

*“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, January 14, 2014 at 12:00 noon in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence cell phones and pagers.*)

## AGENDA

- 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 SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (estimated cost is \$2,400,000). (Dave Wallace)
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (**FLOOD**). CIP/DID #SSD103-11
2. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (estimated cost is \$48,000). (Steve Hershner)
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project. CIP/DID #2014037-01

## **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.**

3. Motion to approve minutes.
4. Motions setting public hearing dates for:
  - a. January 28, 2014 – to consider a change of zone for property north of 74<sup>th</sup> Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch; CIP/DID #RZNE-006757-2013
  - b. January 28, 2014 – to consider a change of zone for property at 4001 and 4009 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church; CIP/DID #RZNE-006769-2013
  - c. January 28, 2014 – to consider a change of zone for property at 418 9<sup>th</sup> Street NW, 420 9<sup>th</sup> Street NW, 424 9<sup>th</sup> Street NW and 428 9<sup>th</sup> Street NW from RMF-1, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. and Michelle L. Lindemann; CIP/DID #RZNE-007160-2013
  - d. January 28, 2014 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial and to consider a change of zone for property at 3135 J Street SW from R-3, Single Family Residence Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC and James M. Hoke; CIP/DID #FLUMA-007527-2013
  - e. January 28, 2014 – to consider the vacation of an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC; CIP/DID #41-14-020
  - f. January 28, 2014 – to consider the continuation of the disposition of excess City-owned property described as 12 non-conforming vacant lots; CIP/DID #3302500004
  - g. January 28, 2014 – to consider public comments regarding identification of community development needs, program funding for development of proposed activities and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2014 to June 30, 2015; CIP/DID #246513



- h. January 28, 2014 – to consider the disposition of excess City-owned property at 1100 3<sup>rd</sup> Street SE and an approximately 48,000 square foot portion of 400 12<sup>th</sup> Avenue SE located in the Consolidated Central Urban Renewal Area; CIP/DID #281736
  - i. January 28, 2014 – to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow on-premise digital display signs to display full motion video as a conditional use in certain zone districts. CIP/DID #817382
5. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for January 28, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Curb Repair Project – Contract 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on January 29, 2014 (estimated cost is \$320,000). CIP/DID #301998-04
  6. Motion assessing a \$300 civil penalty for violation of State Code regarding the sale of cigarettes to minors against Kum & Go #520, 2604 16<sup>th</sup> Avenue SW. CIP/DID #1026187
  7. Motion assessing a \$1,500 civil penalty for second violation of State Code regarding the sale of cigarettes to minors against Market Express, 5340 16<sup>th</sup> Avenue SW. CIP/DID #1026187
  8. Motion approving the beer/liquor/wine applications of: CIP/DID #1026182
    - a. BBQ This!, 560 Boyson Road NE;
    - b. Cobble Hill, 219 2<sup>nd</sup> Street SE;
    - c. El Kahir Embassy Club, 1400 Blairs Ferry Road NE;
    - d. El Rancho Mexican Restaurant, 2747 16<sup>th</sup> Avenue SW;
    - e. Hawkeye Convenience Store – East, 1581 1<sup>st</sup> Avenue SE;
    - f. Hawkeye Convenience Store – Noelridge, 1120 Old Marion Road NE;
    - g. Jim's Foods, 812 6<sup>th</sup> Street SW;
    - h. JW's Pub & Grub, 58 Miller Avenue SW (new – formerly Fat Jacks);
    - i. L J's Catering at Shores Event Center, 700 16<sup>th</sup> Street NE;
    - j. Lava, 5400 Edgewood Road NE;
    - k. Otis' Tailgators Sports Bar, 3969 Center Point Road NE;
    - l. Sam Liquor & Tobacco, 1500 1<sup>st</sup> Avenue NE (new – formerly YR Dollar Stop);
    - m. Silver Star Saloon, 2665 Edgewood Parkway SW;
    - n. Todd's on the Go, 235 Edgewood Road NW.
  9. Resolutions (3) approving payment of bills and payroll. CIP/DID #1026180
  10. Resolutions appointing and thanking the following individuals: CIP/DID #1026183
    - a. Appointing Monica Vernon as Mayor Pro Tempore; CIP/DID #1026183
    - b. Vote of thanks to Moira Blake for serving on the Cedar Rapids Historic Preservation Commission; CIP/DID #691376
    - c. Vote of thanks to Susie Weinacht for serving on the Parks & Recreation Commission; CIP/DID #572850
    - d. Vote of thanks to the late Violet Urbanek for serving on the ADA Advisory Committee. CIP/DID #775389
  11. Resolution authorizing the formation of a Kingston Village Design Review Technical Advisory Committee to review Land Development applications within the Kingston Village Overlay District. CIP/DID #865258

