

*“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, November 19, 2013 at 4:00 p.m. in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. *(Please silence cell phones and pagers.)*

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations

PUBLIC HEARINGS

1. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (estimated cost is \$155,000). (Doug Wilson)
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project. CIP/DID #301385-01
2. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 18th Street SW, South of Wilson Avenue SW, Culvert and Water Main Replacement project (estimated cost is \$165,000). (Doug Wilson)
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 18th Street SW, South of Wilson Avenue SW, Culvert and Water Main Replacement project. CIP/DID #304360-01

3. A public hearing will be held to consider a change of zone for property at 2663 Mt. Vernon Road SE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Sharp Investments, LLC and Mount Vernon Bank and Trust Company. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 2663 Mt. Vernon Road SE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Sharp Investments, LLC and Mount Vernon Bank and Trust Company. CIP/DID #RZNE-005376-2013
4. A public hearing will be held to consider amending the Future Land Use Map in the City's Comprehensive Plan from Institutional/Public to Low Density Residential and to consider a change of zone for property at 3200 Pioneer Avenue SE from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by the Cedar Rapids Community School District and the Affordable Housing Network, Inc. (Vern Zakostelecky)
 - a. Resolution amending the Future Land Use Map in the City's Comprehensive Plan from Institutional/Public to Low Density Residential for property at 3200 Pioneer Avenue SE as requested by the Cedar Rapids Community School District and Affordable Housing Network, Inc.; CIP/DID #FLUMA-005395-2013
 - b. First Reading: Ordinance granting a change of zone for property at 3200 Pioneer Avenue SE from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by the Cedar Rapids Community School District and Affordable Housing Network, Inc. CIP/DID #RZNE-005398-2013
5. A public hearing will be held to consider a change of zone for property at 600 and 616 1st Street SE from PUB, Public Zone District to C-4, Central Business Zone District as requested by The Fountains, LLC and the City of Cedar Rapids. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 600 and 616 1st Street SE from PUB, Public Zone District to C-4, Central Business Zone District as requested by The Fountains, LLC and the City of Cedar Rapids. CIP/DID #RZNE-005512-2013
6. A public hearing will be held to consider a change of zone for property at 3725 Center Point Road NE from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick O. Williams, Jr. (Vern Zakostelecky)
 - a. First Reading: Ordinance granting a change of zone for property at 3725 Center Point Road NE from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick O. Williams, Jr. CIP/DID #RZNE-005883-2013

7. A public hearing will be held to consider a change of zone for four City-owned properties at 1302 Ellis Boulevard NW, 1310 Ellis Boulevard NW, 948 N Street SW and 1791 Mallory Street SW from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids. (Vern Zakostelecky)
 - a. First and possible Second and Third Readings: Ordinance granting a change of zone for four City-owned properties at 1302 Ellis Boulevard NW, 1310 Ellis Boulevard NW, 948 N Street SW and 1791 Mallory Street SW from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids (**FLOOD**). CIP/DID #RZNE-006088-2013
8. A public hearing will be held to consider the vacation of a 60-foot wide road reservation and utility easement located at 6821 and 6901 Cottage Ridge Court NE as requested by Cottage Ridge, L.L.C. (Joe Mailander)
 - a. Resolution vacating a 60-foot wide road reservation and utility easement located at 6821 and 6901 Cottage Ridge Court NE as requested by Cottage Ridge, L.L.C. CIP/DID #41-14-016
9. A public hearing will be held 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. (Jennifer Pratt)
 - a. Resolution authorizing 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
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the West Side Transport Urban Revitalization Area designation at 11160 High Life Court SW. CIP/DID #973228
10. A public hearing will be held to consider a 28E Annexation Agreement with the City of Marion to delineate a future annexation growth boundary. (Seth Gunnerson)
 - a. Resolution authorizing execution of the 28E Annexation Agreement with the City of Marion to delineate a future annexation growth boundary. CIP/DID #655625
11. A public hearing will be held to consider the disposition of excess City-owned properties at 502 F Avenue NW, 1019 11th Street NW and 1791 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of the Single Family New Construction Program (**FLOOD**). (Caleb Mason) CIP/DID #540257
12. A public hearing will be held to consider the disposition of excess City-owned property at 438 4th Avenue SW acquired through the Voluntary Property Acquisition program (**FLOOD**). (Caleb Mason) CIP/DID #983049
13. A public hearing will be held to consider the disposition of excess City-owned properties at 821 and 825 Shaver Road NE acquired through the Voluntary Property Acquisition program (**FLOOD**). (Caleb Mason) CIP/DID #983050

14. A public hearing will be held to consider the disposition of nine excess City-owned properties at 606 J Avenue NW, 610 J Avenue NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW, 1116 6th Street NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW and 1101 Ellis Boulevard NW acquired through the Voluntary Property Acquisition program (**FLOOD**). (Caleb Mason) CIP/DID #983051
15. A public hearing will be held to consider the disposition of excess City-owned property at 301 and 305 2nd Avenue SW and inviting redevelopment proposals (**FLOOD**). (Caleb Mason) CIP/DID #983052

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.**

16. Motion to approve minutes.
17. Motions setting public hearing dates for:
 - a. December 3, 2013 – to consider an Ordinance granting an electric energy franchise to Linn County Rural Electric Cooperative Association and notice of revenue purpose statement regarding a franchise fee; CIP/DID #41-14-011
 - b. December 3, 2013 – to consider a change of zone for property at 606 J Avenue NW, 610 J Avenue NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW, 1100 6th Street NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW and 1116 6th Street NW and Lot 1 & 2 of Block 24 located at the northwest corner of J Avenue NW and Ellis Boulevard NW from C-1, Mixed Neighborhood Convenience Zone District and R-3D, Two Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by High Development, City of Cedar Rapids and Leslie E. Stokke. CIP/DID #RZNE-006864-2013

18. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 3, 2013 and advertising for bids by publishing notice to bidders for the Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on December 4, 2013 (estimated cost is \$96,000). CIP/DID #304285-02
19. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 17, 2013 and advertising for bids by publishing notice to bidders for the J Avenue Water Treatment Plant Process Improvements – Phase 1 project and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on January 15, 2014 (estimated cost is \$7,060,000). CIP/DID #6250026-02
20. Motion assessing a \$500 civil penalty for violation of State Code regarding the sale of alcohol to minors against: CIP/DID #987128
 - a. Discount Liquor, 2933 1st Avenue SE;
 - b. Jim's Foods, 812 6th Street SW;
 - c. Red Lion Lounge, 3970 Center Point Road NE;
 - d. Smoke N Pipe, 3221 1st Avenue SE;
 - e. Southside Liquor & Tobacco Outlet, 3200 16th Avenue SW, Suite A;
 - f. Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW, Suite #106.
21. Motion assessing a \$300 civil penalty for first violation of State Code regarding the sale of cigarettes to minors against Jim's Foods, 812 6th Street SW. CIP/DID #987129
22. Motion approving the beer/liquor/wine applications of: CIP/DID #987127
 - a. 101 Gastropub, 3707 1st Avenue SE (new – formerly Deanoz Sports Bar);
 - b. 3rd Street Convenience, 216 3rd Street SE;
 - c. 3rd Street Saloon, 1202½ 3rd Street SE;
 - d. Casey's General Store #2212, 130 41st Avenue Drive SW;
 - e. Discount Liquor, 2933 1st Avenue SE;
 - f. Hy-Vee Food Store #2, 279 Collins Road NE;
 - g. Kum & Go #520, 2604 16th Avenue SW;
 - h. Stadium Lounge Bar & Grill, 957 Rockford Road SW;
 - i. The Station, 3645 Stone Creek Circle SW;
 - j. Vito's on 42nd, 4100 River Ridge Drive NE (new – new ownership).
23. Resolutions (2) approving payment of bills and payroll. CIP/DID #987039
24. Resolutions approving the following events:
 - a. Cedar Rapids Metro Economic Alliance Holiday Delight Parade (includes road closures) on December 7, 2013; CIP/DID #SPEC-13210-2013
 - b. National Czech & Slovak Museum & Library Old World Christmas Market event in Czech Village on December 7, 2013. CIP/DID #SPEC-13209-2013
25. Resolutions approving assessment actions:
 - a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 28 properties; CIP/DID #987176
 - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 17 properties. CIP/DID #973245

26. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

- a. Water system improvements installed in Summerfield 15th Addition and approving the 2-Year Maintenance Bond submitted by Butschi Real Estate Company in the amount of \$26,250, and reserving the right to re-inspect and require maintenance for the public water system improvements until the remaining street construction is completed and final grade is established; CIP/DID #2012080-01
- b. Water system improvements installed in Knollwood Park 1st Addition and approving the 2-Year Maintenance Bond submitted by Bowker Mechanical Contractors LLC in the amount of \$183,345, and reserving the right to re-inspect and require maintenance for the public water system improvements until the remaining street construction is completed and final grade is established. CIP/DID #2010054-01

27. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:

- a. Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project and approving the 4-Year Performance Bond submitted by Eastern Iowa Excavating & Concrete, LLC (original contract amount was \$51,587; final contract amount is \$48,321.72); CIP/DID #301473-01
- b. Harrison Elementary Sidewalks project, final payment in the amount of \$3,741.93 and approving the 4-Year Performance Bond submitted by to Anne Duffield Construction, Inc. (original contract amount was \$76,371; final contract amount is \$74,838.59); CIP/DID #301788-01
- c. Library Furniture and Shelving for the Downtown Library, final payment in the amount of \$16,969.92 and approving the 2-Year Performance Bond submitted by M. Hanson & Company, Inc. (original contract amount was \$357,294.71; final contract amount is \$339,402.31); CIP/DID #0612-242
- d. Horizontal Collector Well #6 Powerline Installation project, final payment in the amount of \$5,227.50 and approving the 2-Year Performance Bond submitted by Trey Electric Corporation (original contract amount was \$114,550; final contract amount is \$104,550); CIP/DID #625863-04
- e. Water Division Interior Lighting Upgrade project, final payment in the amount of \$7,420.97 and approving the 2-Year Performance Bond submitted by Hawkeye Electric (original contract amount was \$154,250; final contract amount is \$148,419.41); CIP/DID #625899-02
- f. Water Pollution Control Facility 2012 Roof Replacement Solids Dewatering & Incinerator Building and Operations Bldg project, authorize issuance of final retainage payment in the amount of \$27,885.14 and approving the 2-Year Performance Bond submitted by Advance Builders Corp. (original contract amount was \$532,000; final contract amount is \$557,702.76). CIP/DID #615190-02

28. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Edgewood Road SW from South of Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project. CIP/DID #301473-00

29. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Edgewood Road SW from South of CRANDIC RR to south of 60th Avenue, Pavement Reconstruction project. CIP/DID #301752-00

30. Resolution approving the final plat of Roger L. French Addition located on the east side of 6th Street SW, south of Tharp Road SW. CIP/DID #FLPT-005177-0213

31. Resolution approving an all-way stop condition at the intersection of 27th Street and Prairie Drive NE. CIP/DID #60-14-031
32. Resolution authorizing an IT Systems Analyst III to attend the Lenel On-Guard Direct Support User Hardware and User Access Control Essentials in Rochester, New York for an amount not to exceed \$4,600 at a date to be determined in Fiscal Year 2014. CIP/DID #987055
33. Resolution establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2014. CIP/DID #987029
34. Resolution authorizing a 4.8% wage increase for the City Manager according to the terms of his employment contract. CIP/DID #572668
35. Resolutions approving actions regarding Purchases/Contracts/Agreements:
 - a. Amendment No. 2 to renew Agreement for Welding Gases & Supplies with Matheson Linweld for an estimated annual amount of \$40,000 (original contract amount was \$35,000; renewal contract amount is \$35,000); CIP/DID #0911-045
 - b. Amendment No. 6 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages project with Triplett Interior Solutions for additional furnishings for an amount not to exceed \$11,845.16 (original contract amount was \$299,520.80; total contract amount with this amendment is \$364,004.21) **(FLOOD)**; CIP/DID #0113-154
 - c. Amendment No. 4 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages project with Welter Storage Equipment to reflect the additional cost to add three HON ignition task chairs for an amount not to exceed \$777 (original contract amount was \$58,251; total contract amount with this amendment is \$92,117) **(FLOOD)**; CIP/DID #0113-154
 - d. Amendment No. 3 to the Contract for Library Furniture and Shelving for the Downtown Library with Storey Kenworthy for additional benches, tool tiles and rails for an amount not to exceed \$6,129.50 (original contract amount was \$307,560.18; total contract amount with this amendment is \$418,551.90) **(FLOOD)**; CIP/DID #0612-242
 - e. Amendment No. 4 to the Contract for Landfill Services for Biosolids with Millennium Waste Incorporated to reflect the additional cost for biosolid waste removed from the former Animal Control Facility (previously the Water Pollution Control Facility) for an amount not to exceed \$60,000 (original contract amount was \$150,000; total contract amount with this amendment is \$210,000) **(FLOOD)**; CIP/DID #0210-178
 - f. Amending a typographical error in Amendment Nos. 1-7 and Resolution Nos. 0623-04-13, 1299-08-13 and 1467-09-13 and authorizing execution of Amendment No. 8 to contract for Environmental Remediation and Demolition Services for the former Animal Control Facility project with Active Thermal Concepts, Inc. to reflect additional work as a result of a discovery item for an amount not to exceed \$112,966.80 (original contract amount was \$103,469; total contract amount with this amendment is \$400,997.35) **(FLOOD)**; CIP/DID #1112-112
 - g. Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$90,000 for final design services in connection with the Cottage Grove Parkway Flood Protection project (original contract amount was \$120,000; total contract amount with this amendment is \$210,000); CIP/DID #304224-02

- h. Amendment No. 2 to the Professional Services Agreement with Alltrans, Inc. specifying an increased amount not to exceed \$2,500 for design services in connection with the 18th Street NW from Zika Avenue to Meiers Court Drainage Improvements project (original contract amount was \$25,589; total contract amount with this amendment is \$28,089); CIP/DID #304363-01
- i. Amendment No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$15,100 and a release of contingency of \$24,900 for engineering services in connection with the Prairie Creek from West of 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project (original contract amount was \$274,800; total contract amount with this amendment is \$289,900); CIP/DID #655028-07
- j. Amendment No. 3 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$3,300 for engineering services in connection with the Valley Brook Drive SE Channel Restoration Improvements project (original contract amount was \$79,959; total contract amount with this amendment is \$90,759); CIP/DID #304141-01
- k. Amending Resolution No. 0227-02-12 to revise the expiration date to match the Agreement for the Opening Day Collection for the Cedar Rapids Public Library with Baker & Taylor, Inc. (original amount was \$4,000,000, which remains unchanged) **(FLOOD)**; CIP/DID #1011-071
- l. Change Order No. 5 deducting the amount of \$6,667.60 with Vieth Construction Corporation for the Polk Elementary Sidewalks project (original contract amount was \$111,947.50; total contract amount with this amendment is \$122,849.92); CIP/DID #3012024-01
- m. Change Order No. 20 (Revised Final) in the amount of \$25,055 with Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project (original contract amount was \$10,917,000; total contract amount with this amendment is \$12,200,205); CIP/DID #535100-24
- n. Change Order No. 2 in the amount of \$44,518.89 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue to 3rd Avenue SE project (original contract amount was \$377,390.75; total contract amount with this amendment is \$432,150.99); CIP/DID #3012057-02
- o. Agreement in the amount of \$53,500 and accepting additional right-of-way, permanent easements and temporary easements for construction from the Cedar Rapids Airport Commission from land located on the south side of 76th Avenue SW in connection with the 76th Avenue SW Improvements from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project; CIP/DID #301208-00
- p. Purchase Agreement in the amount of \$16,100 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Anton Golobic as Trustee of the Anton Golobic 2011 Revocable Trust from land located at 381 Rosedale Road SE in connection with the Indian Creek Trunk Sanitary Sewer Capacity Improvements – Phase 2 and 3 projects; CIP/DID #655625-00
- q. Purchase Agreement in the amount of \$317 and accepting an Easement for Sanitary Sewer from Sadie Lundry from land located at 408 6th Avenue SW in connection with the Sanitary Sewer SW Quadrant Flood Repairs project **(FLOOD)**; CIP/DID #SSD103-00
- r. 20' sanitary sewer easement from Bellon-Africa Family Farms, LLC and a 20' sanitary sewer easement from Terra Enterprises, LLC, for the consideration of \$1 each and other valuable consideration for sanitary sewer for land located east of Highway 151 and north of Highway 30 in association with Hawks Point 5th Addition; CIP/DID #FLPT-004526-2013

- s. 28E Agreement with the City of Marion for snow and ice control along joint corporate limits; CIP/DID #80-14-018
- t. Accepting bid in the amount of \$200,000 from James J. and Susan C. Novak and approving a Quit Claim Deed for the disposition of 56 16th Avenue SW; CIP/DID #3302500004-00
- u. Memorandum of Agreement (MOA) for Cedar Rapids Fire Department joint ownership of Candidate Physical Ability Test (CPAT) equipment with a consortium of Iowa fire departments; CIP/DID #987067
- v. Contract for SCS Play Structure Refurbishing with SlideCare, LLC for the Parks and Recreation Department for an amount not to exceed \$28,061; CIP/DID #0913-059
- w. Fleet Services Division purchase of one Chevrolet 3500 Silverado from Bob Brown Chevrolet in the amount of \$37,813.71; CIP/DID #1013-071
- x. Fleet Services Division purchase of an additional two Chevrolet 1500 Silverados from Bob Brown Chevrolet in the amount of \$52,571.44; CIP/DID #0913-052
- y. Purchase of boiler and machinery insurance from Zurich in the amount of \$39,131; CIP/DID #987318
- z. Purchase of property insurance coverage to include \$25 million in excess flood insurance through Aon Risk Services Central, Inc. in the amount of \$1,479,550.85; **(FLOOD)**; CIP/DID #987320
- aa. Annual Urban Renewal Area Report to the Iowa Department of Management for the City's 16 Urban Renewal Areas; CIP/DID #163407
- bb. Tax Increment Financing (TIF) Indebtedness Certifications to the Linn County Auditor indicating the total debt incurred and revenues collected through June 30, 2012 within each of the City's 16 Urban Renewal Areas; CIP/DID #163407
- cc. Development Agreement and Special Warranty Deed with Jim Sattler, Inc. for City-owned property at 1205 3rd Street SW participating in the third round of the Single Family New Construction Program **(FLOOD)**; CIP/DID #540257
- dd. Professional Services Agreement with RDG Planning & Design for the development of the Comprehensive Plan Update; CIP/DID #165740
- ee. Confirmation and Consent Certificate and a Ground Lease Estoppel and Agreement in connection with the assignment of three leases relating to the Town Centre parking ramp and for the Town Centre skywalk. CIP/DID #534297

REGULAR AGENDA

36. Report on bids for the Hoover Trail Park project (estimated cost is \$65,000). (Steve Krug)

- a. Resolution awarding and approving contract in the amount of \$62,998, bond and insurance of Pirc-Tobin Construction, Inc. for the Hoover Trail Park project. CIP/DID #307222-01

37. Report on bids for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements & Kirkwood Boulevard SW Intersection Improvements project (estimated cost is \$1,490,000). (Doug Wilson)
- a. Resolution awarding and approving contract in the amount of \$1,315,990.70 plus incentive up to \$92,900, bond and insurance of BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (estimated cost is \$1,490,000). CIP/DID #3012049-03
38. Report on bids for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project (estimated cost is \$185,000). (Doug Wilson)
- a. Resolution awarding and approving contract in the amount of \$162,800 plus incentive up to \$9,000, bond and insurance of Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project. CIP/DID #301847-01
39. Discussion and Resolution authorizing submittal of a Flood Mitigation Program Grant application to the State of Iowa for funding of flood mitigation in Cedar Rapids. (Adam Lindenlaub) CIP/DID #987556
40. Discussion and Resolution approving an agreement with the Iowa Economic Development Authority to participate in the Iowa Solar Readiness Initiative as a local government organization. (Seth Gunnerson) CIP/DID #71190

ORDINANCES

(Second and possible Third Readings)

41. Ordinance deleting Chapter 68 of the Municipal Code, Airport, and replacing it with a new Chapter 68 providing for rules for the operation and management of the airport. CIP/DID #982868
42. Amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Bowling Street Flex-Space Urban Revitalization Area designation at 4700 Bowling Street SW. CIP/DID #963818

PUBLIC INPUT

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

COUNCIL COMMITTEE REPORTS

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

CITY MANAGER COMMUNICATIONS AND DISCUSSION

COUNCIL COMMUNICATIONS AND DISCUSSION

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

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

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

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



Council Agenda Cover Sheet

Public Hearing and Resolution

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: Glenn Vosatka, PE
E-mail Address: g.vosatka@cedar-rapids.org

Phone Number/Extension: 5821

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (estimated cost is \$155,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project. CIP/DID #301385-01

Background:

The project's purpose is to provide safer pedestrian and bicycle access to Franklin Middle School by installing sidewalks. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2014 and be completed within approximately 25 working days. Plans on file in the City Clerk's office include sidewalk on both sides of Prairie Drive between 29th Street and 27th Street, as well as the northeasterly side of Prairie Drive between 27th Street and Franklin Avenue. Property owners are not being assessed for the sidewalk.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

Alternative to the Recommendation:

The Council could abandon the project or cancel the agreement with the IDOT and seek an alternative funding source, such as special assessments.

Time Sensitivity: Must be acted upon November 19th to maintain the project schedule, and which must occur ahead of the project's January 22, 2014 bid opening.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301385

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Project funding is through a federal Safe Routes to School grant.

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

Explanation (if necessary): On May 21, 2013, the Infrastructure Committee recommended abandoning assessments for this Prairie Drive NE Sidewalk project and proceeding with the addition to the project of sidewalk on the east side of Prairie Drive between 29th Street and 27th Street. Subsequently, the City Council passed Resolution No. 0845-05-13, abandoning the Resolution of Necessity in regard to the assessments. On November 12, 2013 the Infrastructure Committee endorsed receiving bids on January 22, 2014 for the plans currently on file in the City Clerk's office.

RESOLUTION NO.

WHEREAS, on November 5, 2013 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Prairie Drive NE from 29th Street to Franklin Avenue Portland Cement Concrete (PCC) Sidewalk project (Contract No. 301385-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 19th day of November, 2013.





Council Agenda Cover Sheet Public Hearing and Resolution

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**

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 18th Street SW, South of Wilson Avenue SW, Culvert and Water Main Replacement project (estimated cost is \$165,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the 18th Street SW, South of Wilson Avenue SW, Culvert and Water Main Replacement project.
CIP/DID #304360-01

Background:

The project replaces of an undersized box culvert with high headwalls with a 6 foot by 3 foot Box Culvert. Included with the project is regarding of the waterway east of 18th Street and injection of grout into the ground near 18th Street to plug and old field tile line that is causing the adjacent homes to operate their sump pumps on a nearly continual basis. The project also includes and water main replacement along 18th street. The culvert is designed so that if the City decides to convert the seal coat road to a curb and gutter concrete street, the culvert will not need to be replaced. Construction is expected to start in the spring of 2014.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

Alternative to the Recommendation:

Council can defer action on the resolution to adopt plans and specifications, form of contract and estimated cost or abandon the project.

Time Sensitivity: Must be acted upon November 19, 2013 to maintain the project schedule, and which must occur ahead of the project's November 27, 2013 bid opening.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 304360

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Not Applicable

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on November 5, 2013 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 18th Street SW, South of Wilson Avenue SW, Culvert and Water Main Replacement project (Contract No. 304360-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 2663 Mt. Vernon Road SE from O-S, Office/Service Zone District and R-3, Single Family Residence Zone District to C-2, Community Commercial Zone District as requested by Sharp Investments, LLC and Mount Vernon Bank and Trust Company. CIP/DID #RZNE-005376-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on October 10, 2013 and recommended for approval unanimously on an 8 to 0 vote. There were two objectors and one proponent present.

The applicant is requesting rezoning to allow for redevelopment of the property. The building on the site was most recently used as a restaurant, but had been vacant for one year. The areas requested for rezoning are the parking areas to the south and west of the existing building. If approved, the existing building would be demolished to make way for a new commercial building, which the applicant has indicated would be an automotive parts store.

It should be noted the applicant held a neighborhood meeting on Thursday September 26, 2013 and there were not major issues or concerns. The neighborhood did have concerns regarding storm water run-off and a variance being requested to reduce the 15' interior side buffer yard where the proposed parking and building would encroach.

The Preliminary Site Development Plan consists of the following improvements:

- Total site area of 36,590 s. f.
- Total area of proposed new commercial building is 6,800 s. f.
- Total proposed parking is 28 spaces including 2-handicap spaces-required is 23 spaces.
- Access from will be in the same location off Memorial Drive SE.
- Screen fencing and landscaping are proposed along the west and south property lines adjacent to the single-family residential uses.
- Storm water management will be provided at the southwest corner of the site.
- The applicant is providing additional right-of-way along both Memorial Drive and Mt. Vernon Road SE for a 50' half-street right-of-way.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on October 10, 2013 and recommended unanimous approval on an 8 to 0 vote. A portion of the minutes are enclosed as Attachment A. There were no objectors present at the meeting.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for November 19, 2013. Two additional readings of the Ordinance are required by State law before approval is final. Approval will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

City staff recommends holding the public hearing and 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: 5 minutes

Budget Information (if applicable): N/A

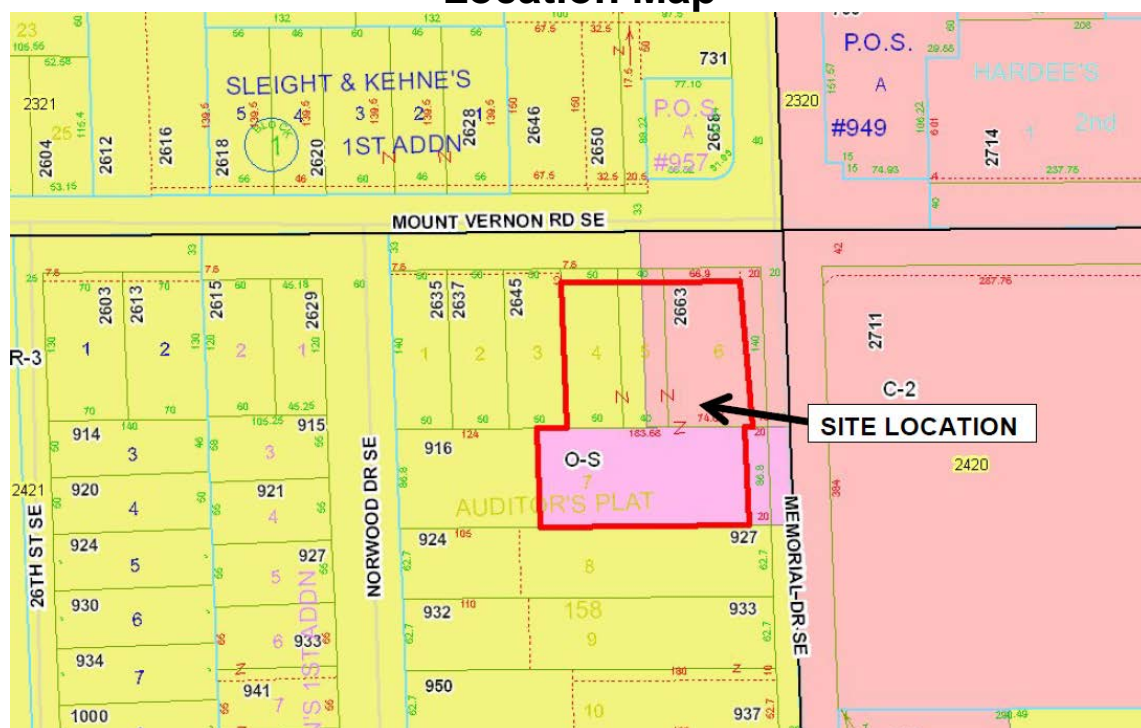
Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

Location Map



**Minutes of the
CITY PLANNING COMMISSION MEETING**
Thursday, October 10, 2013 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

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

Development Services Staff: Vern Zakostelecky, Planner
 Joseph Mailander, Manager
 Dave Houg, Plats & Zoning Conditions Coordinator

Community Development Staff: Seth Gunnerson, Planner
 Betty Sheets, 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 eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from September 19, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from September 19, 2013 stand approved.

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: 2663 Mt Vernon Road SE (Rezoning)

Recommendation for approval of a rezoning request from O-S, Office/Service Zone District, C-2, Community Commercial Zone District and R-2, Single Family Residence Zone District

to C-2, Community Commercial Zone District as requested by Sharp Investments LLC (Applicant) and Mount Vernon Bank and Trust Company (Titleholder)
Case No: RZNE-005376-2013 Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated this is a rezoning at the southeast corner of Mount Vernon Road and Memorial Drive. The former Vernon Inn restaurant had been vacant for more than a year and will be demolished for a new building to be built. The applicant plans to place an auto parts store on the site. A meeting with the neighbors was held on September 26, 2013 at the Ambroz Center. There were no major objections. The applicant is requesting a variance for a portion of the 15 foot interior side buffer yard on the west side of the building. Mr. Zakostelecky showed an aerial photo and site plan, however no renderings were shown as the applicant does not want to reveal who the business will be. The applicant will be required to produce renderings when submitting an Administrative Site Development Plan.

Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented.

Commissioner Overland called for a representative of the applicant.

Dave Ryan, President of Mount Vernon Bank and Trust Company stated that the bank is interested in selling the property they have owned since July 2012. Also the rezoning impacts another property that is owned by the bank next to and west of the subject property.

Commissioner Overland called for questions of the applicant.

Commissioner Dalhby asked if he had been present at the neighborhood meeting. Mr. Ryan stated he had not been present.

Commissioner Overland called for members of the public who wished to speak.

Tim Oberbroeckling, 925 26th Street SE stated he owns houses in the neighborhood and that he fears more commercial will be built after this. He stated CPC should follow the City Council's action on a previous request for rezone this property and recommend denial.

Robin Kash, 1806 Grande Avenue SE stated that stormwater management was not indicated what kind it was. Developers should be required to install permeable paving and increase steps to manage our stormwater to the maximum extent.

Susie Sovers, 924 Norwood Drive SE stated her concern was the water drainage. She lives behind the site and has had severe water drainage issues. The City has told her that action would be taken to alleviate the problem, but that had not been done yet.

Karl Ortmeyer, 927 Memorial Drive SE stated he was in support of this development and also provided a letter of support of the project.

Commissioner Overland asked Mr. Zakostelecky to comment on the stormwater situation.

Mr. Zakostelecky stated he would respond to the stormwater issue as well of the sprawl down Mt Vernon Road. This property has been used as commercial and shown as such for a long time on the future land use map. The previous request took out three houses going west of this property and one house to the south. The only way the residential property would be changed is if a

property owner came in with a two part application asking for the Comprehensive Plan Future Land Use Map and the zoning to be changed. The Future Land Use Map shows Low Density Residential down to the Hy-Vee Drug Store. There is no plan to do commercial and the Comprehensive Plan stresses only commercial at the intersection of two major streets.

As for the stormwater issue, there is nothing on site now that detains water and based on Engineering staff review, the pervious areas are not increasing. There will be lots of green space and a large bio-swale. There is no storm sewer to connect to unless the developer could go through the property to the southwest. The proposal would provide infiltration and natural drainage.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Thoms made a motion to approve the rezoning from O-S, Office/Service Zone District and R-2, Single Family Residence Zone District to C-2, Community Commercial Zone District. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Pankey commented on the sprawl and stated the use that was being proposed was preferable than other uses that could be proposed. Commissioner Pankey also stated that the condition of the existing building is such that it definitely needed to be torn down.

Mr. Zakostelecky stated that these issues will be further addressed during review of an application for Administrative Site Development Plan approval.

Commissioner Knox-Seymour asked that the neighbor be contacted and address her concerns about the water situation in her property. The City needs to make sure her issues have been addressed.

Mr. Zakostelecky agreed that the City would work with the neighbor to determine what was promised and try and resolve the situation. He further felt strongly that the bio-swale would assist in resolving the drainage issues.

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

The meeting was adjourned at 5:00 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
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;

All of Lots 4, 5, 6 and Lot 7, except the West 124 feet thereof, Auditor's Plat No.
158, Linn County, Iowa, except the Public Highway

and located at 2663 Mt Vernon Road SE, now zoned O/S, Office-Service Zone District, C-2 and
R-3, Single Family Residence 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:

1. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property
owner shall be responsible to construct 5' wide sidewalk along Memorial Drive SE adjoining
this site. 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.
2. 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. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property
owner shall be responsible to dedicate to the public additional street right-of-way along Mt
Vernon Road SE and Memorial Drive SE providing a minimum 50' half width right-of-way
adjoining this site.
4. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or a
variance must be obtained.
5. Street frontage landscaping yards with average depths of 15' (front) and 10' (side) are
required or a variance must be obtained.
6. Buffer-yards of 15' (west side of lot) and 25' (south side of lot) are required or a variance
must be obtained.
7. The existing structure shall be removed under appropriate permit and inspections conducted

and approved.

8. Effective screening must be provided and maintained so as to screen the proposed structure and open parking from adjacent residential uses or a variance must be obtained.
9. Lighting fixtures shall be designed and shielded so that the light source is not visible from any single family or two family use located adjacent to or across a street or alley from the subject property, or from any public right-of-way.
10. Signage is not being reviewed at this time. Sign permit applications must be submitted and approved and permits obtained prior to erection of signage.
11. 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.
12. That Historic Preservation Commission review for structures 50-years old or older proposed for demolition is required subject to Chapter 18 of the City's Municipal Code, Subsection 18.10.

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 19th day of November, 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

MOUNT VERNON BANK AND TRUST COMPANY

BY _____ 

DAVID M. RYAN, President + CEO
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

Public hearings will be held to consider amending the Future Land Use Map in the City's Comprehensive Plan from Institutional/Public to Low Density Residential and to consider a change of zone for property at 3200 Pioneer Avenue SE from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by the Affordable Housing Network, Inc. and the Cedar Rapids Community School District. CIP/DID # FLUMA-005395-2013 & RZNE-005398-2013

Background:

The request for a Future Land Use Map Amendment and rezoning of this property was reviewed by the City Planning Commission on October 10, 2013 and unanimously recommended for approval on an 8 to 0 vote. There were several citizens from the neighborhood that voiced objection to the proposed development.

The applicant is requesting rezoning to allow for redevelopment of the Monroe Elementary School into an affordable housing complex. The proposed redevelopment includes retrofitting the existing school into 19-apartments and a community space for the complex. The redevelopment of the property also would include the addition of 24-detached rental housing units to the north and east of the existing school.

The Preliminary Site Development Plan consists of the following:

- Rezoning to PUD-2, Planned Unit Development Two Zone District
- Redevelop the existing school to 19-unit apartments and a Community space & the addition of 24-detached rental housing units.
- Total number of housing units is 43.
- Density is 7,790 sq. ft. of land area per unit.
- Total site is 7.69 acres.
- Existing accesses to Pioneer Ave. SE would be utilized.
- Sidewalks would be provided throughout the development.
- Existing accessory buildings would be removed.
- Hard surface play court between the access drives.
- Stormwater management areas at several locations on the site.

A requirement of the PUD-2 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 construction schedule for the development.
- Level of design the property will be developed to 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.

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

- Possible combination of some of the single units to duplexes.
- Reduction in buffer-yard screening requirements.

The applicant held a neighborhood open house at the school on September 26, 2013 and there were a number of concerned citizens. The following is a list of concerns expressed by the neighborhood:

1. Will there be enough parking? What will the impact be on on-street parking?
2. Concerns with stormwater run-off and impact on neighborhood.
3. Will the proposed development negatively impact property values in the neighborhood?
4. No yards for children to play in for the apartment proposed in the existing school.
5. Problems with tenants in neighboring apartments and fear this development will be the same.
6. Units will be rental, not owner occupied and will not be taken care of.
7. More traffic in the neighborhood.
8. Decreased stability for existing homes in the neighborhood/conversion to rentals.
9. Decrease in the health of the neighborhood including pride & safety.
10. Erosion concerns during construction.
11. Want fence between project & home.
12. Crime will go up.
13. View & privacy will be lost.
14. How will the property be managed & maintained?
15. Better uses for the school such as daycare, rest home, etc.
16. Too many units/too dense.

City Planning Commission FLUMA Findings:

City Planning Commission recommended unanimous approval FLUMA based on the following:

- Provides alternative housing choices for the southeast quadrant.
- The proposed development is lower density than most of the neighborhood.
- Would provide a good buffer between existing apartments to the south and the single-family residential to the north.
- Excellent re-use of the school rather than demolishing and redeveloping the entire site.
- Classic example of good in-fill development.
- Good use located on City bus route.
- The proposed use and development would have a lower impact on the site rather than demolishing the school and completely redeveloping the site.

Application Process/Next Steps:

Actions	Comments
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City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed both applications on October 10, 2013 and recommended approval of both by an 8 to 0 vote. A portion of those minutes are included as Attachment A. There were several objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for November 19, 2013 at the City Council meeting to consider these applications & allow for public input. Approval of the Future Land Use Map Amendment would require a majority City Council vote on a resolution. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends holding the public hearings and approval of the FLUMA resolution and the First Reading of the rezoning.

Alternative Recommendation:

Table this item and request further information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable): N/A

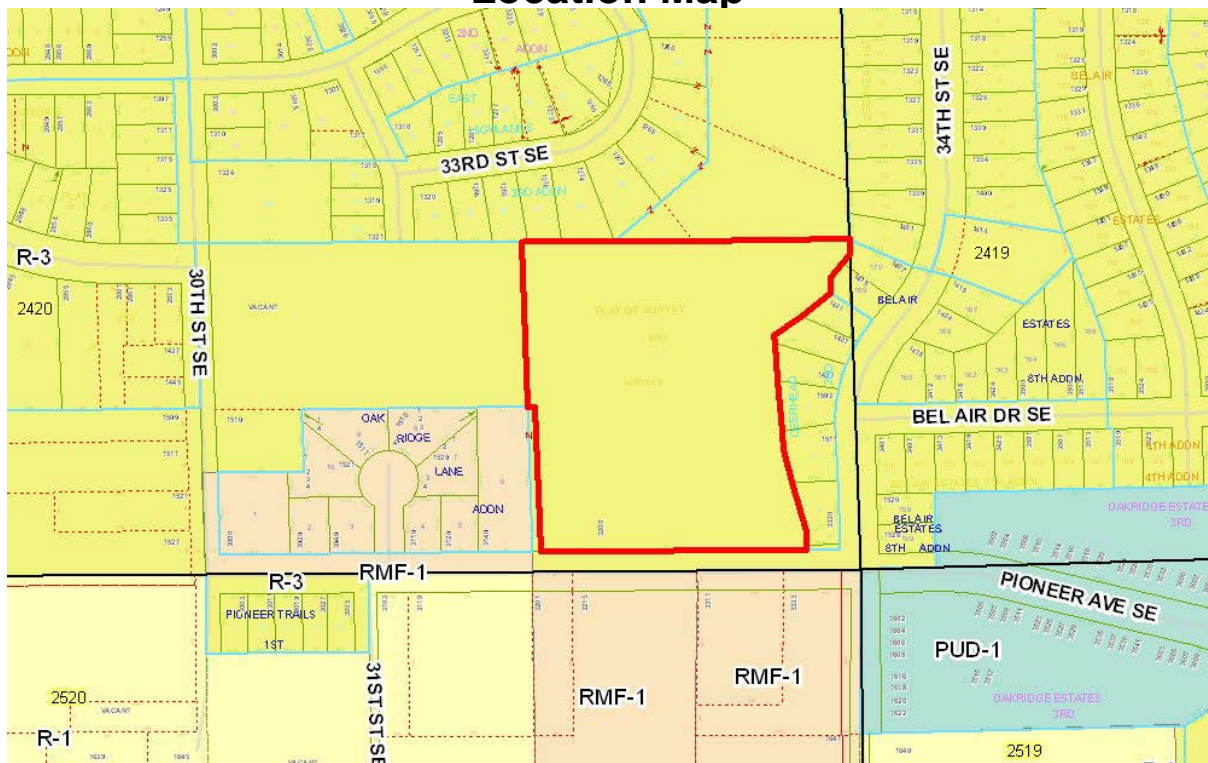
Local Preference Policy Applies ☐ Exempt ☐

Explanation:

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

Explanation (if necessary):

Location Map



**Minutes of the
CITY PLANNING COMMISSION MEETING**
Thursday, October 10, 2013 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

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

Development Services Staff: Vern Zakostelecky, Planner
Joseph Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator

Community Development Staff: Seth Gunnerson, Planner
Betty Sheets, 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 eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from September 19, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from September 19, 2013 stand approved.

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:** 3200 Pioneer Avenue SE (FLUMA and Rezoning)
 - a) Request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Institution and Public to Low Density Residential as requested by Affordable Housing Network, Inc. (Applicant) and Cedar Rapids Community School District (Titleholder).

- b) Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to PUD-2, Planned Unit Development Zone District as requested by Affordable Housing Network, Inc. (Applicant) and Cedar Rapids Community School District (Titleholders).

Case No: RZNE-005398-2013 Case Manager: Vern Zakostelecky

Mr. Zakostelecky stated he would address both the Future Land Use Map Amendment as well as the Rezoning. It is the Monroe Elementary School that has been vacant and the Cedar Rapids Community School District is selling the property to Affordable Housing Network for affordable housing. The rezone request is to the PUD-2 Zoning District. The applicant is proposing converting the school into 19 apartment units with a community center and building 23 individual houses on the site. Mr. Zakostelecky provided a site plan, aerial photo, elevations and floor plans. There will be a hard surface play court and improved stormwater management and additional landscaping. The applicant held an open house at Monroe School for the neighbors. Some of the concerns were:

- Parking
- Stormwater run off
- Property values
- No yard for the children to play
- Tenant problems with existing apartment
- Rental and not owner occupied and won't be taken care of
- More traffic in neighborhood
- Decreased ability to sell house or rentals
- Safety and crime in neighborhood
- Fence between project and neighborhood
- Crime going up
- View loosing and privacy
- How property will be maintained
- Suggestions of better uses
- Concern about density
- Loss of trees

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Knox-Seymour voiced her concern that there was not enough landscaping.

Mr. Zakostelecky stated that they were not providing full screening and there is a distance separation from existing housing in the area.

Commissioner Overland called for a representative of the applicant.

Joe Locke, 1101 Crestview Drive SE, Executive Director, Affordable Housing Network, Inc. Mr. Locke stated that AHNI is the largest non-profit organization for affordable housing and owns and manages over 800 single and multifamily housing units in Cedar Rapids. He stated there is the need for three and four bedroom homes and apartments for working class families. The Monroe Elementary School can easily support three and four bedroom apartments and houses and is adjacent to a City park. AHNI enlisted expert help from Hall & Hall Engineering, Novak Design Group, Olmstead Construction, OPN Architects and Skogman Homes. The

development will be named “Monroe Villas” and have recordable security cameras, 24/7 staff, on site staff. Tenants will need to pass a criminal background check, landlord check and pass a credit check. In turn the tenant will be asked to pay their rent, follow the rules and be a good neighbor or face the consequences.

Corey Houchin-Witt, Director of Real Estate Development, Affordable Housing Network Inc. 5400 Kirkwood Boulevard SW. Mr. Houchin-Witt stated he would touch on three topics, some of which resulted from concerns voiced by neighbors at the September 26, 2013 meeting. The three items are property management, impact of affordable housing on property values and amenities of the development.

- **Property Management:** AHNI has a rigorous applicant screening process with criminal background including drug offenders, violent or sex offenders screening process, drug screening, and previous landlord checks for three years, credit check and with this property ascertain the tenant’s ability to pay rent. Low Income Housing Tax Credit program: ascertain the applicant’s ability to pay rent. The rental rates: 3 bedroom, \$625 and 4 bedroom, \$700. No operating subsidies, steady income by employment. Focus is on working families
- **What happens when there are problems with tenants?** Tenants are required to abide by house rules. 6 month lease term and then a month to month lease term. Allows AHNI to issue 30 day notices. When tenants do cause problems AHNI can give a 3 day or 30 day notice and have an attorney on staff.
- **Property Maintenance:** Detached single-family homes which are managed by AHNI include lawn care, snow removal and all maintenance. AHNI has a large property maintenance staff of 15 full time plus 7 full time tenant relations staff. AHNI has a reserve for maintenance of \$17,000 plus \$40,000 revenue will be reserved. Upfront \$140,000 operating for maintenance.
- **Affordable housing on property values:** Affordable housing can have a positive impact on property values. Mr. Houchin-Witt stated several studies have been done on affordable house. The development will be a revenue generating property. Property will not be allowed to take advantage of property tax relief.
- **Amenities of the Development:** playground on site, community garden, full size basketball court and community room with computer learning center. Amenities also available to the neighborhood. Each unit will have washer dryer, storage lockers and are 1100 to 1700 sq ft in size.

Loren Hoffman, Landscape Architect, Hall & Hall Engineers stated he wanted to elaborate on some comments from the neighborhood meeting. General land use, site plan and what PUD zoning does. PUD zoning is a development agreement/contract with the City and the development has to be followed. Parking includes two parking spaces for each tenant, but the applicant will revisit the plan and possibly add more parking to alleviate concerns. Screening concerns for the multi-units will include adding more trees. Buildings in close proximity to the perimeter of the site will get additional landscape. Site has infrastructure in place. Extensive sidewalk system, more walkability and connectivity to City park.

Commissioner Thoms asked if on the north side of the development will homes be developed into the tree line. Mr. Huffman stated that the units do not encroach into the tree line.

Commissioner Dalhby asked for more detail on how site is staffed and was concerned that the play yard seems to be too close to Pioneer Avenue.

Commissioner Knox-Seymour asked for more detail on the staff and if there was any potential criminal activity.

Mr. Locke stated that staffing ratios are in accordance with the number of units. Staffing would be up to 40 hour work week or slightly less. More staff will be added to the existing staff to accommodate the work load. AHNI manages over 800 units throughout the City. There currently is no plan to have resident manager on site but have staff on call 24/7. As far as the criminal activity, AHNI relies upon the City Police. On call staff handles maintenance.

Commissioner Tertinger asked if there was plan for dealing with criminal activity.

Mr. Locke stated for criminal activity the tenant would be asked to call 911 and then the on-call number.

Mr. Hoffman stated that the playground was best situated in the front so that other neighbors could also use the playground rather than tucked behind the school building. Perhaps fencing along Pioneer would be added. It would also be lighted.

Commissioner Pankey asked if the playground would be lighted and would it be disruptive to other neighbors.

Mr. Locke stated other properties have all night lighting and has not been an on-going issue.

Commissioner Wilts asked about the trees in the back, will the trees be secured when construction begins. Has the Fire Department reviewed the plan to assure adequate access to the development?

Mr. Huffman stated that fencing will be placed around the trees to protect the trees.

Mr. Zakostecky stated that the Fire Department reviewed the plan and feels there are no concerns about getting in and out.

Commissioner Halverson asked the applicant to speak to selling the property. How will the property be managed?

Mr. Locke stated that at Wellington Heights, a different endeavor, 68 houses have been purchases, rehabbed 40 and sold 6. This multi-family housing development will not be sold, in fact the Tax credit program required the developer own the project for a minimum of 30 years.

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

Commissioner Overland called for members of the public who wished to speak.

Karen Humbert, 3014 14th Avenue SE; with the Monroe Neighborhood Group. The petition has 284 signatures which are in protest of the Monroe School project which is 49% of the neighbors who live within 300 feet of the property.

Jay Wurtele, 3201 Pioneer Avenue SE; Kerry Shaner, 1323 34th Street SE; Jeffrey Ginn, 1286 33rd Street SE; Gary Grommon, 2825 Seely Avenue SE; Michael Otter, 3210 Wood Avenue SE; Marlene Wilson, 2804 14th Avenue SE; Dennis Orr, 3019 Pioneer Avenue SE expressed their concerns as follows:

- Value of property
- Increased traffic including speeding
- 34th Street is curvy, speeders and accidents on this street already and will increase due to more traffic due to this project
- Parking problems
- Increase in vandalism presently
- Wildlife poaching
- Police do patrol area
- Opposed to low income property
- Revenue generated by another contractor that could generate greater tax dollars
- Notification by Courtesy Cards should be greater distance away on a project this size
- Won't have a place to walk his dog anymore
- Looks like a trailer court and concerned that the plan will change to something different
- Streets lead to Mt Vernon Road and not very good access
- Concern about the amount of money for maintenance of project
- Apartments are already located in the area
- Suggest a shelter in the park
- What will the project look like in 5 years – tenants not take care of units and will lower the value of property
- Could not contact with anyone from the existing apartment complex, but believe these apartments are not full and there is no demand for apartments in this area
- Additional landscaping does not provide security or safety
- Nonprofit plan will cost residence a lot of money and a lot of time
- Increase in traffic, increase in crime and property values will decrease
- Concerned about no on-staff resident manager

Commissioner Overland asked Mr. Zakostecky to address some of the concerns that the citizens had especially the traffic concerns. Mr. Zakostecky stated Traffic Engineering reviewed the plan and had no traffic concerns. Based on the number of units this site could support is not a huge amount of traffic.

Commissioner Overland asked if the annual maintenance fund and plan for the units would be addressed.

Mr. Houchin-Witt stated that \$17,000 plus is a reserve and do not expect it to be capped, the annual maintenance budget will be \$40,000 a year for ongoing maintenance and especially when starting out the school building will be gutted and rebuilt with new construction techniques, energy efficiency, and the low income tax credit program requires durable materials that allow for better maintenance that can stand up to wear and tear. Low Income Tax Credit program

administered by IRS and has more stringent rules with annual inspections, to assure the buildings are maintained and kept up to code or the own could jeopardize tax credits.

Commissioner Overland called for a motion to recommend approval of an amendment to the Future Land Use Amendment first. Commissioner Thoms made a motion to recommend approval of the request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Institution/Public to Low Density Residential. Commission 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.

