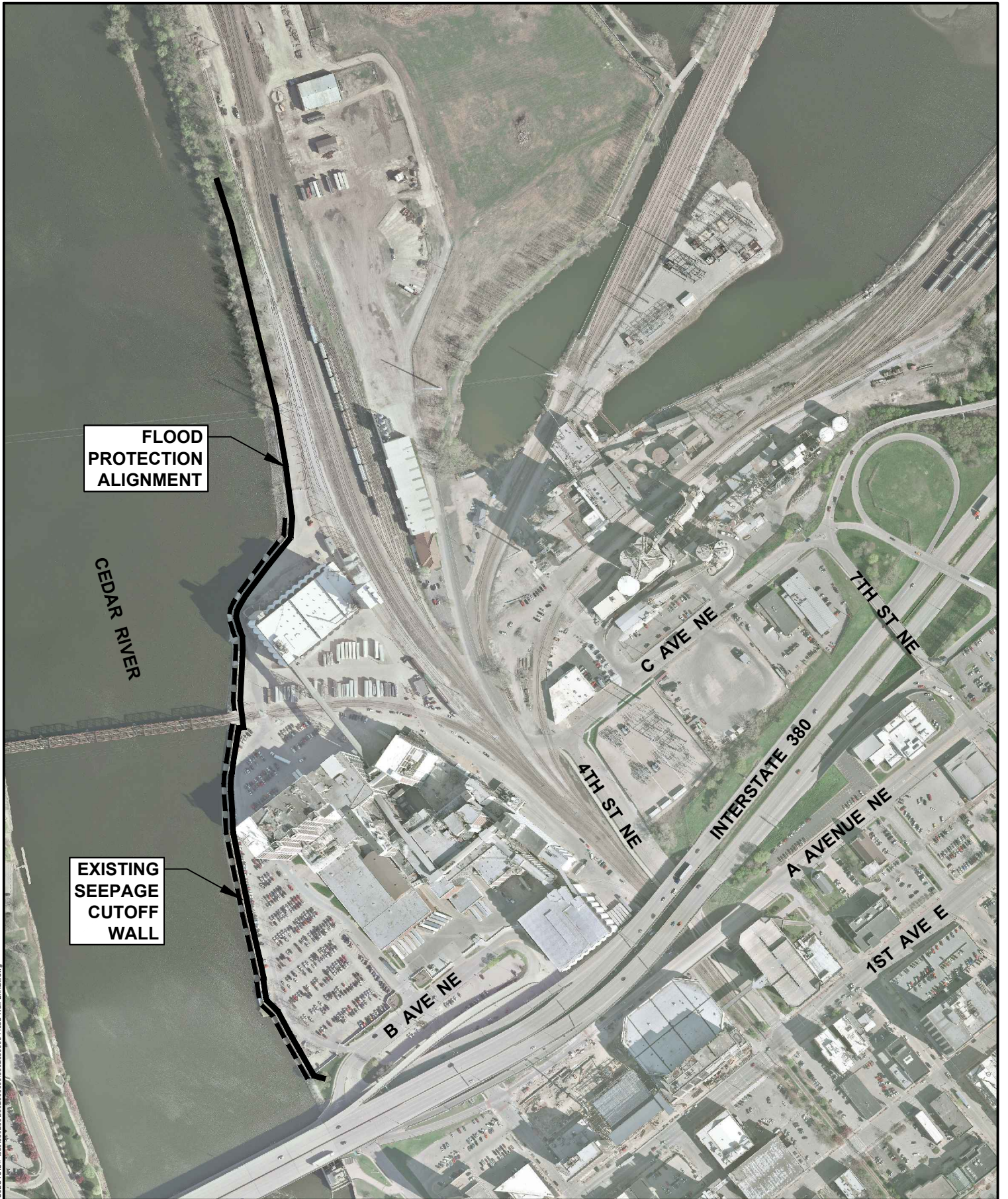
WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 330260-03 with the firm noted herein, and

WHEREAS, the City Council was awarded funds in the amount of \$9,085,000 through the Community Development Block Grant program for the Cedar River East Flood Wall from B Avenue NE to Cedar Lake – Quaker Area Flood Wall (Fund 330, Dept ID 330000, Project 330260), 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 8<sup>th</sup> day of October, 2013.





FLOOD  
PROTECTION  
ALIGNMENT

EXISTING  
SEEPAGE  
CUTOFF  
WALL

CEDAR RIVER

C AVE NE

7TH ST NE

4TH ST NE

INTERSTATE 380

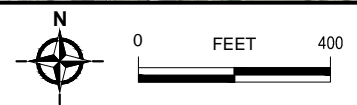
A AVENUE NE

1ST AVE E

B AVE NE



CEDAR RIVER EAST FLOOD WALL  
FROM B AVENUE NE TO CEDAR LAKE  
QUAKER AREA FLOOD WALL







18m

## 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** **Yes Map**

Resolution awarding and approving contract in the amount of \$46,000, bond and insurance of Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements project (estimated cost is \$40,000). CIP/DID #304363-02

### Background:

Ricklefs Excavating, Ltd., Anamosa, IA	\$46,000
Borst Brothers Construction, Inc., Marion, IA	\$61,045
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$66,083

Ricklefs Excavating, Ltd. submitted the lowest of the bids received on September 26, 2013 for the Meiers Court NW Drainage Improvements project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed by May 30, 2014.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$46,000, bond and insurance of Ricklefs Excavating, Ltd. for the Meiers Court NW Drainage Improvements 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 October 8, 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:** This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

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

**Explanation** (if necessary):

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, the following competitive quotations were received, opened, and announced on September 26, 2013 by the City Engineer, or designee, for the Meiers Court NW Drainage Improvements (Contract No. 304363-02):

Ricklefs Excavating, Ltd., Anamosa, IA	\$46,000
Borst Brothers Construction, Inc., Marion, IA	\$61,045
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$66,083

AND WHEREAS, general ledger coding for this public improvement project shall be as follows: \$46,000 304-304000-304363

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the competitive quotations is hereby ratified and approved;
2. Ricklefs Excavating, Ltd. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its competitive quotation and award the contract to it;
3. Subject to registration with the Department of Labor, the Competitive Quotation of Ricklefs Excavating, Ltd. is hereby accepted and the contract for this public improvement is hereby awarded to Ricklefs Excavating, Ltd.
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 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 8<sup>th</sup> day of October, 2013.