12. Resolutions approving assessment actions:

- a. Intent to assess – Solid Waste & Recycling – clean-up costs – four properties; CIP/DID #1026188
- b. Levy assessment – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #994381
- c. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 25 properties; CIP/DID #1026192
- d. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 11 properties; CIP/DID #987176
- e. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 18 properties. CIP/DID #994383

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

- a. Portland Cement Concrete pavement in Remington West Addition and approving 4-year Maintenance Bond submitted by E & F Cement and Asphaltic Concrete Company, Inc. in the amount of \$79,200; CIP/DID #47-05-010
- b. Sanitary sewer in Applewood Hills Eleventh Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$32,672; CIP/DID #47-11-012
- c. Storm sewer in Applewood Hills Eleventh Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$11,645; CIP/DID #47-11-012
- d. Portland Cement Concrete pavement in Applewood Hills Eleventh Addition and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$40,592; CIP/DID #47-11-012
- e. Storm sewer at Kum & Go #517, 32<sup>nd</sup> Street NE and 1<sup>st</sup> Avenue SE and approving 2-year Maintenance Bond submitted by Henning Construction Co., Inc. in the amount of \$8,900; CIP/DID #95-11-101
- f. Portland Cement Concrete pavement at Kum & Go #517, 32<sup>nd</sup> Street NE and 1<sup>st</sup> Avenue SE and approving 4-year Maintenance Bond submitted by Henning Construction Co., Inc. in the amount of \$12,000. CIP/DID #95-11-101

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

- a. Prairie Park Fishery Trail Entrance project, final payment in the amount of \$4,797.41 and approving the 4-year Performance Bond submitted by Eastern Iowa Excavating & Concrete LLC (original contract amount was \$100,923; final contract amount is \$95,948.14); CIP/DID #353011-04
- b. Edgewood Road SW from South of CRANDIC Railroad to 37<sup>th</sup> Avenue SW Intersection project, final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by Metro Pavers, Inc. (original contract amount was \$5,877,570.62; final contract amount is \$5,978,056.62); CIP/DID #301083-05
- c. 2<sup>nd</sup> Avenue SW from 3<sup>rd</sup> Street to 6<sup>th</sup> Street Pavement Reconstruction and Water Main Improvements project, final payment in the amount of \$73,346.12 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. (original contract amount was \$1,477,936.53; final contract amount is \$1,466,922.32); CIP/DID #301869-01
- d. 3<sup>rd</sup> Street SE from 5<sup>th</sup> Avenue SE to 8<sup>th</sup> Avenue SE Rehabilitation project, final payment in the amount of \$14,385.48 and approving the 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$265,210.15; final contract amount is \$287,709.68); CIP/DID #3012048-01