Commissioner Overland called for a motion to recommend approval of the rezoning request. Commissioner Thoms made a motion to recommend approval of the request to rezone from R-3, Single Family Residence Zone District to PUD-2, 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 5:00 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
Community Development

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CEDAR RAPIDS, IOWA AMENDING THE FUTURE LAND USE
MAP OF THE COMPREHENSIVE PLAN FOR PROPERTY AT
3200 PIONEER AVENUE SE FROM INSTITUTION/PUBLIC TO
LOW DENSITY RESIDENTIAL

WHEREAS, the City Council adopted the Comprehensive Plan for Cedar Rapids on May 19, 1999, which is a statement of the community's vision for its own future and a guide to achieve that vision; and

WHEREAS, said Comprehensive Plan includes a Future Land Use Map which indicates the general locations and extent of various land uses to ensure that zoning is consistent with the various elements of the Comprehensive Plan; and

WHEREAS, the City Council adopted Resolution No. 2528-12-05, dated December 7, 2005, which sets forth procedures for amending the Comprehensive Plan; and

WHEREAS, the Future Land Use Element Policy 1.6.4 provides guidance and findings for amending the Future Land Use Map when necessary; and

WHEREAS, the City Planning Commission has recommended amendment of the Future Land Use Map to provide for Low Density Residential land use as shown on the attached land use amendment map (Exhibit A);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That the Future Land Use Map of the Comprehensive Plan is hereby amended to Low Density Residential as shown on Exhibit A, attached.
2. That the following findings have been made to support this amendment:
 - A. That the amendment is consistent with the Comprehensive Plan priorities.
 - B. That the amendment will be compatible with future land uses for surrounding areas of the community.
 - C. That the amendment will not create a shortage of any particular type of residential or non-residential land.
 - D. That the amendment will enhance the overall quality of life in the community.
3. That the Development Services Department is hereby authorized to prepare documentation, exhibits, and maps as necessary to implement the amendment.

Passed this 19th day of November, 2013.

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;

Parcel A, Plat of Survey No. 30

and located at 3200 Pioneer Avenue SE, now zoned R-3, Single Family Residence Zone
District, and as shown on the "District Map," be rezoned and changed to PUD-2, Planned Unit
Development Zone District, and that the property be used for such purposes as outlined in the
PUD-2, 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. 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.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property
owner shall be responsible for removal and replacement of City sidewalk along Pioneer
Avenue SE 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.
3. Effective screening shall be provided and maintained so as to screen open parking spaces
and the drive thereto where adjacent to a residential use per provisions of the Zoning
Ordinance.
4. That all lighting shall be of a type, design and placement, and also be shielded in a manner
to minimize impact on adjacent residential properties.
5. The existing structures must be removed under appropriate permit and inspections
conducted and approved.
6. 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.

7. Required off street parking will need to be provided based on 2 spaces per dwelling unit. An additional 10% of the total for the 19 apartment units will be required for guest parking.
 - 8.
- 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 19th day of November, 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

14 day of October, 2013

CEDAR RAPIDS COMMUNITY SCHOOL DISTRICT

BY Laurel A. Day

Laurel A. Day, Board Secretary
(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 600 and 616 1st Street SE from PUB, Public Zone District to C-4, Central Business Zone District as requested by The Fountains, LLC and the City of Cedar Rapids. CIP/DID #RZNE-005512-2013

Background:

The City Planning Commission reviewed the application on October 10, 2013 and recommended approval unanimously on an 8 to 0 vote.

The applicant is requesting rezoning to allow for redevelopment of the property. The building on the site is 4-stories and was most recently used as a furniture store, but has been vacant prior to the Flood of 2008. The building was damaged as a result of the flood and the applicant is proposing to renovate the building with a mix of commercial/office uses on the first 2-floors and 5-condominium housing units on the 3rd and 4th floor. The building site is zoned C-4, Central Business Zone District and the parking lot southerly of the building is zone PUB, Public Zone District.

The Preliminary Site Development Plan consists of the following improvements:

- Total site area of 42,000 sq ft
- Existing building foot print is 10,635 sq ft
- Total area of proposed building expansion is 1,154 sq ft
- Total proposed parking is 77 spaces including:
 - 3-handicap spaces-2 being van accessible.
 - 14 spaces under the existing building.
 - 63 surfacing parking spaces.
- Access from will be in the same location off 7th Avenue SE.
- Storm water management is not required.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> • City staff reviewed the application and recommended revisions, which were made.

City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on October 10, 2013 and recommended approval unanimously on an 8 to 0 vote. A portion of the minutes are enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing and First Reading of the Ordinance are scheduled for November 19, 2013. Two additional readings of the Ordinance are required by State law before approval is final. Approval will be subject to the conditions stated in the Ordinance.

Action / Recommendation:

City staff recommends holding the public hearing and 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: 5 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

Location Map



**Minutes of the
CITY PLANNING COMMISSION MEETING**
Thursday, October 10, 2013 @ 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

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

Development Services Staff: Vern Zakostelecky, Planner
Joseph Mailander, Manager
Dave Houg, Plats & Zoning Conditions Coordinator

Community Development Staff: Seth Gunnerson, Planner
Betty Sheets, 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 eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from September 19, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from September 19, 2013 stand approved.

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: 600 and 616 1st Street SE (Rezoning)

Recommendation for approval of a rezoning from PUB, Public Zone District to C-4, Central Business Zone District as requested by The Fountains, LLC (Applicant/Titleholder).

Case No: RZNE-005512-2013 ***Case Manager:*** Vern Zakostelecky

Mr. Zakostelecky state the applicant is requesting rezoning to allow for redevelopment of the property. The building on the site is 4-stories and was most recently used as a furniture store, but has been vacant prior to the Flood of 2008. The building was damaged as a result of the flood and the applicant is proposing to renovate the building with a mix of commercial/office uses on the first 2-floors and 5-condominium housing units on the 3rd and 4th floor. The building site is zoned C-4, Central Business Zone District and the parking lot southerly of the building is zoned PUB, Public Zone District.

The Preliminary Site Development Plan consists of the following improvements: Total site area of 42,000 s. f.; existing building foot print is 10,635 s. f.; total area of proposed building expansion is 1,154 s. f.; total proposed parking is 77 spaces including: 3-handicap spaces-2 being van accessible, 14 spaces under the existing building, 63 surfacing parking spaces; access from will be in the same location off 7th Ave. SE and storm water management is not required. Site plans, aerial photo and building renderings were provided.

Commissioner Overland called for questions of Mr. Zakostelecky. No questions were presented.

Commissioner Overland called for a representative of the applicant. No applicant was available.

Commissioner Overland called for members of the public who wished to speak.

Commissioner Overland called for a motion to recommend approval of the rezoning. Commissioner Tertinger made a motion to recommend approval of the rezoning from PUB, Public Zone District to C-4, Central Business Zone District. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Thoms was disappointed the applicant was not in attendance as he was able to review this project at the Enterprise Zone Commission meeting and saw this as a real opportunity for downtown. Commissioner Overland also reflected that this was a great downtown project.

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

The meeting was adjourned at 5:00 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
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;

ENTIRE SITE

LOTS 1 THROUGH 5, BLOCK 8, ORIGINAL TOWN, NOW CITY OF CEDAR
RAPIDS, LINN COUNTY, IOWA

REZONING

SE-LY 40' OF LOT 2, BLOCK 8, ORIGINAL TOWN, NOW CITY OF CEDAR
RAPIDS, LINN COUNTY, IOWA

AND

LOTS 3 THROUGH 5, BLOCK 8, ORIGINAL TOWN, NOW CITY OF CEDAR
RAPIDS, LINN COUNTY, IOWA

and located at 600 and 616 1st Street SE, now zoned PUB, Public Zone District, and as
shown on the "District Map," be rezoned and changed to C-4, Central Business Zone District,
and that the property be used for such purposes as outlined in the C-4, Central Business 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. 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. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
3. If outdoor dumpster(s) are proposed 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.

4. 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.

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 19th day of November, 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

THE FOUNTAINS, LLC

BY _____

(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5043

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

Phone Number/Ext: 319 286-5822

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

A public hearing will be held to consider a change of zone for property at 3725 Center Point Road NE from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick O. Williams, Jr. CIP/DID # RZNE-005883-2013

Background:

The request for rezoning of this property was reviewed by the City Planning Commission on October 31, 2013 and City Planning Commission recommended approval unanimously on a 6 to 0 vote.

The applicant is requesting rezoning to allow the existing structure to be converted back to a single family home. If rezoned, the home would be rented to 4 or few individuals at any given time.

The Preliminary Site Development Plan consists of the following:

- Total site area is .90 acres (39,230 s. f).
- Total building area is 2,730 s. f. including the existing house and garage.
- Total hard surface area proposed including building is 10,412 s. f.
- Total open space proposed is 28,818 s. f. (73.5% of total site area).
- Total parking required is 2 spaces-provided are 7 spaces including 1 handicap spaces and existing garage.
- Access will remain the same from Center Point Rd.NE.
- Storm water management is not required since there are no significant changes proposed for the property.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on October 31, 2013 and recommended unanimous approval on a 6 to 0. A portion of the minutes are enclosed as Attachment A.

City Council consideration	<ul style="list-style-type: none"> • A Public Hearing and First Reading of the Ordinance are scheduled for November 19, 2013. • Two additional readings of the Ordinance are required by State law before approval is final. • Approval will be subject to the conditions stated in the Ordinance.
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Action / Recommendation:

City staff recommends holding the public hearing and 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: 3 minutes

Budget Information (if applicable): N/A

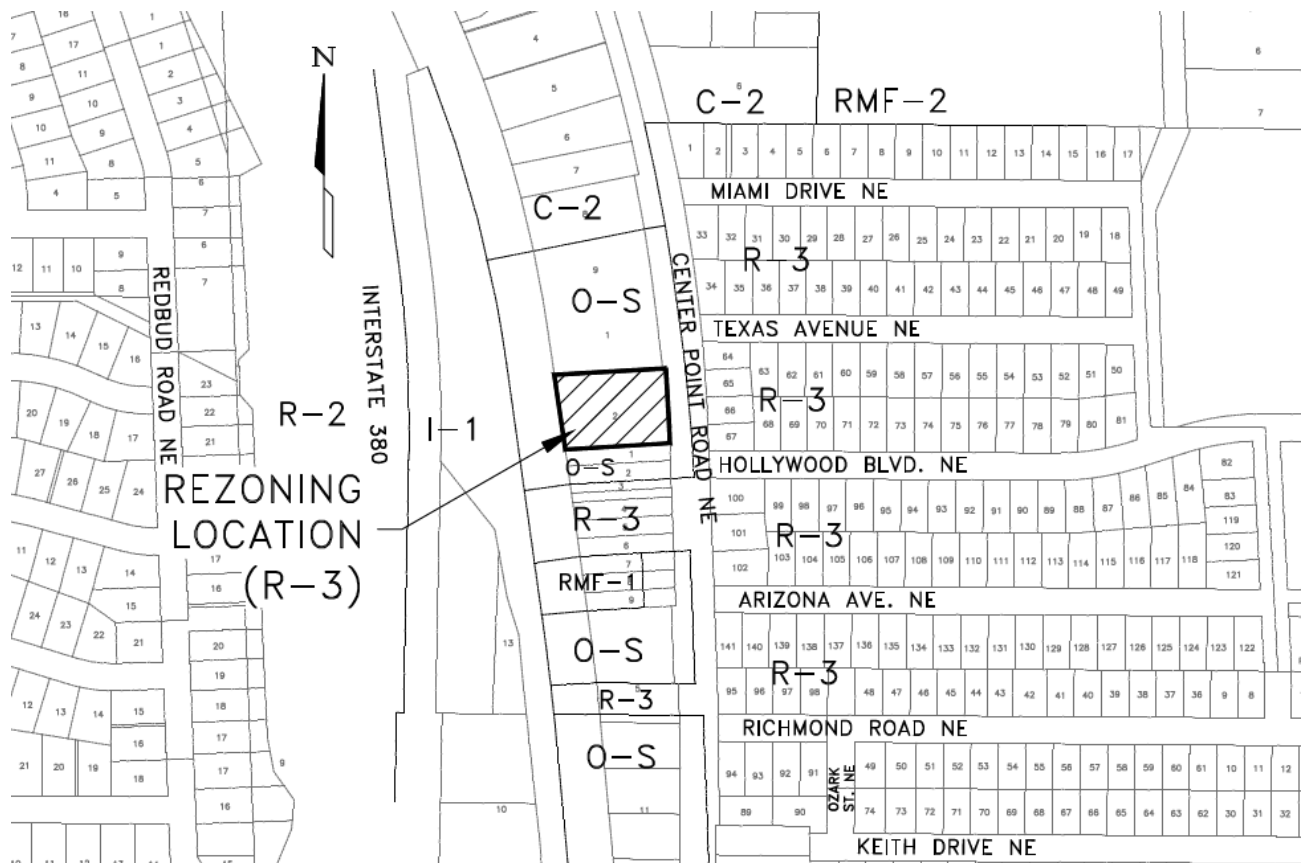
Local Preference Policy Applies ☐ Exempt ☒

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 of
CITY PLANNING COMMISSION MEETING,
Thursday, October 31, 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
 Virginia Wilts

Members Absent: Mike Tertinger
 Allan Thoms

DSD Staff: Vern Zakostelecky, Planner
 Joe Mailander, Manager

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 minutes. Commissioner Overland stated with no additions or corrections, the October 10, 2013 Minutes stand approved.

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: 3725 Center Point Road NE (Rezoning) Case No. RZNE-005883-2013; Case Manager: Vern Zakostelecky

Recommendation for approval of a rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District as requested by Patrick O. Williams Jr. (Applicant/Titleholder).

Mr. Zakostelecky stated the house was originally built as a single family home and was rezoned to O-S. The owner would like to rezone back to single family to use as a rental property. Mr. Zakostelecky presented a location map, aerial photo and site plan pointing out the surrounding zonings, the site layout, and a portion of the parking that will be converted to greenspace.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Pankey asked if screening is required. Mr. Zakostelecky stated screening is not required as the property is being down-zoned from office/service to single family residential.

Commissioner Overland called for a representative of the applicant. Patrick Williams, 3909 Forest View Court NE, stated the property will be converted back to a family home. It has been a business for approximately 15 years but it has always been maintained as residential.

Commissioner Overland called for questions of the applicant. No questions were presented. 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 Pankey made a motion to approve the rezoning from O-S, Office/Service Zone District to R-3, Single Family Residence Zone District. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed unanimously with none opposed.

The meeting was adjourned at 4:21 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant
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 2, Auditor's Plat No. 121 to Linn County, Iowa.

and located at 3725 Center Point Road NE, now zoned O-S, Office/Service Zone District, and
as shown on the "District Map," be rezoned and changed to R-3, Single Family Residence Zone
District, and that the property be used for such purposes as outlined in the R-3, Single 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 occupancy of the structure, inspections must be conducted and approved so as
to comply with all applicable codes, including, but not limited to, building, electrical,
mechanical and plumbing.
2. That this site shall be developed in compliance with the provisions of the Flood Plain
Management Ordinance.
3. That all parking, drives, and storage areas be surfaced per provisions of the Zoning
Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
4. If there is a outdoor dumpster, 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 19th day of November, 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

PATRICK O. WILLIAMS, JR.

BY





(Please Print Name and Title)



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

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

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

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

A public hearing will be held to consider a change of zone for 4 City-owned properties at 1302 Ellis Boulevard NW, 1310 Ellis Boulevard NW, 948 N Street SW and 1791 Mallory Street SW from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for proposed ROOTs lots as requested by the City of Cedar Rapids (**FLOOD**). CIP/DID #RZNE-006088-2013

Background:

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

- 1302 Ellis Boulevard NW
- 1310 Ellis Boulevard NW
- 1791 Mallory Street SW
- 948 N Street SW

Rezoning:

The four (4) properties being brought forward by a City-initiated rezoning are in areas of residential redevelopment identified through the Neighborhood Planning Process. These properties are zoned R-3. The current zoning classification is not an appropriate match for the size and square footage of the lots making them legal non-conforming lots. The rezoning to the R-TN will allow new housing to blend into the neighborhood context in terms of meeting setbacks of the neighborhood. In addition, it is important that there not be any issues such as the need for variances in current zoning or being legal non-conforming lots, which might create financing issues with lenders, future buyers or with homeowners insurance. The zoning of the lots were established prior to the City's adoption of the R-TN Zoning District, which was used in the Oakhill/Jackson Neighborhood as part of the City's Housing and Neighborhood Development (HAND) program. In mimicking the results that were achieved through the HAND project, staff is initiating rezoning on all City-owned lots to the R-TN Zoning District prior to deeding of the properties to the identified developers for in-fill construction of new flood replacement housing. The attached map provides an overview of where the properties proposed for rezoning are

located.

City Planning Commission reviewed this City initiated rezoning on October 10, 2013 and unanimously recommended approval on a 8 to 0 vote. A portion of the minutes are enclosed as Attachment A.

Application Process:

Actions	Comments
City staff review	<ul style="list-style-type: none">City staff reviewed the lots and recommend approval of this amendment.
City Planning Commission review	<ul style="list-style-type: none">City Planning Commission reviewed the application on October 10, 2013 and voted 8 to 0 to approve. This is a flood related item since the redevelopment of these lots will provide flood replacement housing.
City Council consideration	<ul style="list-style-type: none">The next step in the process is to hold a Public Hearing on November 19, 2013 at the City Council meeting to consider this application and allow for public input.After the Public Hearing and the First Reading, two additional readings of the Ordinance by City Council are required by State law before approval is final.

Action / Recommendation:

City staff recommends holding the public hearing and approval of the First, Second and Third Reading.

Alternative Recommendation:

Table the motion and request additional information.

Time Sensitivity:

The Community Development Department Housing Division is requesting City Council adopt the rezoning by voting on all three of the readings on November 19, 2013 in order to make the properties available to developers to start building housing this fall. This has been standard practice for City-owned properties participating in the ROOTs Program in an effort to streamline the process and maximize the construction season.

Resolution Date: N/A

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): N/A

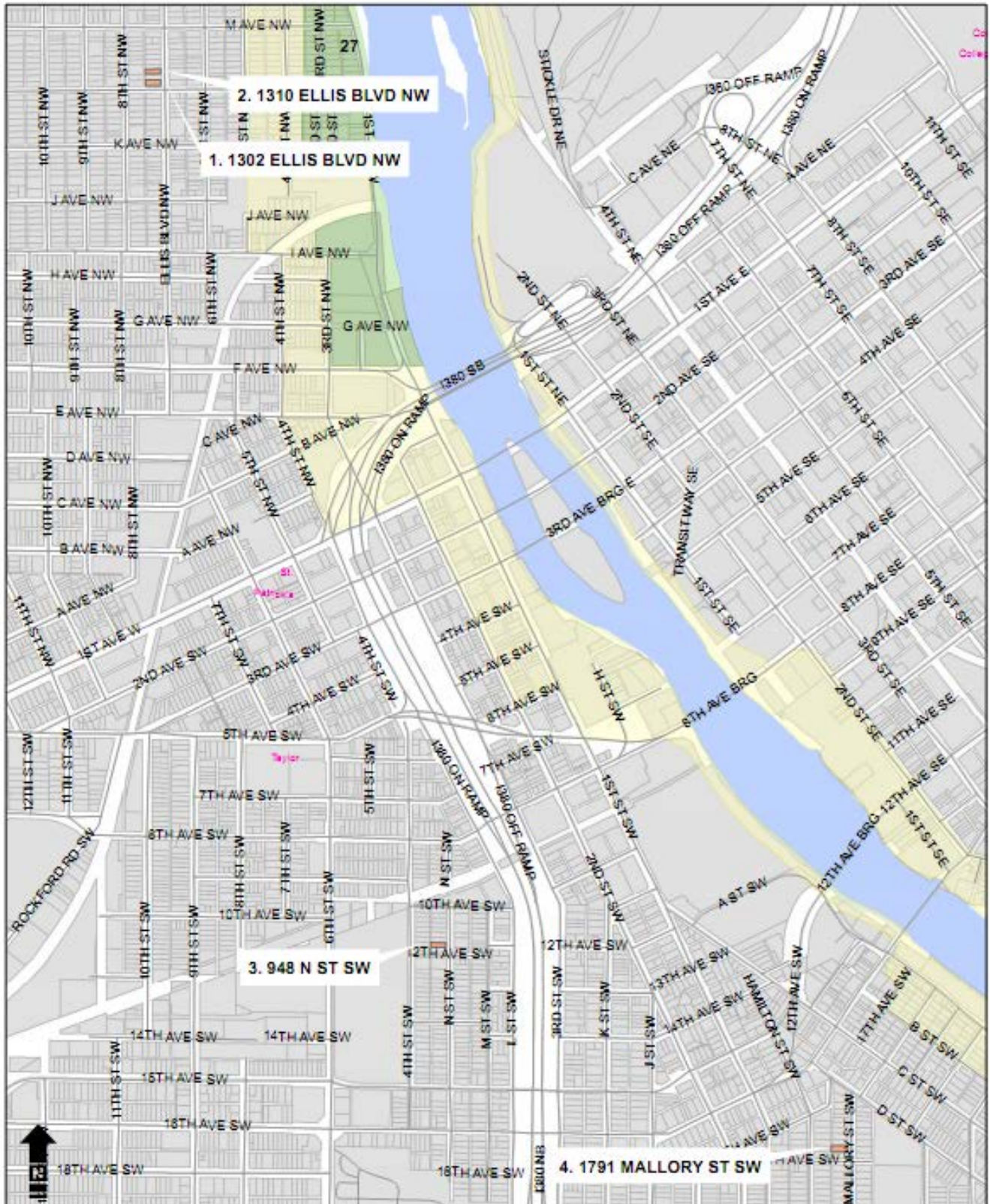
Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

LOCATION MAPS



**Minutes of the
CITY PLANNING COMMISSION MEETING**
Thursday, October 10, 2013 3:00 PM
City Hall Council Chambers
101 First Street SE, Cedar Rapids, IA 52401

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

Development Services Staff: Vern Zakostelecky, Planner
 Joseph Mailander, Manager
 Dave Houg, Plats & Zoning Conditions Coordinator

Community Development Staff: Seth Gunnerson, Planner
 Betty Sheets, 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 eight (8) Commissioners present.

Commissioner Overland stated Commissioners have received the minutes from September 19, 2013 and called for additions or corrections. Commissioner Overland stated with no additions or corrections, the minutes from September 19, 2013 stand approved.

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

New Business

1. **Case Name:** 1302 Ellis Boulevard NW, 1310 Ellis Boulevard NW, 948 N Street NW and 1791 Mallory Street SW (Rezoning)

Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for four (4) City-owned properties for the Rebuilding Ownership Opportunities Together Program (ROOTS).

Case No: *RZNE-006088-2013 Case Manager: Vern Zakostelecky*

Mr. Zakostelecky stated these were four lots that were missed when staff asked for approval of rezoning for 32 lots for the ROOTS program. This is the seventh round of City owned properties brought before the City Planning Commission for rezoning in connection with the City's third round of the Single Family New Construction (SFNC) program locally known as the ROOTs program. These properties are being requested to be rezoned to R-TN, Residential Traditional Neighborhood Zone District, in order to remove technical barriers for redevelopment.

These properties have been identified with a preferred builder as part of the ROOTs Program. The builders were identified through a competitive proposal process based on the Administrative Plan adopted by the City Council. The program utilizes City owned properties in the Neighborhood Revitalization Area for areas outside the Construction /Study Area and Greenway as well as the 100-year floodplain. The lots are being provided to the developers in exchange for their commitment to build new housing as part of the program.

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Knox-Seymour asked when the construction would begin and if they would be similar to the other homes being built in these areas. Mr. Zakostelecky stated that once the zoning is changed, the developer might start this year but certainly next spring and that the houses would be built to fit in with the neighborhood.

Commissioner Wilts stated that the property at 1791 Mallory Street SW had not been demolished. Mr. Zakostelecky responded that was correct.

Commissioner Overland called for a motion to recommend approval of the requested rezoning. Commissioner Halverson made a motion to recommend approval of the rezoning request from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood 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 5:00 p.m.

Respectfully Submitted,

Betty Sheets, Administrative Assistant
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 located at and legally
described as follows;

1302 Ellis Boulevard NW:
Lot 2, Block 2, Larimer's Second Addition to Cedar Rapids, Iowa;

1310 Ellis Boulevard NW:
South 40 feet of Lot 6, Block 2, Larimer's Second Addition to Cedar Rapids, Iowa;

948 N Street SW:
Lot 2, Block 2, Youngs First Addition to Cedar Rapids, Linn County, Iowa;

1791 Mallory Street SW:
Lot 8, Block 1, "Elsie Mallorys First Addition to Cedar Rapids", Linn County, Iowa;

now zoned R-3, Single Family Residence Zone District, and as shown on the "District Map," be
rezoned and changed to R-TN, Traditional Neighborhood Residence Zone District, and that the
property be used for such purposes as outlined in the R-TN, Traditional Neighborhood
Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

None Applied

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

Introduced this 19th day of November, 2013.



Council Agenda Item Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

Presenter at meeting: Joe Mailander
E-mail Address: j.mailander@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 Map**

To consider the vacation of a 60-foot wide road reservation and utility easement located at 6821 and 6901 Cottage Ridge Court NE as requested by Cottage Ridge, L.L.C.

Resolution vacating a 60-foot wide road reservation and utility easement located at 6821 and 6901 Cottage Ridge Court NE as requested by Cottage Ridge, L.L.C.
CIP/DID #41-14-016

Background:

In 2008, the developer dedicated this easement to provide for future roadway and utility connection to the property to the south if it were to be developed as a residential subdivision. That property has recently been developed for private use, and this road reservation and utility easement no longer serves the public interest.

Action / Recommendation:

The Public Works Department recommends approving the vacation of said road reservation and easement.

Alternative to the Recommendation:

If the Council does not vote to vacate this excess City-owned right of way, the alternative is to require this non-purposeful road reservation and utility easement continue to restrict full development of these two lots.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date: November 19, 2013

If no objections, recommend passing the resolution on same date as public hearing – November 19, 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):

ENG
AUD FILE
FIN
ASR
RCR
CLK
TRS
TED
BSD
STR
DSD
CD
COTTAGE RIDGE
41-14-016
CRMFR #12414

RESOLUTION NO.

WHEREAS, a notice was duly given and a public hearing held as required by law, and

WHEREAS, the City of Cedar Rapids does possess a 60-foot wide road reservation and utility easement on the following described property:

Lot 17 and Lot 18, Cedar Ridge Third Addition to
Cedar Rapids, Linn County, Iowa
(6821 and 6901 Cottage Ridge Court NE)

WHEREAS, Cottage Ridge, L.L.C., 3801 River Ridge Dr. NE, Cedar Rapids, Iowa 50402, has requested that the City of Cedar Rapids vacate the public's interest in and to said road reservation and utility easement, and

WHEREAS, the Cedar Rapids Public Works Department recommends the interests in said easement held by the City of Cedar Rapids is no longer necessary to serve the public interest and has further recommended said road reservation and utility easement be vacated, and

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

1. The Council determines the 60-foot wide road reservation and utility easement as shown on "Exhibit A", attached hereto and made a part thereof no longer serves the public interest, and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.
2. The Council determines the fair consideration required for the aforescribed vacation is the value, if any, of the new easements as approved by the Public Works Department plus a standard \$100 closing fee, payable to the City Treasurer.
3. The conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors and assigns as follows:
 - a. Cottage Ridge, L.L.C. shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under

Section 364.15 of the Iowa Code as the result of the vacation of said road reservation and utility easement hereinbefore described to said property owner.

4. The grantee, Cottage Ridge, L.L.C., shall pay the City Clerk all publication and recording fees associated with this vacation.

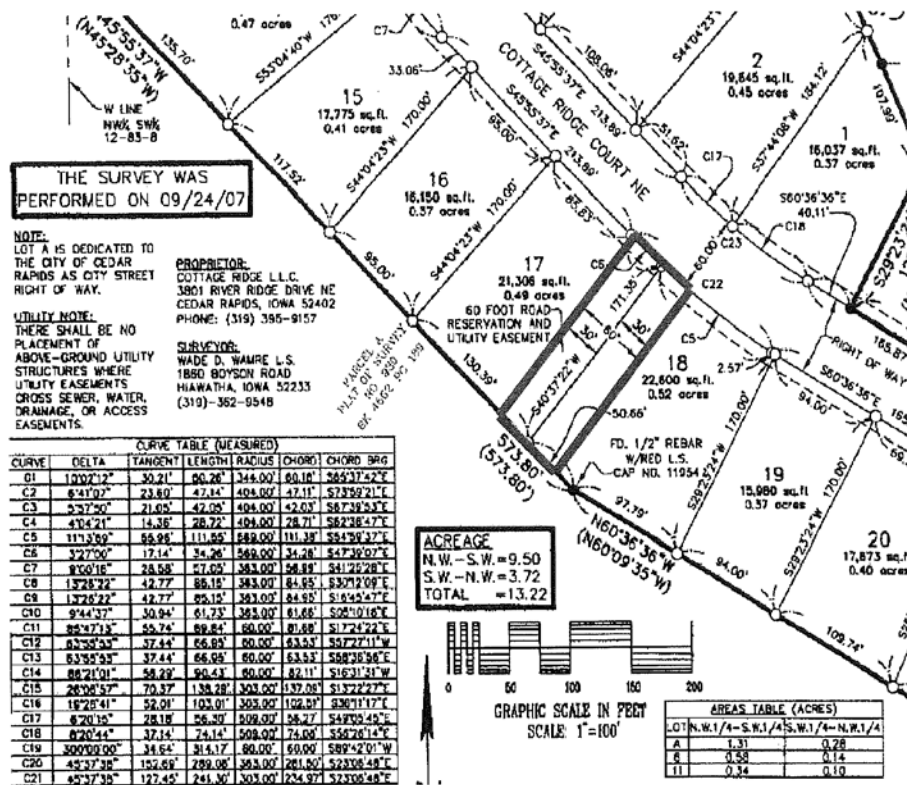
BE IT FURTHER RESOLVED that this resolution shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

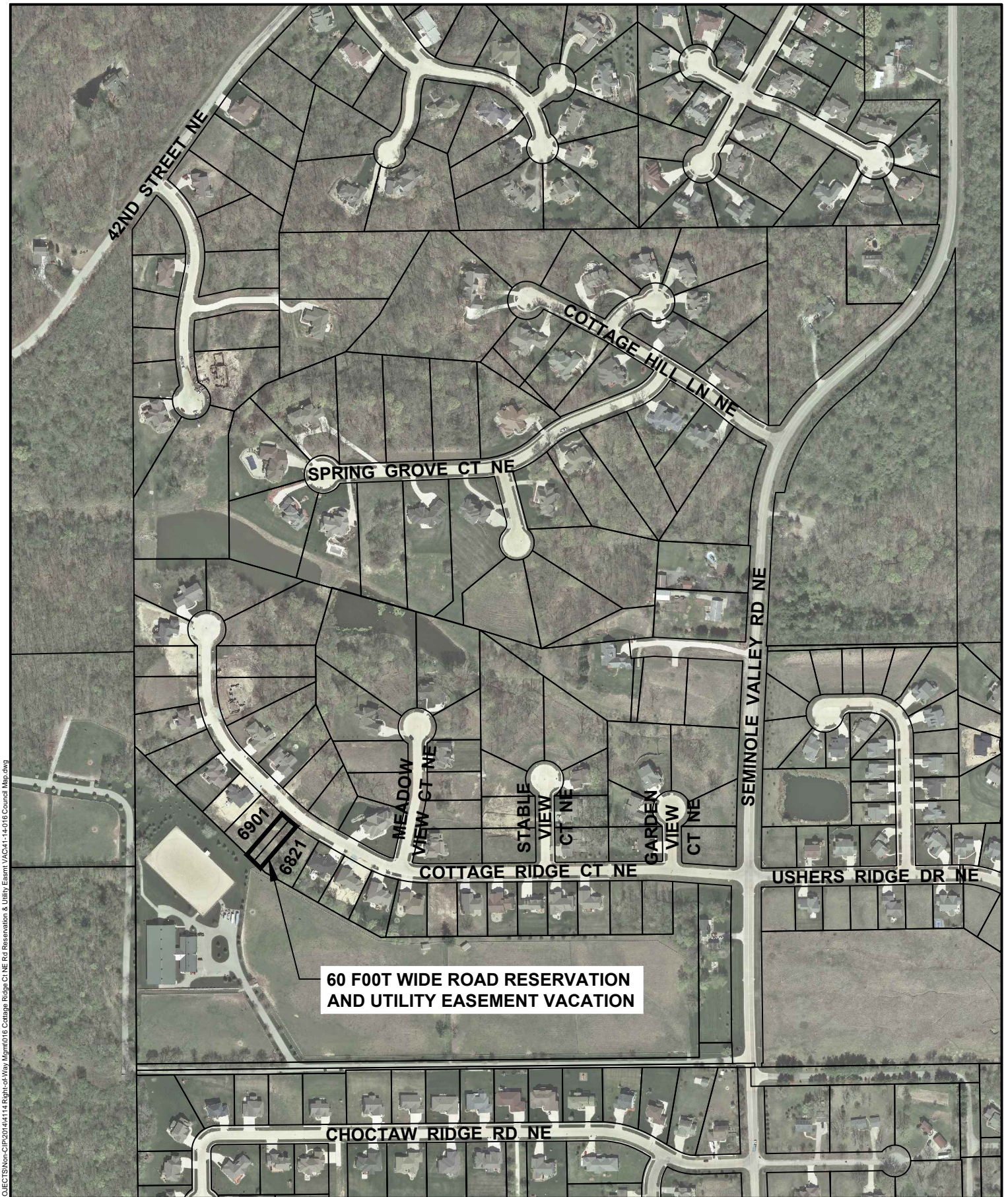
Passed this 19th day of November, 2013.

EXHIBIT "A"

Road Reservation and Utility Easement Vacation Exhibit

Located along the shared property line between Lots 17 and 18 of Cedar Ridge Third Addition

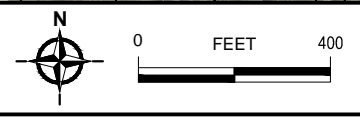




Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\016 Cottage Ridge Ct NE Rd Reservation & Utility Easmt VAC41-14-016 Council Map.dwg



COTTAGE RIDGE LLC
60 FOOT WIDE ROAD RESERVATION AND UTILITY EASEMENT
VACATION AT 6821 AND 6901 COTTAGE RIDGE COURT NE





Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'Hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

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

A public hearing will be held 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

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:

New Facility – nearly 85,000 square feet, divided as follows:

- Office Building – 20,000 square feet
- Drivers Dorm – 34,587 square feet
- Maintenance Shop – 30,000 square feet

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:

City Council may table and request additional 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):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
WEST SIDE TRANSPORT URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for construction of a new headquarters facility for West Side Transport to be located at 11160 High Life Court SW, provides incentives for commercial uses as provided under State Law; and

WHEREAS, on November 19, 2013 the City Council held the required Public Hearing in connection with the said proposed Project; and

WHEREAS, the City Council hereby finds that said proposed Project and Plan satisfy eligibility qualifications in accordance with criteria of Chapter 404 of the Code of Iowa;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that said Plan for the West Side Transport Urban Revitalization Area, as attached hereto as Exhibit A, and by reference herewith is made a part of this Resolution, is hereby approved and adopted.

Passed this 19th day of November, 2013.

West Side Transport Urban Revitalization Plan

Public Hearing: November 19, 2013

West Side Transport Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the construction of a new building West Side Transport. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 43 acres in size and includes:

The NW 1/4 of the SW 1/4 of Section 33 – T82N – R7W, Linn County, Iowa and that part of the SW 1/4 of the NW 1/4 lying southerly of West Side Corporate Park First Addition in the City of Cedar Rapids, in Linn County, Iowa, excepting the public highways.

Said parcel is subject to easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is a single parcel which is currently undeveloped and owned by West Side Property 103, LLC. The 2013 total assessed valuation for the vacant land was \$115,693.

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed construction of a new commercial building is consistent with the current I-1 Industrial zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as COMMERCIAL/INDUSTRIAL.

4.2 City Services

Adequate City services are available for connection at the project site for the proposed operation.

4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to the construction of the new headquarters facility, including an office, drivers' dorm, and maintenance shop. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

The Urban Revitalization Project shall remain so designated for a period of no less than one year from the date of this first approval by the City Council of the City of Cedar Rapids, Iowa. When, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted by the Urban Revitalization Act would cease to be of benefit to the City, the City Council may repeal the Ordinance establishing the Revitalization Area. In such an event, all existing tax exemptions shall continue until their expiration pursuant to the Urban Revitalization Act.

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

Adjustments or modifications of this approved Plan, resulting from experience during project execution, are authorized in the administration of this project, provided that the intent of this approved Plan is not changed. Specifically, these changes may include:

- revisions to the Urban Revitalization Area boundary;
- eligible projects;
- tax exemption schedules;
- relocation payments, if other than that required under the Urban Revitalization Act, Chapter 404 of the Code of Iowa.

7.0 REVENUE BONDS

The City of Cedar Rapids, Iowa, may issue revenue bonds as provided under the Urban Revitalization Act for improvement projects within the Revitalization Area. Revenue bonds may be issued for all, or any part, of any interest in land, buildings, or improvements which are suitable for the use of a commercial enterprise or non-profit organization which the City Council finds is consistent with the approved Urban Revitalization Plan.

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

A property owner may submit a proposal for a revitalization improvement project to the City Council in order to receive prior approval for eligibility for tax exemption under this project. The City Council may, by Resolution, give its prior approval for an improvement project if the project is in conformance with the Revitalization Plan. This prior approval does not entitle the property owner to exemption from taxation until the improvements have been completed and found to be qualified real estate. If the proposal is not approved, the property owner may submit an amended proposal for City Council consideration.

An application must be filed for each new exemption claimed. In order to qualify for a tax exemption under this Plan, an Application for Revitalization Tax Exemption (the "Application") must be filed with the City Clerk between January 1 and February 1 in the year after the improvements requested for exemption have been completed. The Application is then reviewed by appropriate City departments and a determination made that the improvements located in and are in conformance with this Plan, and that the improvements made increased the actual assessed valuation of the property by at least the minimum percentage required under the Urban Revitalization Act, and the improvements were made during the time the area was designated as a Revitalization Area. If approved, the City Assessor shall continue to grant the tax exemption for the time period specified in the tax exemption schedule elected by the property owner.

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

All qualified real estate assessed as residential property is eligible to receive an exemption from taxation based on the actual value added by the improvements, determined as follows: One hundred fifteen percent of the value added by the improvements. However, the amount of the actual value added by the improvements which shall be used to compute the exemption shall not exceed twenty thousand dollars and the granting of the exemption shall not result in the actual value of the qualified real estate being reduced below the actual value on which the homestead credit is computed under § 425.1.

8.2.2 Schedule 2 - Ten Year Declining Exemption:

All qualified real estate is eligible to receive a portion exemption from taxation on the actual value added by the improvements for a 10-year period. The amount of the partial exemption is equal to a percentage of the property taxes generated by the actual value added by those improvements as follows:

<u>Year</u>	<u>Percentage of Exemption</u>
1	80%
2	70%
3	60%
4	50%
5	40%
6	40%
7	30%
8	30%
9	20%
10	20%

8.2.3 Schedule 3 - Three Year Exemptions:

All qualified real estate is eligible to receive a one hundred percent (100%) exemption from taxation on the actual value added by qualified improvements for three years.

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

All qualified real estate assessed as residential property or assessed as commercial property, if the commercial property consists of three or more separate living quarters with at least seventy-five percent of the space used for residential purposes, is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years.

8.2.5 Election of Schedule:

The property owner of qualified real estate eligible for an exemption shall elect to use one of the schedules identified above. Once the election of schedule has been made and the exemption granted, the property owner is not permitted to change the exemption schedule.

8.3 Definitions

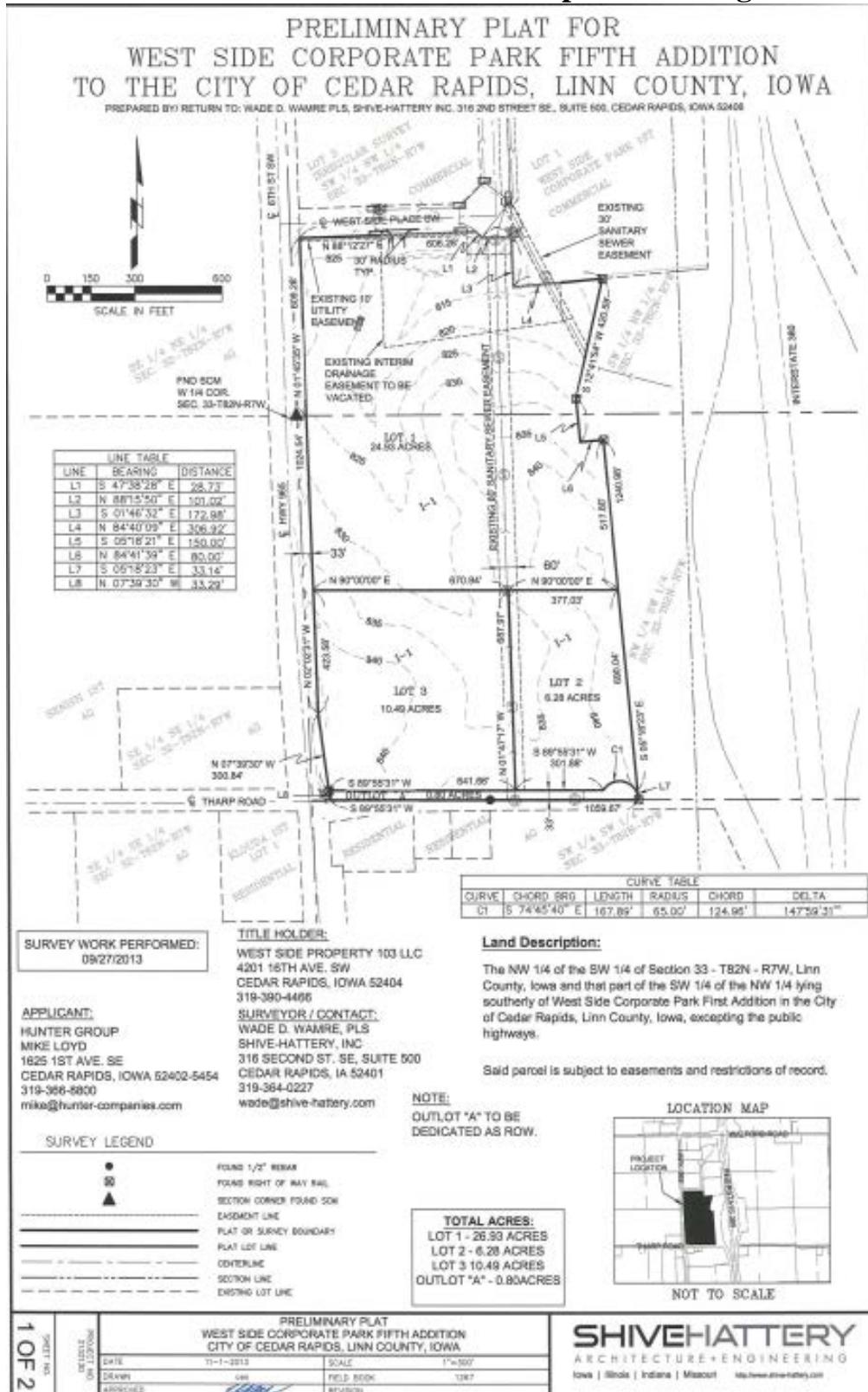
- (a) "Qualified Business or Other Non-Residential Tenant" shall mean the legal occupant of a building or part thereof and conducting a business or non-residential operation which is located within the designated Revitalization Area and who has occupied the same premises continuously since one year prior to the adoption of this Plan.
- (b) "Qualified Real Estate" shall mean real property, other than land, which is located in this Revitalization Area and to which improvements have been added during the time of the area was so designated, which have increased the actual value by at least fifteen percent (15%) or at least ten percent (10%), in the case of land upon which is located more than one building (and not assessed as residential property) increased the actual value of the buildings to which the improvements have been made.

"Qualified Real Estate" also means land upon which no structure existed at the start of new construction, which is located in this Revitalization Area and upon which new construction has been added during the time the area was designated as a Revitalization Area.
- (c) "Improvements" includes rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures.

9.0 RELOCATION

The proposed construction activity is to occur on undeveloped property; relocation is not anticipated.

West Side map – 11160 High Life Court SW



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 17A OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY ADDING CERTAIN SUBSECTIONS THEREOF TO APPROVE AND ADD A NEWLY DESIGNATED REVITALIZATION AREA

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 77 and the addition of a new Division 77 as follows:

“Division 77. West Side Transport” November 19, 2013 Resolution No. ____-11-13

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 78 as follows:

“Division 78. (Reserved)”

Section 3. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 4. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. That the afore described Amended Subsection of Chapter 17A shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Seth Gunnerson
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5129

Alternate Contact Person: Joe O'Hern
Email: j.ohern@cedar-rapids.org

Phone Number/Ext: 319 286-5292

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

A public hearing will be held and authorization to execute the 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, 2013 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 held a public hearing on the agreement on November 7, 2013 and no objections were raised. The Marion City Council adopted a resolution approving the agreement.

Action / Recommendation:

City staff recommends holding the public hearing and approval of the resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

Development Committee recommended approval on August 28, 2013.

RESOLUTION NO.

AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT
BETWEEN THE CITY OF CEDAR RAPIDS, IOWA (CEDAR RAPIDS) AND THE
CITYOF MARION, IOWA (MARION)

WHEREAS, an agreement establishing a future common corporate limit line, and for various other associated provisions, has been drafted by the City of Cedar Rapids and the City of Marion; and

WHEREAS, controlled growth of both cities is in the best interest of the City of Cedar Rapids; and

WHEREAS, a public hearing has been held to consider comments regarding said proposed agreement;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Mayor and Clerk are hereby authorized and directed to execute said annexation agreement, and further that said agreement shall be filed with the City Development Board within 10 days of its execution,

Passed this 19th day of November, 2013.

ANNEXATION 28E AGREEMENT

THIS AGREEMENT entered into by and between the City of Cedar Rapids, Iowa, hereafter referred to as “Cedar Rapids”; and the City of Marion, Iowa, hereafter referred to as “Marion.”

WHEREAS, Cedar Rapids and Marion have heretofore deemed it necessary and desirable to establish an agreement for annexation in order to provide the best opportunity for orderly planning, development and the provision of municipal services within an area of unincorporated Linn County that borders both cities; and

WHEREAS, to that end, the cities desire to establish an annexation boundary to allow for both cities to engage in long range planning for this area and to provide municipal infrastructure and services to the area; and

WHEREAS, a previous Annexation Agreement, adopted in 1998 by both cities and expired in 2008 set forth a long term boundary between the two communities; and

WHEREAS, Cedar Rapids and Marion both desire to continue to use the boundary set forth in the 1998 Annexation Agreement as a basis for future growth and development of the two communities; and

WHEREAS, the necessary provision of a regional watershed mitigation facility basin requires modification of the previous annexation agreement to ensure adequate and efficient service delivery; and

WHEREAS, both communities agree to negotiate a separate agreement to ensure adequate planning for future watershed management; and

WHEREAS, in addition, pursuant to section 368.4 of the Code of Iowa (2013), the cities desire to formally enter into a moratorium agreement for a period of ten (10) years from the effective date of this Agreement;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Purpose.** It is in the public interest of the Citizens of Cedar Rapids, the Citizens of Marion, and the Citizens of Linn County that are within the areas set out below (and illustrated in the attached Exhibit A) to establish this Annexation Agreement in order to provide for effective planning, orderly development, and efficient delivery of municipal services along the common boundary of Cedar Rapids and Marion.
2. **Extent of Agreement.** This Annexation Agreement shall apply to all unincorporated lands north of Centerline of East Main Street and Centerline of East Robins Road as depicted in Exhibit A. No part of this Agreement shall be applied to any other common boundary or future growth area between or adjacent to Cedar Rapids and Marion.

3. **Annexation Boundary.** Cedar Rapids and Marion hereby agree upon the establishment of an Annexation Boundary, depicted in Exhibit A, which is attached hereto and incorporated into this Agreement by this reference and legally described as follows:

The Annexation Boundary Line between Area A and Area B is located in Township 84 North, Range 7 West of the 5th PM in Linn County, Iowa is described as follows:

Beginning at the intersection of the Center Line of East Robins Road, NE and the North-South Center Line of Section 26;

Thence Northerly along the North-South Center Line of Sections 26, 23 and 14 to the Southwest corner of the Northeast Quarter of said Section 14;

Thence Easterly along the South Line of said Northeast Quarter to the Southeast corner of the Southwest Quarter of said Northeast Quarter;

Thence Northerly along the North-South Center Line of said Northeast Quarter to the Northwest corner of the Northeast Quarter of said Northeast Quarter and the Center Line of County Home Road;

Thence Easterly along the Center Line of said County Home Road and the North line of the Northeast Quarter of said Northeast Quarter to the Northeast Corner of said Section 14;

Thence Northerly along the East line of Section 11 and the Center Line of Alburnett Road, also known as County Route W58, to the Northeast corner of the southeast Quarter of said Section 11 being the terminus of the Annexation Boundary Line between Area A and Area B.