Cadd File Name: W:\PROJECTS\CI\304304383\304383 Council Map.dwg



**MEIERS COURT NW  
DRAINAGE IMPROVEMENTS**







## 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 October 8, 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 ☒

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 27, 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 Five Seasons Parkade Skywalk – Phase II Exterior Renovations public improvement project (Contract No. 635125-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 31, 2013 pursuant to which a public hearing was held on September 10, 2013, and

WHEREAS, the following bids were received, opened and announced on September 18, 2013 by the City Engineer, or designee, and said officer has now reported the results of the bidding on September 24, 2013 and made recommendations thereon to the City Council at its meeting on October 8, 2013:

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

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$64,700, 635-635000-635125; 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 City Engineer, 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. Woodruff Construction, LLC is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its Base Bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Base Bid of Woodruff Construction, LLC be hereby accepted and the contract for this public improvement is hereby awarded to Woodruff Construction, LLC;

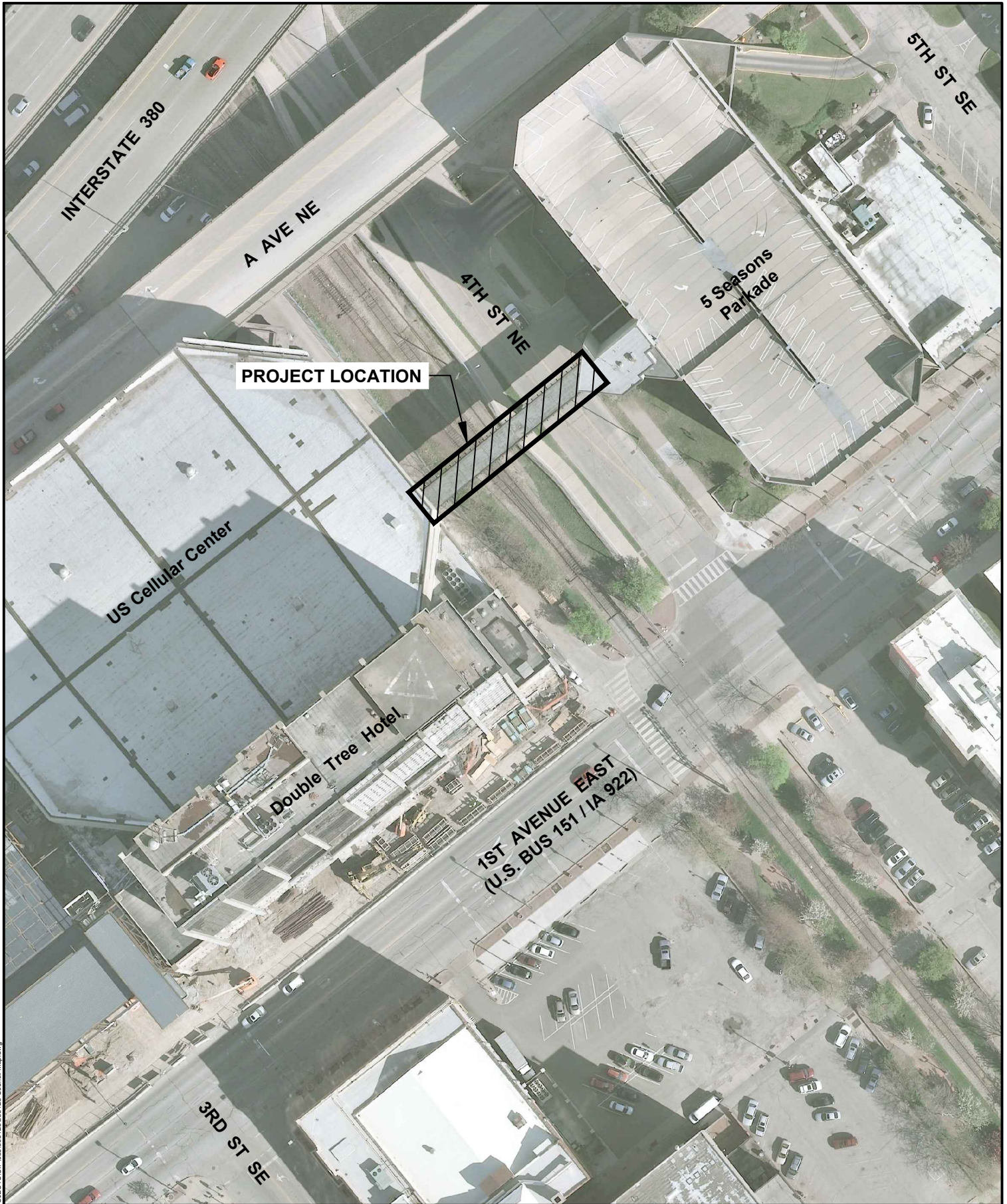
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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 8th day of October, 2013.





PROJECT LOCATION



## 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**

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 \$12,175,150). CIP/DID #535100-24

### Background:

Construction has been substantially completed by Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project with an amended construction contract amount of \$12,175,150. 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 \$85,693.85. The final release of \$523,063.65 in retainage will be held until additional work is completed.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** September 24, 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.