- e. Wiley Boulevard Roadway Improvements Temporary Traffic Signal at Wiley Boulevard SW and 31<sup>st</sup> Street project, final payment in the amount of \$2,776.50 and approving the 4-year Performance Bond submitted by Trey Electric Corp. (original contract amount was \$56,490; final contract amount is \$55,530); CIP/DID #306196-01
  - f. Sac and Fox Trail Relocation North of Mt. Vernon Road project, final payment in the amount of \$4,450.98 and approving the 4-year Performance Bond submitted by Schrader Excavating & Grading Company (original contract amount was \$95,245.55; final contract amount is \$89,019.66); CIP/DID #325046-02
  - g. Pre-Acidification Tank Roof Replacement project, final retainage payment in the amount of \$17,119.73 and approving the 2-year Performance Bond submitted by Rice Lake Construction Group (original contract amount was \$358,600; final contract amount is \$342,404.06); CIP/DID #615163-02
  - h. Ambroz Roof Replacement project, final payment in the amount of \$5,335.89 and approving the 2-year Performance Bond submitted by Cedar Service Company (original contract amount was \$105,309; final contract amount is \$106,717.88); CIP/DID #0913-045
  - i. Amendment No. 9 to the contract for Environmental Remediation and Demolition Services for the former Animal Control Facility project, final payment in the amount of \$7,232.75 to reflect the actual quantities and the 2-year Performance Bond submitted by Active Thermal Concepts, Inc. (original contract amount was \$103,469; final contract amount is \$408,230.10) **(FLOOD)**. CIP/DID #1112-112
15. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program **(FLOOD)**. CIP/DID #540257
- a. Cedar Valley Habitat for Humanity, Inc. for property at 714 G Avenue NW;
  - b. Cedar Valley Habitat for Humanity, Inc. for property at 827 G Avenue NW;
  - c. Cedar Valley Habitat for Humanity, Inc. for property at 828 C Avenue NW;
  - d. Cedar Valley Habitat for Humanity, Inc. for property at 831 G Avenue NW;
  - e. Cedar Valley Habitat for Humanity, Inc. for property at 1113 11<sup>th</sup> Street NW.
16. Resolution setting a public hearing date for February 25, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project. CIP/DID #3012001-00
17. Resolution accepting work and fixing amount to be assessed for the 1<sup>st</sup> Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project. CIP/DID #301697-00
18. Resolution accepting work and fixing amount to be assessed for the 3<sup>rd</sup> Street SE Reconstruction and Streetscape Improvements from 8<sup>th</sup> Avenue SE to 14<sup>th</sup> Avenue SE project. CIP/DID #321526-00
19. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 1<sup>st</sup> Avenue and Collins Road NE and 40<sup>th</sup> Street NE Improvements project. CIP/DID #301447-00
20. Resolution establishing "No Parking Anytime" on the west side of 32<sup>nd</sup> Street NW from Johnson Avenue NW southerly for a distance of 90 feet. CIP/DID #PARK-007455-2013
21. Resolution approving the installation of a stop sign at the intersection of 28<sup>th</sup> Avenue SW and 27<sup>th</sup> Street SW, stopping 28<sup>th</sup> Avenue for 27<sup>th</sup> Street SW. CIP/DID #60-14-031

22. Resolution amending the names of two Council Committees and updating the City Council Committees Structure, Responsibilities, and Operational Guidelines. CIP/DID #638270
23. Resolution authorizing abatement and demolition of one commercial parcel under the Community Development Block Grant Program (**FLOOD**). CIP/DID #377545
24. Resolutions approving actions regarding Purchases/Contracts/Agreements:
- a. Amendment No. 1 to the Professional Services Agreement with Ament Design, formerly known as Ament, Inc., specifying an increased amount not to exceed \$6,000 for design services in connection with the 29<sup>th</sup> Street NE Signal Improvement project (original contract amount was \$50,000; total contract amount with this amendment is \$56,000); CIP/DID #306204-01
  - b. Amendment No. 1 to the Professional Services Agreement with Donaldson Professional Services Group specifying an increased amount not to exceed \$8,400 for engineering services in connection with the Alley between C Avenue NW and D Avenue NW from 10<sup>th</sup> Street to 11<sup>th</sup> Street, Sanitary Sewer and Alley Improvements project (original contract amount was \$27,180; total contract amount with this amendment is \$35,580); CIP/DID #655941-01
  - c. Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$3,635 for engineering services in connection with the Prairie Creek from West of 6<sup>th</sup> Street SW to J Street SW Sanitary Sewer Capacity Improvements project (original contract amount was \$274,800; total contract amount with this amendment is \$293,535); CIP/DID #655028-07
  - d. Amendment No. 19 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount not to exceed \$2,000,000 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract amount was \$95,474,137; total contract amount with this amendment is \$145,759,190) (**FLOOD**); CIP/DID #3302500001-1
  - e. Amendment No. 8 for Debris Monitoring Services for Various Flood Projects project with Neel-Schaffer, Inc. to reflect an increase in the scope of work and to allow for mileage reimbursement for an amount not to exceed \$61,966.12 (original contract amount was \$71,400; total contract amount with this amendment is \$305,176.12) (**FLOOD**); CIP/DID #0811-035
  - f. Amending Resolution No. 1769-11-13 to correct the total amount of the award from \$79,260.63 to \$79,290.63 for the 8<sup>th</sup> Street NW at Ellis Lane NW Flood Protection Improvements project; CIP/DID #304285-01
  - g. Amending Resolution No. 1344-11-10 to reflect the correct federal funding source with Ackley, Kopecky and Kingery for Real Estate Acquisition Legal Services (**FLOOD**); CIP/DID #0109-220
  - h. Amending Resolution No. 1942-12-13 to correct the change order amount to \$59,248.19 for the J Avenue Chlorine System Improvements project with TLC Diversified, Inc. (original contract amount was \$399,000; final contract amount is \$458,248.19); CIP/DID #6250009-02
  - i. Change Order No. 10 (Final Revised) deducting the amount of \$19,682.13 with Horsfield Construction, Inc. for the C Avenue NE – From Huntington Ridge Road NE to East Main Street NE PCC Pavement, HMA Resurfacing, and Traffic Signal Improvement project (original contract amount was \$1,180,574.34; total contract amount with this amendment is \$1,264,585.55); CIP/DID #301249-03