All unincorporated territory located to the west of the Annexation Boundary herein described except for Area C as described below shall be referred to as “**Area A**”

All unincorporated territory located to the east of the Annexation Boundary shall be referred to as “**Area B**”

Furthermore, Cedar Rapids and Marion agree to the establishment of “**Area C**”, depicted in Exhibit A and legally described as follows:

A parcel of land located in the Northwest Quarter and the Southwest Quarter of Section 26 Township 84 North Range 7 West of the 5th P.M. including Pleasant Ridge First Addition, Meadowknolls First Addition, Meadowknolls Second Addition and unplatted lands all in Linn County, Iowa and more particularly described as follows:

Beginning at the intersection of the center line of East Robins Road and the East line of said Southwest Quarter;

Thence northerly along the East line of said Southwest Quarter and the East line of said Northwest Quarter to the Northeast corner of the Southeast Quarter of said Northwest Quarter;

Thence Westerly along the North line of said Southeast Quarter of the Northwest Quarter, the North line of said Meadowknolls Second Addition and a North line of Pleasant Ridge First Addition to a Northwest corner of said Pleasant Ridge First Addition;

Thence Southerly along a West line of said Pleasant Ridge First Addition to a corner of said Pleasant Ridge First Addition;

Thence Westerly along a North line of said Pleasant Ridge First Addition to a Northwest corner of said Pleasant Ridge First Addition;

Thence Southerly along a West line of said Pleasant Ridge First Addition and last said line extended Southerly to a point of intersection with the center line of said East Robins Road;

Thence Southeasterly along said center line to the point of beginning.

(Note: The intent of the term “Center Line” in these descriptions is to indicate the referenced line coincides with the applicable quarter section or quarter/quarter section lines between the referenced fractional parts of the sections.)

4. **Annexation Moratorium** Cedar Rapids and Marion hereby agree to the following with respect to the three areas depicted in Exhibit A:

Area A: Marion shall not annex property in Area A for the term of this Agreement and any extensions hereto. Cedar Rapids may use any form of annexation legally available to it under applicable state law to annex property in Area A, without objection from Marion.

Area B: Cedar Rapids shall not annex property in Area B for the term of this Agreement and any extensions hereto. Marion may use any form of annexation legally available to it under applicable state law to annex property in Area B, without objection from Cedar Rapids.

Area C: Property in Area C may be annexed by either Cedar Rapids or Marion in the event of a Voluntary Annexation Petition, which may include non-consenting owners, without objection from the other city, for the term of this Agreement and any extensions hereto. At such time as either Cedar Rapids or Marion annex land in Area C Marion shall complete annexation in a timely manner of the land with the legal description as follows:

The unincorporated properties located in the Southeast Quarter of Section 26, Township 84 North, Range 7 West of the 5th PM, in Linn County, Iowa.

5. **Applicability of Agreement.** This Agreement is applicable to all annexation proceedings, whether voluntary or involuntary, any pending annexation applications

currently before the City Development Board, and any annexation proceedings commenced after the effective date of this Agreement. All such proceedings that have been commenced by either city, but not completed, shall be amended to comply with the terms of this Agreement. Furthermore, any portion of any petition for annexation, whether voluntary or involuntary, in conflict with the terms of this Agreement shall be terminated and withdrawn by the petitioning city. For the purposes of this Paragraph 4, completion of annexation shall mean the approval by the City Development Board, expiration of appeal period and recording of the annexation petition/application in the Office of the Linn County Recorder prior to the effective date of this agreement.

Both Cedar Rapids and Marion expressly agree not to annex territory in violation of the terms of this Agreement. Each city, its officials, agents and representatives, expressly agree not to aid or support in any way, any person, party, agency or governmental body who may oppose, enjoin or obstruct the other city in pursuit of any annexation that conforms to this Agreement.

6. **Extraterritorial Subdivision Plat Review.** Notwithstanding which city is located closer to any proposed subdivision or rezoning in unincorporated Linn County, Cedar Rapids and Marion agree that pursuant to Iowa Code Section 354.9 and separate agreements between the cities and Linn County:

Area A: Proposed subdivision plats and land-use shall be reviewed by Cedar Rapids only. Cedar Rapids agrees to provide requests in Area A to Marion for review and informal comment. Marion agrees to provide comment on proposals within 15 business days.

Area B: Proposed subdivision plats and land-use shall be reviewed by Marion only. Marion agrees to provide requests in Area B to Cedar Rapids for review and informal comment. Cedar Rapids agrees to provide comment on proposals within 15 business days.

Area C: Proposed subdivision plats shall be reviewed by both Cedar Rapids and Marion.

7. **Watershed Management Provision.** Both Cedar Rapids and Marion acknowledge that the provision of effective and efficient watershed management is vital to the future growth of the area shown in Exhibit A and covered by this agreement. The Cities of Cedar Rapids and Marion agree to develop a Watershed Management Agreement to plan for future mitigation activities.
8. **Rights and Obligations.** This Agreement creates rights and obligations only among these two parties as political subdivisions and is to be interpreted, applied or enforced by these entities only. This Agreement is not intended and shall not be interpreted to create any rights, title or interest in any other person, firm, corporation, or entity, whether or not a resident or taxpayer of any city, and whether directly or as a third party beneficiary.
9. **Statutory Authority.** This Agreement is entered into pursuant to Chapter 368 of the Code of Iowa (2013).
10. **Effective Date and Duration.** The effective date of this Agreement shall be the later of the dates of the Resolutions approving this Agreement, as shown herein. Prior to

approval, each city is required to provide written notice to the Iowa City Development Board and Linn County Board of Supervisors, public notice of said Agreement in each city's official newspaper and to hold hearings as required by Section 368.4 of the Code of Iowa (2013) to ensure that this Agreement meets the requirements of a Moratorium Agreement. This agreement shall remain in force and effect for a period of ten (10) years following the effective date of this Agreement. Within ten (10) days following the effective date of this Agreement, the City Clerk of Cedar Rapids and the City Clerk of Marion shall file a copy of this Agreement with the Iowa City Development Board.

11. **Extensions.** The Cities agree to regularly review this Agreement and anticipate extending the Agreement periodically for the maximum time permitted by state law, so long as this Agreement continues to serve the long term interest of both cities, as determined by the City Council of each city respectively.
12. **Amendment and Extension.** All amendments and extensions must be in writing and signed by both parties hereto.
13. **Severability.** If any section, provision or part of this Agreement shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Agreement as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
14. **Approval by Resolution.** Attached hereto as Exhibits B and C are copies of the resolutions of the City Councils of Cedar Rapids and Marion respectively.
15. **Filing.** This Agreement shall be filed with the Iowa Secretary of State as provided by law.

City of Cedar Rapids

City of Marion

City Mayor

City Mayor

ATTEST:

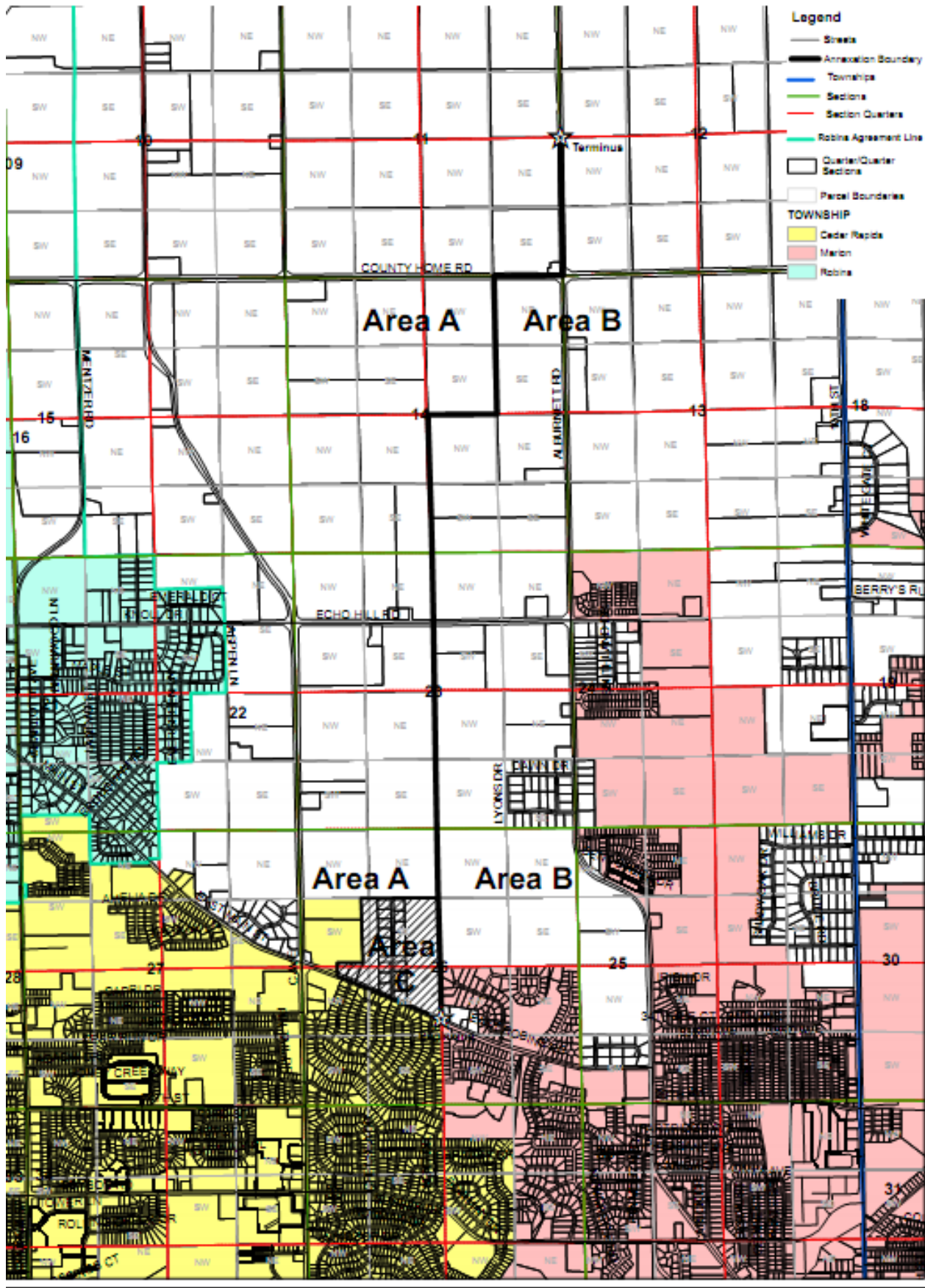
ATTEST:

City Clerk

City Clerk



0 0.375 0.75 1.5 Miles





Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: (319) 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing will be held to consider the disposition of excess City-owned properties at 502 F Avenue NW, 1019 11th Street NW and 1791 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the third round of Single Family New Construction Program (**FLOOD**). CIP/DID #540257

Background:

The following city-owned properties included in the public hearing have been identified for builders participating in the third round of the Single Family New Construction Program (known locally as the ROOTs Program):

- 502 F Avenue NW
- 1019 11th Street NW
- 1791 Mallory Street SW

On November 9, 2010, by Resolution No. 1306-11-10 the City Council approved the Administrative Plan for the ROOTs Program. The administrative plan limits development of homes to lots within the "Neighborhood Revitalization Area" of the flood inundation area and areas outside of the 100-year floodplain. The administrative plan further directs staff to use lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

Through a competitive proposal process, developers submitted applications for the program which listed "preference sites" either owned by the City or being acquired through the Voluntary Property Acquisition program. A team of City staff, Home Builders Association members, and Neighborhood Planning Process Steering Committee evaluated these proposals based on: financial and performance capacity, experience with projects of similar scope, architectural design, compatibility with the existing neighborhood, green building practices, and site marketing plan. A total of 205 properties were identified by 23 developers for the program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

Future City Council action related to these properties will include development agreements for

each property/developer pairing as well as the conveyance of the property to the developer.

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: NA

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): NA – Federal Funds

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: (319) 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing will be held to consider the disposition of excess City-owned property at 438 4th Avenue SW acquired through the Voluntary Property Acquisition program (**FLOOD**). CIP/DID #983049

Background:

The Development Committee is recommending to accept proposals for the redevelopment of City-owned property at 438 4th Avenue SW. The item was brought to the Development Committee based on a letter of interest received in July 2013 from a property owner who has land which surrounds the City's property. The property has been offered through several rounds of the ROOTs program with no interest from builders, based on the relative location of the property in a mostly commercial area.

The City acquired this parcel through the Voluntary Property Acquisition Program. The property is located within the Kingston Village Area. Based on its location, staff is recommending to accept proposals through a Request for Proposal process to allow ability to review end use of the property and negotiate an agreement with the sale of the property.

The City may use the standard competitive proposal process to invite and evaluate proposals on the use of these properties 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 the redevelopment project as proposed.
2. Project financing documented by a letter of commitment from a financial institution.
3. Timeline for redevelopment and operations.
4. Consistency with the results of the Neighborhood Planning Process and Kingston Village Plan.
5. Economic impact, including number/wage rate of jobs to be created, total project cost, and projected post-development property valuation.
6. Sustainability elements.
7. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.
8. Readiness to proceed.

The following is the timeline for the next steps:

November 19, 2013	Public Hearing on disposition and inviting proposals
December 30, 2013	Proposal Deadline
Week of January 6, 2014	Stakeholder panel review
January 14, 2014	City Council consideration of proposals

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: NA

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): NA

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

The Development Committee review this item at its October 23, 2013 meeting and recommending to pursue redevelopment of the properties.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: (319) 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing will be held to consider the disposition of excess City-owned properties at 821 and 825 Shaver Road NE acquired through the Voluntary Property Acquisition program (**FLOOD**). CIP/DID #983050

Background:

The Development Committee, at its meeting on October 23, 2013, has recommended to accept proposals for the redevelopment of City-owned property at 821 and 825 Shaver Road NE. The City acquired these properties through the Voluntary Property Acquisition Program. A portion of the property is situated in the 100-year floodplain. Based on the location in the floodplain and the funding source the City used to acquire the property, redevelopment of the property is limited to preserving the natural values and limited improvements such as surface parking or bio retention. Construction of new buildings is prohibited.

The City may use the standard competitive proposal process to invite and evaluate proposals on the use of these properties 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 the redevelopment project as proposed.
2. Financial feasibility based on sources/uses of funds for the redevelopment project costs and operational pro forma.
3. Project financing documented by a letter of commitment from a financial institution.
4. Timeline for redevelopment and operations.
5. Consistency with the results of the Neighborhood Planning Process and Parks and Recreation Master Plan
6. Economic impact and projected post-development property valuation.
7. Consistency of the project with the existing Covenants and Restrictions.
8. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.
9. Inclusion of appropriate flood-proofing measures based on Federal, State, and Local guidelines.
10. Readiness to proceed.

The following is the timeline for the next steps:

November 19, 2013	Public Hearing on disposition and inviting proposals
December 30, 2013	Proposal Deadline
Week of January 6, 2014	Stakeholder panel review
January 14, 2014	City Council consideration of proposals

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: NA

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): NA

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

The Development Committee reviewed this item at its October 23, 2013 meeting and recommended to pursue redevelopment of these properties.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: (319) 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing will be held to consider the disposition of nine (9) excess City-owned properties at 606 J Avenue NW, 610 J Avenue NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW, 1116 6th Street NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW, and 1101 Ellis Boulevard NW acquired through the Voluntary Property Acquisition program. **(FLOOD)**. CIP/DID #983051

Background:

The City has received a request for City-owned properties at 606 J Avenue NW, 610 J Avenue NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW, 1116 6th Street NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW, and 1101 Ellis Boulevard NW. The City acquired these parcels through the Voluntary Property Acquisition Program. The properties within the Ellis Boulevard Viable Business District. Based on their locations, staff is recommending to accept proposals through Request for Proposal process to allow ability to review end use of the property.

The City may use the standard competitive proposal process to invite and evaluate proposals on the use of these properties 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 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 Ellis Boulevard Plan, including:
 - a) Redevelopment consistent with existing neighborhood character;
 - b) Plan to address on site and neighborhood parking;
 - c) Sustainable design features;
 - d) Provides for mix of uses and promotes density throughout the area.

7. Economic impact, including 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.

The following is the timeline for the next steps:

November 19, 2013	Public Hearing on disposition and inviting proposals
December 2, 2013	Proposal Deadline
Week of December 2, 2013	Stakeholder panel review
December 17, 2013	City Council consideration of proposals

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: NA

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): NA

Local Preference Policy Applies ☐ Exempt ☒

Explanation: No goods or services are being purchased.

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

Explanation (if necessary):



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: (319) 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: (319) 286-5852

Email: p.mitchell@cedar-rapids.org

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

A public hearing public hearing will be held to consider the disposition of excess City-owned property at 301 and 305 2nd Avenue SW and inviting redevelopment proposals (**FLOOD**). CIP/DID #983052

Background:

The Flood Recovery and Development Committees are recommending to invite redevelopment proposals for the redevelopment of City-owned property at 301 and 305 2nd Avenue SW. The property has a commercial structure. Direction has been provided to accept proposals for redevelopment of the structure or redevelopment of the vacant land.

The City may use the standard competitive proposal process to invite and evaluate proposals on the use of these properties 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 the redevelopment project as proposed.
2. Previous operations experience or identified tenants.
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 completing construction.
6. Consistency with the results of the Neighborhood Planning Process Kingston Village Plan including:
 - a. Density consistent with the identified plans
 - b. Plan to address on-site and neighborhood parking
 - c. Sustainable design features
7. Provides a mix of uses
8. Economic impact, including number/wage rate of jobs to be created, total project cost, and projected post-development property valuation.
9. Community benefits, in addition to economic impact, such as walkable neighborhood amenities or services.

10. Inclusion of appropriate flood-proofing measures based on Federal, State, and Local guidelines.
11. Readiness to proceed.

The following is the timeline for the next steps:

November 19, 2013	Public Hearing on disposition and inviting proposals
January 31, 2014	Proposal Deadline
Week of February 3, 2014	Stakeholder panel review
February 11, 2014	City Council consideration of proposals

Action / Recommendation:

City staff recommends holding the public hearing.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: NA

Resolution Date: NA

Estimated Presentation Time: 5 Minutes

Budget Information (if applicable): NA

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

The Flood Recovery Committee recommended to invite competitive proposals on July 18, 2013.

The Development Committee recommended to invite competitive proposals for use of the structure or as vacant land at its July 24, 2013 meeting.



Council Agenda Item Cover Sheet

Motion Setting **PUBLIC HEARING**

Submitting Department: Public Works Department

Presenter at meeting: Gary Petersen, PE

Phone Number/Extension: 5153

E-mail Address: g.petersen@cedar-rapids.org

Alternate Contact Person: Rob Davis, PE

Phone Number/Extension: 5808

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

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

Motion setting public hearing date for December 3, 2013, to consider enacting an Ordinance granting an electric energy franchise to Linn County Rural Electric Cooperative Association and notice of revenue purpose statement regarding a franchise fee. CIP/DID #41-14-011

Background:

Linn County Rural Electric Cooperative (REC) Association provides electric service to customers on the perimeter of Cedar Rapids. City Council Resolution No. 139-1-92, dated January 15, 1992, approved an Agreement Allowing Use of Public Streets, Alleys and Ways to Linn County REC.

The Code of Iowa allows cities to enact a franchise fee up to 5% to cover the costs associated with managing the right-of-way and franchise agreements. Interstate Power and Light Company (IP&L) provides electric service to most of Cedar Rapids and has an approved Franchise Ordinance, including a 2% franchise fee for the sale of electricity to customers within Cedar Rapids. Consideration of this Ordinance will provide similar provisions in the Franchise Ordinance with Linn County REC as with the existing Franchise Ordinance with IP&L, and implement a franchise fee of 2% with customers of Linn County REC to match the current franchise fee of IP&L. Estimated revenue for the franchise fee with Linn County REC is \$100,000 per year.

Action / Recommendation:

The Public Works Department, Linn County REC, and the City Attorney have negotiated the provisions in the franchise and recommend approval of the Franchise Ordinance.

Alternative Recommendation:

Leave the current Agreement approved on January 15, 1992 in place. This alternative does not provide City the revenue to manage the right-of-way or the Agreement, and maintains an inequity between the customers of IP&L and Linn County REC.

Time Sensitivity: Normal

Ordinance Date: Public Hearing and possible First Reading on the Ordinance: December 3, 2013. Proposed 2nd and 3rd Reading of the Ordinance: December 17, 2013

Estimated Presentation Time: 0 Minute(s)

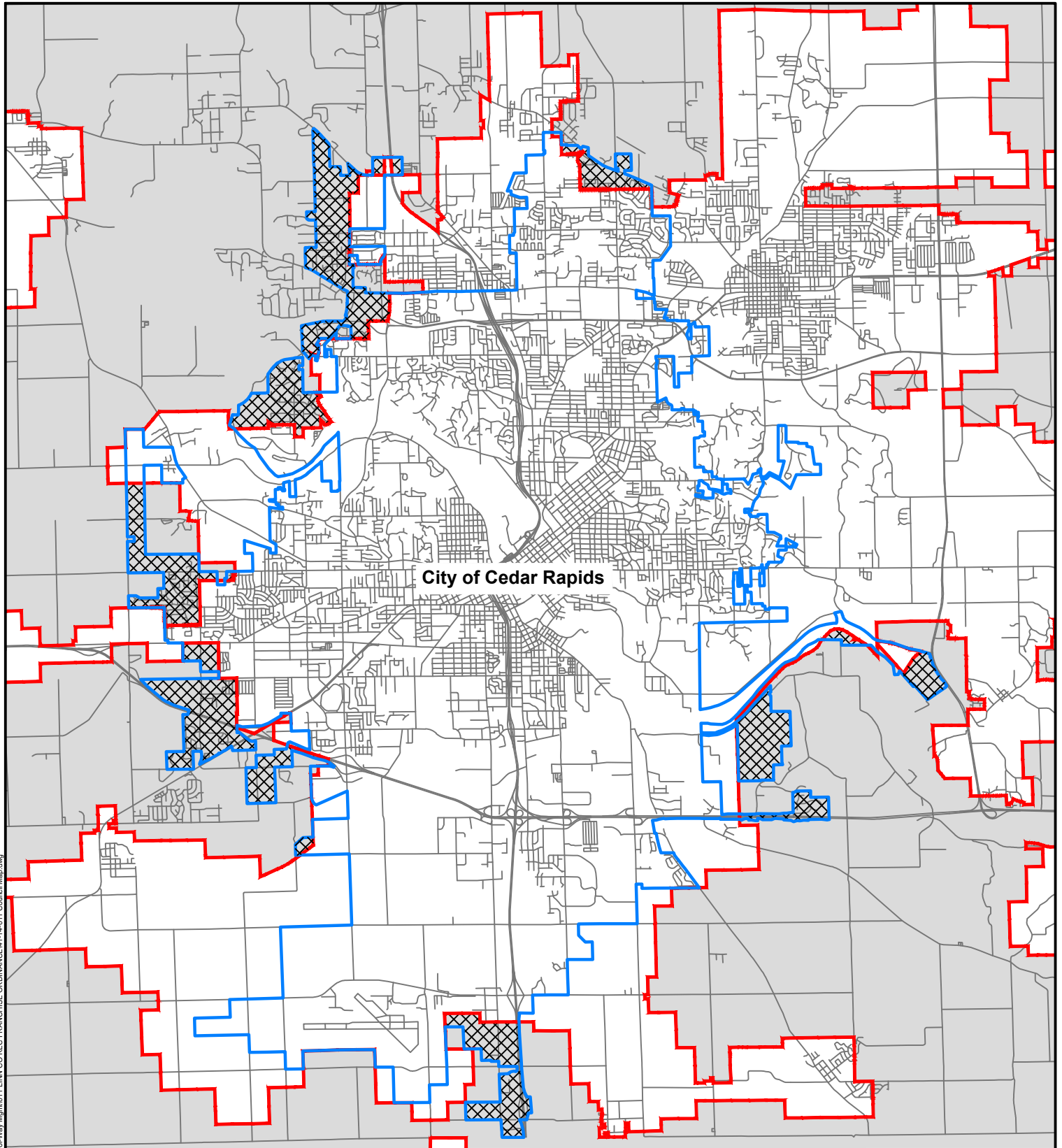
Budget Information (if applicable): Estimated franchise fee revenue: \$100,000 per year

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary): Ordinance recommended for consideration at July 2013 Infrastructure Committee.



LEGEND

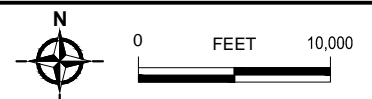
 CITY OF CEDAR RAPIDS
CORPORATE LIMITS

 LINN COUNTY REC
FRANCHISE AREA

 LINN COUNTY REC
FRANCHISE AREA
WITHIN CEDAR RAPIDS



LINN COUNTY REC FRANCHISE ORDINANCE





Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Development Services

Presenter at meeting: Joe Mailander
Email: j.mailander@cedar-rapids.org

Phone Number/Ext: 319 286-5822

Alternate Contact Person: Vern Zakostelecky
Email: v.zakostelecky@cedar-rapids.org

Phone Number/Ext: 319 286-5043

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

Motion setting a public hearing for December 3, 2013 to consider a change of zone for property at 606 J Avenue NW, 610 J Avenue NW, 1111 Ellis Boulevard NW, 1113 Ellis Boulevard NW, 1100 6th Street NW, 1106 6th Street NW, 1108 6th Street NW, 1110 6th Street NW and 1116 6th Street NW and Lot 1 & 2 of Block 24 located at the northwest corner of J Avenue NW and Ellis Boulevard NW from C-1, Mixed Neighborhood Convenience Zone District and R-3D, Two Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by High Development, City of Cedar Rapids and Leslie E. Stokke CIP/DID # RZNE-006864-2013

Background:

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none">City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none">The City Planning Commission will review the application on November 21, 2013.
City Council consideration	<ul style="list-style-type: none">A Public Hearing and First Reading of the Ordinance are scheduled for December 3, 2013.Two additional readings of the Ordinance are required by State law before approval is final. The applicant has requested that this requirement be waived and all three readings be held on 12/3/13.Approval will be subject to the conditions stated in the Ordinance.

The request for rezoning of this property will be reviewed by the City Planning Commission on November 21, 2013 and the result for the City Planning Commission review and recommendation will be included in the Council cover sheet for the public hearing. The applicant is requesting rezoning to allow for the development of a 4-story senior living structure currently referred to as Sonoma Square. The project will be submitted to the Iowa Finance Authority for application in the Housing Tax Credit Program.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

City Council may 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 ☒

Explanation:

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

Explanation (if necessary):

Location Map





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 December 3, 2013 and advertising for bids by publishing notice to bidders for the Q Avenue NW at Ellis Boulevard NW Flood Protection Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on December 4, 2013 (estimated cost is \$96,000). CIP/DID #304285-02

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 the spring of 2013. This is the second of two projects that will provide flood protection to this area by the installation of a flood control structure on a storm sewer outfall located near the intersection of Q Avenue NW and Ellis Boulevard NW. The available funding for this activity is \$120,161 and subject to receipt of acceptable bids, construction is scheduled to begin in February 2014 and be completed by September 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 December 3, 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: December 3, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 304285: \$213,485

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Does not apply to public improvement projects.

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

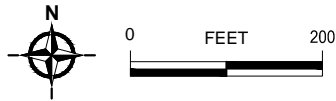
Explanation (if necessary): Infrastructure committee on September 16, 2013 and Flood Committee on September 19, 2013.



Cadd File Name: W:\PROJECTS\CI\304\304285\304285 Council Map.dwg



**Q AVENUE NW AT ELLIS BOULEVARD NW
FLOOD PROTECTION IMPROVEMENTS**



Motion Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Utilities - Water

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

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

Description of Agenda Item:

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for December 17, 2013 and advertising for bids by publishing notice to bidders for the J Avenue Water Treatment Plant Process Improvements – Phase 1 project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on January 15, 2014 (estimated cost is \$7,060,000). CIP/DID #6250026-02

Background:

The J Avenue Water Treatment plant was originally constructed in 1929. Additions were made to the plant in 1949, 1969, and 2009. Sound maintenance practices have kept the plant in good operating condition throughout its service life. However, the plant is starting to experience age related issues that are not readily correctable through preventative maintenance. There is also the issue of technological obsolescence. Although the existing treatment processes continue to deliver high quality drinking water to the citizens of Cedar Rapids, current technologies may create the same quality of water while using less energy, chemicals, and manpower.

A study of the J Avenue Water Treatment Plant was completed by Strand Associates, Inc. in the fall of 2011. This study was finalized in a report dated October 2011. The report detailed alternatives that would be beneficial for the longevity of the J Avenue water treatment plant. These alternatives were reviewed and staged in a specific manner and over many years. This staging was done to both improve operational factors during the construction work and to minimize the effect of the cost on ratepayers. This Project is related to only the first phase (Phase 1) of a much larger improvements program. All of the work required is currently staged in five separate phases and spread out over ten years.

Phase I of this project generally includes the replacement of the existing filter backwash piping, installation of new backwash supply pumps, rehabilitation of the flocculation basins, replacement of the recarbonation basins with a piping header, and carbon dioxide chemical feed improvements. A mandatory pre-bid meeting will be held on December 10, 2013.

Action / Recommendation:

The Utilities Department – Water Division recommends that the plans and specifications be filed with the City Clerk on November 19, 2013 and a Notice of Hearing and Letting be published on November 23, 2013 and December 7, 2013. A Public Hearing is scheduled for December 17, 2013 and bids will be opened on January 15, 2014.

Alternative Recommendation: None

Time Sensitivity: Action needed on 11-19-13

Motion Date: 11-19-13

Estimated Presentation Time: 0 minutes

Budget and Purchase Process Information:

1. **Included in Current Budget Year.** Yes, funding for J Avenue Water Treatment Plant Process Improvements – Phase I project is included in FY14 thru FY16 Water Capital Budgets. Project costs will be coded to 553000-625-625000-6250026, 6250027 and 625565.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work in the Water Capital Budgets for FY14 thru FY16 is \$7,700,000. The anticipated completion date for these improvements is May 2016.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Capital Improvement Projects are not subject to Local Preference Policy.

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

Explanation (if necessary):

Council Agenda Item Cover Sheet

Agenda No.

Submitting Department: City Clerk

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

Alternate Contact Person: Wanda Miller **Phone Number/Extension:** 286-5274
E-mail Address: wandam@cedar-rapids.org

Description of Agenda Item:

Motion assessing a \$500.00 civil penalty for violation of State Code regarding the sale of alcohol to minors against:

- a. Discount Liquor, 2933 1st Avenue SE;
- b. Jim's Foods, 812 6th Street SW;
- c. Red Lion Lounge, 3970 Center Point Road NE;
- d. Smoke N Pipe, 3221 1st Avenue SE;
- e. Southside Liquor & Tobacco Outlet, 3200 16th Avenue SW, Suite A;
- f. Uptown Liquor & Tobacco, 2000 Wiley Blvd SW, Suite #106.

Background:

Civil penalties are statutory and cannot be waived by the local authority. If the local authority does not pursue the civil penalty then the state will do so and retain the money.

On September 4, 2013, Suneel Sharma pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 905902-201313141 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about August 30, 2013 on the premises at **Discount Liquor, 2933 1st Avenue SE.**

On September 5, 2013, Chelsi Gagnon pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 905440-201313428 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about September 4, 2013 on the premises at **Jim's Foods, 812 6th Street SW.**

On May 9, 2013, Louis Zimmerman pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 890813-201305705 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about April 24, 2013 on the premises at **Red Lion Lounge, 3970 Center Point Road NE.**

On September 27, 2013, Calvin Pettie pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 905434-201313416 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about September 4, 2013 on the premises at **Smoke N Pipe, 3221 1st Avenue SE.**

On May 9, 2013, Rana Anwar pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 890812-201305692 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about April 24, 2013 on the premises at **Southside Liquor & Tobacco Outlet, 3200 16th Avenue SW, Suite A.**

On September 25, 2013, Riaz Mohammad pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 905436-201313409 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about September 4, 2013 on the premises at **Uptown Liquor & Tobacco, 2000 Wiley Boulevard SW, suite #106.**

Since this violations occurred after January 1, 1998 and this being the first violation of this section within a period of two (2) years, as per Iowa Code section 123.50(3)(a), as amended provides that a licensee who violates said section shall be assessed a civil penalty in the amount of \$500.00;

Iowa Code section 123.39, as amended, provides that local authorities shall retain such civil penalties if the proceeding to impose the penalty is conducted by the local authority.

The City of Cedar Rapids, pursuant to the authority of the above cited sections, intends to impose a civil penalty in the amount of \$500.00 to the above listed locations.

Action / Recommendation: Assess civil penalty **(All licensees have already submitted payment of the civil penalty.)**

Alternative Recommendation (if applicable): Civil penalties are statutory and cannot be waived by the local authority. If the local authority does not pursue the civil penalty then the state will do so and retain the money.

Time Sensitivity: The hearing was waived and the licensees have consented to the assessment of the civil penalty for the violation of State Code regarding the sale of alcohol to minors. Payment of the civil penalties has been received.

Resolution Date: N/A

Estimated Presentation Time: 0

Budget Information (if applicable): N/A



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: City Clerk

Presenter at meeting: Chief Wayne Jerman
Email: w.jerman@cedar-rapids.org

Phone Number/Ext: 319-286-5374

Alternate Contact Person: Diane Weimer
Email: d.weimer@cedar-rapids.org

Phone Number/Ext: 319-286-5272

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

Motion assessing a \$300 civil penalty for first violation of State Code regarding the sale of cigarettes to minors against Jim's Foods, 812 6th Street SW.

Background:

Violation on October 30, 2013. Clerk was found guilty on October 31, 2013. This is a 1st violation with current owner. Permit holder signed consent to assessment and waived hearing.

Action / Recommendation:

Access civil penalty to continue the process for accurate record keeping/documentation.

Alternative Recommendation:

If the local authority does not pursue the civil penalty, the state will do so. However, they will also keep the money from the civil penalty. Jim's Foods has paid the \$300 civil penalty to the City of Cedar Rapids. Per Iowa State Code the civil penalty is mandatory.

Time Sensitivity: N/A

Local licensing authorities will have 60 days from the time the underlying violation of selling tobacco to a minor is adjudicated before assessing the civil penalty against the retailer. If local authorities fail to act within 60 days, the prosecution is automatically transferred to the state. See Iowa Code § 453A.22(4).

Resolution Date: N/A

Estimated Presentation Time: 0

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐

Explanation:

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

Explanation (if necessary):



COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 11/19/2013

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:

- a. 101 Gastropub, 3707 1st Avenue SE (new-formerly Deanoz Sports Bar);
- b. 3rd Street Convenience, 216 3rd Street SE;
- c. 3rd Street Saloon, 1202½ 3rd Street SE;
- d. Casey's General Store #2212, 130 41st Avenue Drive SW;
- e. Discount Liquor, 2933 1st Avenue SE;
- f. Hy-Vee Food Store #2, 279 Collins Road NE;
- g. Kum & Go #520, 2604 16th Avenue SW;
- h. Stadium Lounge Bar & Grill, 957 Rockford Road SW;
- i. The Station, 3645 Stone Creek Circle SW;
- j. Vito's on 42nd, 4100 River Ridge Drive NE (new-new ownership);

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: 11/19/2013

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
101 Gastropub 3707 1ST AVE SE	0	0	0	0
3rd Street Convenience 216 3RD ST SE	3	0	0	0
3rd Street Saloon 1202 1/2 3RD ST SE	15	0	0	1
Casey's General Store #2212 130 41ST AVE DR SW	30	1	1	2
Discount Liquor 2933 1ST AVE SE	8	0	0	0
Hy-Vee Food Store #2 279 COLLINS RD NE	74	0	1	3
Kum & Go #520 2604 16TH AVE SW	504	1	2	5
South Side Liquor & Tobacco Outlet 3200 16TH AVE SW	41	0	0	4
Stadium Lounge Bar & Grill 957 ROCKFORD RD SW	5	0	0	0
The Station 3645 Stone Creek CIR SW	103	0	0	2
Vito's on 42nd 4100 RIVER RIDGE DR NE	0	0	0	0

RESOLUTION NO.

WHEREAS, the attached listing of bills dated November 19, 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 19th day of November, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: City Manager's Office

Presenter at meeting: Sandi Fowler
Email: s.fowler@cedar-rapids.org

Phone Number/Ext: 319-286-5077

Alternate Contact Person: Kim Greene
Email: kimg@cedar-rapids.org

Phone Number/Ext: 319-286-5083

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

Resolutions (two) approving the following events:

1. Cedar Rapids Metro Economic Alliance Holiday Delight Parade (includes road closures) on December 7, 2013. CIP/DID #13210
2. National Czech & Slovak Museum & Library Old World Christmas Market event in Czech Village on December 7, 2013. CIP/DID #13209

Background:

Referencing the Special Event applications received for the above special events which are requesting permission to hold activities with street closures or city property usage in Cedar Rapids. Street closures and special events on city property require City Council approval.

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt X

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Jill Wilkins, on behalf of the Cedar Rapids Metro Economic Alliance, has requested permission to hold the Holiday DeLight Parade on city streets starting at 6 PM on Saturday, December 7, 2013 with parade staging also on city streets beginning at 4 PM, and

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

1. Parade Staging Area:

4th Avenue SE - 500, 600 and 700 blocks
6th Street SE - 300 and 400 blocks
7th Street SE - 300 and 400 blocks

2. Parade Route:

Start at 3rd Avenue and 6th Street SE
proceed north on 6th Street SE to 2nd Avenue SE
proceed west on 2nd Avenue SE to 2nd Street SE
proceed south on 2nd Street SE to 3rd Avenue SE
proceed east on 3rd Avenue SE to 5th Street SE
proceed south on 5th Street SE to 4th Avenue SE adjacent to Greene Square Park and disband.

3. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
4. The Public Works Department will provide barricades for the Police Department's placement, and any other traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
5. Applicant shall clean up the entire parade route and staging area; and reimburse the City for any damage done to public property.
6. Applicant's request for parking removal along parade route is approved subject to the following:
- a) Applicant shall print temporary no parking signs meeting requirements of the City including text size and material. Sign text shall state "Emergency No Parking - Tow Away Zone beginning Noon on December 7, 2013 per Municipal Code Sections 61.094 & 61.094A". Date and time on the temporary signs shall be stick-on and removable to facilitate use of the signs for other parades.
 - b) Applicant shall install signs in the method, location and timing required by the City.
 - c) Applicant shall remove all signs immediately following completion of the parade.
 - d) Applicant shall notify all affected property and business owners adjacent to areas of parking removal, a minimum of 48 hours prior to the parade.
 - e) Applicant's request for temporary no parking signs is approved for this application; and

applicant is prohibited from placing signs on public property at any other time.

f) The Cedar Rapids Metro Economic Alliance shall fund, furnish and store the temporary no parking signs for all other parade applications in the Downtown District.

7. Applicant shall contact the Union Pacific Railroad Company to assure that no conflicts will occur during the parade at any of the 4th Street railroad grade crossings.
 8. Applicant shall contact Park CR (319-365-7275) to arrange for reserved parking spaces as necessary for loading and unloading of materials and equipment necessary for use of the parade judge's tent.
 9. Any pavement markings required for this event shall be done with prior approval of the Traffic Engineering Division. No permanent markings of any type will be permitted.
 10. Applicant and participants shall not throw candy or other items from the parade units. Any items intended to be distributed to parade attendees must be handed out.
 11. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with event instructions and event participant safety.
 12. Applicant shall limit the number of parade entries to no more than 100 entries.
 13. Applicant shall provide written notification regarding street closures to all property owners adjacent to the staging area and parade route. Written notification shall include the location of the staging area and parade route, event date and time required for staging area and parade route use, and the name and telephone number of the applicant's contact person. A copy of the notification shall be provided to the City Manager's Office prior to the event.
 14. Applicant shall contact the Sgt. Mark Andries of the Police Department (319-286-5438) at least 30 days before the event, to hire off-duty police officers to provide traffic control deemed necessary by the City to maintain the flow and safety of vehicular and pedestrian traffic.
 15. Applicant will be required to hire 14 off-duty officers and 1 commander as follows (estimated):

Five (5) officers (staging)	= \$980
Nine (9) officers (route barricade)	= \$1,323
One (1) commander	= \$216
	\$2,519
- Estimated cost of off-duty officers is \$2,519 (however is dependent upon final determination at event time).
16. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 19th day of November 2013.

RESOLUTION NO.

WHEREAS, Sara Jacobmeyer on behalf of the National Czech & Slovak Museum & Library has requested approval to conduct an "Old World Christmas Market" event in Czech Village on Saturday, December 7 & Sunday, December 8, 2013; including a holiday street market with amplified music, tents, stages, crafts, holiday lighting, food and beverage vendors, trolley rides and horse drawn wagon rides, the following is provided.

WHEREAS, the request asks for permission to close the Czech Museum drive access on Saturday, December 7, 2013 and Sunday, December 8, 2013 from 9 AM until 5 PM for the event (with streets cleaned and open to traffic by end time each night).

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

1. The applicant or horse drawn wagon operator shall provide cleanup of the wagon ride staging areas and the entire route periodically, and at the completion of the event, specifically any horse related debris. The applicant or animal display operator shall provide cleanup of the public sidewalk and display areas at the completion of the animal displays.
2. The horse drawn wagon operator and trolley operators shall obey all traffic control devices and traffic regulations.
3. The horse drawn wagon shall travel as near to the right-hand street curb as practicable at all times.
4. Only persons with experience operating horse drawn wagons shall operate the horse drawn wagon. Only persons with experience operating trolleys shall operate the trolley.
5. The motorized trolley route will be as follows:
 - Saturday, December 7, 2013 from 10 AM to 5 pm and on Sunday, December 8 from 10 AM to 4 PM start on 16th Avenue SW at A Street SW
 - proceed east on 16th Avenue SW and 14th Avenue SW to 3rd Street SE
 - proceed north on 3rd Street SE to trolley stop at 11th Avenue SE
 - proceed north on 3rd Street SE to 10th Avenue SE
 - proceed east on 10th Avenue SE to trolley stop on 10th Avenue SE
 - proceed east on 10th Avenue SE to 5th Street SE
 - proceed north on 5th Street SE to 9th Avenue SE
 - proceed west on 9th Avenue SE to 3rd Street SE
 - proceed south on 3rd Street SE to 14th Avenue SE
 - proceed west on 14th Avenue SE and 16th Avenue SE to A Street SW
 - proceed south on A Street SW to 18th Avenue SW
 - proceed west on 18th Avenue SW to B Street SW
 - proceed north on B Street SW to 17th Avenue SW
 - proceed east on 17th Avenue SW to A Street SW
 - proceed north on A Street SW to trolley stop at 16th Avenue SW
6. The horse drawn wagon route will be as follows:

- Saturday, December 7, 2013 from 9 AM until 4 PM:
 - Start on Inspiration Place SW at the NCSML building
 - proceed south on Inspiration Place SW to 16th Avenue SW
 - proceed west on 16th Avenue SW to C Street SW
 - proceed north on C Street SW to 15th Avenue SW
 - proceed east on 15th Avenue SW to Inspiration Place SW to the endpoint of the ride at the NCSML building
7. The operation of the events is contingent on the weather conditions being sufficient to permit safe operation of the animal displays and the horse drawn wagon with regard to the horse, passengers and motorists.
 8. Applicant shall comply with State Code referring to slow vehicle identification and lamps on vehicles. The horse drawn wagon shall be equipped with a slow moving vehicle sign on the rear of the wagon.
 9. Applicant shall obtain an Animal Display permit from the Animal Control Division for animal displays and horse drawn wagon rides.
 10. Any vendor request to sell, offer, or promote within the event area, shall be subject to review of NCSML, all applicable Municipal Codes, and approval by the City.
 11. Applicant and food vendors shall meet all applicable requirements of both the Linn County Health Department and the City Code.
 12. Access for fire-fighting purposed in the neighborhood must be maintained in accordance with Fire Department requirements; therefore, streets may not be blocked with any items not easily moved.
 13. Applicant and participants shall comply with all existing parking regulations on all areas of public property.
 14. Applicant shall provide complete clean-up of the affected area prior to it being reopened to traffic, and shall reimburse the City for damage to any portion of public property.
 15. Applicant shall not use any equipment that penetrates or damages City streets or parking lot surfaces. All tents, stages and other structures shall be water barrel or sand weight supported. No markings of any kind will be permitted upon City streets.
 16. Applicant shall contact and hire an insured traffic control contractor at least 15 to 30 days prior to the event date. Applicant's insured traffic control contractor shall provide all barricades and traffic controls required. All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the traffic control contractor providing the barricades, and a traffic control plan to the City Manager's Office.
 17. Applicant shall obtain the following permits from Fire Marshal Vance McKinnon before the event at 319-286-5868:
 - LPG permit required for temporary use \$50.00
 - Tents will require permit \$55.00

Event Fee: \$105.00

18. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.

19. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.
20. Applicant shall provide written notification to all property owners adjacent to the street closure. Written notification shall include the location and dates of the event, time required for the street closure, and the name and telephone number of the applicant's contact person. Applicant shall provide a copy of the notification to the City Manager's Office.

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet**☒ **Consent Agenda** ☐ **Regular Agenda****Council Meeting Date:** November 19, 2013**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner **Phone No.:** 5281 **E-mail:** s.hersnher@cedar-rapids.org**Alternate Contact:** Kevin Kirchner **Phone No.:** 5902 **E-mail:** k.kirchner@cedar-rapids.org**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 28 properties; CIP/DID #

Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (Out of the 28 properties to be liened, there are seven flood properties. The property address listing is included with the resolution.)

Background:

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

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

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

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

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

Time Sensitivity: None, routine item**Resolution Date:** 11/19/13**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 14th day of January, 2014 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 11:00 a.m., January 14, 2014.

Passed this 19th day of November, 2013.

LIEN INTENTS (SPECIAL ASSESSMENTS) 11-19-13

			Lien Intents 11-19-13		
#		Balance Due	Premise Address		Flood
1		\$ 118.27	146 KENMORE ST NE		
2		\$ 147.76	207 27TH ST NW		
3		\$ 163.31	216 15TH ST NE		
4		\$ 181.49	250 18TH ST NW		
5		\$ 183.78	349 6TH AVE SW		Y
6		\$ 238.38	350 30TH ST DR SE		
7		\$ 249.77	359 GREEN VALLEY TER SE		
8		\$ 188.89	521 9TH ST SW UPPER		Y
9		\$ 149.16	810 9TH ST NW		Y
10		\$ 151.94	900 D AVE NW		Y
11		\$ 182.13	939 OAKLAND RD NE		
12		\$ 154.70	941 M ST SW #1		Y
13		\$ 125.65	1016 11TH AVE SE		
14		\$ 222.80	1019 SIOUX DR NW		
15		\$ 122.88	1115 K ST SW UPPER		Y
16		\$ 208.70	1136 9TH ST SE		
17		\$ 109.01	1146 CENTER POINT RD NE		
18		\$ 266.82	1246 2ND AVE SE		
19		\$ 237.14	1435 K ST SW		Y
20		\$ 128.28	1602 11TH AVE SW		
21		\$ 130.04	1816 PARK AVE SE		
22		\$ 178.81	2519 MALLORY ST SW		
23		\$ 200.39	2616 C AVE NE		
24		\$ 235.33	2724 PRIMROSE LN SW		
25		\$ 111.01	2947 CENTER POINT RD NE		
26		\$ 521.81	3707 1ST AVE SE		
27		\$ 122.06	4940 HARBET AVE NW		
28		\$ 116.29	6803 INWOOD LN NE		
		\$ 5,146.60	Grand Total		
		28	Number of Properties		
		\$ 109.01	Balance Due - Low		
		\$ 521.81	Balance Due - High		

Council Agenda Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 17 properties. CIP/DID #973245

Out of the 17 properties to be assessed, there are three flood properties. The property address listing is included with the resolution [**Note:** The Intent to Assess Resolution was approved at the October 8th 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. 1576-10-13 on October 8, 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: 11/19/13

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 19th day of November, 2013.

SPECIAL ASSESSMENTS (TO BE LIENED) 11-19-13

			SPECIAL ASSESSMENTS 11-19-13		
			Lien Intents 10-08-13		
#		Balance Due	Premise Address		Flood
1		\$ 213.21	66 MILLER AVE SW #3		
2		\$ 186.2	211 OUTLOOK DR SW		
3		\$ 229.10	415 6TH AVE SW		Y
4		\$ 206.47	433 8TH AVE SW #A		Y
5		\$ 125.61	935 25TH ST SE		
6		\$ 207.67	1004 WESTWOOD DR NW		
7		\$ 238.83	1215 28TH ST SE		
8		\$ 121.37	1216 N ST SW		Y
9		\$ 147.74	1526 12TH AVE SE		
10		\$ 234.52	1827 WILLIAMS BLVD SW		
11		\$ 130.54	2205 C ST SW #2		
12		\$ 225.05	2343 RIDGE TRAIL NE		
13		\$ 185.38	2527 B AVE NE		
14		\$ 109.65	2816 FRUITLAND BLVD SW		
15		\$ 169.40	2905 E AVE NE		
16		\$ 231.71	3203 KENRICH DR SW		
17		\$ 125.76	5601 GORDON AVE NW		
		\$ 3,088.21	Grand Total		
		17	Number of Properties		
		\$ 109.65	Balance Due - Low		
		\$ 238.83	Balance Due - High		

Council Agenda Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Utilities – Water

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

Alternate Contact: Ken Russell **Phone:** 5926 **E-mail:** k.russell@cedar-rapids.org

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

Resolutions accepting various subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

- a. Water system improvements installed in Summerfield 15th Addition and approving the 2-Year Maintenance Bond submitted by Butschi Real Estate Company in the amount of \$26,250, and reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established. CIP/DID #2012080-01

Background:

Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first two years in service.

The Developer, Butschi Real Estate Company, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Summerfield 15th Addition (Project No. 2012080). The Contractor, Executive Construction, has installed 1,020 feet of 8-inch DIP water main, services and appurtenances on Monterey Drive NE and Tiburan Lane NE. The underground water utilities are completed; however, final street construction is proposed for some future date, and will require future water inspections.

The Water Division has inspected the referenced improvements and found them to be installed in accordance with the approved Plans and Specifications, and in good working condition.

Action / Recommendation:

The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Summerfield 15th Addition (Project No. 2012080), the Contractor's 2-year Maintenance Bond, #T238004, in the amount of \$26,250 submitted by Butschi Real Estate Company and reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established.

Alternative Recommendation:

There is no alternative recommendation but an alternative action is to not accept this phase of the project. If this phase is not accepted, it cannot be closed out and the 2-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this phase of the project.