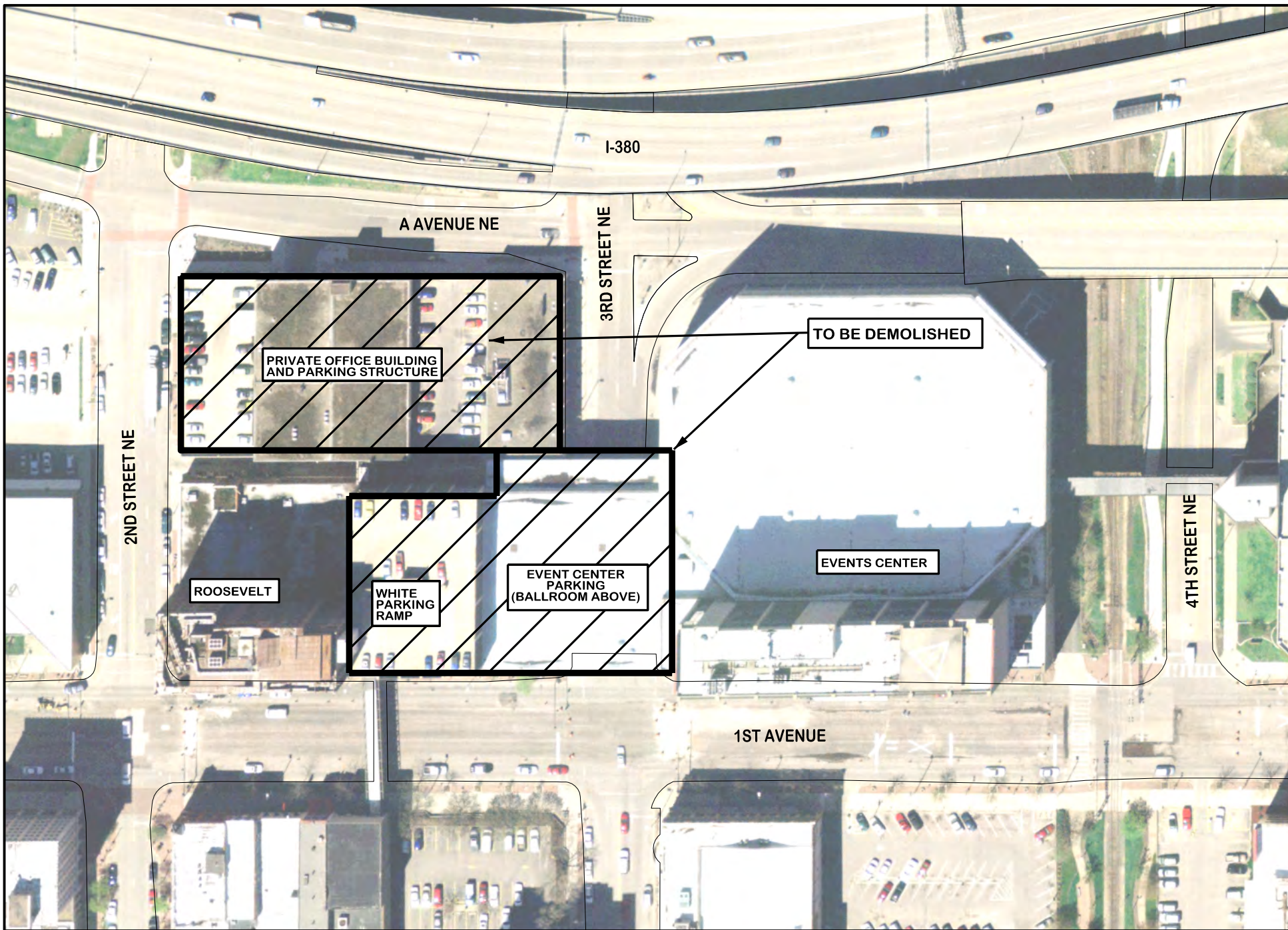
ENG  
FIN  
CLK  
TRS  
MODERN  
FREW  
535100-24

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 \$508,063.65 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 8<sup>th</sup> day of October, 2013.



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







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Craig Hanson  
**E-mail Address:** c.hanson@cedar-rapids.org

**Phone Number/Extension:** 5867

**Alternate Contact Person:** Dave Elgin  
**E-mail Address:** d.elgin@cedar-rapids.org

**Phone Number/Extension:** 5803

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **NO Map**

Resolution authorizing the Public Works Department to purchase rock salt from Cargill, Incorporated – Deicing Technology in an amount not to exceed \$666,561.40 for a maximum purchase of 9,840 tons of rock salt for winter snow and ice control. CIP/DID #80-14-006

### Background:

Beginning in 2004, the City has participated in the Iowa Department of Transportation (IDOT) purchase program for salt. This program requires the City is to purchase at least 80% of the estimated tonnage of 8,200 tons. Salt vendors are required to supply up to 120% of the estimated tonnage for the City if requested.

The price per the IDOT salt supplier agreement is \$65.74 per ton. There is also a fuel surcharge, figured on a sliding scale, with surcharges beginning at \$0.20/ton of salt if the fuel price of diesel is at or above \$4.20/gallon at the time of delivery; maximum surcharge is \$7.20/ton of salt if the fuel price is at or above \$7.90/gallon. We estimate a maximum fuel surcharge of up to \$2.00/ton if the fuel price is at or above \$5.10/gallon at the time of delivery, for a maximum expected value of \$666,561.40. The FY 2014 budget is \$821,674.67 for chemicals. The amount of salt usage is dependent on the severity of winter snow and temperature conditions to provide safer roadways for City residents. This is a reduction of \$2.35/ton or 3.45% compared to FY13 prices.

### Action / Recommendation:

The Public Works Department recommends authorizing the purchase of rock salt from Cargill, Incorporated – Deicing Technology.

### Alternative Recommendation:

The City has roughly 5,100 tons of rock salt on hand. Without additional materials, the City may deplete its supply and would have limited ability to remove snow and ice accumulations from City streets. Alternate materials would be necessary to achieve the snow and ice service level goals at a substantially higher cost.

If the Council chooses not to approve the purchase of rock salt through the IDOT's salt supplier agreement, possible options include:

1. Not purchase additional supply of rock salt and risk depletion of supply.
2. Research additional bids which would duplicate efforts of the IDOT who has already secured competitive bids from qualified supplies.
3. Purchase alternate de-icing chemicals with expected higher cost.

**Time Sensitivity:** Normal

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 Minute(s)

**Budget Information (if applicable):** Department 124201 account 531104, budget for Chemical Supplies - \$821,674.67

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** No local vendors, state bid

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Department requests approval to purchase rock salt through the Iowa Department of Transportation's (IDOT's) May 2013 letting for up to 8,200 tons of rock salt for winter snow and ice control, and

WHEREAS, Cargill, Incorporated – Deicing Technology, 24950 Country Club Blvd, Suite 450, North Olmsted, Ohio 44070, will supply salt at a cost of \$65.74 per ton of rock salt, and

WHEREAS, the IDOT Agreement also implements a fuel surcharge, based on a sliding scale, with surcharges beginning at \$0.20/ton of salt if the fuel price of diesel is at or over \$4.20/gallon at the time of delivery, with a maximum surcharge of \$7.60/ton if the fuel price is at or above \$7.90/gallon, and

WHEREAS, the Public Works Department estimates a maximum fuel surcharge of up to \$2/ton if the fuel price is at or above \$5.10/gallon, and

WHEREAS, the maximum expenditure shall be \$666,541.40 for a maximum purchase of 8,200 tons of rock salt inclusive of any fuel surcharges, and

WHEREAS, funds are available in the FY 2014 Street Operating Fund (Fund 101, Dept ID 124250) to proceed with the purchase of salt within said minimum and maximum limits, and

WHEREAS, the Public Works Director / City Engineer recommends the purchase of the required goods and services from Cargill, Incorporated – Deicing Technology,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA the Public Works Department is authorized to purchase rock salt through the IDOT's salt supplier agreement.

Passed this 8<sup>th</sup> day of October, 2013.