- j. Change Order No. 6 in the amount of \$20,842.98 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,596,629.89); CIP/DID #301696-01
- k. Change Order No. 12 in the amount of \$1,059.75 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 (original contract amount was \$189,177.50; total contract amount with this amendment is \$275,862.75); CIP/DID #3017012-01
- l. Change Order No. 7 in the amount of \$59.46 with Zinser Grading & Excavating, LLC for the E Avenue NW – Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$3,089,089.45); CIP/DID #304037-06
- m. Change Order No. 2 in the amount of \$18,440.93, plus an additional 2 working days, with Price Industrial Electric, Inc. for the E and F Avenue at 1<sup>st</sup> Street NW and 1<sup>st</sup> Street NE Traffic Signal Improvements project (original contract amount was \$318,463; total contract amount with this amendment is \$350,657.63); CIP/DID #306222-01
- n. Change Order No. 25 in the amount of \$100,410 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project (original contract amount was \$28,273,698; total contract amount with this amendment is \$29,850,779); CIP/DID #535100-23
- o. Change Order No. 1 in the amount of \$5,242.95, plus an additional 14 calendar days, with Bowker Mechanical Contractors, LLC for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – Mechanical project (original contract amount was \$215,000; total contract amount with this amendment is \$220,242.95); CIP/DID #635120-21
- p. Change Order No. 7 in the amount of \$753.49 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,455,341.25); CIP/DID #655080-03
- q. Change Order No. 4 (Final) in the amount of \$10,824 with BWC Excavating, LC for the B Avenue NE from 15<sup>th</sup> Street to the Northeast Sanitary Sewer and Street Improvements project (original contract amount was \$266,858.84; total contract amount with this amendment is \$298,631.24); CIP/DID #655996-06
- r. Change Order No. 4 in the amount of \$4,840 with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II project (original contract amount was \$941,580.60; total contract amount with this amendment is \$1,011,428.41); CIP/DID #2011025-03
- s. Change Order No. 14 in the amount of \$105,832.50 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library Project – General Contractor project (original contract amount was \$14,235,000; total contract amount with this amendment is \$15,445,824.10) **(FLOOD)**; CIP/DID #PLE001-20
- t. Change Order No. 18 (Final Revised) deducting the amount of \$13,750 with Miron Construction Company, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – General Contractor project (original contract amount was \$6,466,900; total contract amount with this amendment is \$7,173.965) **(FLOOD)**; CIP/DID #PTE001-21
- u. Change Order No. 9 in the amount of \$92,688.28 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$2,993,013.46) **(FLOOD)**; CIP/DID #SSD005-02