Time Sensitivity: None, routine item

Resolution Date: 11/19/13

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.

WHEREAS, Butschi Real Estate Company, was granted permission to install 1,020 lineal feet of 8" DIP water main, services and appurtenances on Monterey Drive NE and Tiburan Lane NE, all in SUMMERFIELD 15TH ADDITION (Project No. 2012080), to the City of Cedar Rapids, Iowa, by the Cedar Rapids Utilities – Water Division, and

WHEREAS, said work has now been completed, and Butschi Real Estate Company of Cedar Rapids, Iowa, as Principal has submitted Maintenance Bond No. (T238004) executed by Employers Mutual Casualty Company, as Surety in the sum of \$26,250 (Twenty Six Thousand Two Hundred Fifty Dollars) covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water main, services and appurtenances installed in SUMMERFIELD 15TH ADDITION (Project No. 2012080) be hereby accepted, and

BE IT FURTHER RESOLVED that the City reserves the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond submitted by Butschi Real Estate Company, as Principal and Employers Mutual Casualty Company, as Surety be hereby approved and filed with the City Finance Director

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet**☒ **Consent Agenda** ☐ **Regular Agenda****Council Meeting Date:** November 19, 2013**Submitting Department:** Utilities – Water**Presenter at meeting:** Steve Hershner **Phone:** 5281 **E-mail:** s.hershner@cedar-rapids.org**Alternate Contact:** Ken Russell **Phone:** 5926 **E-mail:** k.russell@cedar-rapids.org**Description of Agenda Item: (insert same wording as used on agenda summary)**

Resolutions accepting various subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:

- a. Water system improvements installed in Knollwood Park 1st Addition and approving the 2-Year Maintenance Bond submitted by Bowker Mechanical Contractors LLC in the amount of \$183,345, and reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established. CIP/DID #2010054-01

Background:

Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first two years in service.

The Developer, Horn Land LLC, was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Knollwood Park 1st Addition (Project No. 2010054). The Contractor, Bowker Mechanical Contractors LLC, has installed 4,830 feet of 8-inch DIP water main, services and appurtenances on Stratton Drive NE, Grand Oaks Drive NE, Norway Drive NE, Flatbush Court NE and Winchell Drive NE. The underground water utilities are completed; however, final street construction is proposed for some future date, and will require future water inspections.

The Water Division has inspected the referenced improvements and found them to be installed in accordance with the approved Plans and Specifications, and in good working condition.

Action / Recommendation:

The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Knollwood Park 1st Addition (Project No. 2010054), the Contractor's 2-year Maintenance Bond, #54175393, in the amount of \$183,345 submitted by Bowker Mechanical Contractors LLC and reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established.

Alternative Recommendation:

There is no alternative recommendation but an alternative action is to not accept this phase of the project. If this phase is not accepted, it cannot be closed out and the 2-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this phase of the project.

Time Sensitivity: None, routine item**Resolution Date:** 11/19/13**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.

WHEREAS, the Developer, Horn Land LLC, was granted permission to install 4,830 feet of 8-inch DIP water main, services and appurtenances on Stratton Drive NE, Grand Oaks Drive NE, Norway Drive NE, Flatbush Court NE and Winchell Drive NE, all in KNOLLWOOD PARK 1ST ADDITION (Project No. 2010054), to the City of Cedar Rapids by the Utilities Department – Water Division, and

WHEREAS, said work has now been completed and Bowker Mechanical Contractors, LLC, of Cedar Rapids, Iowa, as Principal has filed a 2-year Maintenance Bond (Bond No. 54175393) executed by United Fire & Casualty Company of Cedar Rapids, Iowa, as Surety in the sum of \$183,345 (One Hundred Eighty Three Thousand Three Hundred Forty Five Dollars and 00/100) covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water main, services and appurtenances installed in KNOLLWOOD PARK 1ST ADDITION (Project No. 2010054) be hereby accepted, and

BE IT FURTHER RESOLVED that the City reserves the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond filed by Bowker Mechanical Contractors, LLC, as Principal and executed by United Fire & Casualty Company, as Surety be hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 19th day of November, 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** ☒ **Map**

Resolution accepting project and approving Performance Bond of Eastern Iowa Excavating & Concrete, LLC for the Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project (original contract amount was \$51,587; final contract amount is \$48,321.72). CIP/DID #301473-01

Background:

Construction has been substantially completed by Eastern Iowa Excavating & Concrete, LLC for the Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project. This is an approved Capital Improvements Project (CIP No. 301473-01) with a final construction contract amount of \$48,321.72. 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 the City could be subject to claims since the Contractor has fulfilled the terms of the construction contract.

Time Sensitivity: Normal

Resolution Date: November 19, 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 Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project (Contract No. 301473-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated May 14, 2013 in the amount of \$50,587 covering said work filed by Eastern Iowa Excavating & Concrete, LLC and executed by West Bend Mutual Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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 Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project, (301473-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$48,321.72 distributed as follows: \$48,321.72 301-301000-301473, 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 19th day of November, 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, approving Performance Bond and authorizing final payment in the amount of \$3,741.93 to Anne Duffield Construction, Inc. for the Harrison Elementary Sidewalks project (original contract amount was \$76,371; final contract amount is \$74,838.59). CIP/DID #301788-01

Background:

Construction has been substantially completed by Anne Duffield Construction, Inc. for the Harrison Elementary Sidewalks project. This is an approved Capital Improvements Project (CIP No. 301788-01) with a final construction contract amount of \$74,838.59. 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 \$3,741.93.

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: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): Safe Routes to School Grant

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: The project is funded by a federal grant and must be awarded to the lowest responsible bidder.

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Harrison Elementary Sidewalks project (Contract No. 301788-01) (IDOT No. SRTS-U-1187(755)-8U-57), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 4, 2012 in the amount of \$76,371 covering said work filed by Anne Duffield Construction, Inc. and executed by Western Surety 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	\$76,371.00
Change Order No. 1	2,263.10
Change Order No. 2	66.00
Change Order No. 3	1,201.00
Change Order No. 4	<u>(5,062.51)</u>
Amended Contract Amount	\$74,838.59

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 Harrison Elementary Sidewalks project, (Contract No. 301788-01) 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 \$3,741.93 to Anne Duffield Construction, Inc. as final payment.

The final contract price is \$74,838.59 distributed as follows: \$74,838.59 301-301000-301788, and

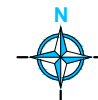
BE IT FURTHER RESOLVED, that sales tax was not paid on the above project and therefore there is no refund to be submitted to the State of Iowa.

Passed this 19th day of November, 2013.



HARRISON ELEMENTARY SIDEWALK

- (A) NORTH SIDE OF O AVENUE NW FROM 13TH STREET NW TO EXISTING SIDEWALK
- (B) SOUTH SIDE OF O AVENUE NW FROM 13TH STREET TO 11TH STREET NW
- (C) WEST SIDE OF 11TH STREET NW FROM O AVENUE NW TO N AVENUE NW



**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 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 \$16,969.92 to M. Hanson & Company, Inc. for Library Furniture and Shelving for the Downtown library. (original contract amount was \$357,294.71; final contract amount is \$339,402.31). CIP/DID # 0612-242

Background:

This project is for furniture and shelving at the Downtown library. The contract with M. Hanson & Company, Inc. was awarded through Council Resolution No. 1439-09-12. 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 September 25, 2012 in the amount of \$410,921.11 covering said work, filed by M. Hanson & Company, Inc. 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 M. Hanson & Company, Inc. of \$16,969.92.

Action / Recommendation: Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** November 19, 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 M. Hanson & Company, Inc. are parties to a Contract for Library Furniture and Shelving for the new Downtown Library, approved through City Council by Resolution No. 1439-09-12; 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

WHEREAS, a Performance Bond dated September 25, 2012 in the amount of \$410,921.11 covering said work filed by M. Hanson & Company, Inc. and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the 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 Agreement, Resolution No. 1439-09-12	\$357,294.71
Amendment No. 1, signed by the City Manager on February 7, 2013	(\$18,791.55)
Amendment No. 2, signed by the City Manager on March 25, 2013	\$895.15
Amendment No. 3, signed by the City Manager on April 10, 2013	\$4.00
Amendment No. 4, signed by the City Manager on July 3, 2013	\$0.00
Contract Total	\$339,402.31

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 \$16,969.92 to M. Hanson & Company, Inc.; and

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

Passed this 19th day of November, 2013.



27d

Council Agenda Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Utilities – Water Division

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

Alternate Contact: Bruce Jacobs **Phone No.:** 5913 **E-mail:** b.jacobs@cedar-rapids.org

Description of Agenda Item:

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

- a. Horizontal Collector Well #6 Powerline Installation project and authorize final (retainage) payment in the amount of \$5,227.50 to Trey Electric Corporation (original contract amount was \$114,550; final contract amount is \$104,550). CIP/DID #625863-04

Background:

The City of Cedar Rapids obtains its raw water from the alluvium along the Cedar River. Currently, 45 vertical wells and four horizontal collector wells (HCWs) draw water from the aquifer to meet average demands of 38 million gallons per day. Additional collector wells are being constructed to increase the reliability and capacity of raw water supply as existing vertical wells continue to age and lose capacity. The new collector wells will also be built to a higher elevation for increased flood protection.

This phase of the project involved the construction of a loop power feed to the new Horizontal Collector Well #6 installation. Conduit was horizontally directionally bored from two separate spots on the power grid to the new collector well. Power lines were then pulled through this conduit and connections will be made to the existing grid. This provided a level of redundancy for the power feed and minimized potential downtime experienced by the well. The project also included demolition of nearby electrical infrastructure that has been abandoned in place in an effort to simplify the existing electrical grid serving the well field.

Change Order No. 1 was approved by the City Manager in September 2013 for a net decrease of \$10,000 for unused work allowance. The contract amount with Change Order No. 1 is \$104,550.

Construction has been substantially completed by Trey Electric Corporation for the Cedar Rapids Utilities – Water Division Horizontal Collector Well #6 Powerline Installation project. The Final Contract amount is \$104,550.

Action / Recommendation:

The Utilities – Water Division staff recommends that City Council approve the resolution to accept the project and performance bond and authorize final (retainage) payment in the amount of \$5,227.50 to Trey Electric Corporation, thirty days after acceptance in accordance with the State of Iowa Code.

Alternative Recommendation: None

Time Sensitivity: Action needed 11/19/2013

Resolution Date: 11/19/2013

Estimated Presentation Time: 0 Minutes

Budget Information Process Information:

1. **Included in Current Budget Year:** Yes. The project will be funded from fiscal year 2014 Utilities Department – Water Division Capital Improvement Projects budget.
2. **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Capital Improvement Projects budget for the Horizontal Collector Wells projects was \$2.1 million for fiscal years 2012 and 2013, and \$1.75 million for fiscal year 2014. The total cost for the Horizontal Collector Well #6 Powerline Installation project was \$132,500, which included \$104,500 for construction costs and \$28,000 for engineering. The project is coded to the following CIP fund: 553000-625-625000-x-x-625863.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, construction of the project was bid as a public improvement project.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: The Local Preference Policy does not apply to capital improvement projects.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division certifies construction contract work on the Horizontal Collector Well #6 Powerline Installation project (Contract No. 625863-04) has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated December 18, 2012 in the amount of \$114,550 covering said work filed by Trey Electric Corporation and executed by Cincinnati Insurance 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 Horizontal Collector Well #6 Powerline Installation project (Contract No. 625863-04) be hereby accepted and that the City of Cedar Rapids Finance Director is hereby authorized and directed to issue a warrant in the sum of \$5,227.50 for final (retainage) payment to Trey Electric Corporation, thirty days after acceptance in accord with Iowa State Code.

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

Original Contract Amount	\$114,550
Change Order No. 1 (Allowance Adjustment)	<u>- 10,000</u>
Final Contract Amount	\$104,550

Funded from fiscal year 2014 Utilities Department – Water Division CIP budget and coded to 553000-625-625000-X-X-625863.

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 19th day of November, 2013.

**Council Agenda Item Cover Sheet**☒ **Consent Agenda**☐ **Regular Agenda****Council Meeting Date:** November 19, 2013**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner **Phone No.:** 5281 **E-mail:** s.hershner@cedar-rapids.org**Alternate Contact:** Bruce Jacobs **Phone No.:** 5913 **E-mail:** b.jacobs@cedar-rapids.org**Description of Agenda Item:**

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

- a. Water Division Interior Lighting Upgrade project and authorize final (retainage) payment in the amount of \$7,420.97 to Hawkeye Electric (original contract amount was \$154,250; final contract amount is \$148,419.41). CIP/DID #625899-02

Background:

The Water Division water treatment plants and booster stations have existing interior lighting that is comprised primarily of T-12 fluorescent tube lighting. Due to regulations enacted by the Department of Energy as part of the 2005 Energy Policy Act, commercial production of T-12 lamps ceased in July of 2012. With T-12 lamps no longer being available commercially, Utilities Department electricians will be forced to retrofit the existing light fixtures once the stock pile of spare lamps is exhausted. As the Water Division has several hundred T-12 lighting fixtures, it is more economical to replace the fixtures as a single project, rather than have the fixtures replaced piecemeal. This project also represented an opportunity to improve the energy efficiency of Water Division facilities by upgrading to more efficient lighting.

Change Order No. 1 was approved by the City Manager in October 2013, for a net decrease in the amount of (\$5,830.59) for the unused portion of the work allowance. The Contract amount with Change Order No. 1 is \$148,419.41.

Construction has been substantially completed by Hawkeye Electric for the Water Division Interior Lighting Upgrade project. The Final Contract amount is \$148,419.41.

The City will be receiving a rebate from Alliant Energy for this Project. The rebate amount will be approximately \$12,000.

Action / Recommendation:

The Utilities – Water Division staff recommends that the City Council approve the resolution to accept the project, performance bond, and authorize final (retainage) payment in the amount of \$7,420.97 to Hawkeye Electric, thirty days after acceptance in accordance with the State of Iowa Code.

Alternative Recommendation: None**Time Sensitivity:** Action needed 11/19/2013**Resolution Date:** 11/19/2013**Estimated Presentation Time:** 0 Minutes

Budget Information Process Information:

1. **Included in Current Budget Year:** Yes. The project will be funded from fiscal year 2014 Utilities Department – Water Division Capital Improvement Projects budget.
2. **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is \$300,000 budgeted in the FY2014 CIP budget for the Water Division's Interior Lighting Upgrades project. Engineering costs were \$82,229 and Construction costs were \$148,419.31 totaling \$230,648.41. Project will be coded to the following CIP fund: 553000-625-625000-x-x-625899.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, construction of the project was bid as a public improvement.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: The Local Preference Policy does not apply to capital improvement projects.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division certifies construction contract work on the Water Division Interior Lighting Upgrade project (Contract No. 625899-02) has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated May 22, 2013 in the amount of \$154,250 covering said work filed by Hawkeye Electric 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 Water Division Interior Lighting Upgrade project (Contract No. 625899-02) be hereby accepted and that the City of Cedar Rapids Finance Director is hereby authorized and directed to issue a warrant in the sum of \$7,420.97 for final (retainage) payment to Hawkeye Electric, thirty days after acceptance in accordance with Iowa State Code.

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

Original Contract Amount	\$154,250.00
Change Order No. 1 (Allowance Adjustment)	- <u>5,830.59</u>
Final Contract Amount	\$148,419.41

Funded from fiscal year 2014 Utilities Department – Water Division CIP budget and coded to 553000-625-625000-X-X-625899.

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 19th day of November, 2013.

Council Agenda Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Utilities – Water Pollution Control Facility Division

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

Alternate Contact: Bruce Jacobs **Phone No.:** 5913 **E-mail:** b.jacobs@cedar-rapids.org

Description of Agenda Item:

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

- a. Cedar Rapids Utilities – Water Pollution Control Facility 2012 Roof Replacement Solids Dewatering & Incinerator Building and Operations Building project, authorize issuance of final retainage payment in the amount of \$27,885.14 to Advance Builders Corp (original contract amount was \$532,000; final contract amount is \$557,702.76). CIP/DID #615190-02

Background:

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

This project generally consisted of a complete removal of the existing roof systems down to the structural deck. A new installation, including insulation and new 3-ply built-up membrane with cap sheet was installed on the roofs. In addition, work was added to the project to replace one parapet wall and replace a section of roof decking that was damaged by an incinerator fire earlier in the year.

Change Order No. 1 was approved by the City Manager in October 2013, for a net increase in the amount of \$25,702.76, for work performed not in the original scope of the project. The Contract amount with Change Order No. 1 is \$557,702.76.

Construction has been substantially completed by Advance Builders Corp for the Cedar Rapids Utilities Department – Water Pollution Control Facility 2012 Roof Replacement Solids Dewatering & Incinerator Bldg. and Operations Building project. The Final Contract amount is \$557,702.76.

Action / Recommendation:

The Utilities – Water Division staff recommends that the City Council approve the resolution to accept the project and performance bond, and authorize issuance of the final payment in the amount of \$27,885.14 to Advance Builders Corp, thirty days after acceptance in accord with the State of Iowa Code.

Alternative Recommendation: None

Time Sensitivity: Action needed 11/19/2013

Resolution Date: 11/19/2013

Estimated Presentation Time: 0 Minutes

Budget Information Process Information:

- 1) **Included in Current Budget Year:** Yes, funding for these improvements was included in the CIP budgets FY13 \$253,000; FY14 \$250,000. Project costs will be coded to 925-553000-615-615000-X-X-615190.
- 2) **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** Project was budgeted for \$503,000; CIP budgets FY13 \$253,000 and FY14 \$250,000. Construction costs were \$557,702.76 and engineering costs were \$63,695 for a total of \$621,397.76. Some funding was provided from an insurance settlement. Any additional funds will be provided from CIP reserves, as needed.
- 3) **Purchasing Department used or Purchasing Guidelines followed:** Yes, construction of the project was bid as a public improvement.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: The Local Preference Policy does not apply to capital improvement projects

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Pollution Control Facility certifies construction contract work on the 2012 Roof Replacement Solids Dewatering & Incinerator Building and Operations Building project (Contract No. 615190-02) is substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated October 23, 2012 in the amount of \$532,000 covering said work filed by Advance Builders Corp and executed by North American Specialty Insurance 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 Pollution Control Facility staff recommends that the City Council approve the resolution to accept the project and performance bond, and authorize issuance of the final payment in the amount of \$27,885.14 to Advance Builders Corp, thirty days after acceptance in accord with the State of Iowa Code. The original contract amount was \$532,000; final contract amount is \$557,702.76.

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 19th day of November, 2013.



Project Summary

Project: 2012 Roof Replacement Solids Dewateri
 Project No. 615190-02
 Engineering Firm: HR Green
 Engineer: Matt Wildman
 Contractor: Advance Builders

Original Contract Amount:	\$532,000.00
Change Orders:	
No. 1	\$25,702.76
Total Changes:	\$25,702.76

Final Contract Amount:	\$557,702.76
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Allowance:	\$10,000.00
No. 1	\$1,937.79
No. 2	\$21,367.50
No. 3	\$8,892.45
No. 4	(\$611.74)
No. 5	\$302.63
No. 6	\$3,814.13

Final Allowance: (\$25,702.76)

Payments		Retainage	Payment Period
No. 1	\$116,512.75	\$6,132.25	4/5/2013
No. 2	\$66,082.00	\$3,478.00	5/9/2013
No. 3	\$108,950.75	\$5,734.25	6/1/2013
No. 4	\$213,854.50	\$11,255.50	8/22/2013
No. 5	\$24,417.62	\$1,285.14	9/18/2013
No. 6			
Total Pmnts:	\$529,817.62	Retainage to be paid:	\$27,885.14



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE

Phone Number/Extension: 5808

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

Alternate Contact Person: Glenn Vosatka, PE

Phone Number/Extension: 5821

E-mail Address: g.vosatka@cedar-rapids.org

Description of Agenda Item:

☒ **Consent Agenda**

☐ **Regular Agenda**

☒ **No Map**

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Edgewood Road SW from South Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension project. CIP/DID #301473-00

Background:

Construction has been completed by Eastern Iowa Excavating & Concrete, LLC for the subject project. This is a previously approved Capital Improvements Project (CIP No.301473-00) with a total cost of completed work to date of \$48,322. Amount proposed to be assessed to two benefiting properties is \$15,291. The preliminary assessment amount of \$15,642 was approved by City Council on August 14, 2012. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) proposes a resolution to levy the final assessment.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution.

Alternative to the Recommendation:

If the resolution to adopt and levy is not adopted the assessments will not be enforceable.

Time Sensitivity: Must be acted on by November 19, 2013 due to assessment schedule per State code timeline.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301473

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,
AND PROVIDING FOR THE PAYMENT THEREOF

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA:

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the Edgewood Road SW from South Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension, within the City, under contract with Eastern Iowa Excavating & Concrete, LLC of Cascade, IA, which final plat and schedule was filed in the office of the Clerk on the 6th day of November, 2013 said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND DESCRIPTION <u>OF PROPERTY</u>	PROPOSED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	PROPOSED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	CORRECTED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	CORRECTED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>
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BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and

without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 19th day of November, 2013.

Published in the Cedar Rapids Gazette 11/23/13 & 11/30/13
(Two publications required)

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR
THE CONSTRUCTION OF THE EDGEWOOD ROAD SW FROM BAYBERRY DRIVE SW TO 33RD
AVENUE SW SIDEWALK EXTENSION (CIP No. 301473-00)
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE
EDGEWOOD ROAD SW FROM BAYBERRY DRIVE SW TO 33RD AVENUE SW SIDEWALK
EXTENSION WITHIN THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

190623200700000 LANDS (LESS ST) N 172' S 382' W 340' NW NW 6 82 7
190623200800000 EDGEWOOD ESTATES ADDN LOTS 4 & STR/LB 5

The extent of the work completed on the Edgewood Road SW from Bayberry Drive SW to
33rd Avenue SW Sidewalk Extension (CIP No. 301473-00) is as follows:

Grading, sidewalk installation and related construction activities to extend the sidewalk
in order to provide pedestrian access on the east side of Edgewood Road SW from Bayberry
Drive to 33rd Avenue SW.

You are hereby notified that the final plat and schedule of assessments against benefited
properties within the District described as the Edgewood Road SW from Bayberry Drive SW to 33rd
Avenue SW Sidewalk Extension (CIP No. 301473-00), for the construction of sidewalk
improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said
plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa.
Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on
the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency
assessment, if any, may be levied against the applicable property for the same period of years as
the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the
office of the City Treasurer at any time within thirty days after the date of the first publication of this
notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless
said assessments are paid in full within said thirty day period, all unpaid assessments will draw
annual interest computed at 9 percent (commencing on the date of acceptance of the work)
computed to the next December 1st following the due dates of the respective installments. Each

installment will be delinquent on September 30th following its due date on July 1st in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension (CIP No. 301473-00), above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

Amy Stevenson
Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS
TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,
AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,
IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF
BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, Amy Stevenson, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 19th day of November, 2013, the said Council did levy special assessments for and on account of the cost of construction of the Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW Sidewalk Extension, under contract with Eastern Iowa Excavating, Inc. of Cascade, Iowa, on the following or portions thereof, in said Municipality, to-wit:

190623200700000 LANDS (LESS ST) N 172' S 382' W 340' NW NW 6 82 7
190623200800000 EDGEWOOD ESTATES ADDN LOTS 4 & STR/LB 5

That the district benefited and assessed for this cost of the improvement is described as follows:

Edgewood Road SW from Bayberry Drive SW to 33rd Avenue SW

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1st following the due date of each installment. Interest commences on November 5, 2013, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1st following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1st) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 19th day of November, 2013.

City Clerk

I hereby certify that on the ____ day of _____, 20____, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on _____, 20____.

County Treasurer

I hereby certify that on the ____ day of _____, 20____, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on _____, 20____.

Building Permit Official of the City of Cedar
Rapids, Iowa

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rob Davis, PE

Phone Number/Extension: 5820

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

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** ☒ **No Map**

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project. (CIP No. 301752-00)

Background:

Construction has been completed by Rathje Construction Co. for the Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project. This is a previously approved Capital Improvements Project (CIP No. 301752-00) with a final construction amount of \$2,010,929.18. Final amount proposed to be assessed to 6 (six) benefiting properties is \$116,670.00 as adopted by City Council on November 5, 2013. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. This November 19th action is the last in a series of Council actions in accordance with the provisions of the Iowa Code for special assessment (Chapter 384).

Action / Recommendation:

The Public Works Department recommends adoption of the resolution to adopt and levy the final assessment for the Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project (CIP No. 301752-00).

Alternative to the Recommendation:

None. The City Council previously approved the overall assessment amount at the November 5, 2013 Council meeting in accordance with City policy.

Time Sensitivity: Must be acted on by November 19, 2013 due to assessment schedule.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301752

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

RESOLUTION NO.

RESOLUTION ADOPTING AND LEVYING FINAL SCHEDULE OF ASSESSMENTS,
AND PROVIDING FOR THE PAYMENT THEREOF

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA:

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project (CIP No. 301752-00), within the City, under contract with Rathje Construction Co. of Marion, IA, which final plat and schedule was filed in the office of the Clerk on the 6th day of November, 2013 said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND DESCRIPTION <u>OF PROPERTY</u>	PROPOSED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	PROPOSED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	CORRECTED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>	CORRECTED FINAL CONDITIONAL DEFICIENCY, <u>IF ANY</u>
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None

BE IT FURTHER RESOLVED, that the said schedule of assessments and accompanying plat, be and the same are hereby approved and adopted; and that there be, and is hereby assessed and levied, as a special tax against and upon each of the lots, parts of lots and parcels of land, and the owner or owners thereof liable to assessment for the cost of said improvements, the respective sums expressed in figures set opposite to each of the same on account of the cost of the construction of the said improvements. Provided, further, that the amounts shown in said final schedule of assessments as deficiencies are found to be proper and are levied conditionally against the respective properties benefited by the improvements as shown in the schedule, subject to the provisions of Section 384.63, Code of Iowa. Said assessments against said lots and parcels of land are hereby declared to be in proportion to the special benefits conferred upon said property by said improvements, and not in excess thereof, and not in excess of 25% of the value of the same.

BE IT FURTHER RESOLVED, that said assessments of \$500 or more shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than \$500, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2014; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without

interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said final plat and schedule to the County Treasurer of Linn County, Iowa, and to publish notice of said certification once each week for two consecutive weeks in the Cedar Rapids Gazette, a newspaper printed wholly in the English language, published in Cedar Rapids, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the Clerk shall also send by ordinary mail to all property owners whose property is subject assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice, all as provided and directed by Code Section 384.60, Code of Iowa.

BE IT FURTHER RESOLVED, that the Clerk is directed to certify the deficiencies for lots specially benefited by the improvements, as shown in the final schedule of assessments, to the County Treasurer for recording in the Special Assessment Deficiencies Book and to the city official charged with responsibility for the issuance of building permits. Said deficiencies are conditionally assessed to the respective properties under Code Section 384.63 for the amortization period specified by law.

The Clerk is authorized and directed to ascertain the amount of assessments remaining unpaid after the thirty day period against which improvement bonds may be issued and to proceed on behalf of the City with the sale of said bonds, to select a date for the sale thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the sale of said bonds on a basis favorable to the City and acceptable to the Council.

PASSED AND APPROVED this 19th day of November, 2013.

Published in the Cedar Rapids Gazette 11/23/13 & 11/30/13
(Two publications required)

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR
THE CONSTRUCTION OF THE [EDGEWOOD ROAD SW FROM SOUTH OF CRANDIC RR TO
SOUTH OF 60TH AVENUE, PAVEMENT RECONSTRUCTION PROJECT \(CIP NO. 301752-00\)](#),
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE
[EDGEWOOD ROAD SW FROM SOUTH OF CRANDIC RR TO SOUTH OF 60TH AVENUE,
PAVEMENT RECONSTRUCTION PROJECT \(CIP NO. 301752-00\)](#) WITHIN THE CITY OF
CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

190732600300000 NW SW EX W 229.24' S 280' & EX RD 7 82 7
190732600400000 NW SW W 229.24' S 280' - EX RD 7 82 7
190735100100000 SW SW EX W275' S253' & EX RD 7 82 7
190735100200000 LANDS (LESS STS) W 275' S 253' SW SW 7-82-7
201240100100000 NE SE LYG SE'LY OF P.O.S #676- EX RD 12 82 8
201247600100000 SE SE EX P.O.S. #676 & EX RD 12 82 8

The extent of the work completed on the [Edgewood Road SW from South of CRANDIC RR
to South of 60th Avenue, Pavement Reconstruction project \(CIP No. 301752-00\)](#), is as follows:

[Grading, PCC paving of roadway and sidewalk, and associated work including
storm sewer, water main, and sanitary sewer construction.](#)

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the [Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project \(CIP No. 301752-00\)](#), for the construction of grading, PCC paving of roadway and sidewalk, and associated work including storm sewer, water main, and sanitary sewer construction improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

You are further notified that assessments may be paid in full or in part without interest at the office of the City Treasurer at any time within thirty days after the date of the first publication of this notice of the filing of the final plat and schedule of assessments with the County Treasurer. Unless said assessments are paid in full within said thirty day period, all unpaid assessments will draw annual interest computed at 9 percent (commencing on the date of acceptance of the work) computed to the next December 1st following the due dates of the respective installments. Each installment will be delinquent on September 30th following its due date on July 1st in each year. Property owners may elect to pay any annual installment semiannually in advance.

All properties located within the boundaries of the [Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project \(CIP No. 301752-00\)](#), above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

This Notice given by direction of the Council of the City of Cedar Rapids, Iowa, as prescribed by Code Section 384.60 of the City Code of Iowa.

Amy Stevenson
Clerk of the City of Cedar Rapids, Iowa

CERTIFICATE OF LEVY OF SPECIAL ASSESSMENTS
TO BE MADE BY THE CLERK OF CEDAR RAPIDS, IOWA,
AND FILED WITH THE COUNTY TREASURER OF LINN COUNTY,
IOWA AND THE CITY OFFICER CHARGED WITH ISSUANCE OF
BUILDING PERMITS

STATE OF IOWA

COUNTY OF LINN

I, Amy Stevenson, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 19th day of November, 2013, the said Council did levy special assessments for and on account of the cost of construction of the [Edgewood Road SW from South of CRANDIC RR to South of 60th Avenue, Pavement Reconstruction project \(CIP No. 301752-00\)](#), under contract with Rathje Construction Co. of Marion, Iowa, on the following or portions thereof, in said Municipality, to-wit:

190732600300000 NW SW EX W 229.24' S 280' & EX RD 7 82 7
190732600400000 NW SW W 229.24' S 280' - EX RD 7 82 7
190735100100000 SW SW EX W275' S253' & EX RD 7 82 7
190735100200000 LANDS (LESS STS) W 275' S 253' SW SW 7-82-7
201240100100000 NE SE LYG SE'LY OF P.O.S #676- EX RD 12 82 8
201247600100000 SE SE EX P.O.S. #676 & EX RD 12 82 8

That the district benefited and assessed for this cost of the improvement is described as follows:

[Edgewood Road SW from south of CRANDIC RR to south of 60th Avenue](#)

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1st following the due date of each installment. Interest commences on November 5, 2013, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500, are due and payable on July 1st following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1st) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

Special assessment deficiencies as set forth in the Schedule of Assessments are conditionally levied and are certified pursuant to Code Section 384.63. The period for amortization of special assessment deficiencies established by law and by action of the City Council is ten (10) years.

Assessments may be paid in full or in part at the office of the City Treasurer, within thirty days of the first publication of the notice of this filing of the final assessment schedule.

IT WITNESS WHEREOF, I have hereunto set my hand and official seal on the 19th day of November 2013.

City Clerk

I hereby certify that on the ____ day of _____, 20____, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on November 19th, 2013.

County Treasurer

I hereby certify that on the ____ day of _____, 20____, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on November 19th, 2013.

Building Permit Official of the City of Cedar
Rapids, Iowa

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 Roger L. French Addition located on the east side of 6th Street SW, south of Tharp Road SW. CIP/DID #FLPT-005177-2013

Background:

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

This plat contains twelve (12) lots and a total plat area of 44.39 acres.

Action / Recommendation:

The Public Works Department recommends approval of the resolution to approve Final Plat of Roger L. French Addition to Cedar Rapids, Linn County, Iowa.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): NA

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Policy not applicable to final platting subdivisions.

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

Explanation (if necessary):

ENG
DSD
SWM
BSD
PD
FIR
WTR
STR
IT
LC SHERIFF
AMBULANCE
POST OFFICE
FLPT-005177-2012
CRMFR# 12411

RESOLUTION NO.
RESOLUTION APPROVING PLAT

WHEREAS, A PLAT OF ROGER L. FRENCH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing twelve (12) lots, Numbered 1 through 9, both inclusive and lettered Lots A, B and C, 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. Development Agreement
2. Traffic Signal Petition and Assessment Agreement
3. Agreement for Private Storm Water Detention
4. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement
5. Concrete Pavement and Concrete Sidewalk Petition and Assessment Agreement
6. Agreement for Private Ownership of Lettered Lot C

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 Roger L. French to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically lettered Lot A (6th Street SW and French Court SW) and Lot B (Tharp Road 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.

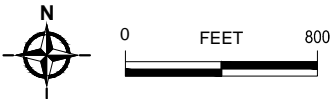
Passed this 19th day of November, 2013.



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4713\FINAL PLATS - ENERGO\FLPT-005177-2013 - Roger L French Addition\FLPT-005177-2013 Council Map.dwg



**FINAL PLAT OF
ROGER L. FRENCH ADDITION
Location Map**



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Tom Peterson, PE, PTOE
E-mail Address: t.peterson@cedar-rapids.org

Phone Number/Extension: 5847

Alternate Contact Person: Cari Pauli, EI
E-mail Address: c.pauli@cedar-rapids.org

Phone Number/Extension: 5157

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**
Resolution approving an all-way stop condition at the intersection of 27th Street and Prairie Drive NE. CIP/DID #60-14-031

Background:

Installation of sidewalks along Prairie Drive NE for a Safe Routes to School project will generate additional foot traffic to and from Franklin Middle School and Garfield Elementary School. Students will travel on the east side of Prairie Drive NE up to the 27th Street intersection where they will cross 27th Street. Currently the 27th Street and Prairie Drive NE intersection is two-way stop controlled, stopping Prairie Drive NE for 27th Street NE. This means that students will cross to the north side of 27th Street at an uncontrolled approach. Installing stop signs for 27th Street Drive NE making an all-way stop condition will make the school crossings safer for the schoolchildren. The traffic engineering division of the Public Works Department recommends establishing an all-way stop condition at this intersection.

Action / Recommendation:

The Public Works Department recommends approving the resolution for the establishment of an all-way stop condition at the intersection of 27th Street and Prairie Drive NE.

Alternative Recommendation:

Should the Council determine not to adopt the resolution for stop signs, the traffic control will remain as is.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): N/A

Local Preference Policy: Applies ☐ Exempt ☒

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

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, new sidewalk installation on Prairie Drive NE will increase schoolchildren pedestrian volumes along a route which crosses 27th Street NE at its intersection with Prairie Drive NE, which is uncontrolled, and

WHEREAS, the Traffic Engineering Division of the Public Works Department recommends that all-way stop control be established at the intersection of 27th Street and Prairie Drive NE in order to improve the safety of the schoolchildren walking/biking on the school route through the intersection of 27th Street and Prairie Drive NE,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that stop signs be installed on the east and west approaches of the intersection of 27th Street and Prairie Drive NE such that all-way stop control is established, be and the same is hereby approved.

Passed this 19th day of November, 2013



Cadd File Name: W:\PROJECTS\Non-CIP\2014\6014 Traffic Control Device Request\60-14-031 Council Map.dwg

Council Agenda Item Cover Sheet

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

Council Meeting Date: November 19, 2013

Submitting Department: Information Technology

Presenter at meeting: Consent **Phone No.:** **E-mail:**

Alternate Contact: Nic Roberts **Phone No.:** 5088 **E-mail:** n.roberts@cedar-rapids.org

Description of Agenda Item:

Resolution approving the Business Travel Report for Lyman Ring, Systems Analyst III, not to exceed \$4,600 for attending the Lenel On-Guard Direct Support User Hardware and User Access Control Essentials in Rochester, New York at a date to be determined in Fiscal Year 2014.

Background:

The City currently uses the Lenel On Guard software suite as the primary security access software. As this application changes and is enhanced by new features, IT staff need to stay current with changes. This training will enable Lyman to stay current on new software features and provide system administration.

Action / Recommendation:

The Information Technology Department recommends that City Council approve Lyman Ring's Business Travel Report for attending the Lenel On-Guard Direct Support User Hardware and user Access Control Essentials Training in Rochester, New York at a date to be determined in Fiscal Year 2014 in the amount not to exceed \$4,600.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Information Technology Cost of Conference/Training budget coded to 542102-101-109130

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Travel

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 Business Travel Report submitted by Lyman Ring, Systems Analyst III, be hereby approved for attending the Lenel On-Guard Direct Support User Hardware and Access Control Essentials in Rochester, New York at a date to be determined in Fiscal Year 2014 for a cost not to exceed \$4,600. The trip cost will be funded from the Information Technology Department's FY2013 Cost of Conference/Training Budget and coded to 542102-101-109130.

Passed this 19th day of November, 2013



Council Agenda Item Cover Sheet

Council Meeting Date: 11.19.13

Submitting Department: Council

Presenter at meeting: Mayor Corbett
Email:

Phone Number/Ext:

Alternate Contact Person:
Email:

Phone Number/Ext:

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

Resolution establishing the times and dates of regularly scheduled City Council meetings to be held in calendar year 2014. (NEW)

Background:

The City Council has met twice a month, on the second and fourth Tuesday, since June 2010 and wishes to continue this schedule in 2014. The October, November and December 2014 meetings will be moved to the first and third Tuesdays of the month due to avoid back to back meetings between October and November and due to holidays in November and December.

Action / Recommendation:

Approve the resolution

Alternative Recommendation:

Don't approve resolution and discuss options for a different Council meeting schedule.

Time Sensitivity:

Resolution Date: 11.19.13

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):

RESOLUTION NO.

WHEREAS, it is the desire of the Cedar Rapids City Council to establish the times and dates of its regularly scheduled meetings to be held in calendar year 2014.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the meeting schedule for calendar year 2014 is shown on Attachment A attached hereto.

Passed this 19th day of November, 2013.

Attachment A

2014 COUNCIL MEETING DATES

Date	Time
Tuesday, January 14	12:00 noon
Tuesday, January 28	4:00 p.m.
Tuesday, February 11	12:00 noon
Tuesday, February 25	4:00 p.m.
Tuesday, March 11	12:00 noon
Tuesday, March 25	4:00 p.m.
Tuesday, April 8	12:00 noon
Tuesday, April 22	4:00 p.m.
Tuesday, May 13	12:00 noon
Tuesday, May 27	4:00 p.m.
Tuesday, June 10	12:00 noon
Tuesday, June 24	4:00 p.m.
Tuesday, July 8	12:00 noon
Tuesday, July 22	4:00 p.m.
Tuesday, August 12	12:00 noon
Tuesday, August 26	4:00 p.m.
Tuesday, September 9	12:00 noon
Tuesday, September 23	4:00 p.m.
Tuesday, October 7*	12:00 noon
Tuesday, October 21*	4:00 p.m.
Tuesday, November 4*	12:00 noon
Tuesday, November 18*	4:00 p.m.
Tuesday, December 2*	12:00 noon
Tuesday, December 16*	4:00 p.m.

***first and third Tuesdays of the month to avoid back to back meetings
between October and November and due to holidays in November and December**

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: City Manager's Office

Presenter at meeting: Mayor Ron Corbett
Email:

Phone Number/Ext: 319-286-5051

Alternate Contact Person:
Email:

Phone Number/Ext:

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

Resolution authorizing a 4.8% wage increase for the City Manager according to the terms of his employment contract. CIP/DID #572668

Background:

The Mayor and City Council have recommended the City Manager receive a 4.8% wage increase based on their performance evaluation recently completed.

Action / Recommendation:

Adoption of attached resolution

Alternative Recommendation:

Request more information.

Time Sensitivity:

Resolution Date: November 19, 2013

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.

WHEREAS, the Employment Agreement between the City of Cedar Rapids and Jeffrey Pomeranz provides for an annual salary adjustment based upon a performance evaluation, and

WHEREAS, the performance evaluation for the period from September 20, 2012 to September, 19 2013 was completed on October 8, 2013, and

WHEREAS, as a result of the evaluation, the City Council recommends a 4.8% salary increase.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, AS FOLLOWS:

1. The annual salary to be paid to Jeff Pomeranz shall be increased by 4.8% effective as of September 20, 2013.

2. The Mayor and City Clerk are authorized to execute any and all documents, agreements or amendments as may be reasonably necessary to implement this action.

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item
Email:

Phone Number/Ext:

Alternate Contact Person: Rebecca Johnson
Email: r.johnson2@cedar-rapids.org

Phone Number/Ext: X5062

Description of Agenda Item:

Amendment No. 2 to renew Agreement for Welding Gases & Supplies with Matheson Linweld for an estimated annual amount of \$40,000 (original contract amount was \$35,000; renewal contract amount is \$35,000). CIP/DID #0911-045

Background:

Bids were solicited in 2011 to establish a citywide contract for the purchase of welding gases and supplies with two (2) bids received. The contract was awarded to Matheson Linweld as the overall lowest bidder. The term of the initial agreement was December 1, 2011 through November 30, 2012.

Amendment No. 2 to renew the Agreement extends the expiration date through November 30, 2014 with two (2) one-year renewal options remaining. The total annual expenditure for the renewal period is estimated to be \$35,000, funded from departmental operating budgets. Approximately \$25,000 of the total expenditure will be for the Water Pollution Control Facility, with the remaining \$10,000 estimated for all other departments combined.

Action / Recommendation:

Resolution authorizing execution of Amendment No. 2 to Agreement for Welding Gases & Supplies for an estimated annual amount of \$35,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Departmental operating budgets.

Local Preference Policy Applies ☒ Exempt ☐

Explanation:

Matheson Linweld is a local business but won the contract as the lowest bidder.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2011 for welding gases and supplies on an as-needed basis for various city departments; and

WHEREAS, responses were received from two (2) suppliers; and

WHEREAS, the contract was awarded to Matheson Linweld as the lowest bidder; and

WHEREAS, the term of the initial agreement was December 1, 2011 to November 30, 2012; and

WHEREAS, Amendment No. 2 extends the expiration date of the Agreement for Welding Gases and Supplies to November 30, 2014 with two one-year renewal options remaining; and

WHEREAS, the estimated annual amount is \$35,000, budgeted in departmental operating budgets; and

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 Matheson Linweld as described herein.

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rob Davis

Phone Number/Ext: 5808

Email: robd@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 6 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages with Triplett Interior Solutions for additional furnishings for a not-to-exceed \$11,845.16 (original contract amount was \$299,520.80; total contract amount with this amendment is \$364,004.21) (**FLOOD**). CIP/DID #0113-154

Background:

City Council awarded the Contract to Triplett Interior Solutions for Packages 1 and 10 of the City Services Center Furniture, Fixtures and Equipment (FF&E) project through Resolution No. 0504-03-13 for \$299,520.80. The City Manager signed Amendment No. 1 to the Contract on July 5, 2013 for the addition of glass stackers on aisle panels for \$22,527.11. City Council approved Amendment No. 2 to the Contract through Resolution No. 1199-07-13 for additional furniture such as pedestal and lateral files, tackboards, upper storage, task lighting, corner brackets and panel power for \$18,433.26. City Council approved Amendment No. 3 to the Contract through Resolution No. 1462-09-13 for glass panels in open office 131 and additional furnishings for the Assessor's Office for \$3,187.95. City Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 for forklift rental for two days for \$1,031.78. Amendment No. 5 was for additional Package 1 furnishings and painting of three file cabinets for \$7,458.15 through Resolution No. 1666-10-13.

Amendment No. 6 is for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for a not-to-exceed \$11,845.16.

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

Contract summary:

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13

Amendment No. 6	\$ 11,845.16	Not-to-exceed
Amended Contract Amount	\$364,004.21	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): PWE006

Local Preference Policy Applies ☐ Exempt ☒

Explanation: FEMA funded project

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

Explanation (if necessary):

RESOLUTION NO.

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

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

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

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

WHEREAS, Council approved Amendment No. 4 to the Contract through Resolution No. 1535-09-13 to add forklift rental for two days due to the elevators not being operational for \$1,031.78; and

WHEREAS, Council approved Amendment No. 5 to the Contract through Resolution No. 1666-10-13 for additional Package 1 furnishings and painting of three additional file cabinets for \$7,458.15; and

WHEREAS, Amendment No. 6 is for additional panels, overhead storage units and new work stations for Solid Waste and Dispatch and Building Services for a not-to-exceed \$11,845.16; and

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

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

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

Original Contract Amount	\$299,520.80	Resolution No. 0504-03-13
Amendment No. 1	\$ 22,527.11	Signed by the City Manager 07/05/13
Amendment No. 2	\$ 18,433.26	Resolution No. 1199-07-13
Amendment No. 3	\$ 3,187.95	Resolution No. 1462-09-13
Amendment No. 4	\$ 1,031.78	Resolution No. 1535-09-13
Amendment No. 5	\$ 7,458.15	Resolution No. 1666-10-13
Amendment No. 6	<u>\$ 11,845.16</u>	Not-to-exceed
Amended Contract Amount	\$364,004.21	

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. 6 with Triplett Interior Solutions as described herein.

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Sandi Fowler**Phone Number/Ext:** 5077**Email:** s.fowler@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Amendment No. 4 to the Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages project with Welter Storage Equipment to reflect the additional cost to add 3 HON ignition task chairs for employees at the new City Services Center for a not to exceed \$777. (original contract amount was \$58,251; total contract amount with this amendment is \$92,117) (**FLOOD**). CIP/DID # 0113-154

Background:

City Council awarded Packages 2, 3 and 9 to Welter Storage Equipment for the City Services Center Furniture, Fixtures and Equipment (FF&E) Packages project through Resolution No. 0505-03-13. This resolution is to add 3 HON Ignition task chairs for employees at the new City Services Center at \$259 each.

Neumann Monson Architects, the City's architect and designer for the City Services Center is recommending this change and the Public Works Department – Engineering Division concurs with this recommendation.

Contract summary:

Original Contract Amount	\$58,251
Amendment No. 1	\$ 0
Amendment No. 2	\$33,089
Amendment No. 3	\$ 0
Amendment No. 4	\$ 777
Amended Contract Amount	\$92,117

Resolution No. 0505-03-13
Not processed due to inaccuracy
Resolution No. 1198-07-13
Signed by the City Manager 9/25/13
not-to-exceed

Action / Recommendation: Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): PWE006

Local Preference Policy Applies ☐ Exempt ☒

Explanation: FEMA funded project

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department – Engineering Division and Welter Storage Equipment are parties to a Contract for City Services Center Furniture, Fixtures and Equipment (FF&E) Packages, authorized by Resolution No. 0505-03-13; and

WHEREAS, Amendment No. 1 to the Contract was not processed due to an inaccurate dollar amount; and

WHEREAS, Amendment No. 2 to the Contract was approved through Resolution No. 1198-07-13 and added six brackets per shelving unit for additional support and added 121 HON Ignition task chairs for \$33,089; and

WHEREAS, Amendment No. 3 to the Contract was signed by the City Manager on September 25, 2013 to extend the project completion date at no change in contract amount; and

WHEREAS, Amendment No. 4 is to add three HON Ignition task chairs for an additional \$777; and

WHEREAS, Neumann Monson Architects, the City's architect and designer for the City Services Center is recommending this change; and

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

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

Original Contract Amount	\$58,251	Resolution No. 0505-03-13
Amendment No. 1	\$ 0	Not processed due to inaccuracy
Amendment No. 2	\$33,089	Resolution No. 1198-07-13
Amendment No. 3	\$ 0	Signed by the City Manager 9/25/13
Amendment No. 4	<u>\$ 777</u>	not-to-exceed
Amended Contract Amount	\$92,117	

WHEREAS, this project is federally funded through FEMA.

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

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 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. 3 to the Contract for Library Furniture and Shelving for the Downtown Library with Storey Kenworthy for additional benches, tool tiles and rails for Facilities Management Room 138 for a not-to-exceed \$6,129.50 (original contract amount was \$307,560.18; total contract amount with this amendment is \$418,551.90) (**FLOOD**). CIP/DID #0612-242

Background:

City Council awarded the Contract for Sections 19, 25 and 30 for furniture for the Downtown Library to Storey Kenworthy 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 was approved through Council Resolution No. 1598-10-13 for additional furniture items and changes to some of the furnishings in Sections 19 and 30 for an additional \$105,034.84. Amendment No. 3 is for additional benches, tool tiles and rails for Facilities Management Room 138 for a not-to-exceed \$6,129.50.

Contract summary:

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	\$105,034.84	Resolution No. 1598-10-13
Amendment No. 3	<u>\$ 6,129.50</u>	Not-to-exceed
Amended Contract Amount	\$418,551.90	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 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, City Council approved Amendment No. 2 through Resolution No. 1598-10-13 for various changes and additions to Sections 19 and 30 for the furnishings in the Downtown Library for \$105,034.84; and

WHEREAS, Amendment No. 3 is for additional benches, tool tiles and rails for Facilities Management Room 138 for a not-to-exceed \$6,129.50; 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	\$105,034.84	Resolution No. 1598-10-13
Amendment No. 3	<u>\$ 6,129.50</u>	Not-to-exceed
Amended Contract Amount	\$418,551.90	

WHEREAS, this project is federally funded through FEMA.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 3 with Storey Kenworthy as described herein.

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 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. 4 to the Contract for Landfill Services for Biosolids with Millennium Waste Incorporated to reflect the additional cost for biosolid waste (sludge) removed from the former Animal Control Facility (previously the Water Pollution Control Facility) for an amount not to exceed \$60,000 (original contract amount was \$150,000; total contract amount with this amendment is \$210,000) (**FLOOD**). CIP/DID #0210-178

Background:

City Council approved Amendment No. 3 to renew the Contract for Landfill Services for Biosolids with Millennium Waste Incorporated through Resolution No. 0571-04-13. The contract period is May 1, 2013 through April 30, 2014.