18q

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Community Development

**Presenter at meeting:** Caleb Mason  
**Email:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5188

**Alternate Contact Person:** Jennifer Pratt  
**Email:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5047

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

Resolution authorizing execution of a Special Warranty Deed with Scallon Custom Homes, L.L.C. for property at 726 8th Street NW through the Residential Property Disposition Program CIP/DID #565513

### **Background:**

The Resolution for City Council's consideration provides for the execution a Special Warranty Deed conveying the above city-owned property through the Residential Property Disposition Program (RPD).

On April 9, 2013 the City Council authorized execution of a Development Agreement with Scallon Custom Homes for the rehabilitation of the property. The Agreement outlined the responsibility of the Developer to rehab the structure in accordance with the program guidelines. At such time as the rehab work were completing on the project the City would transfer ownership to the Developer. The Developer has performed its obligations under the RPD Program and is now ready to received title to the property.

A total of 36 properties have participated in the RPD Program to date. The rehabilitation of the 36 properties is estimated to leverage private investment of \$3.3 million dollars.

### **Action / Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

Table the item and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** October 8, 2013

**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):**

RESOLUTION NO.

RESOLUTION AUTHORIZING THE EXECUTION OF A SPECIAL WARRANTY  
DEED WITH SCALLON CUSTOM HOMES, L.L.C FOR CITY OWNED  
PROPERTY AT 726 8TH STREET NW THROUGH THE RESIDENTIAL  
PROPERTY DISPOSITION PROGRAM

WHEREAS, on May 18, 2010, the Cedar Rapids City Council directed staff to prepare guidelines for a consistent and transparent process to dispose of residential properties acquired through the Voluntary Property Acquisition Program; and

WHEREAS, City Council adopted Resolution 0633-06-10 on June 8, 2010 adopting guidelines for the Residential Property Disposition (RPD) Program to allow qualified developers to rehabilitate structures the City had acquired through the Voluntary Property Acquisition Program; and

WHEREAS, a Notice of Public Hearing was published in the Cedar Rapids Gazette on August 14, 2010 regarding the disposition of city-owned property through the RPD Program in accordance with State Code; and

WHEREAS, the City Council held a public hearing on August 24, 2010 to consider the disposition of this city-owned property in accordance with Iowa Code; and

WHEREAS, the City has received and approved the rehabilitation plan from Cedar Valley Habitat for Humanity for property located at 726 8<sup>th</sup> Street NW in accordance with all program guidelines; and

WHEREAS, the private investment made by Scallon Custom Homes, L.L.C. to rehabilitate the single-family dwelling constitutes good, adequate, fair and valuable consideration for the property; and

WHEREAS, on April 9, 2013 the City Council authorized Resolution No.0575-04-13 which authorized execution of a Development Agreement with Scallon Custom Homes, L.L.C.; and

WHEREAS, Scallon Custom Homes, L.L.C. has performed its obligations in accordance with the Development Agreement and is now ready to receive title to the property.

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 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 8th day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Doug Carper

**Phone Number/Ext:** 5258

**Email:** d.carper@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 wall padding for the Veterans Memorial Stadium from Fisher Athletic Equipment, Inc. in the amount of \$50,677. CIP/DID #0813-037

**Background:**

Purchasing Services solicited bids on behalf of the Public Works Department – Engineering Division for the purchase and delivery of wall padding for the Veterans Memorial Stadium. Five companies responded with a total of 7 bids. Public Works and the General Manager of the Cedar Rapids Kernels reviewed all the bids and recommend Fisher Athletic Equipment, Inc. as the lowest responsive and responsible bidder who met all the specifications.

Bids received:

Company Name	Location	Price
Fisher Athletic Equipment, Inc.	Salisbury, NC	\$50,677.00
Promats Athletics, LLC (1 of 2)	Salisbury, NC	\$56,219.35
Promats Athletics, LLC (2 of 2)	Salisbury, NC	\$60,593.50
Sports Graphics (1 of 2)	Clarion, IA	\$64,652.53
Sports Venue Padding	Cerritos, CA	\$79,160.50
Sports Graphics (2 of 2)	Clarion, IA	\$80,771.66
BSN Sports	Dallas, TX	\$97,692.17

**Action / Recommendation:** Recommend Council approve the Resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes



**Budget Information (if applicable):** 314-314000

**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, the Purchasing Services Division has solicited bids for the purchase and delivery of wall padding for the Veterans Memorial Stadium on behalf of the City of Cedar Rapids Public Works Department – Engineering Division; and

WHEREAS, seven responses were received from five vendors; and

WHEREAS, the Public Works Department and the General Manager of the Cedar Rapids Kernels are making the following recommendation for award to Fisher Athletic Equipment, Inc., which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is not-to-exceed \$50,677.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted as described herein.

Passed this 8<sup>th</sup> day of October, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Fleet Services**Presenter at meeting:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)**Phone Number/Ext:** 5860**Alternate Contact Person:** Dennis Hogan  
**Email:** [d.hogan@cedar-rapids.org](mailto:d.hogan@cedar-rapids.org)**Phone Number/Ext:** 5860**Description of Agenda Item:**

Fleet Services Division purchase of a 2014 Caterpillar 420 F ST backhoe loader from Altorfer CAT for use by Parks Construction, for a total amount of \$89,028.62. CIP/DID #4425

**Background:** This purchase is being made from the state bid Contract #4425, as let by the Iowa Department of Transportation's Purchasing Department for "Construction Equipment, Grounds Maintenance and Mowing Equipment". These are budgeted fleet replacements for equipment which have exceeded their lifecycle and cost-efficient life.

**Action / Recommendation:**

The Fleet Services Division recommends approval of the resolution authorizing this purchase.

**Alternative Recommendation:**

If not approved, the operating expenses for the City and end-user will continue to escalate.

**Time Sensitivity:** Normal**Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** Fund 073, Dept ID 073000**Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** This is a purchase from existing State of Iowa Bid Contract.**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of one 2014 Caterpillar 420F ST backhoe loader for budgeted and scheduled fleet replacements for use by Parks Construction, and

WHEREAS, Altorfer Cat is a current holder of the state bid Contract No. 4425 for Construction Equipment, Grounds Care and Mowing Equipment, as let by the Iowa Department of Transportation's Purchasing Department, and is able to provide said equipment, and

WHEREAS, the purchase price for said excavator is \$89,028.62, budgeted in FY 2014 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said excavator from Altorfer Cat for an amount of \$89,028.62,

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 bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named equipment from Altorfer Cat as described herein.