- v. Change Order No. 2 in the amount of \$103,088 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,097,000; total contract amount with this amendment is \$9,214,445) **(FLOOD)**; CIP/DID #TRE001-20
- w. Rescinding Resolution No. 1429-08-13 which authorized execution of a Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$53,500 for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility; CIP/DID #618580
- x. Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$349,179 for the Collection System I/I Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment; CIP/DID #615192-01
- y. Execution of the Methamphetamine Drug Hot Spots Grant Program Fiscal Year 2010 Award Notice extension contract; CIP/DID #759134
- z. Purchase of merchandise for resale at the Ellis, Jones and Twin Pines golf course clubhouses for an amount not to exceed \$40,000 from Nike Golf USA **(sole source)**; CIP/DID #1026251
- aa. Purchase of merchandise for resale at the Ellis, Gardner, Jones and Twin Pines golf course clubhouses for an amount not to exceed \$25,000 from Ping; CIP/DID #1026253
- bb. Purchase of merchandise for resale at the Ellis, Gardner, Jones and Twin Pines golf course clubhouses for an amount not to exceed \$80,000 from Acushnet Company (Titleist and Foot Joy) **(sole source)**; CIP/DID #1026256
- cc. Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$45,441 for design services in connection with the Detention Basins #112 and 206 Water Quality Improvements project; CIP/DID #304160-11
- dd. Warranty Deed and Easement for Public Sidewalk and Utility Easement from Rockwell Collins, Inc., for the consideration of \$1 and other valuable consideration for dedication of right-of-way and easement for public sidewalk and utility located on the east side of C Avenue NE, south of Blairs Ferry Road NE approximately 1295.84 feet; CIP/DID #49-14-029
- ee. Purchase Agreement in the amount of \$49,900 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Iowa Concrete Products Co. in care of Cretex Concrete Products, Inc., for land located at 3921 J Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project **(FLOOD)**; CIP/DID #SSD011-00
- ff. Purchase Agreement in the amount of \$333 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., for vacant land located east of Bowling Street SW and south of the Chicago and Northwestern Transportation Company railroad right-of-way, in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project **(FLOOD)**; CIP/DID #SSD011-00
- gg. Purchase Agreement in the amount of \$745 and accepting an Easement for Sanitary Sewer from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., for vacant land located northeast of 3921 J Street SW, south of the Chicago and Northwestern Transportation Company railroad right-of-way, west of Bowling Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project **(FLOOD)**; CIP/DID #SSD011-00
- hh. Purchase Agreement in the amount of \$394 and accepting an Easement for Sanitary Sewer from David C. Portz for land located at 520 4<sup>th</sup> Street SW in connection with the Sanitary Sewer SW Quadrant Flood Repairs project **(FLOOD)**; CIP/DID #SSD103-00

- ii. Release of partial final payment in the amount of \$185,916.55 to Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; amended contract amount is \$3,914,032.49) **(FLOOD)**; CIP/DID #PLE001-21
- jj. Easement for sanitary sewer from Midwest Development Co. for land located at 809 E Avenue NW in connection with the E Avenue NW-Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project; CIP/DID #304037-00
- kk. Easement for sanitary sewer from Premiere Developers, Inc. for land located at 807 E Avenue NW in connection with the E Avenue NW – Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project; CIP/DID #304037-00
- ll. Professional Services Agreement with McClure Engineering Company for an amount not to exceed \$43,520 for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd project; CIP/DID #625542-2014058-01
- mm. Special Warranty Deed with OPC Allan Investments, LLC for disposition of City-owned property at 222 3<sup>rd</sup> Avenue SW located in the 3<sup>rd</sup> Avenue SW Commercial Historic District **(FLOOD)**; CIP/DID #803706
- nn. Development Agreement with Rowell Hardware Development, LLC for disposition and redevelopment of City-owned property at 120 3<sup>rd</sup> Avenue SW located in the 3<sup>rd</sup> Avenue SW Commercial Historic District **(FLOOD)**; CIP/DID #803706
- oo. Approving funding to Diversity Focus in the amount of \$40,000 in Fiscal Year 2014; CIP/DID #1026343
- pp. Sponsorship Agreement between the City's Convention Complex Manager, Doubletree Management, LLC ("Hilton"), VenuWorks of Cedar Rapids, LLC and Cedar Rapids Association of Realtors for a term of two years, with a total payment of \$15,000; CIP/DID #535100-00
- qq. Sponsorship Agreement between the City's Convention Complex Manager, Doubletree Management, LLC ("Hilton"), VenuWorks of Cedar Rapids, LLC and The Eastern Iowa Airport for a term of two years, with a total payment of \$8,000; CIP/DID #535100-00
- rr. Purchase of excess casualty insurance coverage through Aon Risk Services Central, Inc. from States Self-Insurers Risk Retention Group in the amount of \$331,239.60; CIP/DID #1026351
- ss. Purchase of stop loss insurance coverage from Swiss Re for the City of Cedar Rapids Medical Plan in the amount of \$207,191.04; CIP/DID #1026353
- tt. Contract for caulking and painting of Noelridge Pool with A1A Sandblasting for the Parks and Recreation Department for an amount not to exceed \$44,431; CIP/DID #0913-053
- uu. Fleet Services Division purchase of one 2014 Ford F-150 pick-up truck from Ed Stivers Ford for use by Public Works Department – Streets Maintenance Division, for a total amount of \$25,997; CIP/DID #4416-13
- vv. Contract for Sodium Silicofluoride with Hawkins, Inc. for Water Operations for an annual amount not to exceed \$58,000; CIP/DID #1213-099
- ww. Utilities Department – Water Operations purchase of six Allen-Bradley variable frequency drives and Marathon motors from Van Meter, Inc. in the amount of \$69,598.68; CIP/DID #1213-109
- xx. Contract for Courier and Security Guard Services with Per Mar Security Services for City-wide courier and security guard service for an annual amount not to exceed \$100,000. CIP/DID #1013-072