Amendment No. 4 is for landfill services for biosolid waste (sludge) removed from the former Animal Control Facility (previously the Water Pollution Control Facility), 1401 Cedar Bend Lane SW, Cedar Rapids, Iowa. An estimated 3,000 tons of biosolid waste (sludge) will be landfilled prior to December 7, 2013 at the contracted price of \$20/ton.

Action / Recommendation: Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** November 19, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 522104-330-330720-PDE001**Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** FEMA funded

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Water Pollution Control Facility and Millennium Waste Incorporated are parties to a Contract for landfill services for biosolids on an as-needed basis; and

WHEREAS, Amendment No. 4 to the Contract is to include landfill services for biosolid waste (sludge) discovered in two sealed digester tanks during demolition of the former Animal Control Facility (previously the Water Pollution Control Facility), 1401 Cedar Bend Lane SW, Cedar Rapids, Iowa; and

WHEREAS, there is an estimated 3,000 tons of biosolid waste to be landfilled no later than December 7, 2013; and

WHEREAS, the landfill cost is \$20 per ton, which is the contracted price; and

WHEREAS, a cost summary is as follows:

Amendment No. 3 to renew the Contract	\$150,000	Resolution No. 0571-04-13
Amendment No. 4	<u>\$ 60,000</u>	Not-to-exceed
Total, not-to-exceed	\$210,000	

WHEREAS, this project is federally funded through FEMA.

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

Passed this 19th day of November, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: 11-19-13

Submitting Department: Finance – Purchasing Services

Presenter at meeting: John Riggs **Phone Number/Ext:** X5981
Email: j.riggs@cedar-rapids.org

Alternate Contact Person: **Phone Number/Ext:**
Email:

Description of Agenda Item:

Amending Amendments 1-7 and Resolution Nos. 0623-04-13, 1299-08-13 and 1467-09-13 and authorizing execution of Amendment No. 8 to contract for Environmental Remediation and Demolition Services for the former Animal Control Facility project with Active Thermal Concepts, Inc. to reflect additional work as a result of a discovery item for an amount not to exceed \$112,966.80 (original contract amount was \$103,469; total amount with this amendment is \$400,997.35) (**FLOOD**). CIP/DID #1112-112

Background:

This Project consists of the environmental remediation services (abatement of asbestos and hazardous material) and demolition services at the former Animal Control Facility (GPN #15322-26001-00000) located at 1401 Cedar Bend Lane SW, Cedar Rapids. This facility was previously the City's Water Pollution Control Facility. This project includes four (4) structures including the two (2) concrete tanks attached to the main admin structure, the rectangular tank on the north side of the building labeled "sick bay", miscellaneous construction debris (C&D) scattered within the fenced in area, a propane tank and the surrounding chain link fence.

The contract summary section of Amendments 1-7 and Resolutions No. 0623-04-13, 1299-08-13 and 1467-09-13 stated an incorrect resolution number for the original contract. The original contract was adopted by Resolution No. 0080-01-13.

During the demolition process biosolid waste (sludge) was discovered in the two sealed digester tanks and work was required during the time period of May 27, 2013 through June 21, 2013 at the site in preparation for the removal of the biosolid waste (sludge) as follows:

Active Thermal Concepts constructed a temporary road and loading pad around the two digester tanks. This work included raising the soil level approximately 8' over approximately a 5,000 square foot area including ramp pads to allow equipment and semi-trucks to stage near the tanks for loading of the biosolid waste (sludge). This work shall not exceed \$19,091.00 to complete and only include the road preparations; and

Active Thermal Concepts removed the digester tank lids and a portion of the tank concrete walls manually to avoid contaminating the structural materials and creating a Special Hazardous Waste disposal condition. This work included and allowed the use of a crane, excavator, cutting torches and manual labor to complete the specific work prior to pumping of the biosolid waste (sludge).

This portion shall not exceed \$37,350.00; and

Active Thermal Concepts mobilized leak proof sealed shipping containers for the removal of the biosolid waste (sludge). This portion is only for the mobilization fees associated with the sealed containers delivery to 1401 Cedar Bend LN SW. This portion shall not exceed \$ 4,450.00; and

The amount of discovered biosolid waste (sludge) has increased. It is estimated that there are 900 additional cubic yards of biosolid waste (sludge) as follows:

Description	Firm Fixed Price	Estimated Qty	Extended Price
Active Thermal			
Loading biosolid waste (sludge)	\$10.605 per cu yd	135 cu yds	
(10 cubic yards per load)	106.05 per load	13.5 loads	1,431.675
Trucking to landfill, including tipping time	\$47.257 per cu yd	135 cu yds	
(10 cubic yards per load)	472.57 per load	13.5 loads	6,379.695
Mike McMurrin Trucking, Inc.			
Loading biosolid waste (sludge)	\$10.605 per cu yd	765 cu yds	
(15 cubic yards per load)	159.075 per load	51 loads	8,112.825
Trucking to landfill, including tipping time	\$47.257 per cu yd	765 cu yds	
(15 cubic yards per load)	708.855 per load	51 loads	36,151.605
Total			\$ 52,075.80

Summary of Amendment No. 8:

Work to construct a temporary road and loading pad	19,091.00
Work to remove the digester tank lids and a portion of the tank concrete walls	37,350.00
Work to mobilize leak proof and sealed shipping containers for the removal of the biosolid waste (sludge)	4,450.00
Amount of biosolid waste (sludge) increase by 900 cubic yards	52,075.80
Total of Amendment No. 8, Not to Exceed	\$112,966.80

Summary of contract to date:

Original Contract	103,469.00	Resolution No. 0080-01-13
Amendment No. 1	0	Extending term through April 5, 2013
Amendment No. 2	0	Extending term through May 3, 2013
Amendment No. 3	12,213.00	Resolution No. 0623-04-13
Amendment No. 4	0	To extend term and to revise and clarify scope
Amendment No. 5	62,410.75	Resolution No. 1299-08-13
Amendment No. 6	109,937.80	Resolution No. 1467-09-13
Amendment No. 7	0	To identify approved subcontractor
Amendment No. 8	112,966.80	Work as described in background above
Total	\$ 400,997.35	Not to exceed, except by written amendment

Action / Recommendation:

That the City Manager be authorized to sign Amendment No. 8 as described above.

Alternative Recommendation: None

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

Resolution Date: 11-19-13

Estimated Presentation Time: 2 minutes

Budget Information (if applicable): 522104-330-330720-PDE001

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Federally Funded Project - FEMA

Recommended by Council Committee	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Explanation (if necessary):			

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Active Thermal Concepts, Inc. are parties to a Contract whereby Active Thermal Concepts provides Environmental Remediation and Demolition Services for the Former Animal Control Facility (previously the Water Pollution Control Facility), 1401 Cedar Bend Lane SW, Cedar Rapids, Iowa; and

WHEREAS, the services were solicited in November 2012 by a Request for Bid process (RFB #1112-112); and

WHEREAS, the contract summary section of Amendments 1-7 and Resolutions No. 0623-04-13, 1299-08-13 and 1467-09-13 stated an incorrect resolution number for the original contract. The original contract was adopted by Resolution No. 0080-01-13; and

WHEREAS, the City and Active Thermal Concepts are desirous of amending the Contract, authorized by Resolution No. 0080-01-13 on January 8, 2013; and

WHEREAS, during the demolition process biosolid waste (sludge) was discovered in the two sealed digester tanks located on the demolition site. Work was required at the site in preparation for the removal of the biosolid waste (sludge) including the construction of a temporary road and loading pad, the removal of the digester tank lids and a portion of the tank concrete walls and the mobilization of leak proof sealed shipping containers; and

WHEREAS, there is an additional estimated amount of 900 cubic yards of biosolid waste (sludge) remaining. Active Thermal Concepts shall remove the sludge and deliver it to Millennium Waste, Inc. in Milan, Illinois. Active Thermal Concepts shall adhere to the landfill's requirements for delivery times and quantities allowed per day for this type of material. Work shall commence once approved and continue until all material is removed. Only landfill related delays shall be acceptable; and

WHEREAS, the prices stated below do not include any landfill tipping fees; and

WHEREAS, the pricing breakdown for Amendment No. 8 is as follows:

Work to construct a temporary road and loading pad	19,091.00
Work to remove the digester tank lids and a portion of the tank concrete walls	37,350.00
Work to mobilize leak proof and sealed shipping containers for the removal of the biosolid waste (sludge)	4,450.00
Amount of biosolid waste (sludge) increase by 900 cubic yards	52,075.80
Total of Amendment No. 8, Not to Exceed	\$112,966.80

AND, WHEREAS, a summary of the contract to date is as follows:

Original Contract	103,469.00	Resolution No. 0080-01-13
Amendment No. 1	0	Extending term through April 5, 2013
Amendment No. 2	0	Extending term through May 3, 2013
Amendment No. 3	12,213.00	Resolution No. 0623-04-13
Amendment No. 4	0	To extend term and to revise and clarify scope
Amendment No. 5	62,410.75	Resolution No. 1299-08-13
Amendment No. 6	109,937.80	Resolution No. 1467-09-13
Amendment No. 7	0	To identify approved subcontractor
Amendment No. 8	112,966.80	Work as described above
Total	\$ 400,997.35	Not to exceed, except by written amendment

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Amendments 1-7 and Resolutions No. 0623-04-13, 1299-08-13 and 1467-09-13 shall be amended as stated above; and

BE IT FURTHER 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 authorized to execute Amendment No. 8 in the amount of \$112,966.80 as described herein.

Passed this 19th day of November 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5808

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**

Resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$90,000 for final design services in connection with the Cottage Grove Parkway Flood Protection project (original contract amount was \$120,000; total contract amount with this amendment is \$210,000). CIP/DID #304224-02

Background:

The Sun Valley neighborhood has been subject to three flooding events from Indian Creek in the last eight years.

The City has evaluated several alternatives to reduce the flood risk to Cottage Grove Parkway and the Sunland Drive and Sunland Court neighborhoods. It has been determined an earth berm constructed on the south side of Cottage Grove Parkway to the FEMA (Federal Emergency Management Agency) 1% flood elevation, plus free board will provide the best alternative.

This amendment provides for additional design services not included in the original contract.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. specifying an increased amount not to exceed \$90,000.

Alternative Recommendation:

The City Council could choose to not approve this agreement, and request City staff to perform all or a portion of the professional services included in the Agreement. City staff has the ability, but not the availability to perform these design services at this time.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☒ Exempt ☐

Explanation: Local preference was considered with the design services selection and Anderson-Bogert Engineers & Surveyors, Inc. is a qualified local firm in Cedar Rapids.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. to provide professional services for the Cottage Grove Parkway Flood Protection project (CIP 304224-02), and

WHEREAS, the Public Works Director / City Engineer recommends to amend the scope of services as indicated in the original agreement, and

WHEREAS, the following provisions shall be added to the scope of services;

Anderson-Bogert Engineers & Surveyors, Inc. shall provide additional design services, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. in the amount of \$90,000 for the Cottage Grove Parkway Flood Protection project (304224-02). A summary of the contract amendments for this contract is as follows:

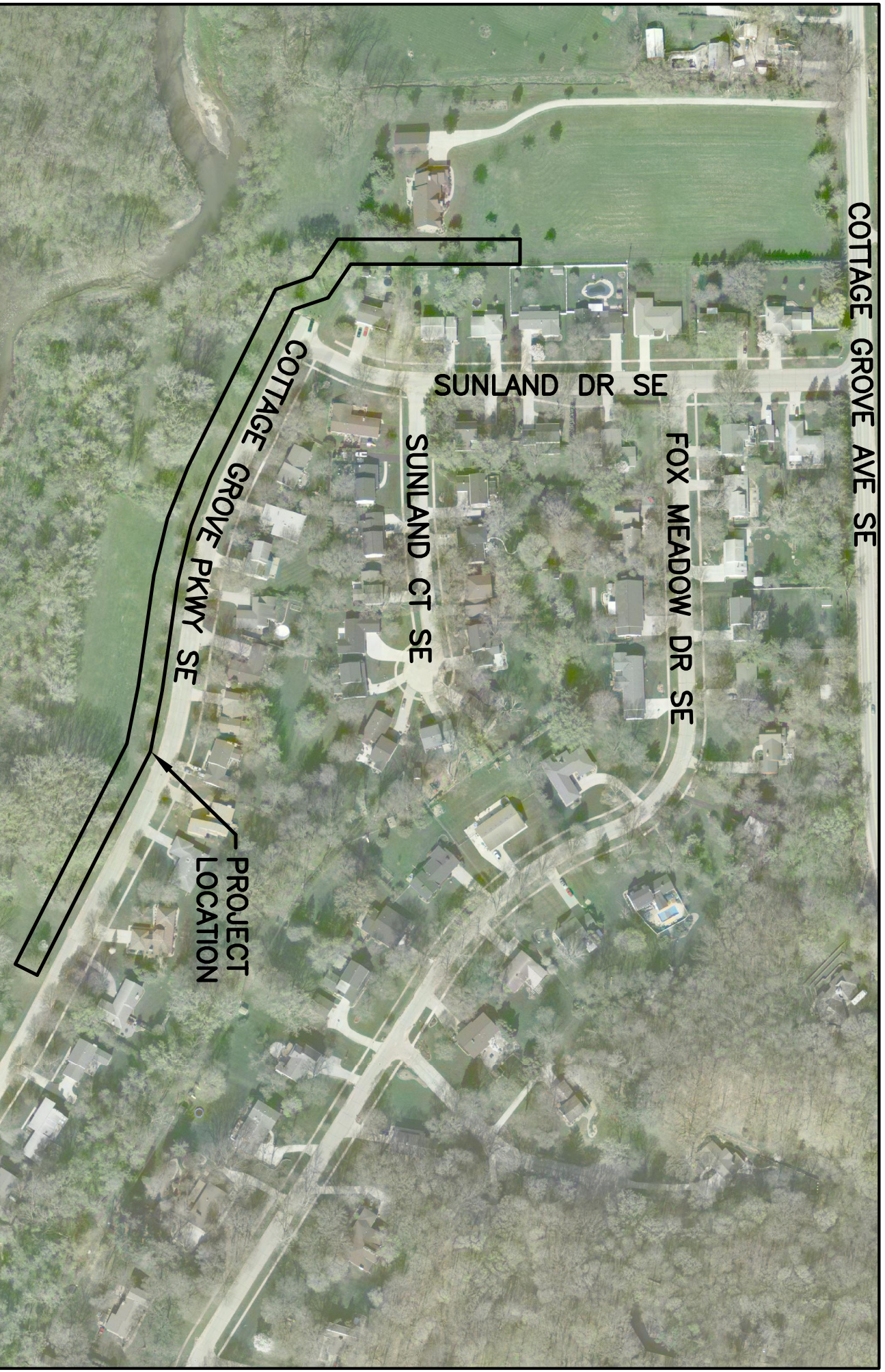
Original Contract Amount:	\$120,000
Amendment No. 2	\$90,000

Amended Contract Amount	\$210,000

General ledger coding for this amendment to be as follows:

Fund 304, Dept ID 304000 Project 304224	\$90,000
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Passed this 19th day of November, 2013



COTTAGE GROVE AVE SE

FOX MEADOW DR SE

SUNLAND DR SE

SUNLAND CT SE

COTTAGE GROVE PKWY SE

PROJECT
LOCATION



SCALE: NONE

COTTAGE GROVE PARKWAY FLOOD PROTECTION PROJECT



CEDAR RAPIDS
City Of Five Seasons

304224



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: 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**

Resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with Alltrans, Inc. specifying an increased amount not to exceed \$2,500 for design services in connection with the 18th Street NW from Zika Avenue to Meiers Court Drainage Improvements project (original contract amount was \$25,589; total contract amount with this amendment is \$28,089.) CIP/DID #304363-01

Background:

A drainage issue has been identified on 18th Street NW between Zika Avenue and Meiers Court. This project is for the installation of new storm sewer along 18th Street and north of Meiers Court to alleviate the drainage issue. This project has been broken into two bid sets. The first phase of the project was let in October 2013 and is expected to be completed by December 2013. The remainder of the project will be let in January 2014 and completed in the spring of 2014.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Alltrans, Inc. specifying an increased amount not to exceed \$2,500.

Alternative Recommendation:

Staff will need to review other options for completing the design of the project. City staff has the ability, but not the availability to perform these design services at this time.

Time Sensitivity: Normal

Resolution Date: November 19, 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.

WHEREAS it has been determined that drainage needs to be addressed in the area of 18th Street NW from Zika Avenue to Meiers Court, and

WHEREAS, to accommodate residents' request to complete the portion of the project north of Meiers Court yet this fall, the project was split into two bid packages, which necessitated an amendment to the professional services agreement with Alltrans, Inc. due to the change in scope and contract schedule, and

WHEREAS, the Public Works Director / City Engineer recommends the City execute Amendment No. 2 to contract No. 304363-01 with the firm noted herein, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the professional services agreement with Alltrans, Inc. in the amount of \$2,500 for the 18th Street NW from Zika Avenue to Meiers Court Drainage Improvements project (304363-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount Authorized:	\$23,263
Amendment No. 1 (Contingency release)	\$2,326
Amendment No. 2	\$2,500
	<hr/>
Amended Contract Amount	\$28,089

General ledger coding for this amendment to be as follows:

Fund 304, Dept ID 304000 Project 304363	\$2,500
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Passed this 19th day of November, 2013





Council Agenda Item Cover Sheet

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**

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$15,100 and a release of contingency of \$24,900 for engineering services in connection with the Prairie Creek from West of 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project (original contract price was \$274,800; total contract price with this amendment is \$289,900). CIP/DID #655028-07

Background:

This project involves constructing sanitary sewer capacity improvements adjacent to Prairie Creek from West of 6th Street SW to J Street SW. Portions of a future multi-use trail are located within the proposed project limits. Included in this amendment are additional design services relating to the development of two alternative multi-use trail concepts from Bowling Street SW to Edgewood Road SW.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services amendment with Snyder & Associates, Inc.

Alternative Recommendation:

Alternatives to the recommendation include deferring proposed planning services to a future capital improvements project.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 655028 (\$289,900)

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 entered into a Professional Services Agreement with Snyder and Associates, Inc. to provide engineering design services for the Prairie Creek from West of 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project (Contract No. 655028-07), and

WHEREAS, portions of a future multi-use trail are located within the proposed project limits and coordination of a future multi-use trail with this project is necessary to minimize future costs and issues, and

WHEREAS, additional design services are necessary to develop alternative concept trail alignments for the future Prairie Creek multi-use trail from Bowling Street SW to Edgewood Road SW, and

WHEREAS, the Public Works Director / City Engineer recommends amending the scope of services to provide the additional design services,

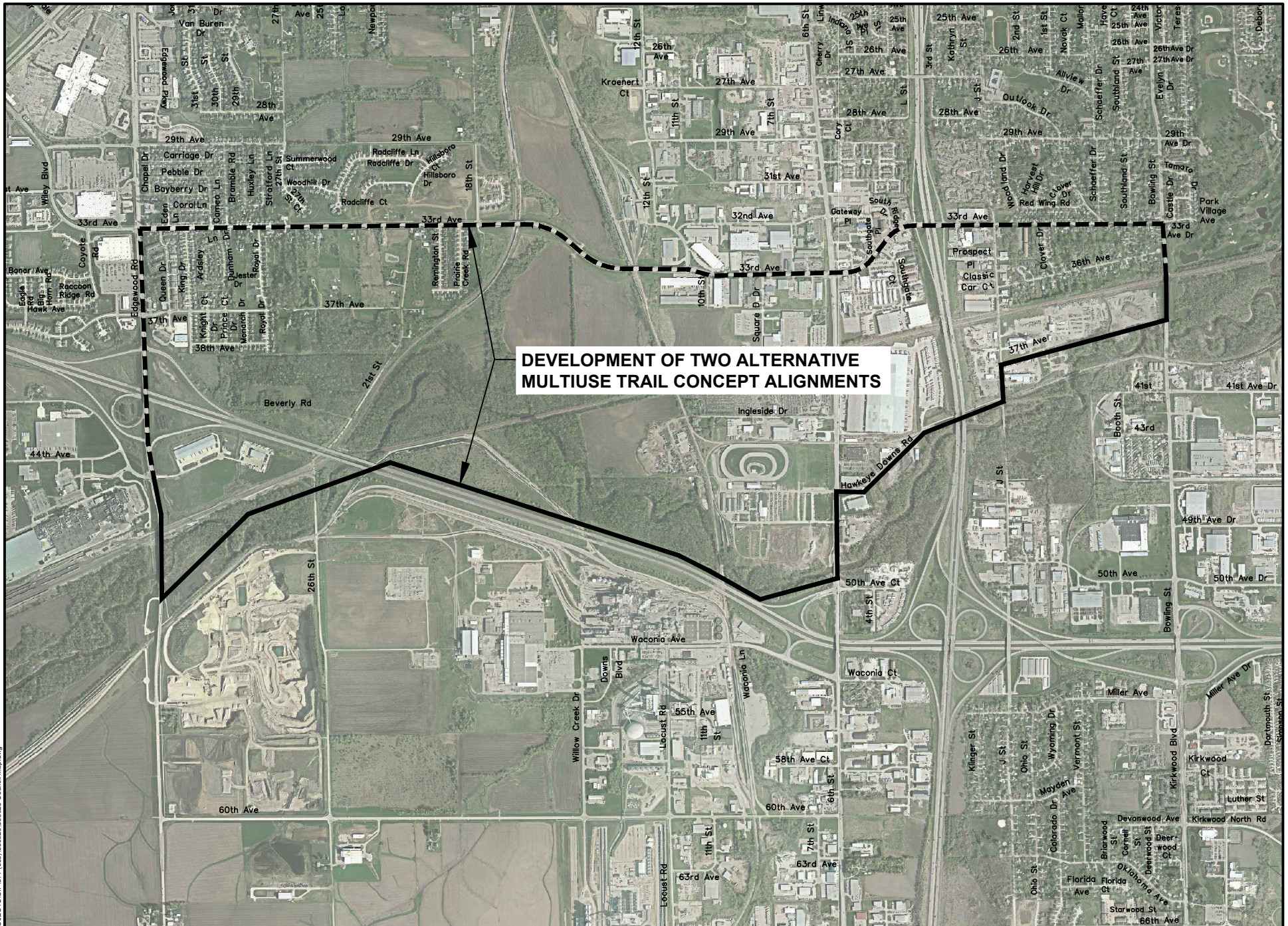
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 1 to the Professional Service Agreement with Snyder and Associates, Inc. for the Prairie Creek from West of 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project (Contract No. 655028-07) to increase the contract amount by \$15,100 and release contingency funds in the amount of \$24,900, for a net contract change of \$15,100. A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$274,800
Amendment No. 1	\$15,100
Amended Contract Amount	<hr/> \$289,900

General ledger coding for this amendment to be as follows:

Fund 655, Dept ID 655000 Project 655028	\$15,100
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Passed this 19th day of November, 2013





Council Agenda Item Cover Sheet

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**

Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$3,300 for engineering services in connection with the Valley Brook Drive SE Channel Restoration Improvements project (original contract amount was \$79,959; total contract amount with this amendment is \$90,759.) CIP/DID #304141-01

Background:

This project involves the grading and installation of rock riprap to control stream bank erosion near Valley Brook Drive SE in the 6400 block. During design development, it was discovered that an existing public storm sewer system crosses private property. Currently permanent recorded easements for maintenance and protection of the public utility infrastructure does not exist. The intent of this amendment is to include engineering services for the development of two permanent drainage easement exhibits.

Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 3 of the Professional Services Agreement with Foth Infrastructure and Environment, LLC specifying an increased amount not to exceed \$3,300.

Alternative Recommendation:

Alternatives to the recommendation include deferring permanent easement preparation until City staff has availability to develop.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 304141 (\$395,285 – CDBG Grant)

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Grant –funded project

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids entered into a Professional Services Agreement with Foth Infrastructure and Environment, LLC to provide engineering design services for the Valley Brook Drive SE Channel Restoration Improvements project (Contract No. 304141-01), and

WHEREAS, during design development, it was discovered that an existing public storm sewer system crosses private property requiring additional services for the development of two permanent drainage easement exhibits, and

WHEREAS, the Public Works Director / City Engineer recommends amending the scope of services as indicated in the original agreement to provide the additional services,

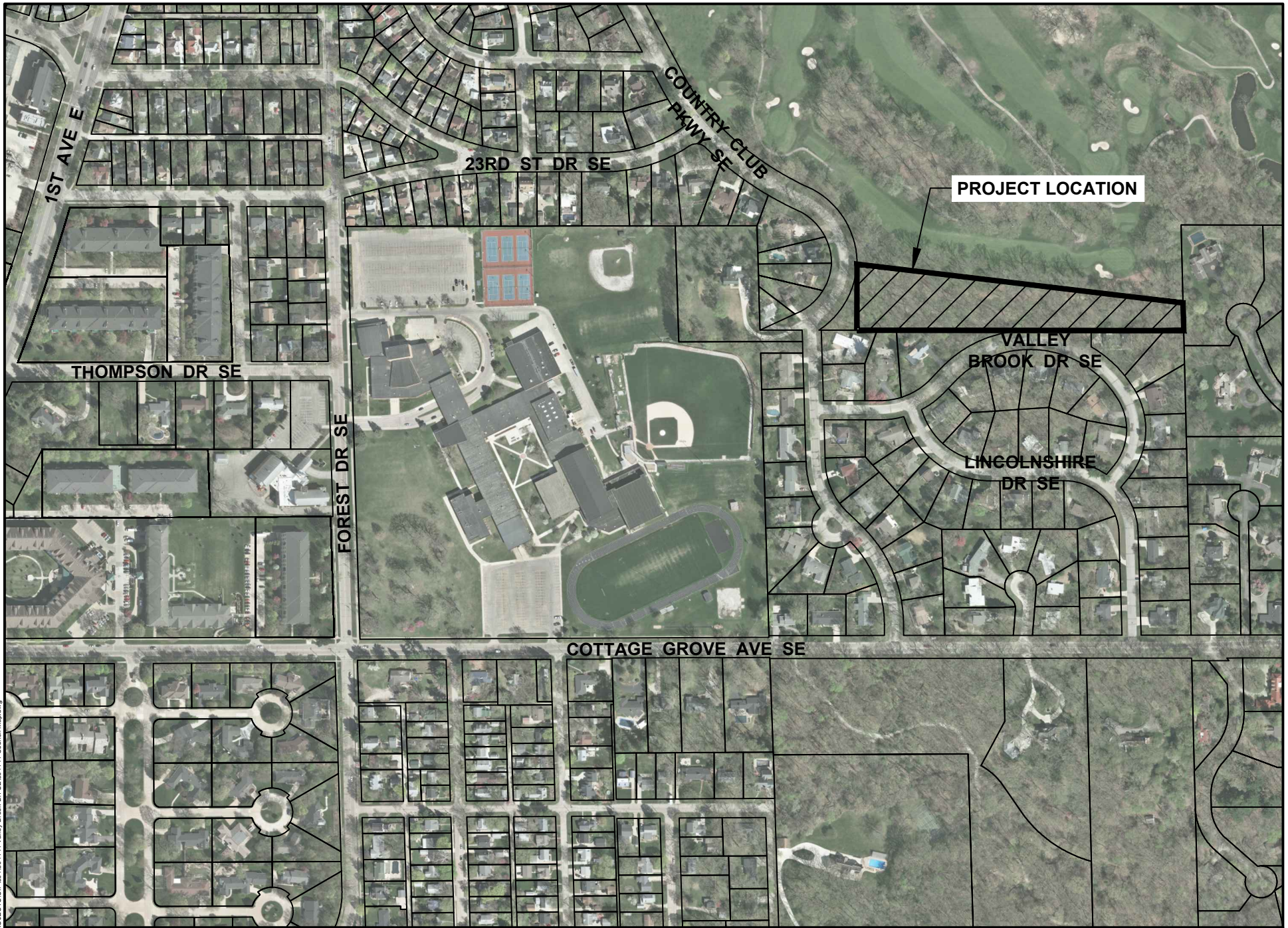
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to execute Amendment No. 3 to the Professional Services Agreement with Foth Infrastructure and Environment, LLC in the amount of \$3,300 for the Valley Brook Drive SE Channel Restoration Improvements project (Contract No. 304141-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$79,959.00
Amendment No. 1	\$0.00
Amendment No. 2	\$7,500.00
Amendment No. 3	\$3,300.00
	<hr/>
Amended Contract Amount	\$90,759.00

General ledger coding for this amendment to be as follows:

Fund 304, Dept ID 304000 Project 304141	\$3,300
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Passed this 19th day of November, 2013



PROJECT LOCATION



VALLEY BROOK DRIVE SE CHANNEL RESTORATION IMPROVEMENTS PROJECT



Cadd File Name: W:\PROJECTS\CIP\304141 Valley Brook Dr. SE\304141 Council Map.dwg



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Bob Pasicznyuk

Phone Number/Ext: 398-5123

Email: pasicznyukb@crlibrary.org

Description of Agenda Item:

Resolution amending Resolution No. 0227-02-12 to revise the expiration date to match the Agreement for the Opening Day Collection for the Cedar Rapids Public Library with Baker & Taylor, Inc. (original amount was \$4,000,000 which remains unchanged) (**FLOOD**). CIP/DID #1011-071

Background:

Proposals were solicited on behalf of the Library for the Opening Day Collection with six (6) proposals submitted. A Contract was executed with Baker & Taylor, Inc. for the period of February 14, 2012 through December 31, 2014.

This Resolution is to amend Resolution No. 0227-02-12 which states that the Contract period was February 14, 2012 through December 31, 2013. The expiration date is revised to match the expiration date on the Contract. The total amount not to exceed \$4,000,000 remains unchanged.

Action / Recommendation:

Resolution amending Resolution No. 0227-02-12 to revise the expiration date from December 31, 2013 to December 31, 2014 as stated in Contract #1011-071 executed by the City Manager on February 15, 2012.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Funds are allocated on project worksheet #PLE002 for FEMA reimbursement.

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

Local preference does not apply for projects funded by FEMA.

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited proposals in 2011 for the Opening Day Collection for the Cedar Rapids Public Library; and

WHEREAS, award of the Contract to Baker & Taylor, Inc. was authorized by Resolution No. 0227-02-12 for the period of February 14, 2012 to December 31, 2013; and

WHEREAS, a Contract for the period of February 14, 2012 to December 31, 2014 was executed by the City Manager on February 15, 2013; and

WHEREAS, the original expiration date authorized by Resolution No. 0227-02-12 shall be revised to December 31, 2014 as reflected in the signed Contract; and

WHEREAS, the total expenditure remains unchanged at a not to exceed amount of \$4,000,000, funded by FEMA; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Resolution No. 0227-02-12 be amended to reflect an expiration date of December 31, 2014 as described herein.

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Loren Snell, P.E.
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**
 Authorizing Change Order No. 5 deducting the amount of \$6,667.60 with Vieth Construction Corporation for the Polk Elementary Sidewalks project (original contract amount was \$111,947.50; total contract amount with this amendment is \$122,849.92). CIP/DID #3012024-01

Background:

This change order is for final measured quantities of work installed to complete the project as per the approved plans. No significant changes to the project were made leading to these decreased quantities. Fence removal was not necessary to build the improvements.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 5 submitted by Vieth Construction Corporation.

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: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Project funding is through a federal Safe Routes to School (SRTS) grant.

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

Explanation (if necessary): This project was presented and discussed at the April 17, 2012 Infrastructure Committee meeting.

ENG
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FIN
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VIETH
IDOT
3012024-01

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 deducting the amount of \$6,667.60 with Vieth Construction Corporation for the Polk Elementary Sidewalks project (Contract No. 3012024-01) (IDOT No. STRS-U-1187(756)—8U-57). A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$111,947.50
Change Order No. 1	2,871.00
Change Order No. 2	12,876.02
Change Order No. 3	833.00
Change Order No. 4	990.00
Change Order No. 5	<u>(6,667.60)</u>
Amended Contract Amount	\$122,849.92

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

(\$6,667.60) Fund 301, Dept ID 301000 Project 3012024

Passed this 19th day of November, 2013.





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

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

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda**
 Authorizing Change Order No. 20 (Revised Final) in the amount of \$25,055 with Modern Piping, Inc. for the Cedar Rapids Convention Complex – Mechanical project (original contract amount was \$10,917,000; total contract amount with this amendment is \$12,200,205). CIP/DID #535100-24

Background:

WCD=Work Change Directive

WCD #32	Additional costs incurred to perform video exploration, identification, and removal of debris in the Arena sanitary sewer piping that was determined to have caused the June 1, 2013 sewage back-up.	\$5,348
WCD #33	Additional costs to replace shaft bearings, gaskets, and seals on existing Arena Condenser Pumps P1 and P4	\$5,460
	Additional costs to replace damaged shaft and impeller on existing Arena Condenser Pump P1. Work to include disassembly, installation of replacement components, reassembly, laser alignment, and equipment start-up.	\$14,247

Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend approval of Change Order No. 20 (Revised Final) submitted by Modern Piping Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable)

Local Preference Policy: Applies ☐ Exempt ☒

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

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

Explanation (if necessary):

ENG
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MODERN PIPING
FREW
535100-24

RESOLUTION NO.

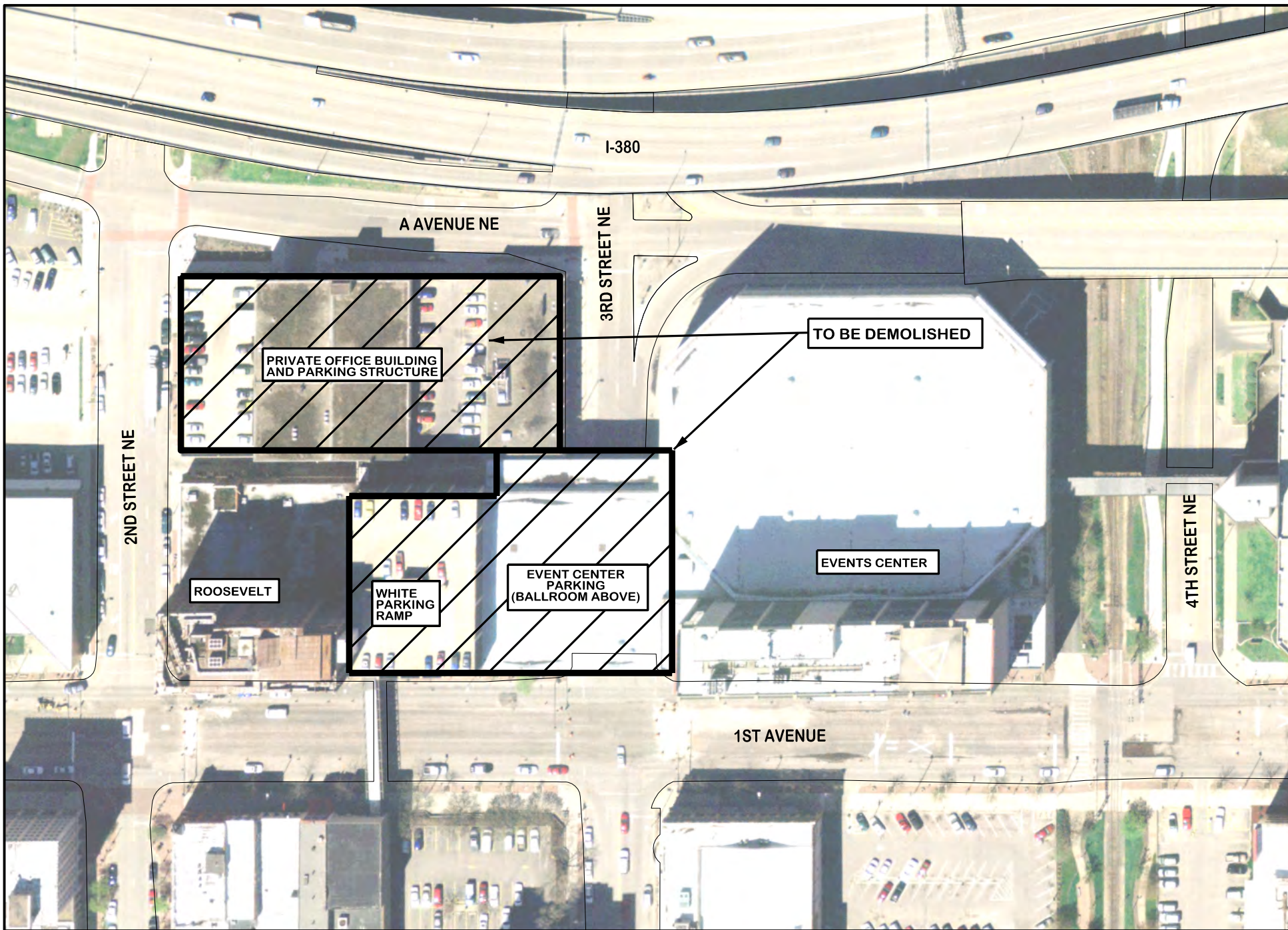
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 20 (Revised Final) in the amount of \$25,055 with Modern Piping Inc. for the Cedar Rapids Convention Complex - Mechanical project, Contract No. 535100-24. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$10,917,000
Change Order No. 1	\$0
Change Order No. 2	(25,634)
Change Order No. 3	12,055
Change Order No. 4	142,761
Change Order No. 5	38,377
Change Order No. 6	42,168
Change Order No. 7	28,975
Change Order No. 8	69,432
Change Order No. 9	227,732
Change Order No. 10	30,110
Change Order No. 11	0
Change Order No. 12	182,548
Change Order No. 13	31,832
Change Order No. 14	16,640
Change Order No. 15	223,402
Change Order No. 16	15,088
Change Order No. 17	4,960
Change Order No. 18	203,827
Change Order No. 19	13,877
Change Order No. 20 Revised Final	<u>25,055</u>
Amended Contract Amount	\$12,200,205

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

\$25,055 535-535000-535100

Passed this 19th day of November, 2013



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





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: Doug Carper, PE
E-mail Address: d.carper@cedar-rapids.org

Phone Number/Extension: 5258

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

Authorizing Change Order No. 2 in the amount of \$44,518.89 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE project (original contract amount was \$377,390.75; total contract amount with this amendment is \$432,150.99). CIP/DID #3012057-02

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. The addendum came out with a change in ducts from 2" to 4" which was not on the bid document. Waterproof membranes were installed over vaults to prevent water from getting below the sidewalk. The existing manhole castings and lids were cracked and needed replaced. The water shutoff was in the sidewalk and needed a casting for proper installation.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by L.L. Pelling Company, 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: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

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

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

Explanation (if necessary): Infrastructure Committee

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LL PELLING
3012057-02

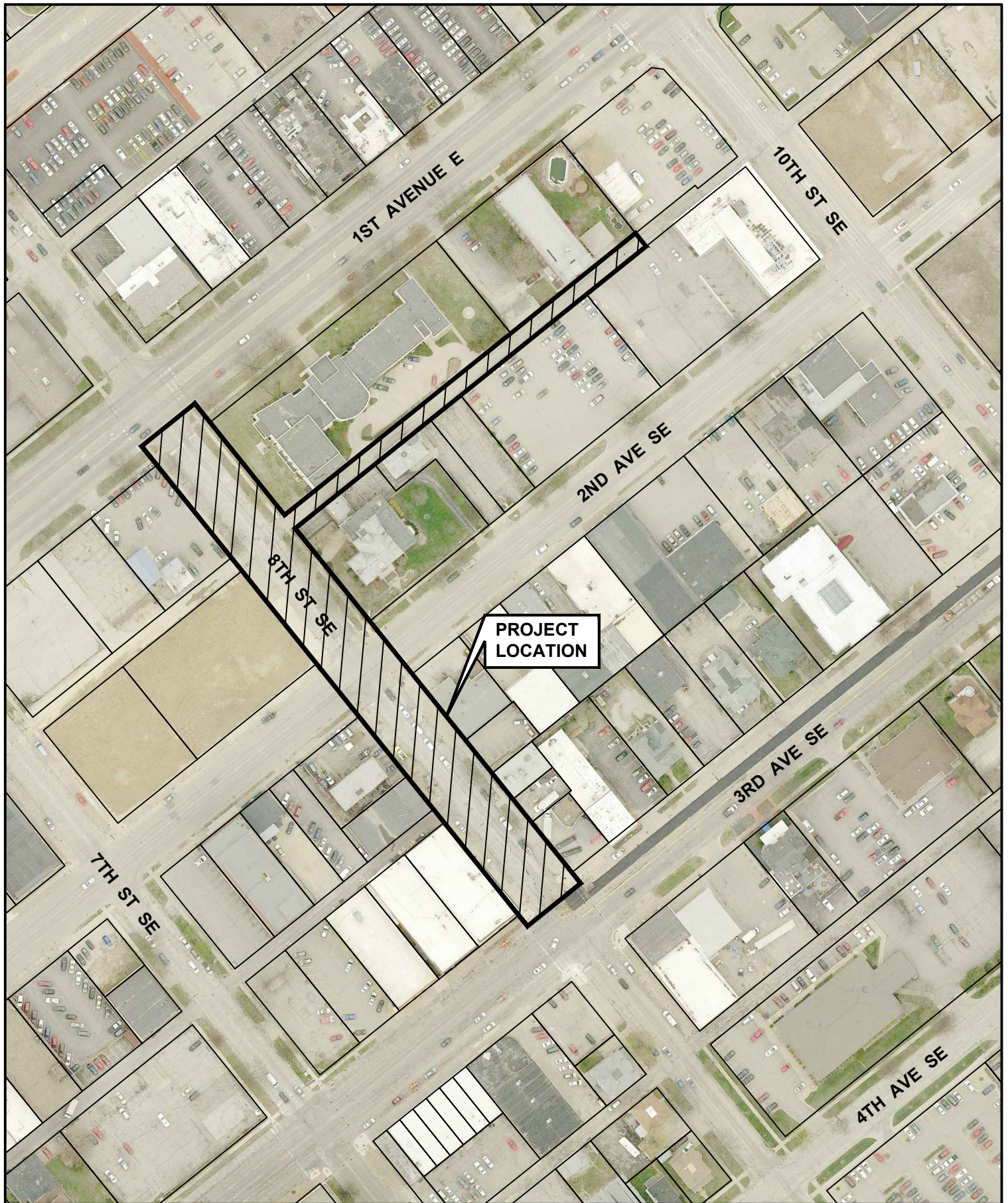
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$44,518.89 with L.L. Pelling Company, Inc. for the 8th Street SE Rehabilitation from 1st Avenue E to 3rd Avenue SE, Contract No. 3012057-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$353,890.75
Possible Incentive	23,500.00
Change Order No. 1	10,241.35
Change Order No. 2	<u>44,518.89</u>
Amended Contract Amount	\$432,150.99

General ledger coding for this Change Order to be as follows: \$44,322.83 301-301000-30185-3012057, \$196.06 625-625000-625884-6252013062

Passed this 19th day of November, 2013.





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Amy Schirm

Phone Number/Extension: 5883

E-mail Address: a.schirm@cedar-rapids.org

Alternate Contact Person: Rita Rasmussen

Phone Number/Extension: 5807

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

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

Resolution authorizing execution of an Agreement in the amount of \$53,500, and accepting additional right-of-way, permanent easements, and temporary easements for construction from the Cedar Rapids Airport Commission from land located on the south side of 76th Avenue SW in connection with the 76th Avenue SW from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project. CIP/DID #301208-00

Background:

The City Council has approved funding for the 76th Avenue SW Improvements from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project. The right-of-way, permanent easements and temporary easements are required to accommodate the proposed 76th Avenue SW improvements, including street paving, storm sewer, and new concrete box culverts. Compensation amounts proposed are based on an appraisal of the subject properties, provided by a qualified appraiser and a review appraiser, who were hired by the City.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of the Agreement in the amount of \$53,500 and accepting the additional right-of-way, permanent easements and temporary easements for construction from the Cedar Rapids Airport Commission.

Alternative to the Recommendation:

If Council does not approve the resolution for the execution of the Agreement for 76th Avenue SW Improvements from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project, the project will not proceed.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301/301000/301208

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Local Preference Policy does not apply to the acquisition of right-of-way.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for additional right-of-way, permanent easements and temporary easements in order to accommodate the 76th Avenue SW between Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project, and

WHEREAS, The City of Cedar Rapids (CITY), Owner of the real property and the Cedar Rapids Airport Commission, (COMMISSION), Manager/Controller of the real property known and described as:

Attached Acquisition Plats for Parcels 7, 8, 9, 10, 11
Attached Permanent Easement Exhibits for Parcels 8, 9, 10, 11
Attached Temporary Easement Exhibits for Parcels 7, 8, 9, 10, 11

, and

WHEREAS, the CITY and COMMISSION have agreed to the terms and conditions whereby land owned by the CITY and managed and controlled by the COMMISSION for The Eastern Iowa Airport (AIRPORT) is released by the COMMISSION for airport purposes so that it may be used by the CITY as right-of-way for the 76th Avenue SW Improvement project for the necessary right-of-way, permanent easements and temporary easements for construction along the southern portion of 76th Avenue SW, to the CITY for consideration as follows:

Right-of-Way	\$41,100
Permanent Easement	\$8,000
Temporary Easement	<u>\$4,400</u>
TOTAL	\$53,500

, and

WHEREAS, the tenant agreements shall be submitted to the CITY for approval in a separate resolution, and

WHEREAS, the Public Works Director / City Engineer recommends the CITY enter into an agreement to purchase the right-of-way, permanent easements and temporary easements in order to release the land from its use for airport purposes and in accordance with the terms set forth in the Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for 76th Avenue SW Improvements from Edgewood Road SW to East of the Cedar Rapids and Iowa City (CRANDIC) Railroad Crossing project (Fund 301, Dept ID 301000, Project 301208),

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

BE IT FURTHER RESOLVED that the Agreement with attached Acquisition Plats, Permanent Easement Exhibits and Temporary Easement for Construction Exhibits are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Acquisition Plats and Permanent Easement Exhibits from the CITY be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 19th day of November, 2013.

[illegible]

ACQUISITION PLAT

LEGAL DESCRIPTION

A PORTION OF THE NE ¼ NW ¼ OF SECTION 19-T82N-R7W OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 19;
THENCE SOUTH 21°18'48" EAST ON THE EAST LINE OF SAID NE ¼ NW ¼ 1/4, A DISTANCE OF 33.02 FEET TO THE SOUTH RIGHT OF WAY LINE OF 76TH AVE SW AND THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 21°18'48" EAST ON SAID EAST LINE, 9.51 FEET;
THENCE SOUTH 88°51'11" WEST TO THE WEST LINE OF SAID NE ¼ NW ¼ 1/4;
THENCE NORTH 21°12'19" WEST ON SAID WEST LINE, 9.51 FEET TO SAID SOUTH RIGHT OF WAY LINE;
THENCE NORTH 89°51'11" EAST ON SAID RIGHT OF WAY LINE, 1319.32 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 0.29 ACRES.

SWISHPORT FARMS INC. %
PHILLIP HYNEX

The diagram illustrates a survey plat for an acquisition. It shows a parcel bounded by several lines with specific bearings and distances. Key features include:

- North Arrow:** Points towards the top left of the page.
- Scale Bar:** Indicates distances of 0, 50, 100, and 200 feet.
- Parcel Boundaries:** Defined by bearings such as N02°12'19"W (9.51'), N89°51'11"E (1319.32'), and S88°51'11"W (1319.32').
- Adjacent Features:** Labels include "W. LINE SE ¼ SW ¼ 1/4", "EAST LINE SW ¼ 1/4", "26TH STREET S.W.", "NORTH LINE NE ¼ NW ¼ 1/4", "76TH AVENUE S.W.", and "NE ¼ NW ¼ 1/4".
- Owner Information:** "SWISHPORT FARMS INC. % PHILLIP HYNEX" is noted near the parcel.

CITY OF CEDAR RAPIDS

NE ¼ NW ¼ 1/4

OWNER:
CITY OF CEDAR RAPIDS

SURVEYOR:
AMMENT, INC.
625 32ND AVENUE S.W
CEDAR RAPIDS, IA 52404
T (319) 378-1401
F (319) 378-1975

NOTES:

- DISTANCES ARE IN DECIMALS AND FEET THEREOF.
- BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH-ZONE) NAD 83 (GORS 98) (EPOCH: 2002.0000) AS DERIVED FROM THE IOWA REAL TIME NETWORK (IGTRN).

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF IOWA. I HAVE REVIEWED THIS DOCUMENT FOR ACCURACY AND COMPLETION UNDER THE LAWS OF THE STATE OF IOWA.

DATE: 9-17-12

LICENSE NUMBER: 14809

MY LICENSE RENEWAL DATE IS: DECEMBER 31, 2012

THIS SURVEYING DOCUMENT IS OWNED BY THE SURVEYOR. UNLESS OTHERWISE NOTED.

BRUCE E. AMPMENT, P.L.S.