Passed this 8th day of October, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** October 8, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda  
**Email:****Phone Number/Ext:****Alternate Contact Person:** Craig Hanson  
**Email:** c.hanson@cedar-rapids.org**Phone Number/Ext:** 5867**Alternate Contact Person:** Heather Mell  
**Email:** h.mell@cedar-rapids.org**Phone Number/Ext:** 5117**Description of Agenda Item:**

Public Works, Street Operations purchase of various snowplow blades from Altorfer, Inc in the amount of \$29,426.70. CIP/DID #0813-030

**Background:**

Purchasing Services solicited bids on behalf of Public Works, Street operations for the purchase and delivery of various snowplow blades with four (4) vendors responding. Alterofer, Inc was the lowest bidder with their total bid of \$29,426.70.

Bids were received from:

Altorfer, Inc	Cedar Rapids, IA	\$29,426.70
Martin Equipment	Cedar Rapids, IA	\$34,478.10
Rexco Equipment	Cedar Rapids, IA	\$39,165.90
Valk Manufacturing Company	New Kingstown, PA	\$33,480.00

**Action / Recommendation:**

Recommend Council approval

**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** October 8, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 101-124250

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Local Preference Applies but did not have an affect on award

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for various snowplow blades on behalf of the City of Cedar Rapids Public Works Department, Street Operations; and

WHEREAS, responses were received from four vendors; and

WHEREAS, the Public Works Department, Street Operations is making the following recommendation for award to Altorfer, Inc, which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$29,426.70.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted with Altorfer, Inc as described herein.

Passed this 8<sup>th</sup> day of October, 2013.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Sandi Fowler

**Phone Number/Ext:** X5077

**Email:** [s.fowler@cedar-rapids.org](mailto:s.fowler@cedar-rapids.org)

**Description of Agenda Item:**

Agreement for Sale of Advertising Sponsorships for the Our CR newsletter for the City Manager's Office with ME&V for a 25% commission on all new advertising contracts. CIP/DID #0613-284

**Background:**

Funding for publication of the City's magazine-style newsletter, Our CR, is supplemented by revenue generated from advertising in the magazine. ME&V has agreed to assist the City with the sale of advertising for the newsletter to businesses and other organizations in exchange for 25% commission on the revenue generated from new advertising contracts.

The amount of revenue needed from advertising revenue is **\$108,000**. With 25% of total sales paid in commission to ME&V, the total value of advertising sold is desired to be a minimum of **\$144,000** as shown below:

Sales needed:	<b>\$144,000</b>
Commission to ME&V (25%):	<b>\$ 36,000</b>
Revenue remaining to fund Our CR:	<b>\$108,000</b>

Commission shall be 20% for subsequent renewals of advertising contracts secured by ME&V.

**Action / Recommendation:**

Resolution authorizing execution of Agreement for Sale of Advertising Sponsorships.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** October 8, 2013

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 101-112200

**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:** n/a

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City Manager's Office is responsible for the sale of advertising sponsorships to partially fund publication of the magazine-style newsletter, Our CR; and

WHEREAS, ME&V has agreed to assist the City with advertising sales in exchange for a 25% commission on new advertising contracts, and 20% commission on subsequent contract renewals; and

WHEREAS, the City Manager's Office is making the following recommendation to execute a contract with ME&V for Sale of Advertising Sponsorships; and

WHEREAS, the term of the agreement shall be October 9, 2013 to October 31, 2014 with additional one-year renewal options available upon mutual agreement between the City and ME&V; and

WHEREAS, the desired amount of advertising to be sold is \$144,000 annually; 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 a Contract with ME&V as described herein.

Passed this 8<sup>th</sup> day of October, 2013.



## Council Agenda Item Cover Sheet

### \*\* FLOOD \*\*

**Submitting Department:** Public Works Department

**Presenter at meeting:** Scott Sovers, PE  
**E-mail Address:** s.rovers@cedar-rapids.org

**Phone Number/Extension:** 5547

**Alternate Contact Person:** Lee Tippe, PE **Phone Number/Extension:** 5816  
**E-mail Address:** l.tippe@cedar-rapids.org

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

Report on bids and resolution awarding and approving contract in the amount of \$833,344 plus incentive up to \$15,000, bond and insurance of Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 project (estimated cost is \$837,000). (Scott Sovers) CIP/DID #SSD104-04

#### Background:

Municipal Pipe Tool Co., LLC, Hudson, WI	*\$759,094.00
Visu Sewer, Inc., Pewaukee, WI	\$877,681.95
SAK Construction, LLC, O'Fallon, MO	\$961,477.50
Insituform Technologies USA, LLC, Chesterfield, MO	\$1,020,739.00

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Municipal Pipe Tool Co., LLC was corrected to be \$833,344, based on the unit prices submitted and the correct bid quantity totals.

Municipal Pipe Tool Co., Inc., Hudson, IA	\$833,344.00
Incentive up to	<u>\$ 15,000.00</u>
Total	\$848,344.00

Municipal Pipe Tool Co., LLC submitted the lowest of the bids received on September 25, 2013 for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 project. The bid is within the approved budget. Construction work is anticipated to begin this fall and be completed within 200 calendar days.

#### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$833,344 plus incentive up to \$15,000, bond and insurance of Municipal Pipe Tool Co., LLC for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 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 October 8, 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):** FEMA PW #SSD104

**Local Preference Policy:** Applies ☐ Exempt ☒

**Explanation:** FEMA funded project

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





September 25, 2013

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013, Contract Number SSD104-04

Dear City Council:

Bids were received on September 25, 2013 for the Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 project as follows:

Municipal Pipe Tool Co., LLC, Hudson, IA	\$759,094.00
Visu Sewer, Inc., Pewaukee, WI	\$877,681.95
SAK Construction, LLC, O'Fallon, MO	\$961,477.50
Insituform Technologies USA, LLC, Chesterfield, MO	\$1,020,739.00

The engineers cost opinion for this work is \$837,000. 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 black ink, appearing to read "Lee Tippe".