## **REGULAR AGENDA**

25. Report on bids for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (estimated cost is \$2,840,000). (Dave Wallace) CIP/DID #655625-05
26. Report on bids for the H Street SW from Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project (estimated cost is \$120,000). (Gary Petersen)
  - a. Resolution awarding and approving contract in the amount of \$99,819 plus incentive up to \$4,000, bond and insurance of L.L. Pelling Company, Inc. for the H Street SW from Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project. CIP/DID #3102072-01
27. Report on bids for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels (estimated cost is \$203,000). (John Riggs)
  - a. Resolution awarding and approving contract for an amount not to exceed \$77,470, bond and insurance of BWC Excavating, LC for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (**FLOOD**). CIP/DID #1113-089

## **ORDINANCES**

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

28. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to create a Kingston Village Overlay District with design standards and guidelines applicable to new multi-family and commercial development applications and building permits within the overlay district and to clarify requirements for review of proposed signage and establish a timeline for review by all Design Review Technical Advisory Committees. CIP/DID #865258
29. Ordinance granting a change of zone for property at 4625 Tower Terrace Road NE from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District as requested by Twisters Gymnastics and HJD Investments, LLC. CIP/DID #RZNE-002991-2013

## **PUBLIC INPUT**

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



## **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 Olson:
4. Council member Poe:
5. Council member Russell:
6. Council member Shey:
7. Council member Shields:
8. Council member Vernon:
9. Council member Weinacht:

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

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



## Council Agenda Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Scott Sovers, PE  
**E-mail Address:** s.rovers@cedar-rapids.org

**Phone Number/Extension:** 5547

**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 SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (estimated cost is \$2,400,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (**FLOOD**).  
CIP/DID #SSD103-11

**Background:**

This project will reconstruct approximately 1.4 miles of sanitary sewer and replace 41 sanitary sewer manholes within the 2008 flood impacted areas of the southwest quadrant. The purpose of the project is to restore the existing sanitary sewer to pre-2008 flood function and capacity. The available funding for this activity is \$3,271,374 (Flood) and subject to receipt of acceptable bids, construction is scheduled to begin in March 2014 and be completed by May 2015.

**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:** Alternatives include repackaging the bid documents into multiple phases or deferring the project to the future.

**Time Sensitivity:** Must be acted upon January 14, 2014 to maintain the project schedule, and which must occur ahead of the project's January 22, 2014 bid opening.

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** FEMA PW #SSD103

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

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

RESOLUTION NO.

WHEREAS, on December 17, 2013 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (Contract No. SSD103-11) 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.