14809

BRUCE E. AMPMENT
IOWA
LAND SURVEYOR

AMMENT, INC. 1/25/12 625 32ND AVENUE S.W. CEDAR RAPIDS, IOWA 52404 319-378-1401 319-378-1975

625 32ND AVENUE S.W.
CEDAR RAPIDS, IA 52404
T (319) 378-1401
F (319) 378-1975

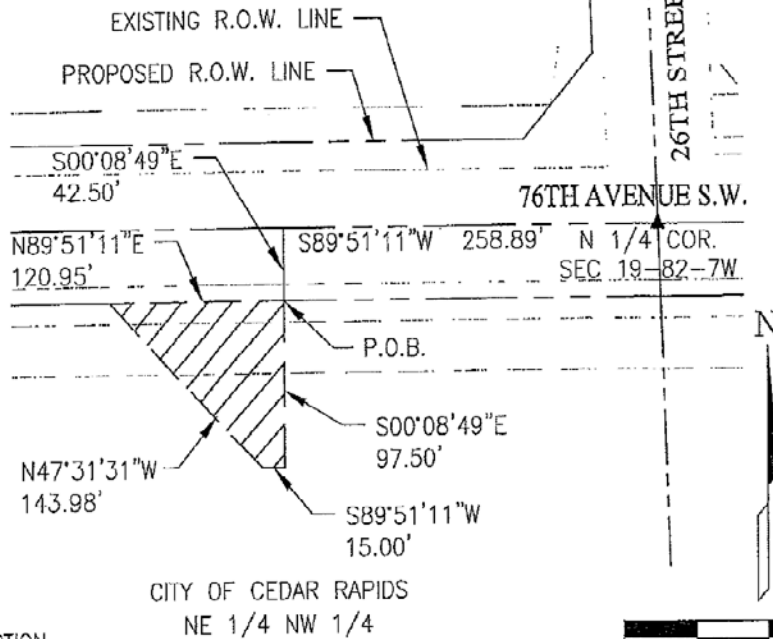
BEHAVIOR, CONVINCE THAT THE LAND SURVEYING REGISTRY HAS
 PREPARED AND THE RELATED SURVEY WORKS WAS PERFORMED BY ME
 OR UNDER MY DIRECT SUPERVISION AND THAT THE SAME ARE
 TRUE AND CORRECT. I HEREBY CERTIFY THAT THE SAME ARE
 TRUE AND CORRECT.
 STATE OF IOWA

 GEORGE E. SANDFORD, P.L.S.
 DATE 9-17-12
 LICENSE NUMBER 14629
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2012
 YOUR SUBMISSION IS COVERED BY THIS
 STATE WARRANTIES SHOWN BELOW.



PERMANENT EASEMENT EXHIBIT

SWISHPERT FARMS INC %
PHILLIP HYNEK



LEGAL DESCRIPTION

A PORTION OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 19-T82N-R7W OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 19;
THENCE SOUTH 89°51'11" WEST ON THE NORTH LINE OF SAID NE $\frac{1}{4}$ NW $\frac{1}{4}$, A DISTANCE OF 258.89 FEET;
THENCE SOUTH 0°08'49" EAST, 42.50 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 0°08'49" EAST, 97.50 FEET;
THENCE SOUTH 89°51'11" WEST, 15.00 FEET;
THENCE NORTH 47°31'31" WEST, 143.98 FEET;
THENCE NORTH 89°51'11" EAST, 120.95 FEET TO THE POINT OF BEGINNING.

NOTES:

- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (CORS 96) (EPOCH 2002.0000) AS DERIVED FROM THE IOWA REAL TIME NETWORK (IaRTN).

DESCRIBED PARCEL CONTAINS 0.15 ACRES.

OWNER:
CITY OF CEDAR RAPIDS

SURVEYOR:
AMENT INC.
625 - 32ND AVE S.W.
CEDAR RAPIDS, IA 52404
(319) 378-1401
(319) 378-1975 fax



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Gregg E. Sampson, P.L.S. DATE 9-17-12

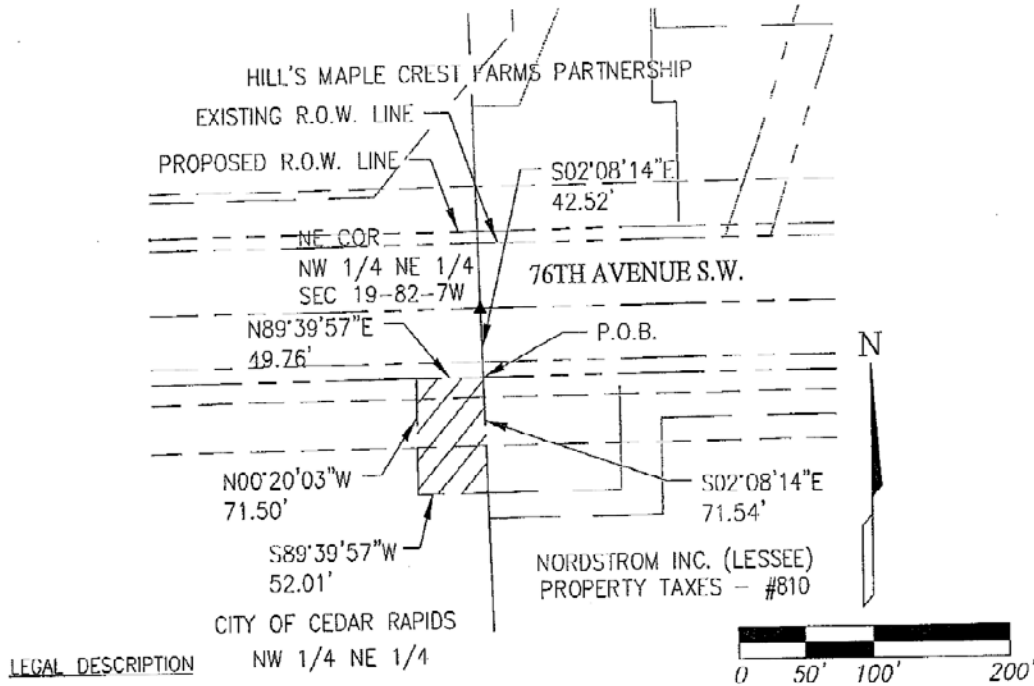
LICENSE NUMBER: 14809
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2012
ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW.

PERMANENT EASEMENT EXHIBIT
76TH AVENUE S.W.
CEDAR RAPIDS, IOWA



AMENT, INC.
ENGINEERING, ARCHITECTURE, SURVEYING
CEDAR RAPIDS, IOWA (319) 378-1401

PERMANENT EASEMENT EXHIBIT



A PORTION OF THE NW 1/4 NE 1/4 OF SECTION 19-T82N-R7W OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NW 1/4 NE 1/4;
THENCE SOUTH 2°08'14" EAST ON THE EAST LINE OF SAID NW 1/4 NE 1/4, A DISTANCE OF 42.52 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 2°08'14" EAST ON SAID EAST LINE, 71.54 FEET;
THENCE SOUTH 89°39'57" WEST, 52.01 FEET;
THENCE NORTH 0°20'03" WEST, 71.50 FEET;
THENCE NORTH 89°39'57" EAST, 49.76 FEET TO THE POINT OF BEGINNING;

DESCRIBED PARCEL CONTAINS 0.08 ACRES.

NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (CORS 96) (EPOCH 2002.0000) AS DERIVED FROM THE IOWA REAL TIME NETWORK (IORTN).

OWNER:
CITY OF CEDAR RAPIDS

SURVEYOR:
AMENT INC.
625 - 32ND AVE S.W.
CEDAR RAPIDS, IA 52404
(319) 378-1401
(319) 378-1975 fox

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.	
GREGG E. SAMPSON, P.L.S.	DATE
LICENSE NUMBER: 14809	
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2012	
ENTIRE SUBMISSION IS COVERED BY THIS SEAL, UNLESS SPECIFIED BELOW.	

PERMANENT EASEMENT EXHIBIT
76TH AVENUE S.W.
CEDAR RAPIDS, IOWA

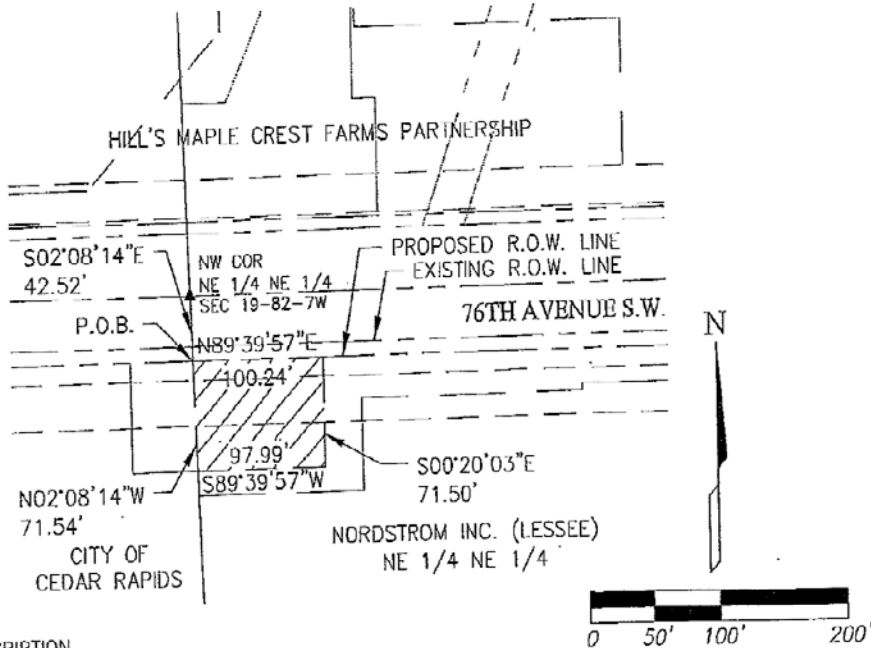


AMENT, INC.
Engineering, Architecture, Surveying
Cedar Rapids, Iowa (319) 378-1401

1	CHANGED NORDSTROM TCE BOUNDARY	11/1/12
NO.	REVISION	DATE

Parcel 10

PERMANENT EASEMENT EXHIBIT



LEGAL DESCRIPTION

A portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19-T82N-R7W of the 5th Principal Meridian, City of Cedar Rapids, Linn County, Iowa described as follows:

Commencing at the Northwest corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 2°08'14" East on the West line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 42.52 feet to the point of beginning;
Thence North 89°39'57" East, 100.24 feet;
South 0°20'03" East, 71.50 feet;
Thence South 89°39'57" West, 97.99 feet to said West line;
Thence North 2°08'14" West on said West line, 71.54 feet to the point of beginning.

Described parcel contains 0.16 acres.

OWNER:
NORDSTROM INC.

SURVEYOR:
AMENT INC.
625 - 32ND AVE S.W.
CEDAR RAPIDS, IA 52404
(319) 378-1401
(319) 378-1975 fax

NOTES:

1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (CORS 96) (EPOCH 2002.0000) AS DERIVED FROM THE IOWA REAL TIME NETWORK (IORTN).

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

GREGG C. SAMPTON, PLS. DATE

LICENSE NUMBER: 14809

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2012

ENTIRE SUBMISSION IS COVERED BY THIS SEAL UNLESS SPECIFIED BELOW.

PERMANENT EASEMENT EXHIBIT
76TH AVENUE S.W.
CEDAR RAPIDS, IOWA

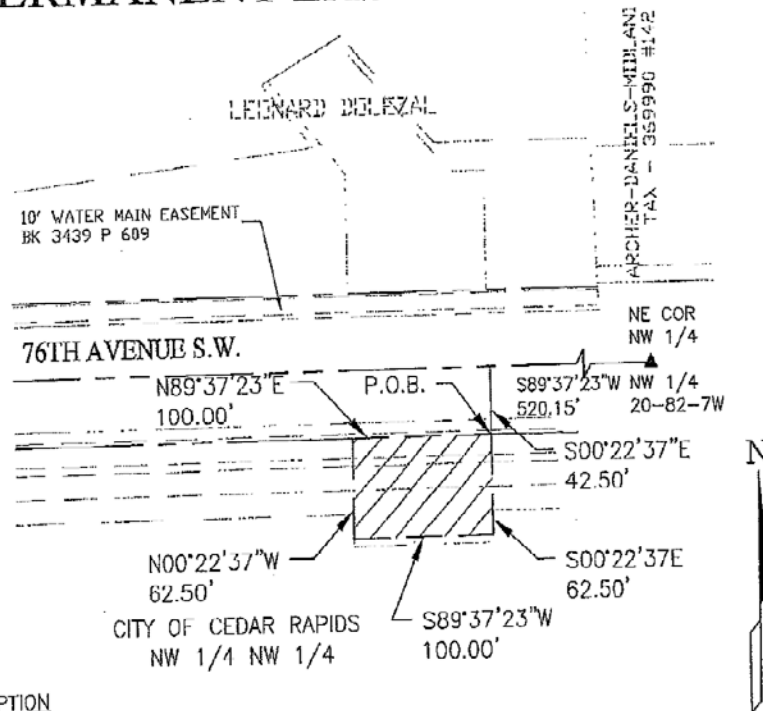


AMENT, INC.
Engineering, Architecture, Surveying
Cedar Rapids, Iowa (319) 378-1401

1	CHANGED NORDSTROM TCE BOUNDARY	11/1/12
NO.	REVISION	DATE

parcel 10

PERMANENT EASEMENT EXHIBIT



LEGAL DESCRIPTION

A PORTION OF THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 20-T82N-R7W OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 THENCE SOUTH 89°37'23" WEST ON THE NORTH LINE OF SAID NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 A DISTANCE OF 520.15 FEET;
 THENCE SOUTH 0°22'37" EAST, 42.50 FEET TO THE POINT OF BEGINNING;
 THENCE CONTINUING SOUTH 0°22'37" EAST, 62.50 FEET;
 THENCE SOUTH 89°37'23" WEST, 100.00 FEET;
 THENCE NORTH 0°22'37" WEST, 62.50 FEET;
 THENCE NORTH 89°37'23" EAST, 100.00 FEET TO THE POINT OF BEGINNING;

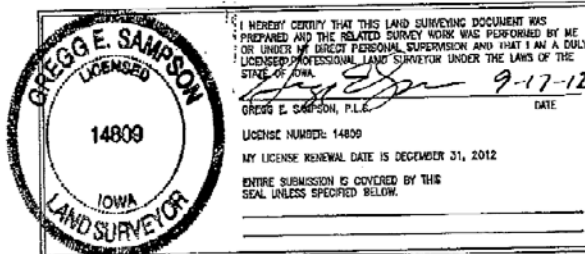
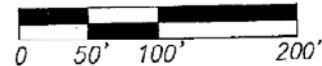
DESCRIBED PARCEL CONTAINS 0.14 ACRES.

OWNER:
CITY OF CEDAR RAPIDS

SURVEYOR:
AMENT INC.
625 - 32ND AVE S.W.
CEDAR RAPIDS, IA 52404
(319) 378-1401
(319) 378-1975 fax

NOTES:

- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
- BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (CORS 96) (EPOCH 2002.0000) AS DERIVED FROM THE IOWA REAL TIME NETWORK (iGRTN).



PERMANENT EASEMENT EXHIBIT
76TH AVENUE S.W.
CEDAR RAPIDS, IOWA

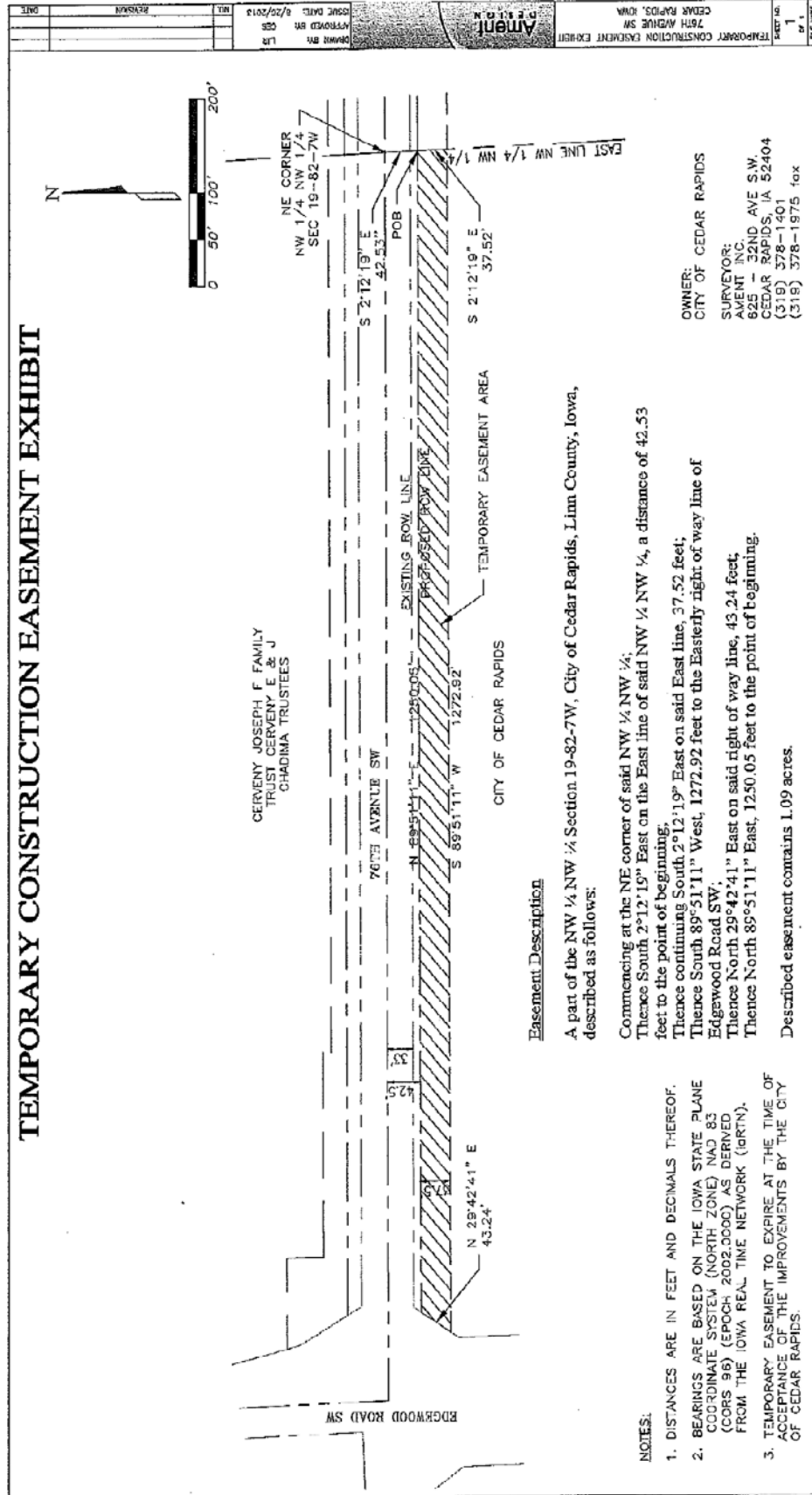


AMENT, INC.
ENGINEERING, ARCHITECTURE, SURVEYING
CEDAR RAPIDS, IOWA (319) 378-1401

parcel 11

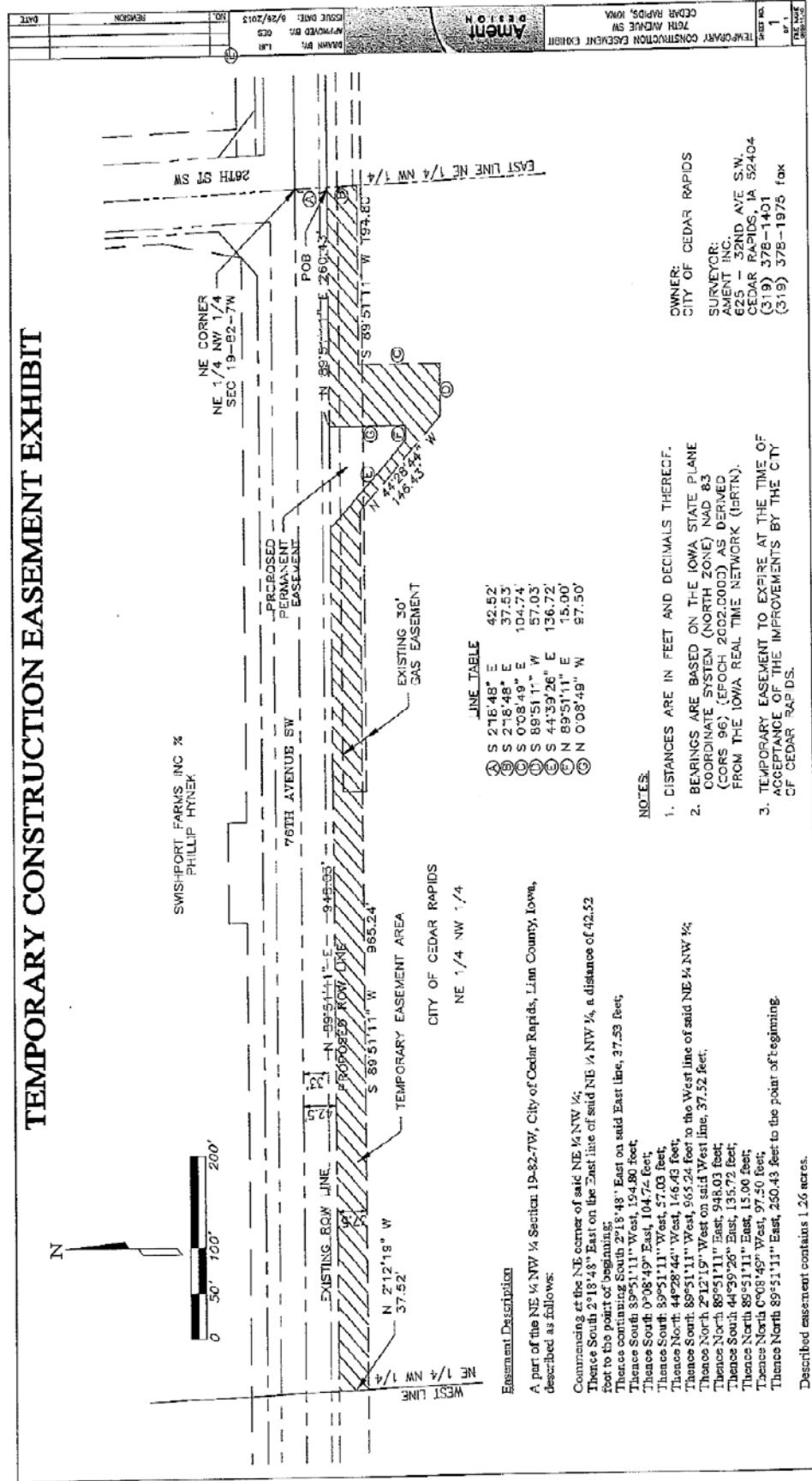
Parcel 7

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

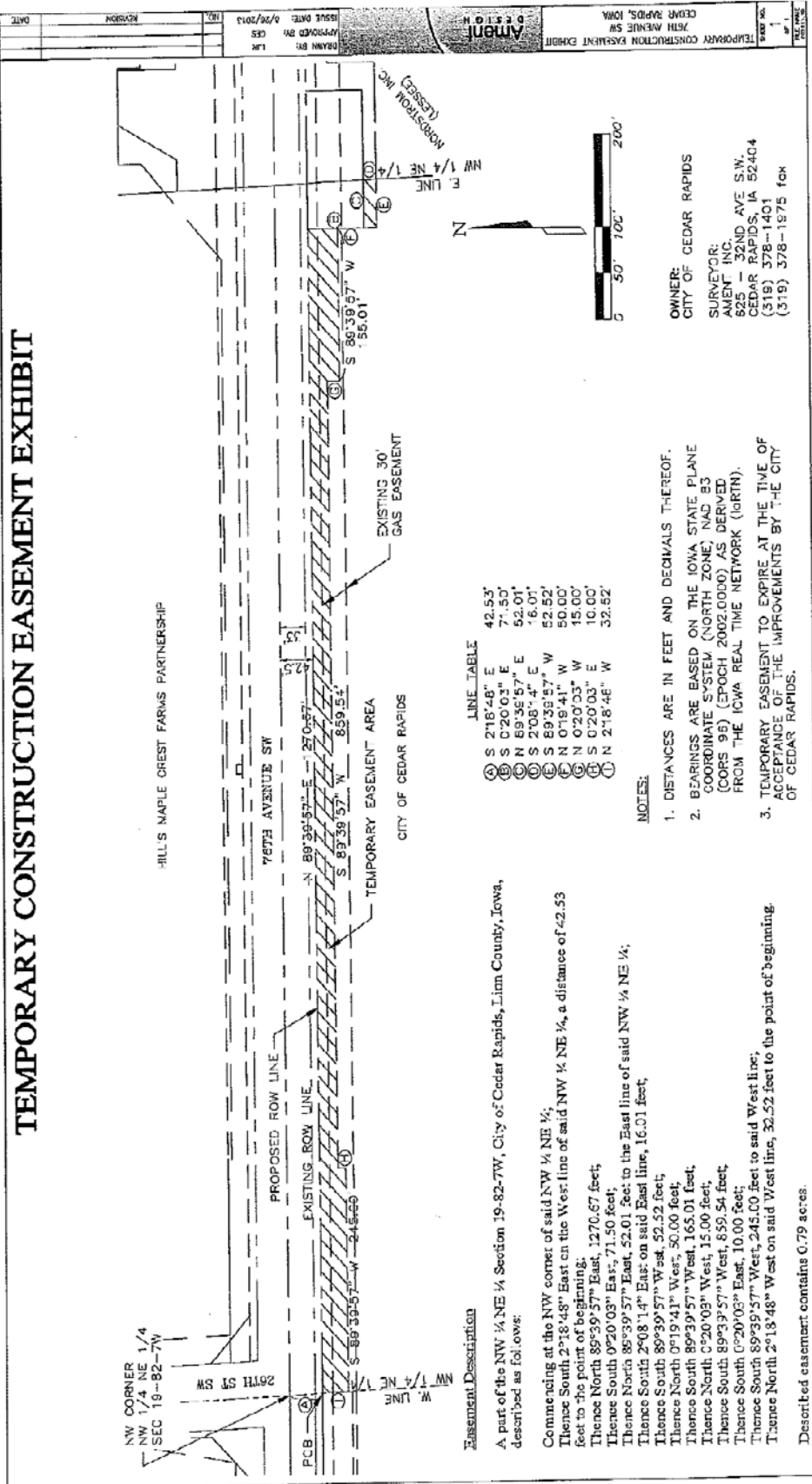


Parcel 8

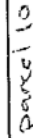
TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



Parcel 9

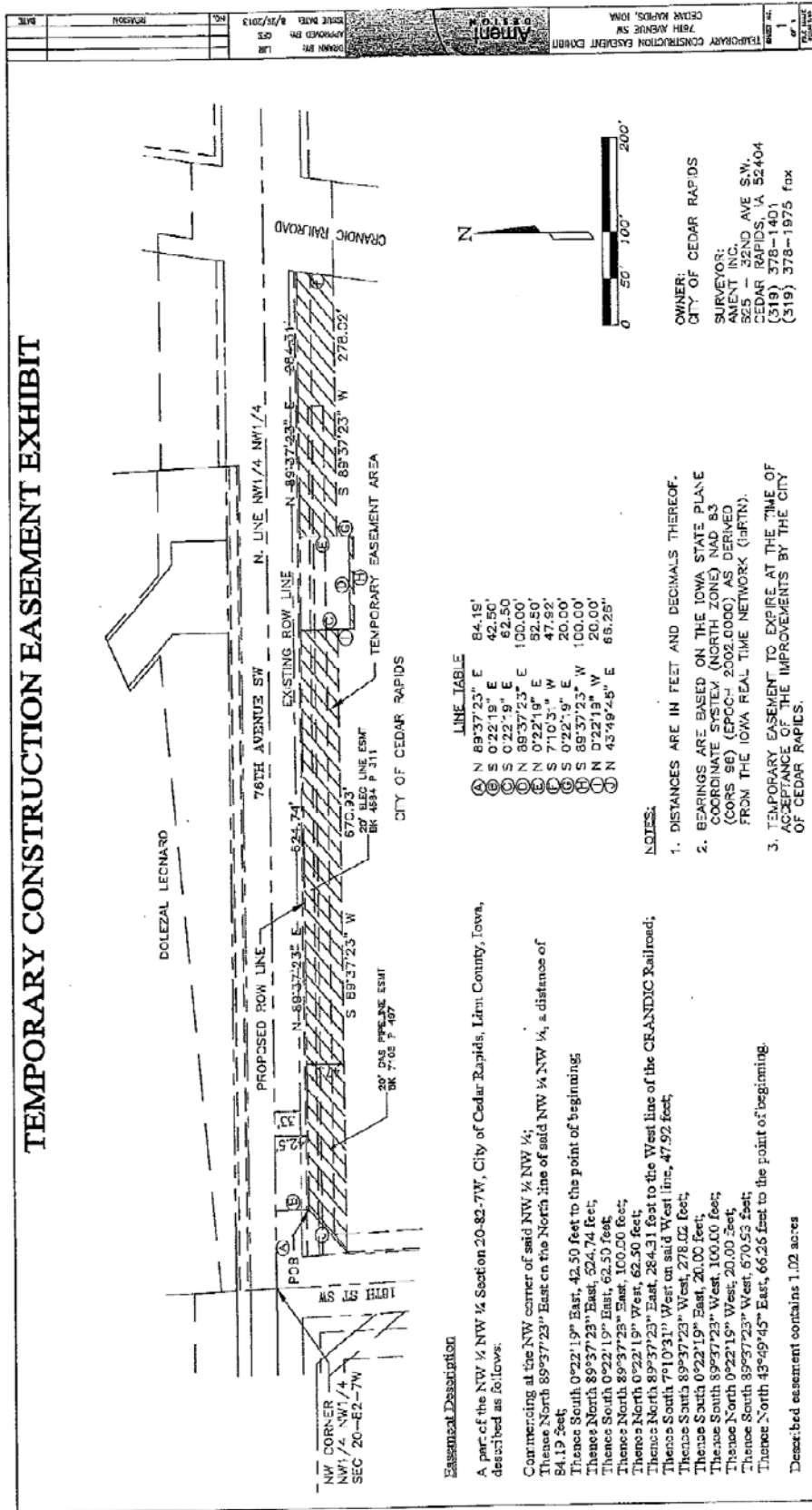


Page 1220

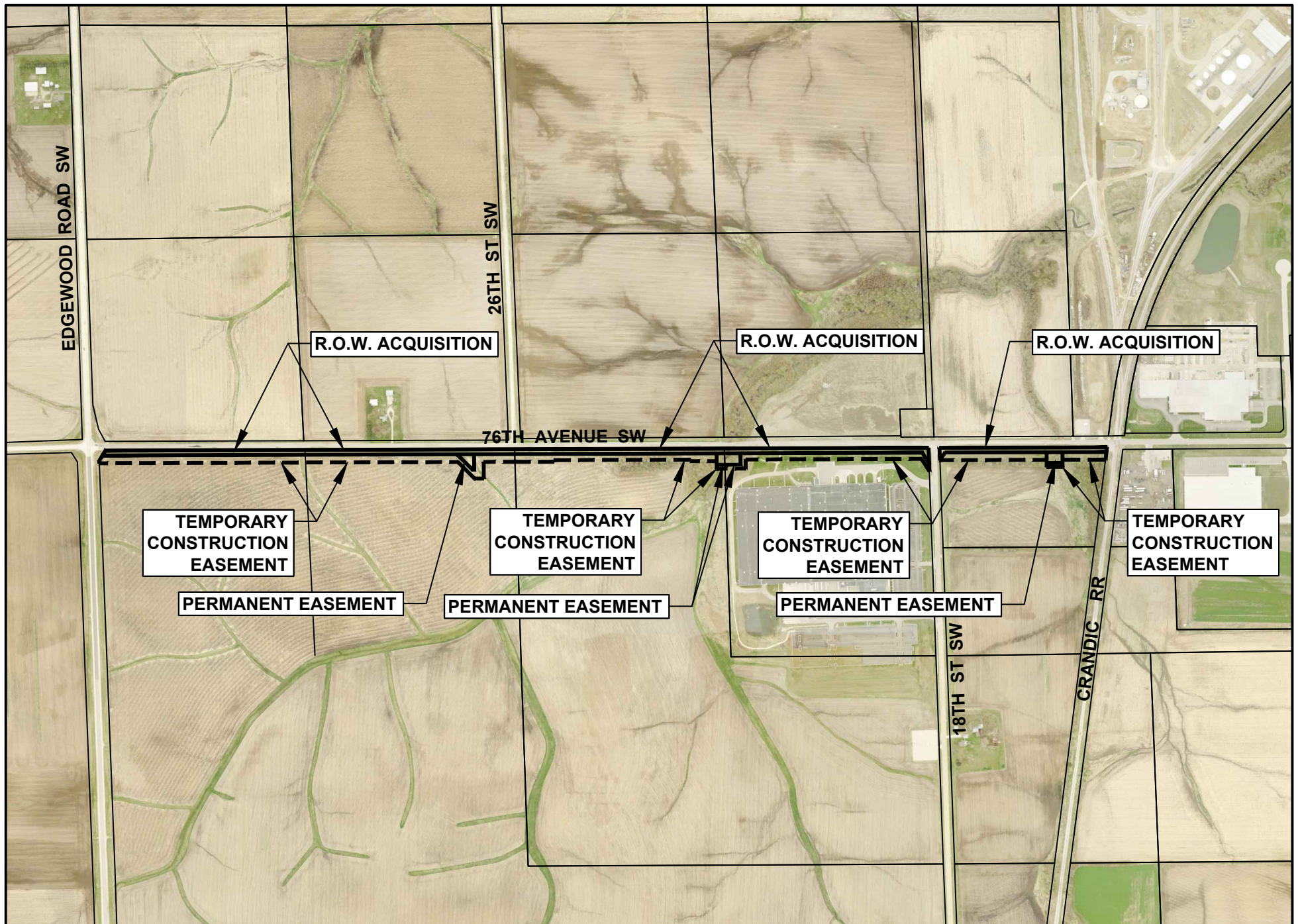


Parcel 11

TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



Parcel 11





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5808

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

Alternate Contact Person: David Wallace

Phone Number/Extension: 5814

E-mail Address: d.wallace@cedar-rapids.org

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$16,100 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Anton Golobic as Trustee of the Anton Golobic 2011 Revocable Trust from land located at 381 Rosedale Road SE in connection with the Indian Creek Trunk Sanitary Sewer Capacity Improvements - Phases 2 and 3 projects. CIP/DID #655625-00

Background:

The City Council previously approved funding towards the Indian Creek Trunk Sanitary Sewer Capacity Improvements - Phases 2 and 3 projects. The easements are required to accommodate the proposed improvements. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation, both hired by the City.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$16,100 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Anton Golobic as Trustee of the Anton Golobic 2011 Revocable Trust.

Alternative to the Recommendation:

Revise the alignment of the project.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information: 655/655000/655625

Local Preference Policy: Applies ☐ Exempt ☒

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

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an additional easement for sanitary sewer and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Anton Golobic as Trustee of the Anton Golobic 2011 Revocable Trust, 381 Rosedale Road SE, Cedar Rapids, Iowa 52403, OWNER of the real property known and described as:

See Attached Sanitary Sewer Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer and temporary grading easement for construction at 381 Rosedale Road SE to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$8,025
Temporary Easement	\$8,075
TOTAL	<u>\$16,100</u>

, and

WHEREAS, the project will disturb approximately 3.19 acres of native prairie plantings, burn breaks and grassland areas, and

WHEREAS, the City agrees to reimburse the OWNER upon receipt of invoice an amount estimated to be \$19,153 to reestablish the approximately 3.19 acres of native prairie plantings, burn breaks and grassland areas after construction, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the easement for sanitary sewer and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Indian Creek Trunk Sanitary Sewer Capacity Improvements - Phases 2 and 3 projects (Fund 655, Dept. ID 655000, Project 655625), now therefore

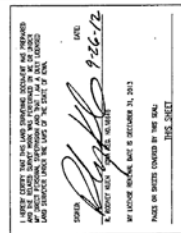
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

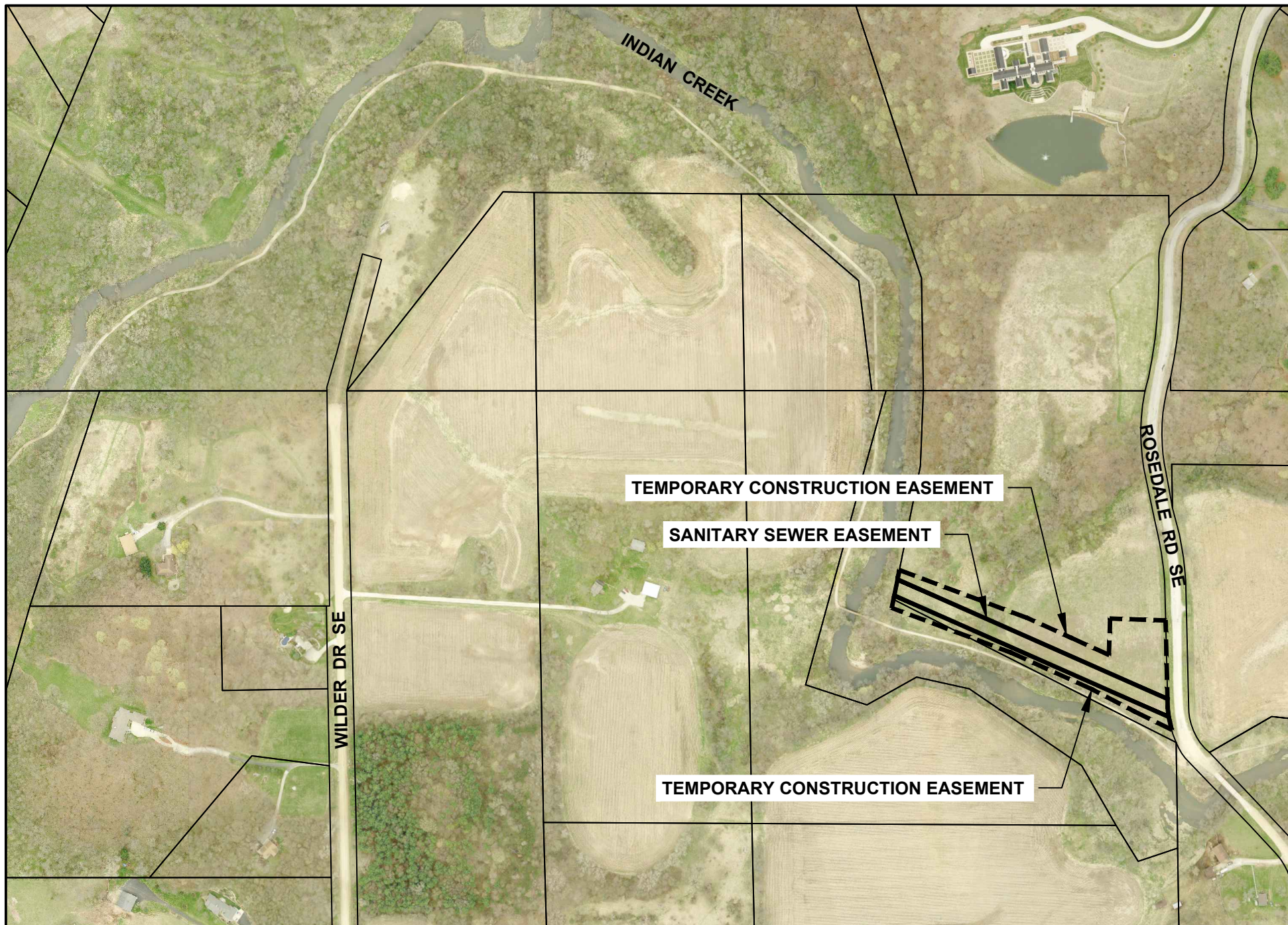
BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

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

Passed this 19th day of November, 2013.







Council Agenda Item Cover Sheet

FLOOD ITEM

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen
E-mail Address: r.rasmussen@cedar-rapids.org

Phone Number/Extension: 5808

Alternate Contact Person: David Wallace
E-mail Address: d.wallace@cedar-rapids.org

Phone Number/Extension: 5814

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$317 and accepting an Easement for Sanitary Sewer from Sadie Lundry from land located at 408 6th Avenue SW in connection with the Sanitary Sewer SW Quadrant Flood Repairs project **(FLOOD)**. CIP/DID #SSD103-00

Background:

In previous fiscal years, the City Council approved funding in connection with the Sanitary Sewer SW Quadrant Flood Repairs project.

These easements are required to accommodate the proposed improvements, including repairing damage to sanitary sewers as a result of the 2008 flood. The compensation amount proposed is based on current City assessed land value of the subject property.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$317 and accepting an Easement for Sanitary Sewer from Sadie Lundry.

Alternative to the Recommendation:

Do not proceed with acquiring the proposed easement for sanitary sewer and temporary construction easement and direct City staff to abandon or reconfigure sanitary sewer replacement.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information: SSD/SSD000/SSD103

Local Preference Policy: Applies ☐ Exempt ☒

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

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for additional easement for sanitary sewer exists in order to accommodate the proposed facilities, and

WHEREAS, Sadie Lundry, 408 6th Avenue SW, Cedar Rapids, Iowa 52404, OWNER of the real property known and described as:

See Attached Sanitary Sewer Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer for construction at 408 6th Avenue SW to the City of Cedar Rapids for \$317, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the easement for sanitary sewer in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Sanitary Sewer SW Quadrant Flood Repairs project (Fund SSD, Dept. ID SSD000, Project SSD103), 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 Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

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

Passed this 19th day of November, 2013.

RETURN TO: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

SANITARY SEWER EASEMENT DESCRIPTION

Commencing at the Southeast corner of said Lot 2; thence North 1°20'00" West, along the East line of said Lot 2, a distance of 119.56 feet, to the Point of Beginning; thence South 63°55'51" West, 5.69 feet; thence South 89°59'57" West, 24.86 feet, to a point on the West line of the East 30.00 feet of said Lot 2; thence North 1°20'00" West, along said West line, a distance of 7.00 feet, to a point on the North line of said Lot 2; thence North 89°59'57" East, along said North line, a distance of 30.00 feet to the Point of Beginning, containing 203 Square Feet more or less.

Survey

Found

Set

SW QUADRANT, 2008 FLOOD
AREA SANITARY SEWER
RESTORATION, PHASE 2, PART 2
CIP #SSD103-06

203 SQUARE FEET

02-27-2013

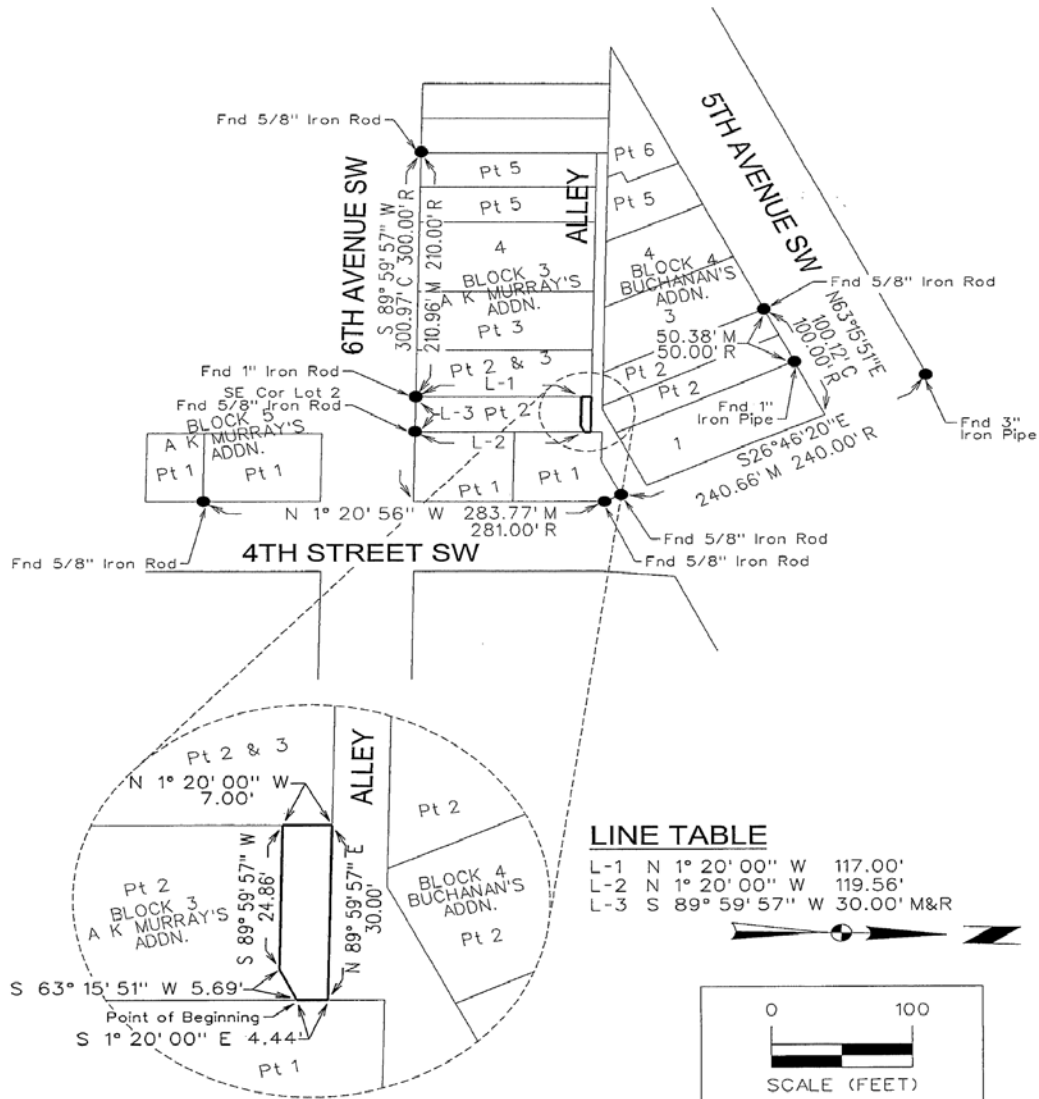
SADIE LUNDY

SADIE LUNDY



TECH: TWF

SANITARY SEWER EASEMENT EXHIBIT



SANITARY SEWER EASEMENT EXHIBIT

SADIE LUNDRY



SNYDER & ASSOCIATES, INC.
Engineers and Planners

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET	2 OF 2
PN:	1120878
PM:	PDS
DATE:	04/01/13
TECH:	TWF



**408 6TH AVENUE SW - SANITARY SEWER EASEMENT
SANITARY SEWER SW QUADRANT FLOOD REPAIRS PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Chris Strecker, PE

Phone Number/Extension: 5820

E-mail Address: c.strecker@cedar-rapids.org

Alternate Contact Person: John Reasoner

Phone Number/Extension: 5806

E-mail Address: j.reasoner@cedar-rapids.org

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

Resolution accepting a 20' sanitary sewer easement from Bellon-Africa Family Farms, LLC, and a 20' sanitary sewer easement from Terra Enterprises, LLC, for the consideration of \$1 each and other valuable consideration for sanitary sewer for land located east of Highway 151 and north of Highway 30 in association with Hawk's Point 5th Addition. CIP/DID #FLPT-004526-2013

Background:

The developer submitted the easements in conformance with subdivision conditions. The Development Services Department reviewed the submittals and determined they comply with applicable building permit conditions and right-of-way requirements.

Action / Recommendation:

The Development Services Department recommends approval of the resolution to accept the Easements.

Alternative Recommendation:

Defer action until additional information is provided to address City Council requests.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): None.

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Policy not applicable to subdivisions.

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

Explanation (if necessary):

ENG
DSD
RCR
FIN
AUD FILE
TED
CD
TRS
ASR
BELLON-AFRICA
TERRA ENT
FLPT-004526-2013
CRFMR #12412

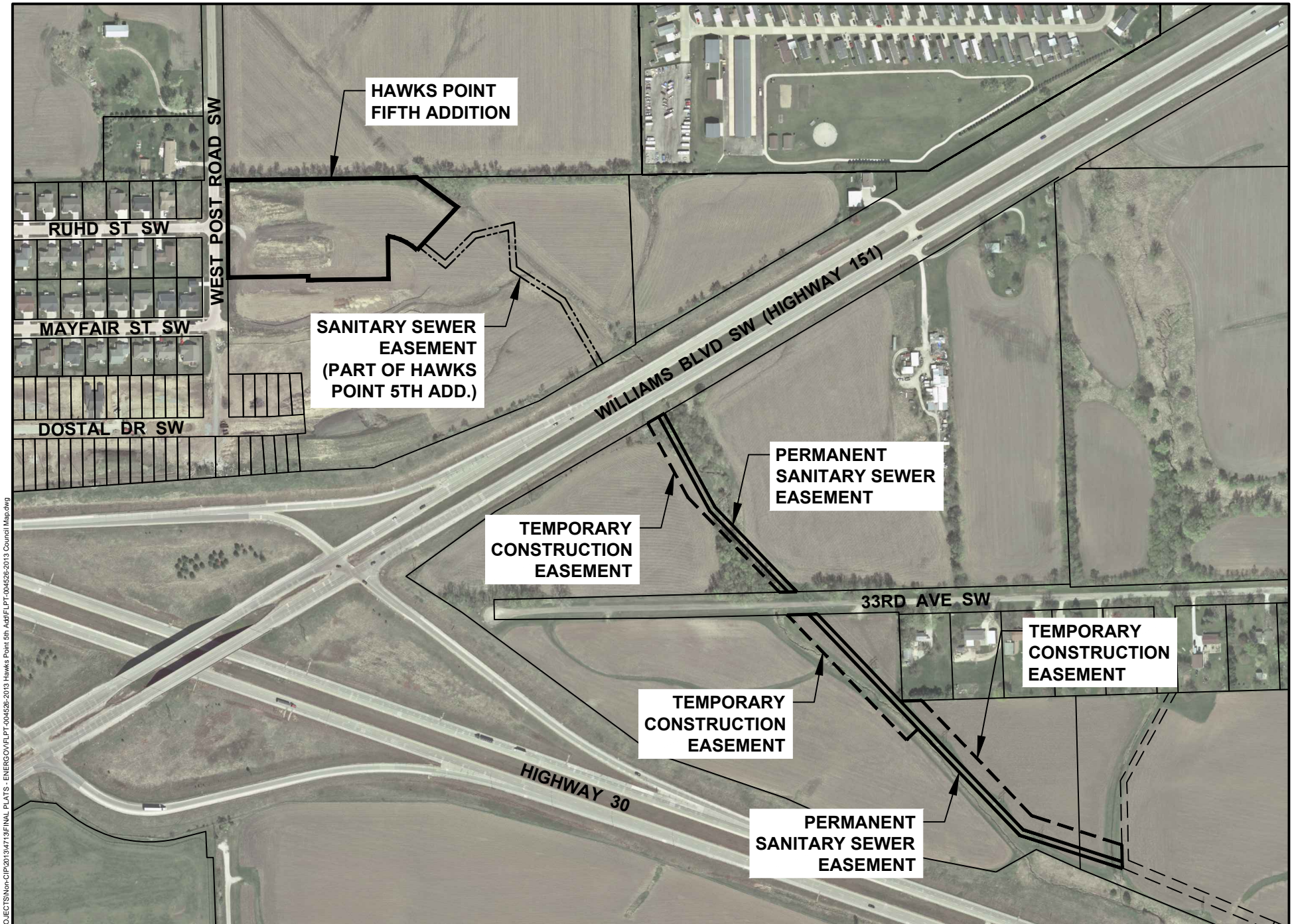
RESOLUTION NO.