Lee Tippe, P.E.  
Project Engineer II

LJT/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

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on August 27, 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 Sanitary Sewers Quadrant Flood Repairs Lining Package #5 - 2013 public improvement project (Contract No. SSD104-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on August 31, 2013 pursuant to which a public hearing was held on September 10, 2013, and

WHEREAS, Municipal Pipe Tool Co., LLC of Hudson, Iowa submitted a bid that omitted the total amount of the bid in words but otherwise indicated its bid in numbers, and

WHEREAS, the Municipal Pipe bid contained mathematical inconsistencies in the unit price extensions and totals that have been corrected by Public Works Staff, and

WHEREAS, despite these irregularities, Public Works Staff has indicated that it is clear what the amount of the Municipal Pipe's bid is and have recommended that any irregularities in Municipal Pipe's bid be deemed immaterial, provided no competitive advantage, and that Municipal Pipe's bid be deemed to be responsive, and

WHEREAS, the following bids were received, opened and announced on September 25, 2013 by the Public Works 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 October 8, 2013:

Municipal Pipe Tool Co., LLC, Hudson, IA	*\$833,344.00
Incentive up to	<u>\$ 15,000.00</u>
Total	\$848,344.00

Visu Sewer, Inc., Pewaukee, WI	\$877,681.95
SAK Construction, LLC, O'Fallon, MO	\$961,477.50
Insituform Technologies USA, LLC, Chesterfield, MO	\$1,020,739.00

\*multiplication error found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$848,344.00, 330-330240-18511-SSD104; 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 City Engineer, 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. Any irregularities in Municipal Pipe Tool Co., LLC's bid are hereby waived and its bid is hereby determined to be the lowest responsive bid submitted by a responsible bidder on said work;

3. The City Engineer, or his designee, has recommended that the City accept Municipal Pipe Tool Co., LLC's bid and award the contract to it as being the lowest responsive, responsible bidder;

4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Municipal Pipe Tool Co., LLC is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Municipal Pipe Tool Co., LLC;

5. 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 8th day of October, 2013.



## Council Agenda Item Cover Sheet

**Council Meeting Date:** October 8, 2013

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Second and possible Third Reading 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:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>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</li> </ul>

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

**Action / Recommendation:**

City staff recommends approval of the Second and possible Third Reading.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

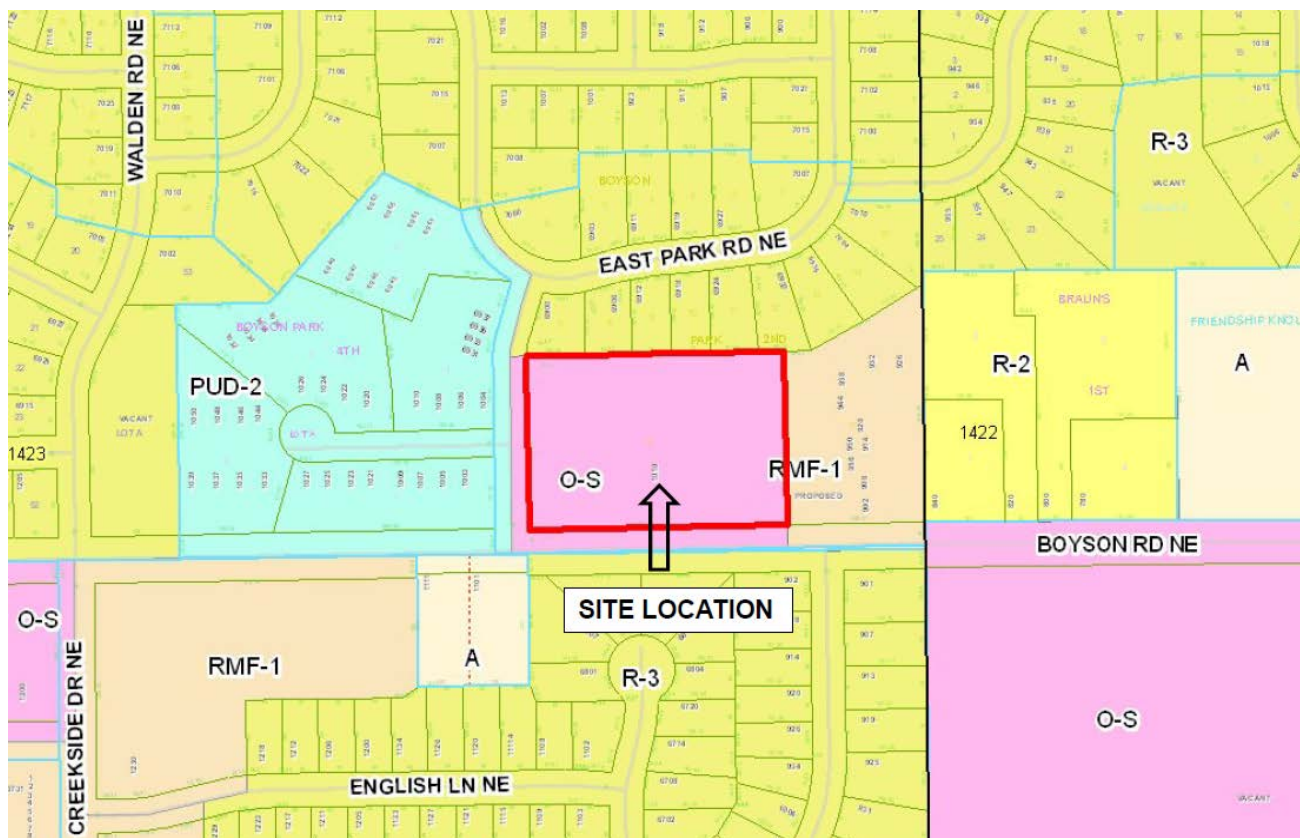
**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

## 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 1<sup>st</sup> Avenue NE because he has a contractual contract with Verizon. Commissioner Pankey stated he would be recusing himself from the discussion of 5610 4<sup>th</sup> 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**

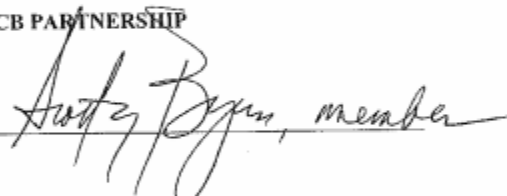
ORDINANCE NO. \_\_\_\_\_

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:** October 8, 2013

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Second and possible Third Reading to consider a change of zone for property at 6677 16<sup>th</sup> 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 & 16<sup>th</sup> 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 16<sup>th</sup> Avenue & corner of 16<sup>th</sup> 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:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"><li>• City staff reviewed the application and recommended revisions, which were made.</li></ul>
City Planning Commission review	<ul style="list-style-type: none"><li>• 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.</li></ul>
City Council consideration	<ul style="list-style-type: none"><li>• A Public Hearing and First Reading of the Ordinance are scheduled for September 24, 2013.</li><li>• Two additional readings of the Ordinance are required by State law before approval is final.</li><li>• Approval will be subject to the conditions stated in the Ordinance.</li></ul>

**Action / Recommendation:**

City staff recommends approval of the Second and possible Third Reading.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies ☐ Exempt ☒