WHEREAS, Bellon-Africa Family Farms, LLC has submitted a 20' Sanitary Sewer Easement, and Terra Enterprises, LLC has submitted a 20' Sanitary Sewer Easement for property north of Highway 30 and east of Highway 151, and

now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 20' sanitary sewer easements submitted by Bellon-Africa Family Farms, LLC and Terra Enterprises, LLC, be and the same are hereby accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 19th day of November, 2013.



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4713\FINAL PLATS - ENRG\OVFLPT-004526-2013 Hawks Point 5th Add\FELPT-004526-2013 Council Map.dwg



**HAWKS POINT FIFTH ADDITION
PERMANENT SANITARY SEWER EASEMENTS AND
TEMPORARY CONSTRUCTION EASEMENTS**



FLPT-004526-2013

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: Mike Duffy
E-mail Address: m.duffy@cedar-rapids.org

Phone Number/Extension: 5873

Description of Agenda Item:

Resolution authorizing execution of a 28E Agreement with the City of Marion, Iowa for snow and ice control along joint corporate limits. CIP/DID #80-14-018

Background:

The City of Cedar Rapids and City of Marion have executed a 28E agreement for snow and ice control for over 10 years. This is an update to that agreement which reflects new streets along the joint City lines of the two communities since the last update of the agreement over six years ago.

Action / Recommendation:

The Public Works Department recommends authorizing the execution of the 28E Agreement.

Alternate Recommendation:

Both Cities could perform their own snow and ice control along joint corporate limits, however, this would be less effective and efficient.

Time Sensitivity: Normal

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minute(s)

Budget Information (if applicable):

No budget.

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Not applicable.

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

Explanation (if necessary):

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

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and the City of Marion have entered into a 28E Agreement regarding snow and ice control along their joint corporate limits, and

WHEREAS, the Agreement is effective until updated or rescinded by resolution,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Mayor and City Clerk are hereby authorized to execute the signing of the Agreement.

Passed this 19th day of November, 2013



Council Agenda Item Cover Sheet

RESOLUTION ACCEPTING BID

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen
E-mail Address: r.rasmussen@cedar-rapids.org

Phone Number/Extension: 5807

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**

Resolution accepting bid in the amount of \$200,000 from James J. and Susan C. Novak, and approving a Quit Claim Deed for the disposition of 56 16th Avenue SW. CIP/DID #3302500004-00

Background:

The City of Cedar Rapids acquired this parcel in June of 2012 through the Voluntary Property Acquisition Program, and is seeking to dispose of the parcel, including the existing structure. As required by the Community Development Block Grant (CDBG) program, all proceeds from this sale will be returned as program income.

A Public Hearing was held on May 28, 2013, and Council approved a resolution to continue with the disposition of this parcel by sealed bid. The City Assessor determined the current assessed value to be \$353,094.

The property was initially offered for sale by sealed bid to the public for a period of 60 days, with the assessed value as the minimum bid, however no acceptable bids were received. The property then was offered for sale by sealed bid to the public for an additional 60 days with \$185,000 as the minimum bid.

Bids were opened at the Public Works Department at 1:00 p.m. on October 25, 2013, and the City received two sealed bids which exceeded the minimum bid (\$187,000 and \$200,000). The high bid was received from James J. and Susan C. Novak (3622 Honey Hill Drive SE, Cedar Rapids, Iowa) in the amount of \$200,000, with a deposit of \$20,000.

Action / Recommendation:

The Public Works Department recommends accepting the bid of \$200,000 and proceeding with the sale of 56 16th Avenue SW to James J. and Susan C. Novak.

Alternative Recommendation:

If the Council does not accept this bid, the alternative is to demolish the structure and sell the vacant lot.

Time Sensitivity: Normal

Resolution Date: November 19, 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):

RESOLUTION NO.

WHEREAS, the City Council desires to dispose of the real property located at 56 16th Avenue SW, Cedar Rapids, Iowa, and legally described as:

SW-ly 40 feet of Lot 13, Block 1, Anthony, Menary and Fair's Sub-Division of Block Fourteen (14) of L.S. Mays Addition to West Cedar Rapids, Linn County, Iowa

, and

WHEREAS, the City Council previously authorized the disposal of this City-owned property by sealed bid to the public, and

WHEREAS, the City of Cedar Rapids offered this property for sale by sealed bid for a period of 60 days, and

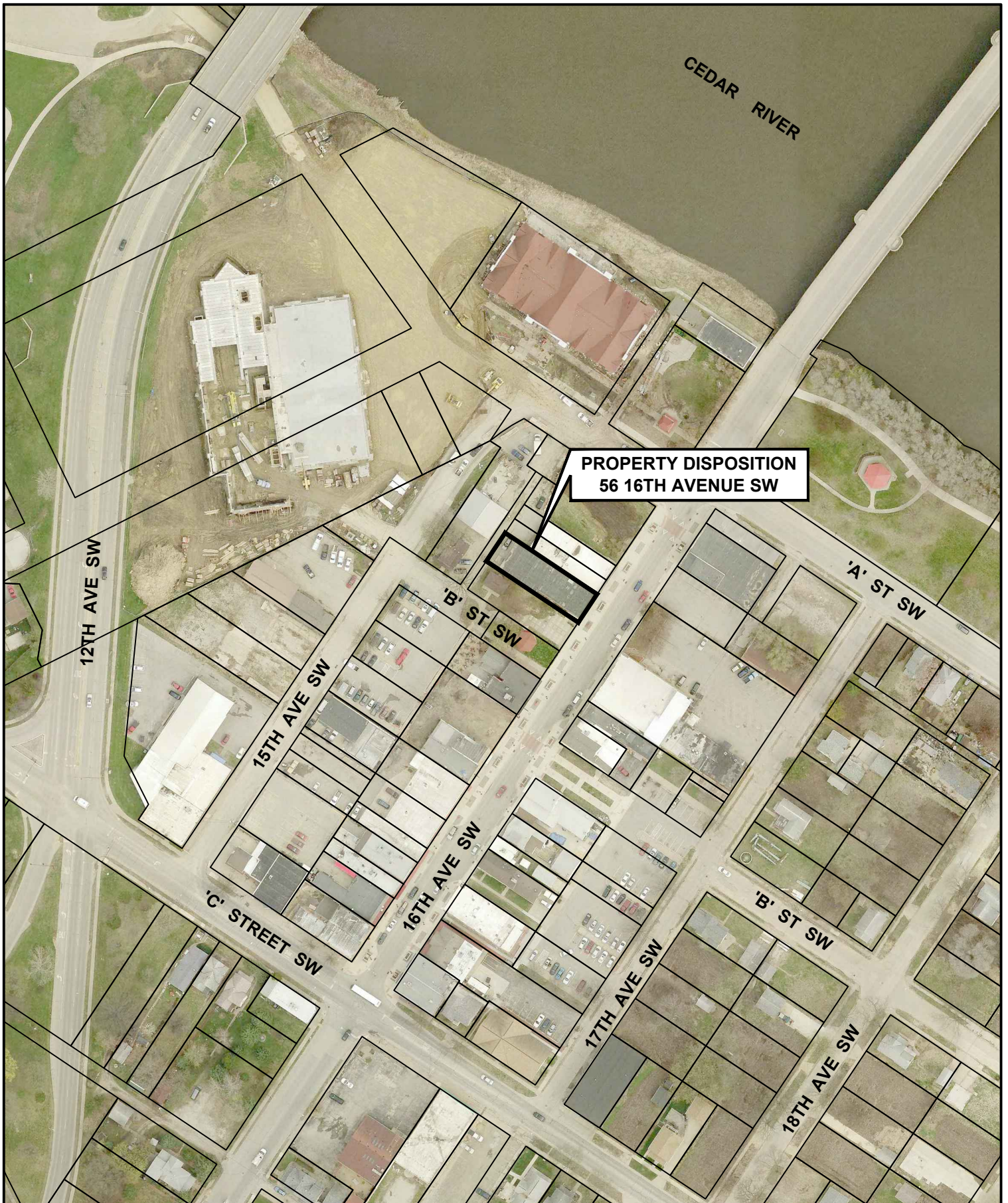
WHEREAS, the City of Cedar Rapids received two offers by sealed bid on October 25, 2013, which was the deadline for receipt of sealed bids for the purchase of the property, and

WHEREAS, the City of Cedar Rapids has now received the high bid from James J. and Susan C. Novak (3622 Honey Hill Drive SE, Cedar Rapids, Iowa 52403) in the amount of \$200,000 for this real property, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration of \$200,000 to be paid by James J. and Susan C. Novak for the property to be conveyed is good, adequate, fair and valuable, and that the bid shall be accepted, and

BE IT FURTHER RESOLVED that a Quit Claim Deed from the City of Cedar Rapids, Iowa to James J. and Susan C. Novak shall be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Fire

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

Phone Number/Ext: (319) 286-5220

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

Phone Number/Ext: (319) 286-5163

Description of Agenda Item: Resolution to authorize City Manager to execute Memorandum of Agreement for Cedar Rapids Fire Department joint ownership of Candidate Physical Ability Test (CPAT) equipment with a consortium of Iowa fire departments.

Background: The CPAT has been used since 1997 in various parts of the country and is supported by the International Association of Fire Chiefs and the International Association of Fire Fighters. The CPAT evaluates candidates on firefighter-specific tasks. There are several other reasons that the CPAT was chosen as the physical agility test, including liability issues, pooling of resources/equipment, and it most closely aligns with actual firefighting tasks.

Execution of this Memorandum of Agreement provides the Cedar Rapids Fire Department joint ownership of Candidate Physical Ability Test (CPAT) equipment with a consortium of Iowa fire departments relative to pre-employment physical ability testing. This allows sharing of resources and reduced costs amongst all partner cities.

This Memorandum of Agreement will be valid from execution to December 31, 2013, and shall renew in one year terms thereafter unless dissolved. The Memorandum of Agreement requires an initial investment from the City of Cedar Rapids for \$10,000.

Action / Recommendation:

The Fire Department recommends approval of the Memorandum of Agreement.

Alternative Recommendation:

If the Memorandum of Agreement is not approved at this time, the Fire Department would need to provide alternative pre-employment physical ability testing for fire department recruits.

Time Sensitivity: N/A

Resolution Date: November 19, 2013

Estimated Presentation Time: N/A

Budget Information (if applicable):

The Memorandum of Agreement is for an initial investment of \$10,000 costs from Fire Department CEP funds, Account 554000-101-131100.

Purchasing Process Information: N/A

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to execute a Memorandum of Agreement for Cedar Rapids Fire Department joint ownership of Candidate Physical Agility Test (CPAT) equipment with a consortium of Iowa fire departments. This Memorandum of Agreement requires an initial investment from the City of Cedar Rapids of \$10,000. Funds for this service contract to come from the Fire Department's CEP Account 554000-101-131100.

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda
Email:**Phone Number/Ext:****Alternate Contact Person:** Dick Steinke
Email: r.steinke@cedar-rapids.org**Phone Number/Ext:** 899-7588**Alternate Contact Person:** Heather Mell
Email: h.mell@cedar-rapids.org**Phone Number/Ext:** 5117**Description of Agenda Item:**

Contract for SCS Play Structure Refurbishing with SlideCare, LLC for the Parks and Recreation Department for an amount not to exceed \$28,061. CIP/DID #0913-059

Background:

Purchasing Services solicited bids on behalf of Parks and Recreation to refurbish the SCS Play Structure at Noelridge swimming pool with three vendors responding. SlideCare, LLC was the lowest responsive and responsible bidder with their total bid of \$28,061.

Bids were received from:

Fischer Bros LLC	Eau Claire, WI	\$35,530.00
PurePlay, LLC	Northglenn, CO	\$77,963.80
SlideCare LLC	Avon, OH	\$28,061.00

Action / Recommendation:

Recommend council approve resolution.

Alternative Recommendation:**Time Sensitivity:****Resolution Date:** November 19, 2013**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 324-554000

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Local preference applies, but did not have an affect on the award.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for SCS Play Structure Refurbishing on behalf of the City of Cedar Rapids Parks and Recreation Department; and

WHEREAS, responses were received from three vendors; and

WHEREAS, the Parks and Recreation Department is making the following recommendation for award to SlideCare, LLC, which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be November 20, 2013 through May 1, 2014; and

WHEREAS, the not to exceed expenditure is \$28,061.

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 SlideCare, LLC as described herein.

Passed this 19th day of November, 2013.



35w

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda
Email:

Phone Number/Ext:

Alternate Contact Person: Dennis Hogan
Email: d.hogan@cedar-rapids.org

Phone Number/Ext: 5860

Alternate Contact Person: Heather Mell
Email: h.mell@cedar-rapids.org

Phone Number/Ext: 5117

Description of Agenda Item:

Fleet Services Division purchase of one Chevrolet 3500 Silverado from Bob Brown Chevrolet in the amount of \$37,813.71. CIP/DID #1013-071

Background:

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of one Crew Cab Pick-up Truck with three (3) vendors responding. Bob Brown Chevrolet met all specifications with their price of \$37,813.71.

Bids received from:

Andy Mohr Truck Center, Inc	Indianapolis, IN	\$47,476.42
Billion Automotive	Iowa City, IA	\$39,592.00
Bob Brown Chevrolet	Urbandale, IA	\$37,813.71

Action / Recommendation:

Recommend council approve resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 073-073000-073002

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Local preference applies, but did not have an affect on the award.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for one (1) Crew Cab Pick-Up Truck on behalf of the City of Cedar Rapids Fleet Services Division; and

WHEREAS, responses were received from three vendors; and

WHEREAS, the Fleet Services Division is making the following recommendation for award to Bob Brown Chevrolet, which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$37,813.71.

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

Passed this 19th day of November, 2013.

**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 2013**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda
Email:**Phone Number/Ext:****Alternate Contact Person:** Dennis Hogan
Email: d.hogan@cedar-rapids.org**Phone Number/Ext:** 5860**Alternate Contact Person:** Heather Mell
Email: h.mell@cedar-rapids.org**Phone Number/Ext:** 5117**Description of Agenda Item:**

Fleet Services Division purchase of an additional two Chevrolet 1500 Silverado's from Bob Brown Chevrolet in the amount of \$52,571.44. CIP/DID #0913-052

Background:

Council approved Resolution No. 1682-10-13 for the purchase of one ½ Ton Standard Pick-Up Truck. Fleet Services would like to purchase an additional two trucks from Bob Brown Chevrolet for the amount of \$52,571.44

Purchasing Services solicited bids on behalf of Fleet Services for the purchase and delivery of one ½ Ton Standard Pick-up Truck with two (2) vendors responding. The low bidder, Billion Automotive, did not meet the City's specifications. Bob Brown Chevrolet met all specifications with their price of \$26,285.72. Fleet Services would like to purchase an additional two (2) trucks from Bob Brown Chevrolet for the amount of \$52,571.44

Bids received from:

Billion Automotive	Iowa City, IA	\$24,492.00
Bob Brown Chevrolet	Urbandale, IA	\$26,285.72

Action / Recommendation:

Recommend council approve resolution

Alternative Recommendation:**Time Sensitivity:****Resolution Date:** November 19, 2013**Estimated Presentation Time:** 0 minutes

Budget Information (if applicable): 073-073000-073002

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Local preference applies, but did not have an affect on the award.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Council approved Resolution No. 1682-10-13 for the purchase of one (1) ½ Ton Standard Pick-Up Truck; and

WHEREAS, the Fleet Services Division would like to purchase two (2) additional ½ Ton Standard Pick-Up Trucks; and

WHEREAS, Purchasing Services solicited bids on behalf of the Fleet Services Division for the purchase of one (1) ½ ton Standard Pick-Up Truck; and

WHEREAS, responses were received from two vendors; and

WHEREAS, the Fleet Services Division is making the following recommendation for award to Bob Brown Chevrolet, which was the lowest responsive and responsible bidder; and

WHEREAS, the total cost is \$52,571.44.

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

Passed this 19th day of November, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance

Presenter at meeting: Casey Drew

Phone Number/Ext: 286-5097

Email: c.drew@cedar-rapids.org

Alternate Contact person: Yvonne Aubrey

Phone Number/Ext: 286-5008

Email: y.aubrey@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing purchase of boiler and machinery insurance from Zurich for the City of Cedar Rapids in the amount of \$39,131.

Background:

The City of Cedar Rapids entered into an agreement with Aon Risk Services, Inc. to handle all insurance needs. Aon Risk Services, Inc., on behalf of the City, solicited quotes and recommends coverage with Zurich for boiler and machinery insurance.

The cost for the boiler and machinery insurance policy decreased from \$48,328 to \$39,131 and is for the period of December 1, 2013 through November 30, 2014.

Action / Recommendation:

City Council approve purchase of the boiler and machinery insurance coverage in the amount of \$39,131.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy: Applies ☐ Exempt ☐

Explanation:

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa entered into an agreement with Aon Risk Services Central, Inc. to handle all insurance needs and

WHEREAS, Aon Risk Services Central, Inc. was instructed to procure boiler and machinery insurance for the period of December 1, 2013 through November 30, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, the Finance Department is authorized to issue payment to Aon Risk Services in the amount of \$39,131 for boiler and machinery insurance for the City of Cedar Rapids.

Funding will be from the Risk Fund budget (525107-011-011000).

Passed this 19th day of November 2013..

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Finance

Presenter at meeting: Casey Drew

Phone Number/Ext: 286-5097

Email: c.drew@cedar-rapids.org

Alternate Contact person: Yvonne Aubrey

Phone Number/Ext: 286-5008

Email: y.aubrey@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing purchase of property insurance coverage to include \$25 million in excess flood insurance through Aon Risk Services Central, Inc. for the City of Cedar Rapids in the amount of \$1,479,550.85. **(FLOOD)**.

Background:

The City of Cedar Rapids entered into an agreement with Aon Risk Services, Inc. to handle all insurance needs. Aon Risk Services, Inc., on behalf of the City, solicited quotes and recommends purchasing the \$25 million in excess flood insurance.

The City received funding from FEMA to rebuild buildings damaged by the 2008 flood and is required to insure buildings up to the amount FEMA has put into restoring these buildings. It is estimated that the City will have approximately \$150 million in FEMA funds to restore City buildings. The \$25 million in excess flood insurance (Dec. 1, 2013 thru Nov. 30, 2014) along with National Flood Insurance Program premiums on each building will provide City coverage if a flood was to occur again.

The cost of property insurance coverage including \$25 million in excess flood insurance for December 1, 2012-November 1, 2013 was \$1,541,700.03.

Action / Recommendation:

City Council approve purchase of excess flood insurance of \$1,479,550.85.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: November 19, 2013

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):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa entered into an agreement with Aon Risk Services Central, Inc. to handle all insurance needs and

WHEREAS, Aon Risk Services Central, Inc. was instructed to procure property insurance that includes excess flood insurance for the period of December 1, 2013 to December 1, 2014

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, the Finance Department is authorized to issue payment to Aon Risk Services Central, Inc. in the amount of \$1,479,550.85 for property insurance which includes excess flood insurance for the City of Cedar Rapids.

Funding will be from the Risk Fund budget (525107-011-011000).

Passed this 19th day of November, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Joe O'Hern
Email: j.ohern@cedar-rapids.org

Phone Number/Ext: 319 286-5292

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

Resolution authorizing submittal of Annual Urban Renewal Area Report to the Iowa Department of Management for the City's sixteen (16) Urban Renewal Areas. CIP/DID #163407

Background:

The Urban Renewal Reporting Act of 2012 was adopted in the 2012 state legislative session. One requirement is submission of an Annual Urban Renewal Area report to the Department of Management by December 1st, following the previous fiscal year. Specifically, House File 2460 requires that all cities, counties, and Rural Improvement Zones with active Urban Renewal Areas provide specified information concerning active Urban Renewal Areas and any associated Tax Increment Financing Districts. This includes data for each of the City's sixteen (16) Urban Renewal Areas related to:

- Bond debt issuances
- Infrastructure projects
- Reimbursement of property tax increment

Staff has completed this year's Annual Urban Renewal Area Report for the City's sixteen (16) Urban Renewal Areas, as follows:

1. Central Business Urban Renewal Area
2. Consolidated Central Urban Renewal Area
3. Council Street Urban Renewal Area
4. Diamond V Mills Urban Renewal Area
5. Fountains Urban Renewal Area
6. Ingleside Urban Renewal Area
7. OSADA Urban Renewal Area
8. Pointe Urban Renewal Area
9. Prairie Ridge Urban Renewal Area
10. Raining Rose Urban Renewal Area
11. River Ridge North Urban Renewal Area
12. Rockwell Collins Urban Renewal Area
13. Southwest Consolidated Urban Renewal Area
14. Technology Park Urban Renewal Area
15. Village Urban Renewal Area
16. Westdale Urban Renewal Area

A summary report is attached to the resolution which will authorize submission to the Iowa Department of Management by the December 1, 2013 deadline. The full report is on file in the City Clerk's Office.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Urban Renewal Reporting Act of 2012 requires Annual Urban Renewal Area Report be submitted to the Iowa Department of Management by December 1, 2013.

Resolution Date: November 19, 2013

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):

RESOLUTION NO.

RESOLUTION AUTHORIZING SUBMITTAL OF THE ANNUAL URBAN
RENEWAL AREA REPORT TO THE IOWA DEPARTMENT OF MANAGEMENT
FOR THE CITY'S SIXTEEN (16) URBAN RENEWAL AREAS

WHEREAS, Urban Renewal Area reporting requirements are in effect as of July 1, 2012 and Iowa Code Sections 331.403(3), 357H.9(2), and 384.22(2), as amended by HF 2460 (Urban Renewal Reporting Act of 2012) requires that all cities, counties, and Rural Improvement Zones with active Urban Renewal Areas provide specified information concerning active Urban Renewal Areas and any associated Tax Increment Financing Districts; and

WHEREAS, annual reports from local governments are due each December 1; and

WHEREAS, the Annual Urban Renewal Area Report has been completed and a summary report is attached hereto for the sixteen (16) Urban Renewal areas within the City of Cedar Rapids that include associated Tax Increment Financing Districts for the collection of tax increment as provided under State Urban Renewal Law; as follows:

1. Central Business Urban Renewal Area
2. Consolidated Central Urban Renewal Area
3. Council Street Urban Renewal Area
4. Diamond V Mills Urban Renewal Area
5. Fountains Urban Renewal Area
6. Ingleside Urban Renewal Area
7. OSADA Urban Renewal Area
8. Pointe Urban Renewal Area
9. Prairie Ridge Urban Renewal Area
10. Raining Rose Urban Renewal Area
11. River Ridge North Urban Renewal Area
12. Rockwell Collins Urban Renewal Area
13. Southwest Consolidated Urban Renewal Area
14. Technology Park Urban Renewal Area
15. Village Urban Renewal Area
16. Westdale Urban Renewal Area

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa that the City Manager or other appropriate City officials are authorized to submit the Annual Urban Renewal Report to the Iowa Department of Management by December 1, 2013.

Passed this 19th day of November, 2013

Annual Urban Renewal Report, Fiscal Year 2012 - 2013

Levy Authority Summary

Local Government Name: CEDAR RAPIDS
Local Government Number: 57G539

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
CEDAR RAPIDS CENTRAL URBAN RENEWAL	57001	5
CEDAR RAPIDS OSADA URBAN RENEWAL	57004	1
CEDAR RAPIDS RIVER RIDGE NORTH URBAN RENEWAL	57005	2
CEDAR RAPIDS PRAIRIE RIDGE URBAN RENEWAL	57007	4
CEDAR RAPIDS TECH PARK URBAN RENEWAL	57008	9
CEDAR RAPIDS SOUTHWEST URBAN RENEWAL	57009	7
CEDAR RAPIDS INGLESIDE URBAN RENEWAL	57010	1
CEDAR RAPIDS VILLAGE URBAN RENEWAL	57053	1
CEDAR RAPIDS CONSOLIDATED URBAN RENEWAL	57057	23
CEDAR RAPIDS BIOFUELS URBAN RENEWAL	57058	1
CEDAR RAPIDS COUNCIL ST URBAN RENEWAL	57064	4
CEDAR RAPIDS ROCKWELL URBAN RENEWAL	57067	1
CEDAR RAPIDS POINTE URBAN RENEWAL	57069	1
CEDAR RAPIDS DIAMOND V MILLS	57075	1
CEDAR RAPIDS RAINING ROSE TIF AREA	57076	1
WESTDALE URBAN RENEWAL AREA	57077	0
FOUNTAINS URBAN RENEWAL AREA	57078	0

TIF Debt Outstanding: 182,143,957

TIF Sp. Rev. Fund Cash Balance as of 07-01-2012:	-2,031,641	0	Amount of 07-01-2012 Cash Balance Restricted for LMI
TIF Revenue:	8,080,306		
TIF Sp. Revenue Fund Interest:	0		
Asset Sales & Loan Repayments:	0		
Total Revenue:	8,080,306		
Rebate Expenditures:	2,951,066		
Non-Rebate Expenditures:	4,277,177		
Returned to County Treasurer:	0		
Total Expenditures:	7,228,243		
TIF Sp. Rev. Fund Cash Balance as of 06-30-2013:	-1,179,578	0	Amount of 06-30-2013 Cash Balance Restricted for LMI

**Year-End Outstanding TIF
Obligations, Net of TIF Special
Revenue Fund Balance:**

176,095,292



35bb

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'Hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

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

Resolution authorizing submittal of Tax Increment Financing (TIF) Indebtedness Certifications to the Linn County Auditor indicating the total debt incurred and revenues collected through June 30, 2012 within each of the City's sixteen (16) Urban Renewal Areas. #163407

Background:

The Iowa State Law requires all taxing bodies that utilize Tax Increment Financing (TIF) to submit verification of funds expended and collected on an annual basis. The State provides TIF Indebtedness Certificates be completed and submitted to the County Auditor no later than December 1, 2011. A TIF Indebtedness Certificate must be completed for each of the individual Urban Renewal Areas where tax increment revenues are collected. The information included in the Certifications is comprised of the aggregate amount of debt prior to July 1, 2012, the new debt incurred during the reporting period of July 1, 2012 - June 30, 2013, the total amount of tax revenues collected in the area through June 30, 2013, and the projected tax revenues to be collected from July 1, 2013 – June 30, 2014.

It is important to note that the only expenditures listed in the TIF Indebtedness Certifications are those previously approved by the City Council. There is no obligation of additional tax revenues associated with the Certifications.

A Resolution has been prepared to authorize the City Clerk to sign and execute TIF Indebtedness Certificates for proper submission to the Linn County Auditor. The TIF Indebtedness Certifications will be submitted for each of the City's sixteen (16) Urban Renewal Areas, as follows:

1. Central Business Urban Renewal Area
2. Consolidated Central Urban Renewal Area
3. Council Street Urban Renewal Area
4. Diamond V Mills Urban Renewal Area
5. Fountains Urban Renewal Area
6. Ingleside Urban Renewal Area
7. OSADA Urban Renewal Area
8. Pointe Urban Renewal Area

9. Prairie Ridge Urban Renewal Area
10. Raining Rose Urban Renewal Area
11. River Ridge North Urban Renewal Area
12. Rockwell Collins Urban Renewal Area
13. Southwest Consolidated Urban Renewal Area
14. Technology Park Urban Renewal Area
15. Village Urban Renewal Area
16. Westdale Urban Renewal Area

Action / Recommendation:

Recommend resolution approving the TIF Indebtedness Certifications.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Debt Certifications must be approved and submitted to the County by December 1, 2013.

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):

RESOLUTION NO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS,
IOWA AUTHORIZING SUBMITTAL OF TAX INCREMENT FINANCING (TIF)
INDEBTEDNESS CERTIFICATIONS FOR THE CITY'S SIXTEEN (16) URBAN
RENEWAL AREAS

WHEREAS, the City of Cedar Rapids, Iowa has sixteen (16) Urban Renewal areas identified below that include collection of tax increment as provided under State urban renewal law; and

WHEREAS, Iowa Code Section 403.19(5) requires annual filing of a certification of indebtedness for each urban renewal area with the County Auditor in order for the City to receive said tax increment revenue; and

WHEREAS, the City has incurred indebtedness through conducting activities in adoption and furtherance of the objectives of the urban renewal areas identified below as evidenced by TIF Indebtedness Certificates for each urban renewal area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa as follows:

1. That the City Clerk is hereby authorized and directed to sign TIF Indebtedness Certificates for the sixteen (16) Urban Renewal Areas, as identified below, requesting that tax increment be paid to the City as provided by Iowa Code Section 403.19(2) to their respective special funds under that Section.
 1. Central Business Urban Renewal Area
 2. Consolidated Central Urban Renewal Area
 3. Council Street Urban Renewal Area
 4. Diamond V Mills Urban Renewal Area
 5. Fountains Urban Renewal Area
 6. Ingleside Urban Renewal Area
 7. OSADA Urban Renewal Area
 8. Pointe Urban Renewal Area
 9. Prairie Ridge Urban Renewal Area
 10. Raining Rose Urban Renewal Area
 11. River Ridge North Urban Renewal Area
 12. Rockwell Collins Urban Renewal Area
 13. Southwest Consolidated Urban Renewal Area
 14. Technology Park Urban Renewal Area
 15. Village Urban Renewal Area
 16. Westdale Urban Renewal Area
2. That the City Clerk, or other appropriate City Officials, file said certifications with the Auditor of the County of Linn, Iowa as provided under Iowa Code Section 403.19(5).

Passed this 19th day of November, 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolution authorizing execution of Development Agreements and Special Warranty Deeds with Jim Sattler, Inc. for City-owned property at 1205 3rd Street SW participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #540257

Background:

The resolution for City Council consideration provide for the execution of a Development Agreement and deed with Jim Sattler, Inc. for City-owned property at 1205 3rd Street SW through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 127 such agreements and deeds for City property have been executed for the ROOTs program.

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

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

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

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

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

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

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity: N/A

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation: Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT
AND SPECIAL WARRANTY DEED WITH JIM SATTLER, INC. FOR CITY-OWNED
PROPERTY AT 1205 3RD STREET SW PARTICIPATING IN THE THIRD ROUND
OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1205 3rd Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

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

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

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

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

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

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

Passed this 19th Day of November, 2013



35dd

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Adam Lindenlaub

Phone Number/Ext: 319 286-5064

Email: a.lindenlaub@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Resolution authorizing approval of a Professional Services Agreement with RDG Planning & Design for the development of the Comprehensive Plan Update. CIP/DID #165740

Background:

On August 13, 2013, the City Council selected RDG Planning & Design to provide assistance in updating the City's Comprehensive Plan and authorized negotiation of a Professional Services Agreement. Since then, the City has received an extension of the Iowa Smart Planning Grant, which now expires in May of 2015. This extension will allow more time for public engagement and for bypassing the November to January time period which is usually not beneficial for such activities. City staff is targeting October of 2014 for final City Council approval of the new Comprehensive Plan.

On August 2, 2013, the Steering Committee and City Staff evaluated the proposals based on the following criteria and recommended selection of RDG Planning & Design:

- Project Management
- Capabilities and Experience of Firm
- Project Team Organization
- Company Responsiveness to RFP
- References

On June 3, 2013, the City issued a Request for Proposals to provide technical services to assist in updating the Comprehensive Plan. The following proposals were received by the July 12, 2013 deadline (sub-consultants listed in parenthesis):

- RDG Planning & Design (HR Green)
- The Lakota Group (S.B. Friedman, Anderson-Bogert)
- Teska Associates, Inc. (SAA Design Group, Inc., David Harris)

Action / Recommendation:

City staff recommends approval of the Professional Services Agreement (PSA).

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Approval of the PSA now would keep the development of the update on track for completion in September of 2014 and City Council adoption in October of 2014.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

Budget for consultant services is \$150,000.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION AUTHORIZING APPROVAL OF A PROFESSIONAL SERVICES
AGREEMENT WITH RDG PLANNING AND DESIGN FOR THE
DEVELOPMENT OF THE COMPREHENSIVE PLAN UPDATE

WHEREAS, the City of Cedar Rapids adopted a Comprehensive Plan in 1999 to provide policy recommendations on development and services as the community grows; and

WHEREAS, the implementation of the goals and objectives of the 1999 Comprehensive Plan has assisted the City in proactively addressing how the community grows and provides services; and

WHEREAS, the City wishes to update the 1999 Comprehensive Plan to reflect the changing needs of the community and draft policy goals and strategies to assist the City in continuing to grow and provide high quality services; and

WHEREAS, various planning and policy documents have been completed since the flood of 2008, and a goal of the Comprehensive Plan Update is to consolidate and confirm these recommendations, as well as seek input on outstanding community issues; and

WHEREAS, the City Council selected RDG Planning & Design to provide assistance in development of the Comprehensive Plan Update;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign a Professional Services Agreement with RDG Planning & Design.

Passed this 19th day of November, 2013.



35ee

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Joe O'Hern
Email: j.ohern@cedar-rapids.org

Phone Number/Ext: 319 286-5292

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

Resolution authorizing execution of a Confirmation and Consent Certificate and a Ground Lease Estoppel and Agreement with the assignment of three leases relating to the Town Centre parking ramp and for the Town Centre skywalk. CIP/DID #534297

Background:

In 1964, the City of Cedar Rapids leased certain property to Metro Development Company for what became known as the "Killian's Parking Ramp." Some of the property leased was in the alley right-of-way located between 3th Avenue S.E. and 4th Avenue S.E. Some of the property was in the 4th Avenue S.E. right of way. In 1991 the City leased some air rights for an overhead pedestrian passageway over the alley. This area is near the current Town Centre Building is located. The two older leases expire in 2033. The newest lease expires in 2041.

The current owner is selling the property, including its interests in these three leases. The buyer and its lender want the City to consent to the assignment of these leases to the buyer and to state that all three leases are in force and effect and that there is not default.

The current owner, Succession, LC, through its attorney, has prepared the necessary documents which have been reviewed by the City Attorney. The annual rental for these three leases is \$23,581.50. Attached hereto is a Resolution for the City Council's consideration should it choose to grant the request to consent to the Assignment and state that the leases are in force and effect with no default..

Action / Recommendation:

City staff recommends approval of the resolution

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Resolution Date: November 5, 2013

Estimated Presentation Time:

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

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

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa entered into a Lease Agreement with Metro Development Company dated May 27, 1964 and recorded July 1, 1964 in Volume 1222 at Page 394 of the records of the Linn County, Iowa Recorder, which lease was amended by an Amendment to Lease Agreement dated November 10, 1964, and recorded on November 12, 1964 in Volume 1236 at Page 574 of the records of the Linn County, Iowa Recorder, and further amended by an Amendment to Lease Agreement dated November 4, 1983 and recorded on August 28, 2000 in Volume 4150 at Page 93 of the records of the Linn County, Iowa Recorder; and

WHEREAS, the City of Cedar Rapids, Iowa; also entered into a second Lease Agreement with Metro Development Company dated May 27, 1964 and filed July 1, 1964 in Volume 1222 at Page 405 of the records of the Linn County, Iowa Recorder, which lease was amended by an Amendment to Lease Agreement dated November 4, 1983 and recorded on August 28, 2000 in Volume 4150 at Page 93 of the records of the Linn County, Iowa Recorder; and

WHEREAS, the City of Cedar Rapids, Iowa has also entered into a Lease Agreement with 2060 Partnership, L.P. for an overhead pedestrian passageway across the alley between 2nd Street and 3rd Street S.E. dated September 11, 1991; and

WHEREAS, the interests of Metro Development Company and 2060 Partnership, L.P. in said lease agreements are now owned by Succession, LC; and

WHEREAS, Succession, LC has requested that the City consent to the assignment of the lease agreements by Succession, LC to Second Succession, LLC.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City hereby consents to the assignment of said lease agreements, as amended, to Second Succession, LLC and the City Manager and City Clerk are authorized to sign the Confirmation and Consent Certificate and the Ground Lease Estoppel Agreements accordingly.

Passed this 19th day of November 2013.

Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Parks and Recreation Department

Presenter at meeting: Steve Krug
Email: s.krug@cedar-rapids.org

Phone Number/Ext: 319-286-5740

Alternate Contact Person: Sven Leff
Email: s.leff@cedar-rapids.org

Phone Number/Ext: 319-286-5739

Description of Agenda Item: Report on bids and resolution awarding and approving contract in the amount of \$62,998 bond and insurance of Pirc-Tobin Construction, Inc., for the Hoover Trail Park project (estimate of Cost is \$65,000). A report of bids received from the City officer conducting the bid opening is attached. (307222-01)

Background: Bids for the Hoover Trail Park project were received November 13, 2013. The low bid for the project was \$62,998. The Parks and Recreation Department recommends awarding the contract to Pirc-Tobin Construction, Inc. for a total contract amount of \$62,998.

Action / Recommendation:

Award of contract to move forward on the Hoover Trail Park project.

Alternative 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

Resolution Date: November 19, 2013

Estimated Presentation Time: 5 Minute(s)

Budget Information (if applicable):

Project is to be paid for with allocated CIP funds, project #307222-01

Local Preference Policy Applies ☐ Exempt ☒

Explanation: The 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.

307222 - Hoover Trail Park - Bid Results

Nov. 13, 2013

Contractor	Rickleff's Excavating, LTD	Pirc-Tobin Construction, Inc.	Dave Schmitt Const., Co.	Tschiggfrie Excavating Co.	Schrader Ex. & Grading Co.
Base Bid:	\$ 64,981.00	\$ 62,998.00	\$ 78,526.00	\$ 69,462.00	\$ 75,800.00
Unit Prices:					
Asphalt Parking lot	\$ 30.00	\$ 33.50	\$ 30.00	\$ 40.00	\$ 31.60
Asphalt trail	\$ 32.00	\$ 36.20	\$ 31.50	\$ 36.00	\$ 36.75
sidewalk	\$ 4.00	\$ 4.58	\$ 36.00	\$ 6.00	\$ 5.00
grading & excavating	\$ 2.00	\$ 8.50	\$ 3.40	\$ 12.00	\$ 7.75

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 22, 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 Hoover Trail Park public improvement project (Contract No. 307222-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 26, 2013 pursuant to which a public hearing was held on November 5, 2013, and

WHEREAS, the following bids were received, opened and announced on November 13, 2013 by the Director of Parks & Recreation, 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 November 19, 2013:

Pirc-Tobin Construction, Inc., Alburnett, IA	\$62,998
Rickleff's Excavating, LTD, Anamosa, IA	\$64,981
Tschiggfrie Excavating Co., Cedar Rapids, IA	\$69,462
Schrader Excavating & Grading, Walford, IA	\$75,800
Dave Schmitt Construction, Cedar Rapids, IA	\$78,526

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$62,998, 307222-01; 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 Director of Parks & Recreation, 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. Pirc-Tobin Construction, Inc. is the lowest responsive, responsible bidder on said work and the Director of Parks & Recreation, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Pirc-Tobin Construction, Inc. is hereby accepted and the contract for this public improvement is hereby awarded to Pirc-Tobin Construction, Inc.;

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 19th day of November, 2013.

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**

Report on bids and resolution awarding and approving contract in the amount of \$1,315,990.70 plus incentive up to \$92,900, bond and insurance of BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project (estimated cost is \$1,490,000). CIP/DID #3012049-03

Background:

BWC Excavating, LC, Solon, IA	*\$1,315,990.70
Ricklefs Excavating, Ltd, Anamosa, IA	\$1,343,869.18
Dave Schmitt Construction, Cedar Rapids, IA	\$1,381,070.70
Rathje Construction Co., Marion, IA	\$1,392,330.36
Horsfield Construction, Inc., Epworth, IA	\$1,418,557.45
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,457,100.20
Vieth Construction Corp., Cedar Falls, IA	*\$1,483,030.68
Peterson Contractors, Inc., Reinbeck, IA	*\$1,512,567.65
Metro Pavers, Inc., Iowa City, IA	\$1,531,020.37
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,599,557.05
Tschiggfrie Excavating, Inc., Dubuque, IA	\$1,663,315.35

*Multiplication/Addition errors found in bid

BWC Excavating, LC submitted the lowest of the bids received on November 6, 2013 for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements project. The bid is within the approved budget. Construction work is anticipated to begin next spring and be completed by September 15, 2015. The College Community School District has reaffirmed their financial support for their share of the project at the November 18, 2013 School Board Meeting.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of BWC Excavating, LC was corrected to be \$1,315,990.70, based on the unit prices submitted and the correct bid quantity totals.

BWC Excavating, LC, Solon, IA	\$1,315,990.70
Possible Incentive	\$ 92,900.00
Total Award	\$1,408,890.70

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,315,990.70 plus incentive up to \$92,900, bond and insurance of BWC Excavating, LC for the 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection 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 November 19, 2013 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP No. 3012049

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Not Applicable

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

Explanation (if necessary):

Recommended by College Community School District School Board: Yes ☒

Explanation: At November 18, 2013 Board meeting.



November 6, 2013

City Council
City of Cedar Rapids

RE: Report on bids as read for the 76th Avenue SW From East of Interstate 380 to Prairie Hawk Drive SW Street Improvements & Kirkwood Boulevard SW Intersection Improvements project, Contract Number 3012049-03

Dear City Council:

Bids were received on November 6, 2013 for the 76th Avenue SW From East of Interstate 380 to Prairie Hawk Drive SW Street Improvements & Kirkwood Boulevard SW Intersection Improvements project as follows:

BWC Excavating, LC, Solon, IA	\$1,315,990.69
Ricklefs Excavating, Ltd, Anamosa, IA	\$1,343,869.18
Dave Schmitt Construction, Cedar Rapids, IA	\$1,381,070.70
Rathje Construction Co., Marion, IA	\$1,392,330.36
Horsfield Construction, Inc., Epworth, IA	\$1,418,557.45
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,457,100.20
Vieth Construction Corp., Cedar Falls, IA	\$1,483,000.00
Peterson Contractors, Inc., Reinbeck, IA	\$1,511,438.65
Metro Pavers, Inc., Iowa City, IA	\$1,531,020.37
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,599,557.05
Tschiggfrie Excavating, Inc., Dubuque, IA	\$1,663,315.35

The engineers cost opinion for this work is \$1,490,000. 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 blue ink, appearing to read "Glenn Vosatka".

Glenn Vosatka, P.E.
Project Engineer I

GV/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 October 8, 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 76th Avenue SW from East of Interstate 380 to Prairie Hawk Drive SW Street Improvements and Kirkwood Boulevard SW Intersection Improvements public improvement project (Contract No. 3012049-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 12, 2013 pursuant to which a public hearing was held on October 22, 2013, and

WHEREAS, the following bids were received, opened and announced on November 6, 2013 by the City Engineer, 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 November 19, 2013:

BWC Excavating, LC, Solon, IA	*\$1,315,990.70
Possible Incentive	<u>\$ 92,900.00</u>
Total Award	\$1,408,890.70
Ricklefs Excavating, Ltd, Anamosa, IA	\$1,343,869.18
Dave Schmitt Construction, Cedar Rapids, IA	\$1,381,070.70
Rathje Construction Co., Marion, IA	\$1,392,330.36
Horsfield Construction, Inc., Epworth, IA	\$1,418,557.45
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,457,100.20
Vieth Construction Corp., Cedar Falls, IA	*\$1,483,030.68
Peterson Contractors, Inc., Reinbeck, IA	*\$1,512,567.65
Metro Pavers, Inc., Iowa City, IA	\$1,531,020.37
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,599,557.05
Tschiggfrie Excavating, Inc., Dubuque, IA	\$1,663,315.35

*Multiplication/Addition errors found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$1,408,890.70, 301-301000-3012049; 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. BWC Excavating, LC is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

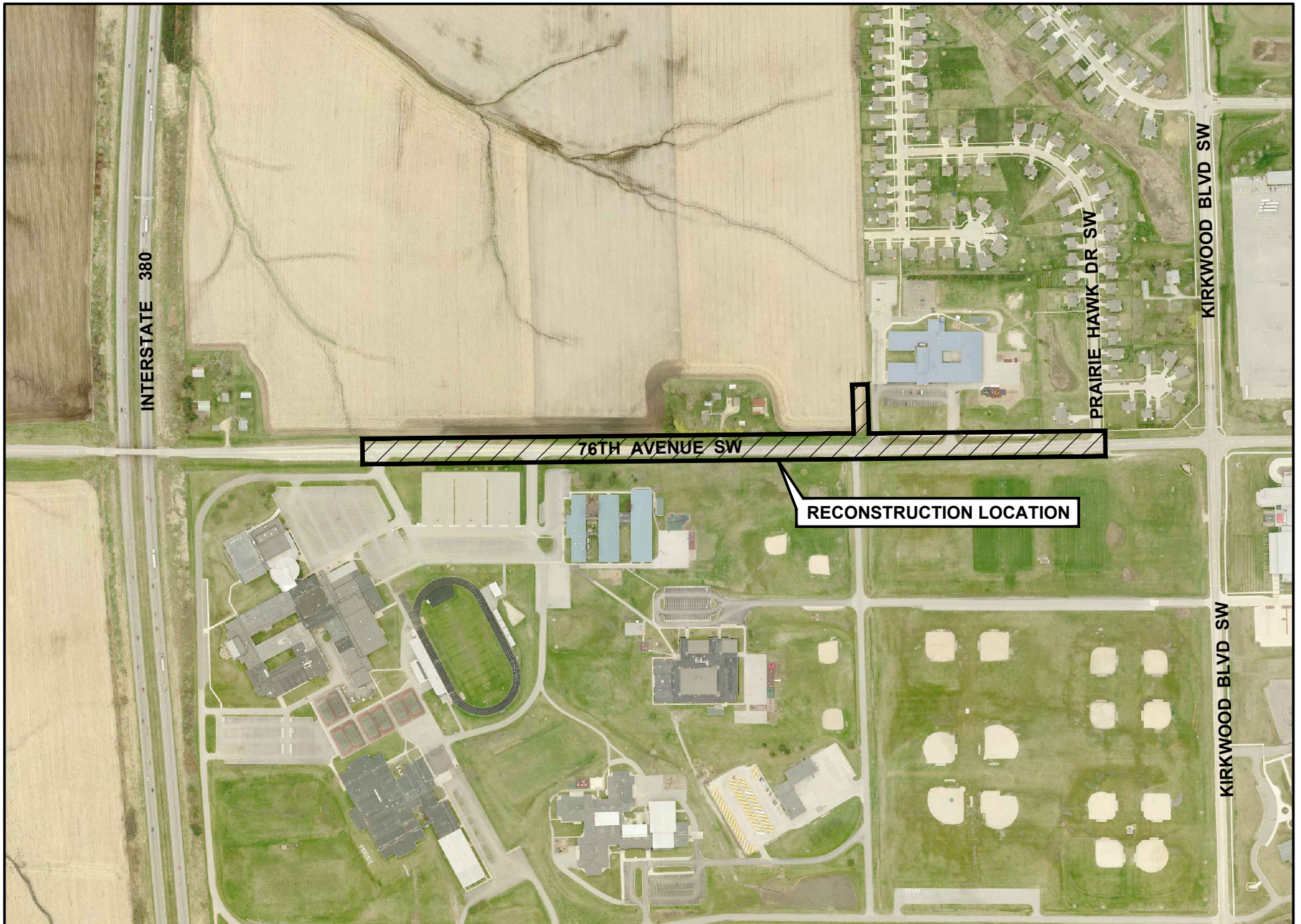
3. Subject to registration with the Department of Labor, the Bid of BWC Excavating, LC is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to BWC Excavating, LC;

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 19th day of November, 2013.





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

Alternate Contact Person: Glenn Vosatka
E-mail Address: g.vosatka@cedar-rapids.org

Phone Number/Extension: 5821

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

Report on bids and resolution awarding and approving contract in the amount of \$162,800, plus incentive up to \$9,000, bond and insurance of Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project (estimated cost is \$185,000). CIP/DID #301847-01

Background:

Ricklefs Excavating, Ltd., Anamosa, IA	\$162,800.00
Possible Incentive	<u>\$ 9,000.00</u>
Total Award	\$171,800.00
Iowa State Contractors, Inc., Ottumwa, IA	\$167,487.50
BWC Excavating, LC, Solon, IA	*\$169,372.96
Pirc-Tobin Construction, Inc., Alburnett, IA	\$169,769.00
Rathje Construction Co., Marion, IA	\$173,170.00
Vieth Construction Corp., Cedar Falls, IA	\$179,430.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$188,155.25
Tschiggfrie Excavating, Dubuque, IA	*\$188,421.45

* Multiplication/Addition errors found in bid

Ricklefs Excavating, Ltd submitted the lowest of the bids received on November 13, 2013 for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements project. The bid is within the approved budget. Construction work is anticipated to begin this spring and be completed within 30 working days.

Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$162,800 plus incentive up to \$9,000, bond and insurance of Ricklefs Excavating, Ltd. for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection 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 November 19, 2013 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: November 19, 2013

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301847

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):



November 13, 2013

City Council
City of Cedar Rapids

RE: Report on bids as read for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements, Contract Number 301847-01

Dear City Council:

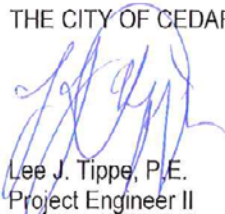
Bids were received on November 13, 2013 for the Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection improvements project as follows:

Ricklefs Excavating, Ltd, Anamosa, IA	\$162,800.00
Iowa State Contractors, Inc., Ottumwa, IA	\$167,487.50
BWC Excavating, LC, Solon, IA	\$169,375.39
Pirc-Tobin Construction, Inc., Alburnett, IA	\$169,769.00
Rathje Construction Co., Marion, IA	\$173,170.00
Vieth Construction Corp., Cedar Falls, IA	\$179,430.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$188,155.25
Tschiggfrie Excavating, Dubuque, IA	\$188,259.45

The engineers cost opinion for this work is \$185,000. 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



Lee J. 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
500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 22, 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 Montclair Drive NW from Owen Street to Jacolyn Drive Storm Sewer and Intersection Improvements public improvement project (Contract No. 301847-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 26, 2013 pursuant to which a public hearing was held on November 5, 2013, and

WHEREAS, the following bids were received, opened and announced on November 13, 2013 by the City Engineer, 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 November 19, 2013:

Ricklefs Excavating, Ltd., Anamosa, IA	\$162,800.00
Possible Incentive	<u>\$ 9,000.00</u>
Total Award	\$171,800.00

Iowa State Contractors, Inc., Ottumwa, IA	\$167,487.50
BWC Excavating, LC, Solon, IA	*\$169,372.96
Pirc-Tobin Construction, Inc., Alburnett, IA	\$169,769.00
Rathje Construction Co., Marion, IA	\$173,170.00
Vieth Construction Corp., Cedar Falls, IA	\$179,430.00
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$188,155.25
Tschiggfrie Excavating, Dubuque, IA	*\$188,421.45

*Multiplication/Addition errors found in bid

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$166,250.00, 301-301000-301847 and \$5,550.00, 625-625000-625884-2012073; 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. 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 bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Ricklefs Excavating, Ltd. is hereby accepted, with the inclusion of the incentive clause, 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 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.

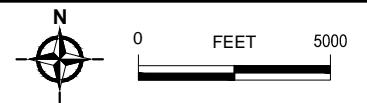
Passed this 19th day of November, 2013.



Cadd File Name: W:\PROJECTS\CI\301847\301847_Corridor_Map.dwg



**MONCLAIR DRIVE NW FROM OWEN STREET TO
JACOLYN DRIVE STORM SEWER AND
INTERSECTION IMPROVEMENTS PROJECT**



**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 2013**Submitting Department:** Community Development**Presenter at meeting:** Adam Lindenlaub
Email: a.lindenlaub@cedar-rapids.org**Phone Number/Ext:** 319 286-5064**Alternate Contact Person:** Joe O'Hern
Email: j.ohern@cedar-rapids.org**Phone Number/Ext:** 319 286-5292**Description of Agenda Item:** ☐ **Consent** ☐ **Public Hearing** ☒ **Regular Agenda**

Discussion and Resolution authorizing submittal of a Flood Mitigation Program Grant application to the State of Iowa for funding of flood mitigation in Cedar Rapids. NEW

Background:

The Flood Mitigation Program (FMP) is a result of the City's lobbying the Iowa Legislature for the recapturing of the growth in sales tax to help fund flood mitigation projects, called the Growth Recovery Initiative (GRI). The FMP allows for the increment or growth in sales tax to be returned to a jurisdiction over a twenty year period with an annual cap of 70% of the growth or \$15 million dollars. The City is asking for \$264,000,000 to aid in construction of flood protection on both east and west sides of the river.

The FMP allows only one application per jurisdiction with a due date of January of 2016. The Flood Mitigation Board's next meeting is November 21, 2013 which is the first meeting where they will be reviewing applications. The City has requested that its application be reviewed at the November 21, 2013 meeting.

A link to both the Executive Summary and the entire application can be accessed on the City's website at this link <http://www.cedar-rapids.org/FMPApplication>

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation:

City Council may table the item and request additional information.

Time Sensitivity:

Approval of resolution allows application to be considered at the Flood Mitigation Board's November 21, 2013 meeting.

Resolution Date: November 19, 2013**Estimated Presentation Time:** 0 minutes**Local Preference Policy** Applies ☐ Exempt ☐ N/A ☒**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒

City of Cedar Rapids' Flood Mitigation Program Application Executive Summary

Cedar Rapids' Flood Mitigation Program Grant Request

The City of Cedar Rapids is requesting approval of a grant in the amount of \$263,773,000 to provide 46% of our \$570,430,000 total project cost for flood mitigation on both sides of the Cedar River in Cedar Rapids. The goal of the proposed system when completed is to reduce or eliminate the future flood damages resulting from flood events similar or less than the event that occurred in June of 2008. The proposed mitigation system includes construction of 6.24 miles of levee and floodwalls (permanent and removable), 11 pump stations, 21 roadway and railroad gate closures, improvements to a flood prone bridge (elevation of approaches), and design on a second river crossing. While the City believes that, based on 2.5% growth in sales tax, it would reach the maximum amount of sales tax increment allowed under state law in FY19 it is asking for the sales tax increment generated each year up to the allowable 70% or \$15 million.

The City is also requesting approval to allow necessary adjustments to the schedule for construction of the individual phases of the proposed mitigation system as well as make necessary modifications to the alignments of the project elements in conformance with final design recommendations. This project will be aggressively implemented in segments to match the availability of funding, to respond to economic development opportunities and/or public feedback, and to achieve the most cost effective and efficient system when complete. The City will conduct extensive public engagement as the design development process is initiated for various segments to help achieve a flood mitigation system that best serves the citizens.

Additionally, we request approval to include one or more of the flood mitigation activities noted below as eligible activities should the construction and/or inflation costs throughout the course of the project noted above are lower than estimated. These activities would remain eligible for grant funding assistance until the total grant funding amount of \$263,773,000 is expended. The contingent flood mitigation activities and estimated costs (based on 2013 cost opinions) are:

- May's Island protection - \$23,000,000
- Water Plant protection - \$30,000,000
- Extending the line of protection north from Quaker Oats - \$50,000,000
- New SE Bridge Crossing over Cedar River (C Street SW bridge) - \$31,000,000

Cedar Rapids' Flood Management Project

The City is requesting sales tax increment to aid in the construction of the City's proposed flood management system, which is comprised of 6.24 miles of levee and floodwalls (permanent and removable). Included as part of the proposed flood management system are 11 pump stations and 21 roadway and railroad gate closures. The City does envision using removable floodwalls in some locations. The USACE has conducted a risk assessment for their eastside project that determined the City has the ability to successfully install planned removable floodwalls and gate closures as part of their flood mitigation project. This risk assessment evaluation was based on flood warning time, available City resources, and the City's plan to construct removable floodwalls and closure gates on both sides of

the Cedar River. The City is also proposing improvements to the southern (flood prone) and northern approaches of the Edgewood Road bridge. This is being proposed to mitigate the access issue in 2008, when the flood closed 9 out of ten bridges over the Cedar River and left I-380 as the only way to access both sides of the metro area, which resulted in local and regional delays for citizens and businesses as well as limiting access to both hospitals from the west side of the city.

As mentioned above, if cost and financing conditions are favorable, one of the additional projects the City will complete within the stated project cost is the construction of a new SE Cedar River bridge connecting C Street SW to Otis Road SE, which will allow for another river crossing.

This project includes structural flood protection and infrastructure improvements totaling \$570,430,000. The funding in place includes a total of \$175,882,000 in federal funds (Community Development Block Grant, Federal Highway Administration, USACE, Water Resources and Reform Development Act) and \$20,650,000 in local (city, private, and state) funding. The request for sales tax is \$263,773,000, which is 46% of the project total.

The key and crucial portion of the City's project is structural flood protection on both sides of the river based on plan adopted by the City Council in November of 2008. The development of this plan, including redevelopment of flood impacted areas, involved the input of 4,000 people over three open houses and 8 workshops. Recent redevelopment plans adopted in 2013 (Downtown Area Plan, Kingston Village Plan, Ellis Boulevard Area Plan) for areas along the river and the downtown included property owner and neighborhood association involvement and have reaffirmed the City's commitment to flood protection.

Extensive cooperation with the USACE has led to the completion of a feasibility study, review and approval of a federal mitigation project on one side of the river by the Civil Works Review Board, approval by the Office of Management and Budget for inclusion in the President's budget, and inclusion in both the Senate and House versions of the new Water Resources and Development Act, now titled the Water Resources and Reform Development Act of 2013 (WRRDA) by the House. WRRDA was passed by the Senate on May 15th, 2013, the House on October 23rd, 2013, and will now go to conference committee. USACE, in coordination with the City, is currently designing this portion on the east side of the river, which is called 4C.

The City has completed or is in progress on other elements of its overall flood protection project including:

- Construction of the Amphitheater levee
- Water Pollution Control (WPC) protection system
- Elevation of mechanicals and utilities in City facilities
- Improvements to the Utility Systems (Water, Storm Sewer, Sanitary Sewer)
- Acquisition of private property to remove citizens and businesses from future risk
- Area specific flood response manuals
- Participation in the Community Rating System
- Bridge improvements

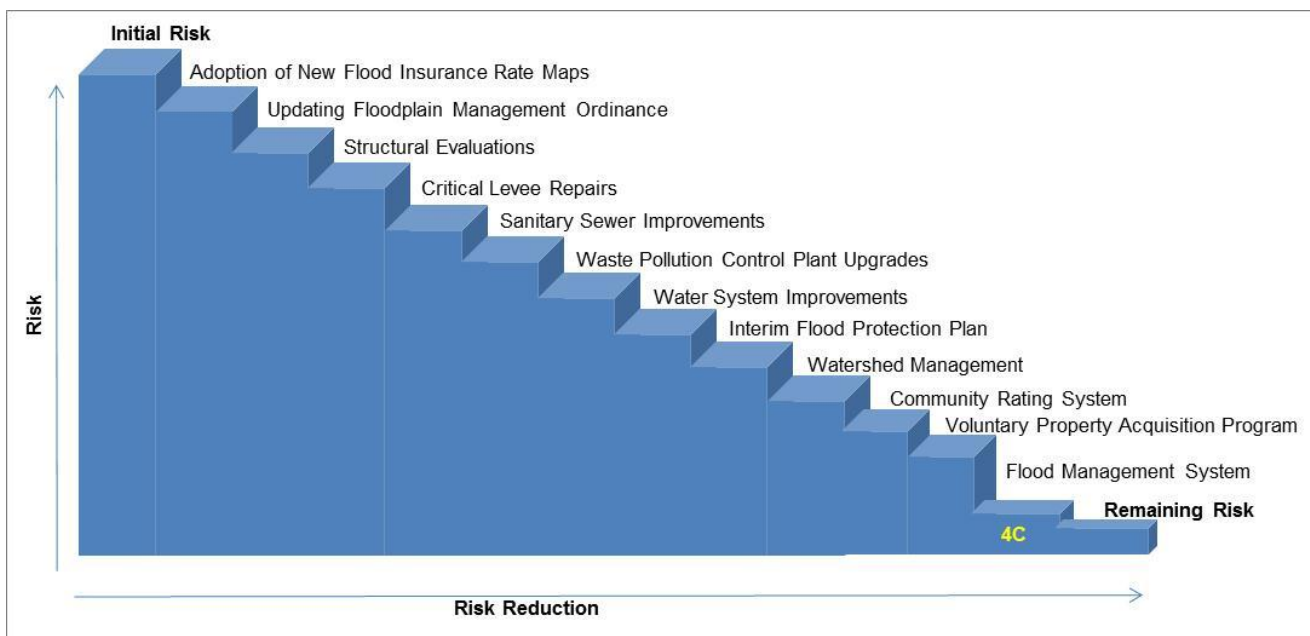
- Coordination on protection built by the Private sector (Alliant Energy levee and Quaker Oats floodwall)

Although not all of these efforts and their funding are included in this application (due to the application requirement to exclude Stafford Act funding), the City has directed \$304,674,000 in federal funding, \$38,034,000 in city funding, \$11,278,000 in private funding, and \$50,711,000 in state funding towards its overall flood mitigation project.

It is important to note that, since the flood, there has already been more than \$373,000,000 million invested by the private sector in a combination of commercial, industrial, and residential projects. This has all been predicated on the City's plan and is expected to grow during the 20 year time period of the grant.

Cedar Rapids' Multi-Strategic Approach to Flood Management

The City of Cedar Rapids recognizes that the responsibility for flood risk reduction is shared among the federal, state, and local governments as well as among the citizens of the community. Cedar Rapids has made a full scale effort to identify and act on every risk reduction tool that has been brought to its attention. The City is collaborating with entities at the local, state, and federal levels to employ multiple strategies for flood risk management. The graphic below outlines the multiple approaches the City is taking to mitigate the damages from the June 2008 flood. The vertical spectrum represents the amount of risk from future flooding. The horizontal spectrum represents the reduction in risk each time a strategy is put in place. The amount of risk is reduced as the City implements or utilizes a strategy. Some strategies have a larger impact than others. For example, the City's proposed flood management system has a greater impact on reducing risk than improving the Community Rating System. Each time the City implements a strategy the amount of risk is reduced until there is only a residual or Remaining Risk that remains.



Voluntary Property Acquisition Program

The City, with input from the US Army Corps of Engineers, developed a preliminary alignment area in late 2008 to identify properties that would have the greatest likelihood of being impacted as a result of constructing a flood management system (either from construction or relocation of infrastructure). This area is essentially a buffer around the City's proposed flood management system. The purpose of creating this area prior to final design of a system was threefold:

- Provide some clarity to property owners deciding whether to rebuild.
- Preserve property that would be needed by the City for the flood management system.
- Allow for flexibility of the alignment during final design

City adopted a Voluntary Acquisition Plan in December of 2008, which outlined the strategy for acquisition of flood damaged properties. The main focus of this plan was the acquisition of properties within the preliminary alignment area and the area between the preliminary alignment area and the river.

For this project the City has acquired a total of 556 properties for a total of \$56,731,000. 58 properties using local option sales tax for a total of \$2,327,000, 405 properties using Community Development Block Grant funds for a total of \$48,208,000, and 93 properties using Hazard Mitigation Grant Program funds for a total of \$6,196,000 (these funds are not included in the project total).

Community Rating System

The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements.

As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the program's three goals:

- Reduce flood damage to insurable property
- Strengthen and support the insurance aspects of the NFIP
- Encourage a comprehensive approach to floodplain management

For CRS participating communities, flood insurance premium rates are discounted in increments of 5% (i.e., a Class 1 community would receive a 45% premium discount, while a Class 9 community would receive a 5% discount (a Class 10 is not participating in the CRS and receives no discount)). The CRS classes for local communities are based on 18 creditable activities, organized under four categories:

- Public Information
- Mapping and Regulations
- Flood Damage Reduction
- Flood Preparedness

The City of Cedar Rapids began participating in the Community Rating System in May 2010 and was initially classified as a Class 8 community. This classification equates to a 10% discount off flood insurance premiums for policies within the Special Flood Hazard Area commonly referred to as the 100-year flood plain.

Since 2010 the City of Cedar Rapids has taken additional steps to reduce flood risk within our community. These steps include the removal of nearly 700 structures from the 100 year floodplain; a number of public information events; increased floodplain mapping information; and restrictions on redevelopment within the floodplain.

With these additional floodplain management actions by the City, it is our hope that in May 2014 the City of Cedar Rapids will become a Class 6 CRS community. This will make Cedar Rapids the highest rated CRS community within the State and provide residents with a 20% discount on flood insurance premiums.

Adoption of New FIRM

The City of Cedar Rapids adopted new Flood Insurance Rate Maps (FIRM) on April 5th, 2010, which had an impact on the flood hazard location of approximately 1,900 properties on both sides of the river. These new digitized maps help provide more information to the city and property owners about their location in the Cedar River floodplains.

Structural Evaluations

Immediately after the flood, the City performed inspections of the levees, floodwalls, and bridges that were impacted by flood waters. This included the use of divers to inspect bridge piers and substructures and visual inspections of earthen structures.

Critical Levee Repairs

Since the flood, the City has performed five critical repairs of existing east and west side levees using funding through the Emergency Watershed Protection Program in addition to numerous river bank repair and restoration projects for stabilization.

Sanitary Sewer System Improvements

After the flood, the City video-inspected the sanitary sewers in the flood impacted area and visually inspected sanitary sewer manholes to evaluate their condition. Most of the sanitary sewer collection system was found to be damaged and in poor condition. The City began its plan to have all damages repaired within five years. The damages to the sanitary sewer system led to excessive flows resulting in basement backups and sanitary sewer overflows during wet weather. Basement backups are a health hazard and a nuisance to property owners while sanitary sewer overflows are detrimental to the environment. The City also implemented a backwater valve reimbursement program that provides property owners with up to \$800 towards installation of a backwater valve. A backwater valve provides protection against basement backups. 30 property owners have taken advantage of this program since its inception. Although not included in the project total, the City also made \$58,618,000 in improvements to the sanitary sewer system by replacing damaged infrastructure with more flood resilient materials.

WPC Plant Upgrades

The City's Water Pollution Control plant (WPC) provides wastewater treatment services for not only Cedar Rapids citizens and businesses but also the communities of Marion, Hiawatha, Robins, and Palo. The key part of that service, especially for new or expanding industrial customers, is reliability or the continuous availability of wastewater treatment. WPC receives waste from about 180,000 customers

but it treats the population equivalent of 1,800,000 people due to the high biochemical oxygen demand of the waste, which is a result of the number of food processing and bio-tech grain based industries located in Cedar Rapids.

The City has elevated control and electrical equipment above the flood of record and has made, or has funded, \$49,918,000 in improvements to the WPC facility including structural flood protection (ring levee), which is not included in the project total.

Water System Improvements

As with wastewater treatment, Cedar Rapids is a metro provider of water. The City provides water to Robins and the Poweshiek Water Association for a total of 130,968 people. The large number of aforementioned bio-tech and food processing industries are heavy users of the water system and depend on its reliability. The City has raised all of its vertical well platforms ten feet so they are above the flood of record. Recently installed collector wells have been designed to account for the flood of record. These mitigation efforts, although not included in the project total, equal \$4,401,000.

Interim Flood Protection Plan

Storm Sewer Modifications: The City installed two storm water pumping stations and retrofitted six outlets with check valves to reduce river backflow and improve the performance of the City's storm sewer system during a flooding event.

Improved Flood Forecasting: The City has funded the installation of three additional flood gauges to provide more accurate forecasting of flood stages.

Flood Response Manual: The City updated its flood response manual to reflect lessons learned during the 2008 flood event. This has led to an increased level of efficiency for staff and equipment that are part of a response to flooding.

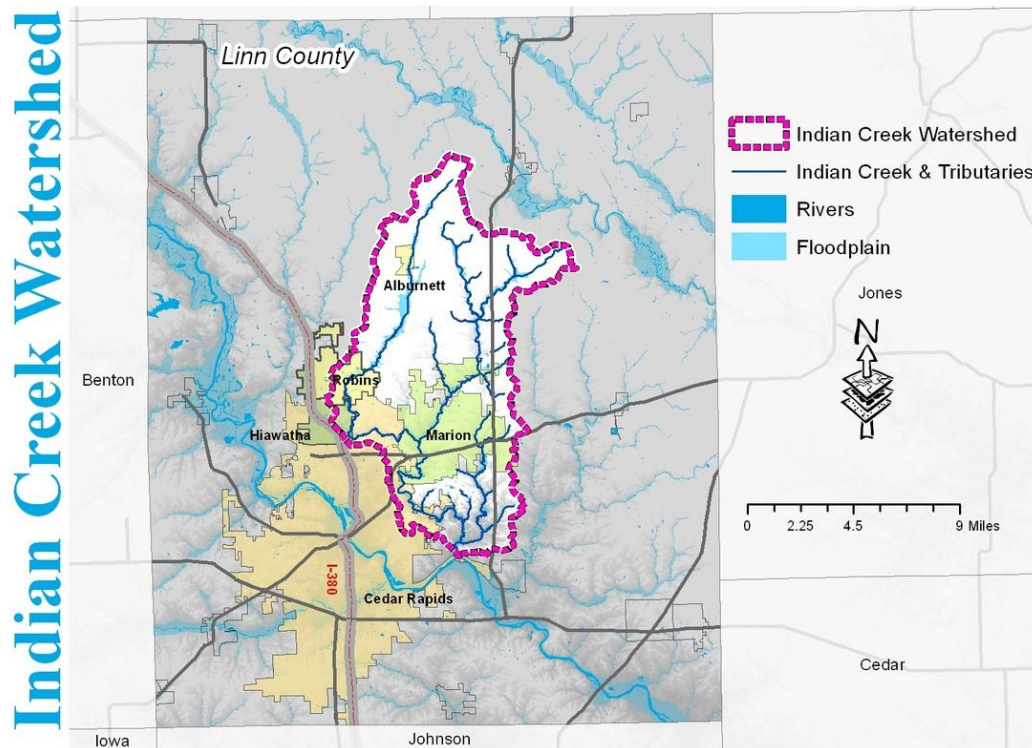
Watershed Management

As can be seen in the graphic, the City understands the importance of watershed management as part of its overall strategy but also understands that this is a multi-jurisdictional issue that takes coordination with multiple cities, counties, and states. The City initiated watershed investigations as part of the Corridor MPO (Metropolitan Planning Organization for the Cedar Rapids metro area) in 2003. This led to two Continuing Authorities Program Section 205-Flood Control (CAP) Studies by the US Army Corps of Engineers. One was on the Cedar River in the Time Check neighborhood area (on the west side between Ellis Park and I-380), which was a precursor to the feasibility study that was in May of 2008 and was expanded post flood. The second was on the 93 square mile Indian Creek watershed. In 2013, the Indian Creek Watershed Management Authority (ICWMA) was created and is comprised of the following:

- Cedar Rapids
- Marion
- Robins
- Hiawatha
- Linn County

- East Central Iowa Council of Governments
- Linn Soil & Water Conservation District

The ICWMA is a cooperative agreement among the jurisdictions within the watershed to provide a framework for watershed level planning and management. The ICWMA has the ability to conduct watershed assessments, implement watershed improvement projects, and educate communities about flood risk and water quality concerns. ICWMA's goal is to increase communication and coordination within the Indian Creek Watershed to reduce flood risk and improve water quality. The ICWMA recently received a state grant to develop a comprehensive watershed management plan. A map of the watershed is below.



On an even larger regional level, the City is also participating in the Iowa-Cedar Watershed Interagency Coordination Team. This multi-agency watershed team is collaborating on the development of a watershed based plan that will coordinate on-going watershed planning efforts in the Iowa-Cedar Rivers Basin. This planning effort will focus on creating a collaborative process that will identify resource problems and identify which entity is best suited to address this concern through their authority or charter. Within this collaborative framework entities may study a single aspect of a larger watershed plan without being dependent on other entities funding mechanisms.

RESOLUTION NO.

RESOLUTION AUTHORIZING SUBMITTAL OF A FLOOD MITIGATION
PROGRAM GRANT APPLICATION TO THE STATE OF IOWA
FOR FUNDING OF FLOOD MITIGATION IN CEDAR RAPIDS

WHEREAS, the City of Cedar Rapids was instrumental in the creation of the Flood Mitigation Program by the State of Iowa; and

WHEREAS, the Flood Mitigation Program allows for the use of the growth in sales tax in a jurisdiction to be used to fund the construction of flood mitigation projects; and

WHEREAS, the City's application to the Flood Mitigation Board, through the Iowa Homeland Security and Emergency Management Division, is for construction of flood protection on both east and west sides of the river for a total of \$570,430,000; and

WHEREAS, the City agrees to provide and make available up to \$110,124,000 of local funding to be used to meet the match requirement for this flood mitigation project application as shown in Tab C, Page 1 of the application (attached);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council, City Manager and City Clerk are authorized to sign and submit an application for the Flood Mitigation Program to fund construction of flood protection on both east and west sides of the river.

Passed this 19th day of November, 2013.

LOCAL MATCH RESOLUTION #
FOR THE
FLOOD MITIGATION PROGRAM

WHEREAS, City of Cedar Rapids (hereinafter called "Applicant"), County of
(jurisdiction)
Linn, has made application through the Iowa Homeland Security and Emergency Management
Division (HSEMD) for funding from the Flood Mitigation Program in the amount of \$ 570,430,000
for the total project cost.

THEREFORE, the Applicant agrees to provide and make available up to \$ 110,124,000.00
(one hundred and ten million one hundred and twenty-four thousand dollars) of local monies to be used to meet the
match requirement for this flood mitigation project application.

The resolution was passed and approved _____
(Date)

Signatures of Council or Board Members:

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

Council or Board Member

I submit this form for inclusion with the Flood Mitigation Project Application.

Print Name of Authorized Representative

Authorized Representative's Signature and Date



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Seth Gunnerson
Email: s.gunnerson@cedar-rapids.org

Phone Number/Ext: (319) 286-5129

Alternate Contact Person: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: (319) 286-5047

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

Discussion and resolution approving an agreement with the Iowa Economic Development Authority to participate in the Iowa Solar Readiness Initiative as a local government organization. CIP/DID #71190

Background:

The City of Cedar Rapids has been selected as a pilot city for the Iowa Economic Development Authority's (IEDA) Solar Readiness Initiative. The IEDA received a grant from the United States Department of Energy (DOE) to reduce the costs and other barriers associated with installing solar photovoltaic (PV) for businesses, residents and communities.

Through the pilot program, the City of Cedar Rapids will receive approximately \$20,000 in funding to review and evaluate the challenges residents and businesses face when installing so PV technology on homes and businesses. The review will identify opportunities to change city ordinances, policies and practices to make it easier for residents and businesses to install solar PV technology. The City of Cedar Rapids will also provide educational opportunities for citizens to learn more about solar PV as the initiative progresses.

Action / Recommendation:

City Staff recommends approval of the resolution

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

Adoption of the resolution allows the City to participate in the pilot program.

Resolution Date: November 19

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

Required match funds will be covered by staff time.

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

RESOLUTION NO.

A RESOLUTION APPROVING AN AGREEMENT WITH THE IOWA ECONOMIC
DEVELOPMENT AUTHORITY TO PARTICIPATE IN THE IOWA SOLAR READINESS
INITIATIVE AS A PILOT LOCAL GOVERNMENT ORGANIZATION

WHEREAS, in March of 2013, the City of Cedar Rapids executed a letter of intent with the Iowa Economic Development Authority (IEDA) to participate in the Department of Energy (DOE) Rooftop Solar Challenge II SunShot Grant; and,

WHEREAS, in August of 2013, the IEDA along with the partner organizations Iowa Environmental Council (IEC) and Iowa Association of Municipal Utilities (IAMU) were advised that they had been awarded the grant, which includes proposed work with pilot local government organization; and,

WHEREAS, increasing the use of solar photovoltaic (PV) technology can increase energy independence, create or expand jobs for local businesses, reduce strains on the local electric grid, result in locally improved air quality, increase local investment in energy technology, and help mitigate the risk of fluctuations in energy prices; and,

WHEREAS, the goals of Rooftop Solar Challenge II Sunshot Grant and the Iowa Solar Readiness Initiative include reducing the costs and other barriers to installing solar PV for businesses, residents, and communities; and,

WHEREAS, the cost of solar PV equipment has declined in recent years, while other costs associated with solar PV, such as the cost of permitting, inspection, connecting to the grid, and financing, may not have declined; and,

WHEREAS, the City of Cedar Rapids supports efforts to reduce the costs and other barriers associated with solar PV in order to facilitate the efforts of interested residents, businesses, utilities, and others in the city to install solar PV; and,

WHEREAS, the City of Cedar Rapids has already undertaken efforts to promote sustainability and encourage use of energy efficiency and renewable energy, such as allowing Wind Energy Conversion Systems; and,

WHEREAS, City ordinances, policies, and practices have the potential to reduce the costs and other barriers associated with installing solar PV; and,

WHEREAS, the City of Cedar Rapids, in consultation with IEDA, IEC, and IAMU, has evaluated its ordinances and practices using the Department of Energy's Solar Market Maturity Model and using this information will develop an action plan that includes reasonable steps to reduce costs and barriers that can be evaluated over a reasonable period of time; and,

WHEREAS, the city is eligible for grant funds from the Rooftop Solar Challenge II SunShot grant to offset the costs of evaluating and potentially implementing the steps to reduce costs and barriers to the installation of solar PV;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to execute an agreement with the IEDA to become a pilot local government under the Rooftop Solar Challenge II Sunshot grant and Iowa Solar Readiness Initiative in order to reduce the costs and barriers associated with installing solar PV in the City of Cedar Rapids.

Passed this 19th day of November, 2013

**Council Agenda Item Cover Sheet****Council Meeting Date:** November 19, 2013**Submitting Department:** Airport**Presenter at meeting:** Ken Washburn
Email: k.washburn@crairport.org**Phone Number/Ext:**
(319) 731-5720**Alternate Contact Person:** Tim Bradshaw
Email: t.bradshaw@crairport.org**Phone Number/Ext:**
(319) 731-5711**Description of Agenda Item:**

Second and third readings of an Ordinance deleting Chapter 68 of the Municipal Code, Airport, and replacing it with a new Chapter 68 providing for rules for the operation and management of the airport. CIP/DID #982868

Background:

The Cedar Rapids Airport Commission recommends an ordinance deleting Chapter 68 of the Cedar Rapids Municipal Code and replacing it with a new Chapter 68, being an ordinance providing for rules for the operation and management of the airport.

Action / Recommendation:

Adopt an ordinance deleting Chapter 68 of the Cedar Rapids Municipal Code and replacing it with a new Chapter 68, being an ordinance providing for rules for the operation and management of the airport. The new Chapter 68 updates and modernizes ordinances regulating conduct, traffic, and security relating to the airport.

Alternative Recommendation: None**Time Sensitivity:** None**Resolution Date:** November 19, 2013**Estimated Presentation Time:** 5 minutes**Budget Information (if applicable):** None**Local Preference Policy** Applies ☐ Exempt ☐**Explanation:****Recommended by Council Committee** Yes ☐ No ☐ N/A ☒**Explanation (if necessary):**

ORDINANCE NO.

AN ORDINANCE REPEALING CHAPTER 68 OF THE CEDAR RAPIDS MUNICIPAL CODE, "AIRPORT," AND ENACTING THE FOLLOWING REPLACEMENT CHAPTER 68, "THE EASTERN IOWA AIRPORT," IN LIEU THEREOF, AND PROVIDING PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 68 of the Cedar Rapids Municipal Code is hereby repealed and the following enacted in lieu thereof:

Section1. Chapter 68 of the Cedar Rapids Municipal Code is hereby deleted and the following new Chapter 68 is enacted in lieu thereof as follows:

CHAPTER 68 – AIRPORT

68.01 - DEFINITIONS.

- (a) As used in this ordinance, the term "Airport" or "The Eastern Iowa Airport" shall mean any and all property and improvements thereon now or hereafter owned, leased, operated, or controlled by the Cedar Rapids Airport Commission.
- (b) Air Operations Area (AOA): That portion of the airport designed and used for landing, taking off or surface maneuvering of airplanes. Safeguards must be instituted to preclude unauthorized access to protect personnel, aircraft, equipment and facilities.
- (c) Sterile Area: That portion of the airport that provides passenger access to boarding aircraft and to which access is generally controlled by Transportation Security Administration (TSA) and involves the screening of passengers and luggage. As used in this ordinance, "Sterile Area" and "Concourse" shall have the same meaning.
- (d) Security Identification Display Area (SIDA): That area of the airport in which every person shall continuously and visibly display an identification badge approved by the director of the Airport. In this paragraph, "display" means affixed to the person's outermost garment in the area between the waist and neck.
- (e) Secured Area: That portion of the airport in which the air carriers' agents and employees board and deplane passengers and sort and load baggage, and any adjacent areas that are not separated by adequate security measures. All Secured Areas are SIDA.

68.02 - AUTHORITY OF CITY.

All police powers, regulatory powers, licensing powers, and all other powers granted to and exercised by the City of Cedar Rapids as the same now exist or may hereafter be created or amended, are herewith extended to and made fully and completely applicable to The Eastern Iowa Airport and to all space above the same.

68.03 - STATE AND FEDERAL REGULATIONS.

In any instance where any ordinance, code, rule or regulation of the City of Cedar Rapids is in conflict with state or federal law or regulation, such state or federal provision shall supersede the city provision and such city provision shall be inapplicable as relates to The Eastern Iowa Airport, otherwise, said city provision to remain in full force and effect for the City of Cedar Rapids.

68.04 - REGULATIONS EXTENDED.

The City Council herewith re-enacts, ratifies and confirms all such ordinances, codes, rules and regulations of the City of Cedar Rapids in full force as the same are herewith extended to and made applicable to The Eastern Iowa Airport.

68.05 - AIRPORT COMMISSION.

All powers granted to the City of Cedar Rapids under Chapter 330 of the Iowa Code, except powers to sell the airport or airports, shall be had and exercised by the Cedar Rapids Airport Commission as provided by law.

68.06 – PROSECUTION, ENFORCEMENT, AND PENALTIES.

- (a) All prosecutions for violations of city ordinances may be commenced by filing a subscribed and sworn to complaint with a magistrate, or district court clerk or the clerk's deputy.
- (b) The complaint shall contain:
 - (1) The name of the county and of the court where the complaint is filed.
 - (2) The names of the parties, if the defendants be known, and if not, such names as may be given them by the complaint.
 - (3) A concise statement of the act or acts constituting the offense, including the time and place of its commission as near as may be, and identifying by number the ordinance alleged to be violated.
- (c) The court, upon its own motion, or upon the application of the City Attorney or his assistant, in the furtherance of justice, may order the dismissal of any pending criminal prosecution, the reasons therefor being stated in the order and entered of record, and no such prosecution shall be discontinued or abandoned in any other manner.
- (d) Any violation of this ordinance may be prosecuted as a municipal infraction as provided in section 1.12 of the Cedar Rapids Municipal Code and section 364.22 of the Iowa Code.

68.07 - EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage and publication as provided by law. All licenses or permits heretofore issued by any other governmental agency which have not yet expired shall continue in effect until expired and shall thereafter be obtained under the authority and jurisdiction of the ordinances, codes, rules and regulations and powers of the City of Cedar Rapids.

68.08 - APPOINTMENT AND TERMS OF AIRPORT COMMISSION MEMBERS.

The Airport Commission shall consist of 5 members to serve 3-year terms. The selection and appointment of members to the Airport Commission shall be governed by rules and regulations adopted by the City Council.

68.09 - AUTHORIZED PERSONNEL—IDENTIFICATION REQUIRED - CHALLENGES.

- (a) No person shall fail to continuously display his or her airport issued identification badge while in the Security Identification Display Area or the Air Operations Area. The airport issued identification badge must be displayed above the waist and on the outer-most garment. The photograph of the bearer must be displayed in a fashion that is readily visible. Visitors to the SIDA or AOA who are escorted by the airport director or his designee are exempt from this requirement
- (b) It shall be the duty of every person who has been issued an airport identification badge to question any individual found in the AOA, Secured Area, or SIDA who is not properly displaying an identification badge issued or approved by The Eastern Iowa Airport, or whose identification badge does not have the proper access color. All questioning shall conform to the challenge procedure adopted by the airport.
- (c) Failure to display an identification badge issued or approved by The Eastern Iowa Airport while in the AOA, Secured area, or SIDA, or to properly challenge is a violation of this ordinance and may result in the suspension, revocation, or charges of an individual's unescorted access authority, in addition to any other penalties provided in this chapter.

68.10 - SECURITY PROCEDURES.

- (a) It shall be unlawful for any person to enter upon or be present within a secured area, AOA, SIDA, or sterile area in violation of the systems, measures, or procedures for access control.
- (b) It shall be unlawful for any person to attempt to enter upon or be present within a secured area, AOA, SIDA, or sterile area in violation of the systems, measures, or procedures for access control.
- (c) No person shall be permitted to board any aircraft unless that person has successfully passed through checkpoint screening conducted by authorized officials of the

Transportation Security Agency (TSA). It shall be unlawful for any person to evade, bypass, attempt to evade, or attempt to bypass the screening process or to aid or assist any other person in evading, bypassing, attempting to evade, or attempting to bypass the screening process.

68.11 - SECURITY REQUIREMENTS.

It shall be unlawful for any person or persons who have been issued an airport identification badge to do any of the following:

- (a) Allow or permit any gate, gate chain, door or other security device which controls access to the air operations area to remain opened, unlocked, or unsecured except while in use for purposes of ingress or egress.
- (b) Enter, exit or use any automatic security gate without returning the gate to a locked or secured position.
- (c) Allow or permit another person to use that person's own door key, combination to a door lock, gate access card, airport identification badge, or other security device issued to that person.
- (d) Fail to immediately report any malfunctioning or broken gate, gate chain, door, or other security device to the Airport Safety Department.
- (e) Fail to immediately report any lost or stolen airport identification badge, gate card or key, or other security device to the Airport Safety Department.
- (f) Fail to immediately return any and all airport identification badge, gate card, key, or other security device to the Airport Public Safety when the person terminates employment at The Eastern Iowa Airport or when requested by Airport Director, and/or designee.
- (g) Tamper with or disable a closed circuit television, card reader, or other security device.
- (h) Enter a restricted area which is not specifically authorized or permitted under the identification badge held by the person.

68.12 - UNATTENDED BAGGAGE.

No baggage, luggage, package, box or other article shall be left unattended out of the direct line of vision and immediate control of the person owning or having custody of such item or items. Any such item or items left unattended as defined in this section will be taken into custody by the Airport Public Safety Department officers and be retained until returned to the person entitled to the same upon satisfactory identification.

68.13 - MOTOR VEHICLES.

- (a) No person shall operate a motorized vehicle in or upon the airport operation unless possessed of a valid operator's state driver license.
- (b) No Person shall operate any form of ground equipment in or upon the Airport unless fully trained and qualified in the operation of such equipment.
- (c) No person shall operate any motor vehicle in or upon the airport while under the influence of intoxicating liquors or drugs.

- (d) Except for vehicles classified by the Airport Director as special purpose vehicles, or as otherwise specifically provided, no Person shall operate any motor vehicle in or upon the Airport:
 - (1) in any manner which would be in violation of the Iowa Code or Cedar Rapids Municipal Code governing operation of motor vehicles, if such operation were on a public street or road;
 - (2) which is not licensed, equipped, and in the operating condition required by any local, state, or federal regulation for motor vehicles operated on public streets or roads;
 - (3) for a commercial purpose for which it is not licensed, equipped and in the condition required by applicable state and local law for the type of use in which it is employed;
 - (4) which is not equipped and in the condition required by the Federal Occupational Safety and Health Act (OSHA), or regulations promulgated pursuant thereto, or any state or local law, ordinance, rule or regulation of similar nature or purpose.
- (e) No motor vehicle shall be operated anywhere on the Airport at a speed in excess of 25 miles per hour except where other speed limits are designated by posted sign.
- (f) No motor vehicle shall be operated within fifty (50) feet of an aircraft at a speed in excess of 5 miles per hour.
- (g) No motor vehicle shall be stopped or parked on the Airport, except in areas designated for such purpose.
- (h) No Person shall clean or make any repairs to motor vehicles anywhere on the Airport other than in designated vehicular shop areas, except those minor repairs necessary to remove such motor vehicle from the Airport; nor shall any Person move, interfere, or tamper with any motor vehicle or start the engine without the owner's consent. No Person shall park a vehicle within any designated vehicular parking or storage area except upon the payment of such parking fees, if any, as may be in effect therefore. Specific parking areas may be designated for commercial or special use, based on the class of vehicle and purpose of use. The Parking Area Guidelines of these regulations are in effect unless designated otherwise in a lease, license, contract, or permit issued by the Airport Commission.
- (i) The Airport Director, and/or designee may tow away or otherwise remove, and impound, motor vehicles which are parked or operated on the Airport in violation of these Regulations, or which interfere with Airport operations, at the owner's or operator's expense and without liability for damage, which may result in the course of or after such removal.
- (j) No Person shall abandon any vehicle on the Airport.

- (k) Airport Public Safety Officers are authorized peace officers under Iowa law and have full authority to enforce any other laws of the State of Iowa and the City of Cedar Rapids as required, and to arrest suspected violators.
- (l) All motor vehicle accidents occurring in or upon airport property shall be immediately reported to the Airport Public Safety Department. All motor vehicle accidents occurring on Airport property will be investigated by the Airport Public Safety Department or other appropriate law enforcement agency when requested to do so by the Airport Public Safety Department. The Airport Director will receive a written report within forty-eight (48) hours of such accident.

68.14 - ANIMALS IN THE TERMINAL.

No person in possession or control of an animal shall allow his or her animal inside The Eastern Iowa Airport Terminal Complex unless the animal is confined in a transportation carrier designed and constructed to be capable of confining the animal. Animals carried by hand or confined to a leash are not permitted. Specialty animals, such as seeing eye dogs, or other dogs or animals necessary to assist individuals with disability, or those animals used in public safety activities are exempt from this section.

68.15 - WEAPONS AND EXPLOSIVES PROHIBITED.

- (a) No person shall carry or possess any firearm, explosive, starter's pistol, pellet gun, brass or steel knuckles, or dangerous weapon as defined in Iowa Code Section 702.7, whether genuine or simulated, in or on any airport property, structure, or facility.
- (b) The prohibition in section 68.15(a) shall not apply to any of the following:
 - (1) Persons who by the nature of their employment must board weapons for air shipment.
 - (2) Local, state, and federal credentialed or certified peace officers.
 - (3) United States military personnel performing law enforcement or security duties.
 - (4) Licensed and authorized private security personnel acting in the course of their duties.
 - (5) Firearms secured for flight in accordance with Transportation Security Administration and air carrier regulations.
 - (6) Persons who possess a valid permit to carry a concealed firearm in the state of Iowa. The exemption contained in this section 68.16(b)6 shall not apply in the sterile area and the secured area.
 - (7) Tenants of residential dwelling and aircraft hangars owned by the airport may possess legal weapons or firearms within their leased premises.

68.16 - SCREENING CHECKPOINT RESTRICTIONS.

No person shall present, carry or introduce for inspection, either on their person, in their luggage or in their belongings, any explosive, incendiary or deadly or dangerous weapon or any other

item prohibited by the United States Department of Transportation at the passenger security screening checkpoint.

This prohibition shall not apply to those certified law enforcement officers, authorized airport security officers, authorized flight deck personnel, or other persons authorized and permitted by the United States Department of Transportation to carry weapons through the security screening checkpoint.

Section 2. SEPARABILITY OF PROVISIONS.

It is the intention of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

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

Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Passed this _____ day of _____, 2013.



Council Agenda Item Cover Sheet

Council Meeting Date: November 19, 2013

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Joe O'Hern

Phone Number/Ext: 319 286-5292

Email: j.ohern@cedar-rapids.org

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

Second and possible Third Reading amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Bowling Street Flex-Space Urban Revitalization Area designation at 4700 Bowling Street SW. CIP/DID #963818

Background:

A request has been submitted by Bowling Street Flex-Space, LLC for an Urban Revitalization Property Tax Exemption designation for the proposed construction of two new flex-space buildings at 4700 Bowling Street SW. The proposed buildings, totaling 77,000 square feet, will be high-quality design and construction, using concrete, steel, and architectural metal panels. The contractor for the project will be Primus Construction of Cedar Rapids.

Project Details:

New facility – 77,000 square feet

Project cost - \$4,700,000

Estimated assessed value - \$3,000,000

Benefits to the Community:

- New development product, unlike anything available in the marketplace (similar to projects in West Des Moines).
- Facility will help attract businesses from out of town that are seeking a better image.
- Location utilizes existing infrastructure and City services.
- Accommodates an estimated 77 employees.

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 \$3,000,000. This would generate an additional \$110,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$620,000 collected in tax revenues and \$480,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends approval of Second and possible Third Reading.

Alternative Recommendation:

City Council may table and request additional 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 \$3,000,000 generated by the new construction, the estimated total over the ten-year period is an additional \$620,000 collected in tax revenues and \$480,000 deferred as tax exempt.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

September 4th, 2013

Mr. Joe O'Hern,
Interim Community Development Director
City of Cedar Rapids
101 First Street SE,
Cedar Rapids, Iowa 52401

Ms. Jennifer Pratt
Planner, Community Development Department
City of Cedar Rapids
101 First Street SE,
Cedar Rapids, Iowa 52401

Regarding: Speculative Flex-Space/Warehouse Project

Dear Joe & Jennifer:

Thank you for your assistance in our submittal and request for a 10-year Urban Revitalization Tax Exemption for our proposed project. We would also be interested in any additional assistance that may be available to help make this project a reality and a success. Below is a list of the key components of our proposal.

Project address: Corner of Bowling Street & 50th Ave. SW Cedar Rapids (Address TBD by City)

Project Description: 2 buildings totaling 77,000 SF. High-quality design and construction (Concrete, Steel & Architectural Metal Panels) of flex-space buildings, similar in design and appearance to style of such properties in West Des Moines and concept renderings in this letter. Contractor will be Primus Construction of Cedar Rapids.

Benefits to the Community:

1. New development product unlike anything available in the marketplace.
2. Building type (if existing) will help secure local business or companies from out of town looking to expand; or who may be in need of better image and quality product.
3. Having this product "on the shelf" will give us an edge over other communities providing an opportunity to win by default in some cases.
4. This project will be considered "Infill development" with utilities in place.
5. Granting of the exemption will improve, define and protect the value of the area by guaranteeing the outcome of the design on this I-2/Heavy Industrial land.
6. Space of this type typically is home to 1 employee/job for every 1,000 SF of space. Potential of 77 employees/jobs to be associated with this project.

Estimated total project cost: \$4,700,000

Construction target dates - start/complete: Start construction in the Fall of 2013 with Spring 2014 delivery of the first building. The second building shall be constructed upon substantial leasing of first building.



Conceptual Designs, Photos

Actual Design Elevation, colors to follow.

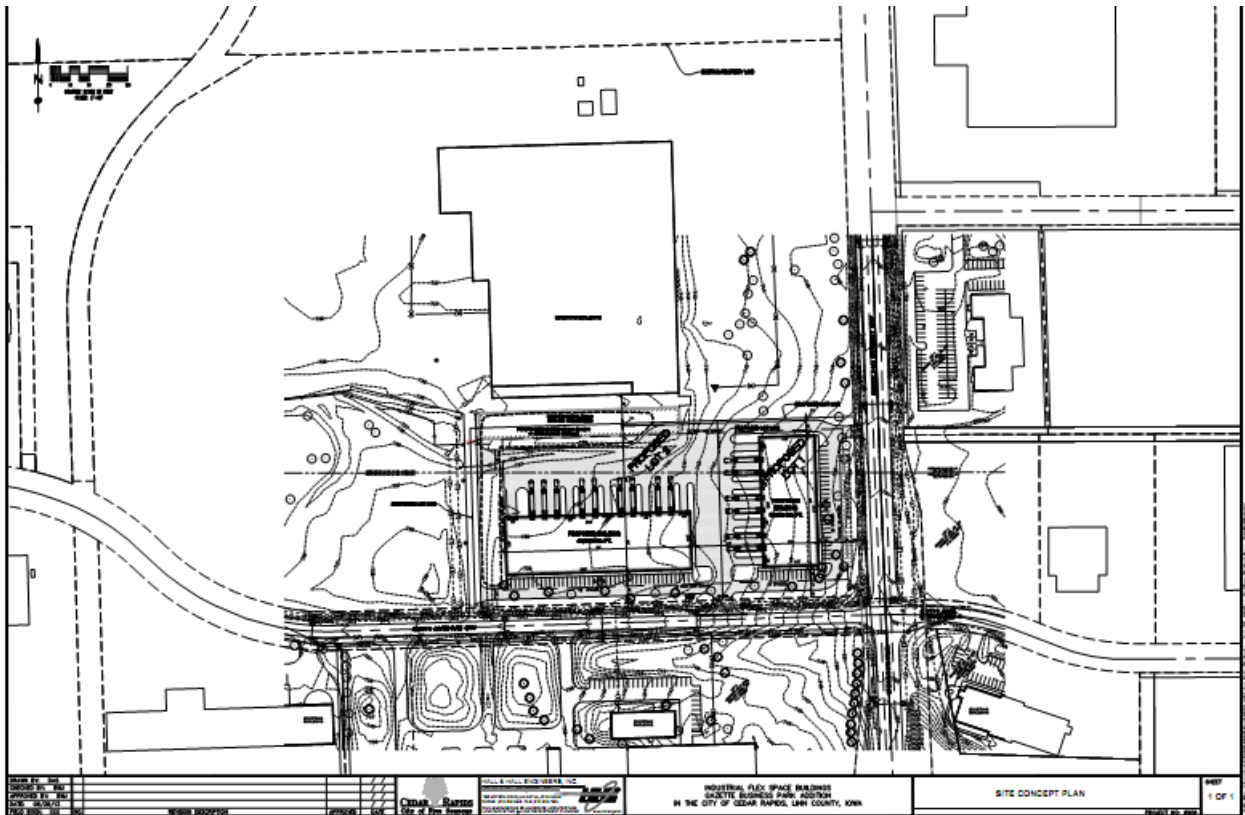
"But For" rationale:

1. Product not available in the marketplace
2. Buy down premium construction pricing to be competitive and affordable
3. Incent higher design standards (self-imposed) on I-2/Heavy Ind zoned land.
4. Lender requirement, looking for assistance to mitigate risk associated with speculative development and help secure long-term tenants. Help to avoid unmanageable equity requirement by lender.

Thank you for your consideration.

Bowling Street Flex-Space, LLC

Dave Drown, Representative
ddrown@gldcommercial.com 319-731-3411



ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 17A OF THE MUNICIPAL CODE OF THE
CITY OF CEDAR RAPIDS, IOWA, BY ADDING CERTAIN SUBSECTIONS
THEREOF TO APPROVE AND ADD A NEWLY DESIGNATED
REVITALIZATION AREA

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 76 and the addition of a new Division 76 as follows:

“Division 76. Bowling Street Flex-Space” October 22, 2013 Resolution No. 1618-10-13

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 77 as follows:

“Division 77. (Reserved)”

Section 3. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof than that affected by such decision.

Section 4. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. That the afore described Amended Subsection of Chapter 17A shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 22nd day of October, 2013.