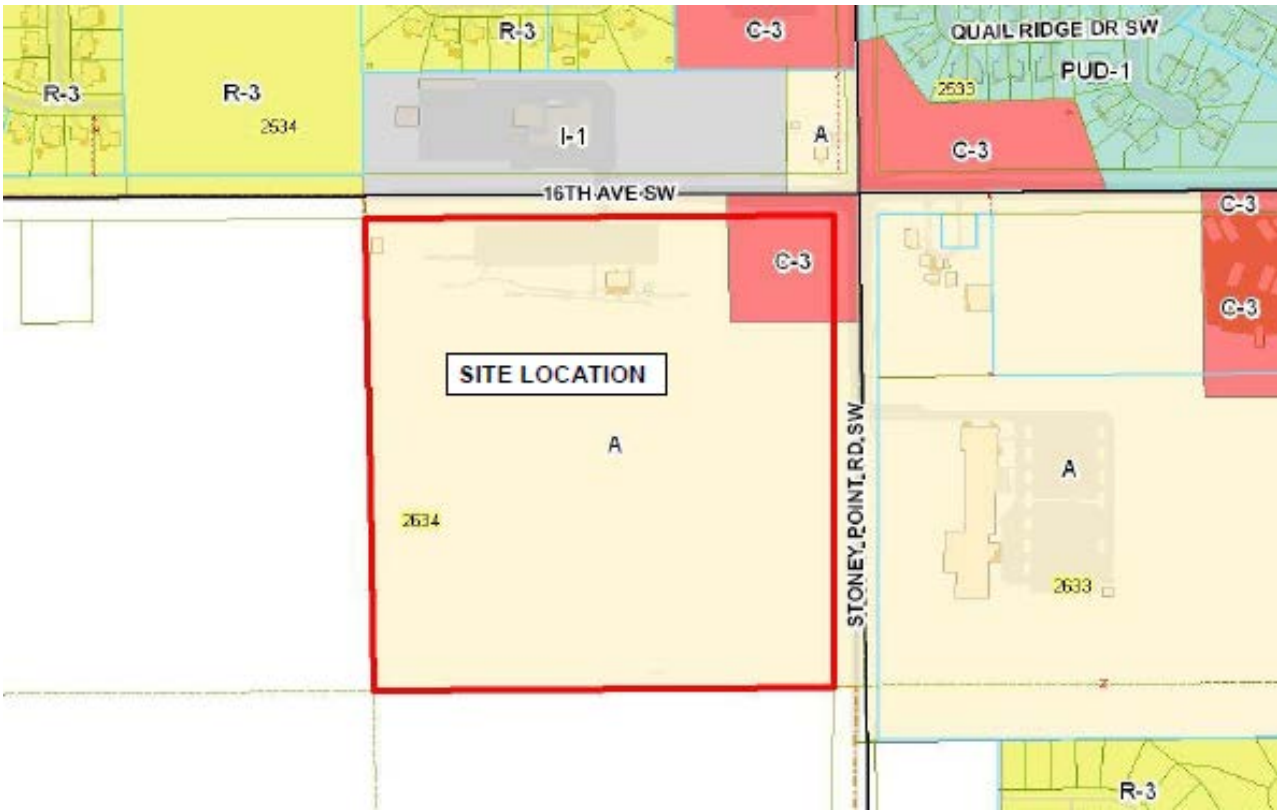
**Explanation:**

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

**Explanation (if necessary):**



# Location Map





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: 6677 16<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> 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 5<sup>th</sup> 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 24<sup>th</sup> 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:** October 8, 2013

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Second and possible Third Reading 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:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>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.</li> </ul>
City Council	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled</li> </ul>

consideration	<p>for September 24, 2013.</p> <ul style="list-style-type: none"> <li>• Two additional readings of the Ordinance are required by State law.</li> <li>• Approval will be subject to the conditions stated in the Ordinance.</li> </ul>
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**Action / Recommendation:**

City staff recommends approval of the Second and possible Third Reading.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** N/A

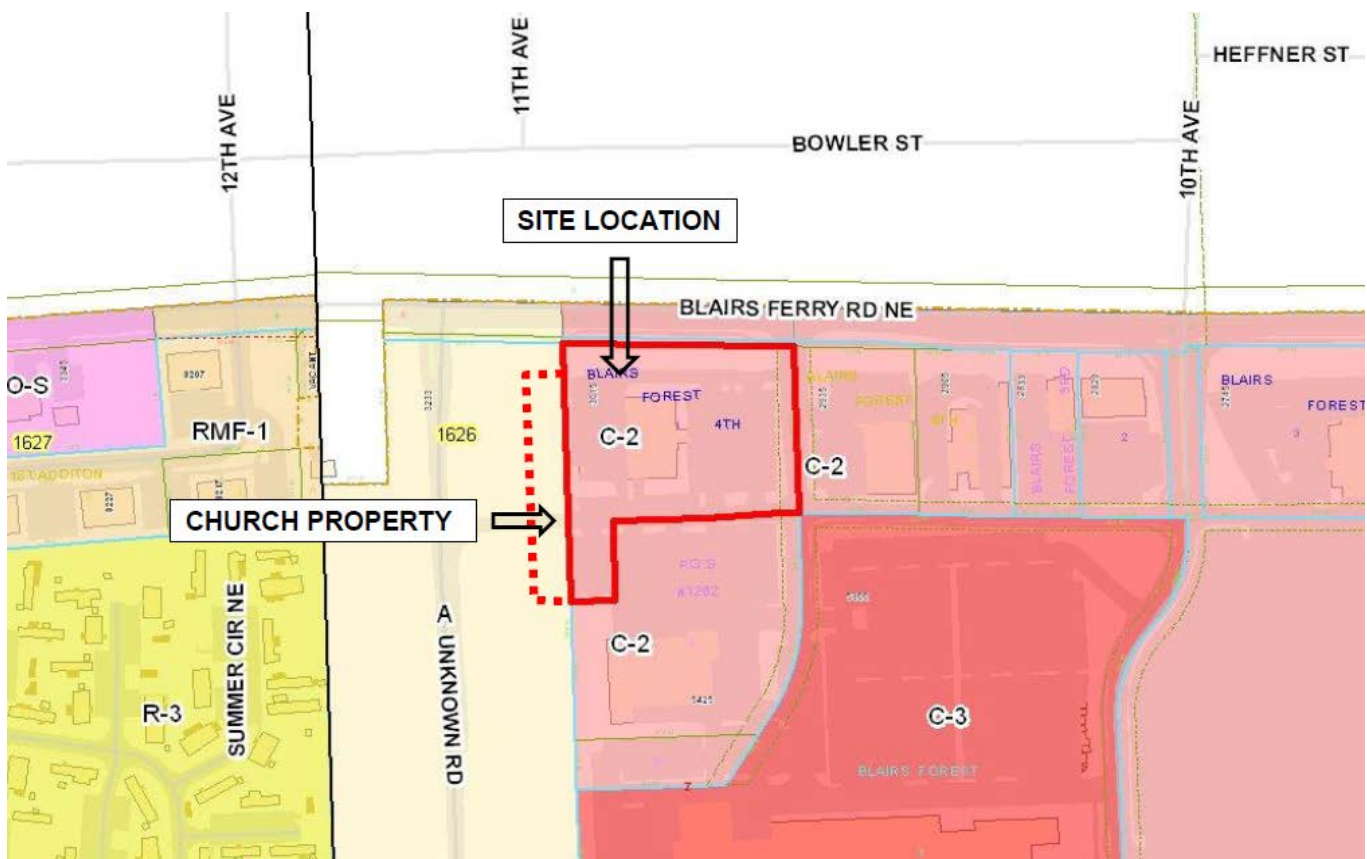
**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

## Location Map



**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 32<sup>nd</sup> 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 4<sup>th</sup> 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 24<sup>th</sup> day of September, 2013.

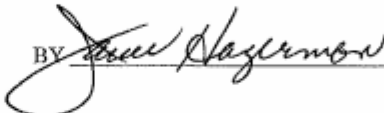
ACCEPTANCE OF CONDITIONS OF REZONING

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 Hageman, 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:** October 8, 2013

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

First Reading granting a change of zone for property at 605 G Avenue NW from I-2, General Industrial Zone District to RMF-2, Multiple Family Residence Zone District as requested by Neighborhood Development Corporation of Cedar Rapids Inc. CIP/DID #RZNE-004282-2013

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on August 15, 2013 and recommended unanimous approval by a vote of 6 to 0.

The property was development in 1915 as a warehouse site. Prior to the Flood of 2008 the property was owned and used by the Cedar rapids Community School District. The buildings have been vacant since the flood. The applicant is requesting rezoning to allow for the two larger buildings on the site to be converted to apartment. The third building on the site, a metal garage would be demolished to make room for a new garage and surface parking.

The site consists of the following:

- Total site area-53,905 sq. ft.
- Total building area-20,327 sq. ft.
- Total hard surface proposed-28,243 sq. ft.
- Total open space proposed-5,335 sq. ft. (9.9% of total site area).
- Total parking required is 64 spaces-provided are 64 spaces including 2 handicap spaces.
- The existing access off G Ave. NW will provide access to the development.
- Storm water management-rain garden and bio-swale at the southwest corner & south boundary of the site.

### **Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on August 15, 2013 and unanimously recommended approval. There was one</li> </ul>

	objection to the proposed rezoning. A portion of the minutes are enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none"> <li>• A Public Hearing was held August 27, 2013.</li> <li>• Three readings of the Ordinance are required by State law before approval is final.</li> <li>• Approval will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends approval of the First Reading.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes/ Ordinance Reading

**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





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 15, 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: Alicia Abernathey, Administrative Assistant

The meeting was called to order at 3:00 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 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: 605 G Avenue NW (Rezoning) Case No. RZNE-004282-2013; Case Manager: Vern Zakostelecky***

Recommendation for approval of a rezoning from I-2, General Industrial Zone District to RMF-2, Multiple Family Residence Zone District as requested by Neighborhood Development Corporation of Cedar Rapids Inc. (Applicant/Titleholder).

Mr. Zakostelecky stated the site was developed in 1915 with a warehouse. Prior to the 2008 flood the Cedar Rapids Community School District was utilizing the facility. The building has been vacant since the flood and the applicant would like to rezone to allow for two larger buildings to be converted into apartments. A metal storage building on the property will be



demolished for surface parking. The site area is approximately 54,000 sq ft and the building area would be approximately 20,000 sq ft with 64 parking spaces provided. Mr. Zakostecky presented a location map, aerial photo and site plan identifying the property location, surrounding zonings, access to the site, and the layout of the site.

Commissioner Overland called for questions of Mr. Zakostecky. No questions were presented.

Commissioner Overland called for a representative of the applicant. Marty Hoeger, Neighborhood Development Corporation, stated there is a full basement under one of the buildings that will not be finished and will be used for storage. There is a dock on the back on one of the buildings that will be covered and converted to a patio. The units will be two level townhouses in total of 29 units.

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

Commissioner Overland called for members of the public who wished to speak. Jeff Stephen, 715 G Avenue NW, stated the chain link fence that is currently on the property should remain as it separates the property from the railroad tracks. Mr. Stephen asked if the apartments will be rented or owned. Mr. Hoeger stated the properties will be rented. Mr. Stephen asked if the apartments would be low income housing. Mr. Hoeger stated there are income requirements from the grants received and 51% of the apartments have to serve a certain level of income.

Patrick Manternach, Diamond V Mills, stated Diamond V Mills owns a property at 436 G Avenue NW that is light manufacturing and has 24/7 semi-truck traffic with moderate noise.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Pankey made a motion to approve the rezoning from I-2, General Industrial Zone District to RMF-2, Multiple Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Halverson asked if any consideration was given to how one might mitigate against the industrial use. Mr. Hoeger stated Diamond V Mills was discussed and was viewed as an asset to the neighborhood. The proposed development will compliment Diamond V Mills.

Commissioner Thoms asked if there is any green space on the property. Mr. Hoeger stated along Ellis Boulevard there is green space and it will be used as part of the bio-swale and rain garden. On the east end of the property is a piece of concrete that will be converted into another location for a bio-swale and rain garden.

Commissioner Thoms requested an amendment to the motion for consideration of developing a play area within the site. The commission accepted the amendment to the motion.

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

The meeting was adjourned at 4:26 p.m.

Respectfully Submitted,  
Alicia Abernathey, 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;

Lots 1 through 9, all in Block 9, "Brown's Second Addition" to the City of Cedar  
Rapids, Linn County, Iowa

for property at 605 G Avenue NW, now zoned I-2, General Industrial Zone District, and as  
shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence  
Zone District, and that the property be used for such purposes as outlined in the RMF-2,  
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. That, PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the  
property owner shall be responsible for removal and replacement of City sidewalk adjoining  
this site, damaged as a result of construction activities on this site or not meeting ADA  
standards. Said removal and replacement areas shall be determined by the City Public  
Works Department, shall be completed by the property owner, and approved by the City.
2. That, 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.
3. That said parcels are to be combined so as to constitute a single zoning lot and tax parcel.
4. That review of the proposal will be required by the Ellis Overlay District Design Review  
Technical Advisory Committee.
5. 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.
6. That 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.

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

**NEIGHBORHOOD DEVELOPMENT CORPORATION  
OF CEDAR RAPIDS, INC.**

BY 

Marty Heger President  
(Please Print Name and Title)