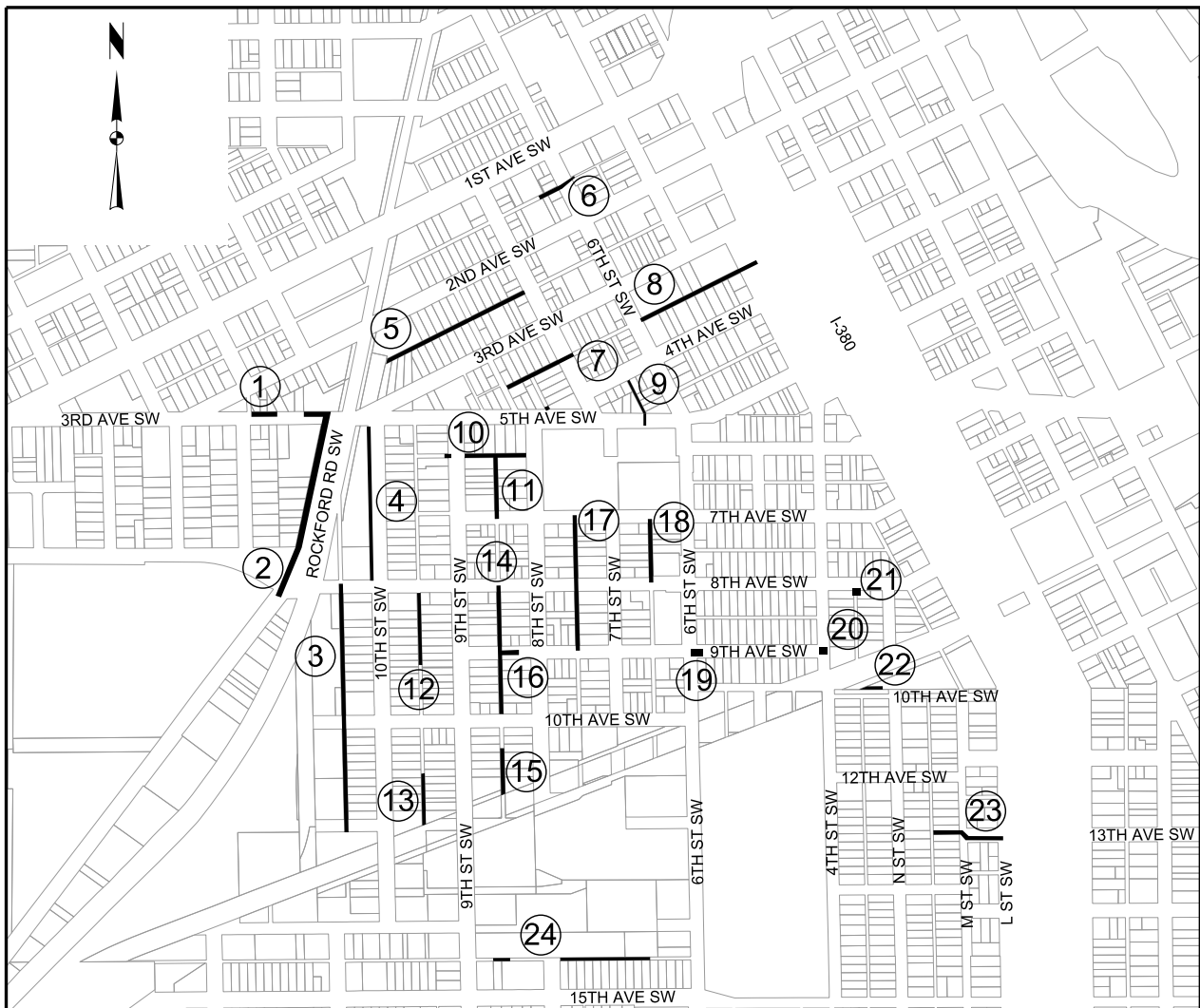
Passed this 14th day of January, 2014.

# SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION, PHASE II, PART 2

CONTRACT NUMBER SSD103-11

Project Location Map & Table Reference		
#	Street or alley	Location
1	3rd Ave. SW	11th St. SW to Rockford Rd. SW
2	Rockford Rd. SW	8th Ave. SW to 3rd Ave. SW
3	Alley West of 10th St. SW	12th Ave. SW to 8th Ave. SW
4	10th St. SW	8th Ave. SW to 5th Ave. SW
5	2nd-3rd Ave. SW Alley	CRANDIC Rail to 7th St. SW
6	1st-2nd Ave. SW Alley	7th to 6th Streets SW
7	3rd-5th Ave. SW Alley	8th to 7th Streets SW
8	3rd-4th Ave. SW Alley	6th to 4th Streets SW
9	7th-6th St. SW Alley	5th to 4th Ave. SW
10	7th-5th St. SW Alley	9th to 8th Ave. SW
11	8th-9th St. SW Alley	7th to 5th Ave. SW
12	10th-9th St. SW Alley	9th to 8th Ave. SW

Project Location Map & Table Reference (Continued)		
13	10th-9th St. SW Alley	CRANDIC Rail to 10th Ave. SW
14	8th-9th St. SW Alley	8th to 10th Ave. SW
15	8th-9th St. SW Alley	10th Ave. SW to CRANDIC Rail
16	9th Ave. SW	Between 8th and 9th Streets SW
17	8th-7th St. SW Alley	9th to 7th Ave. SW
18	7th-6th St. SW Alley	8th to 7th Ave. SW
19	19th Ave. SW	East of 6th St. SW
20	4th St. SW	9th Ave. SW
21	4th-N St SW Alley	South of 8th Ave. SW
22	10th Ave. SW	Between 4th and N St. SW
23	13th Ave. SW	West of M St. SW to L St. SW
24	Alley north of 15th Ave. SW	9th to 6th St. SW



PROJECT LOCATION  
MAP & TABLE REFERENCE



## **Public Hearing Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Ken Russell      **Phone No.:** 5926      **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)

**Description of Agenda Item:**

A public hearing will be held to consider the proposed plans, specifications, form of contract, estimated cost for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (estimated cost is \$48,000). (Steve Hershner)

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project. CIP/DID #2014037-01

**Background:**

The Water Division has selected 19 fire hydrant and blow off complete replacement locations within Cedar Rapids water distribution area. The work will consist of removing and/or replacing blow off completes, replacing existing fire hydrants, valves, and tees, and replacing blow off completes with fire hydrants located within the public right-of-way. The Contractor shall also perform the appurtenant work necessary to make a complete job, consisting of: pavement removal; excavation; sheet, brace, and support the adjoining ground or structures where necessary; handle all drainage or ground water; provide barricades, guards, and warning lights; flush and test the replacement; repair sewer and drain lines disturbed by the replacement; backfill and compact the excavation; restore the surface; remove and dispose of surplus excavated material; and perform final clean-up of the work site.

Due to a limited Water Distribution staff and a growing list of maintenance issues, some maintenance projects are unable to be performed each year. 19 project locations that were scheduled for fire hydrant or blow off replacement were chosen to be included in this trial project. This project will help determine the feasibility of an outside contractor performing replacement of fire hydrants and blow off completes on a yearly basis similar to the water service line agreement. For Fiscal Year14 the estimated cost for the repairs is \$48,000.

A Pre-Bid Conference is scheduled for January 15, 2014 at 1:30 p.m. and bids are scheduled to be opened on January 22, 2014 at 11:00 a.m.

**Action / Recommendation:**

The Utilities Department – Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Hydrant and Blow Off Complete Replacements FY14 project.

**Alternative Recommendation**      N/A

**Time Sensitivity:**

Request action during the January 14, 2014 City Council meeting in an effort to maintain the proposed project construction schedule.

**Resolution Date:** 01/14/14

**Estimated Presentation Time:** 1 Minute(s)

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** This project will be funded from the Fiscal Year 2014 Utilities Department-Water Division CIP Budget and coded to 625-625000-625884-6252014037.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Fiscal Year 2014 Water CIP budget includes \$1,500,000 for engineering and construction of water main replacement projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** Local Preference does not apply to Public Bid Capital Improvement Projects.

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

**Explanation (if necessary):** N/A

RESOLUTION NO.

WHEREAS, on December 17, 2013 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Replacement of Fire Hydrants and Blow Off Completes FY 14 project (Contract No. 2014037-01) 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 14th day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Motion setting a public hearing for January 28, 2014 to consider a change of zone for property north of 74th Street NE and east of Crescent View Drive NE from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. and Phyllis M. Rausch. CIP/DID #RZNE-006757-2013

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on December 12, 2013 and unanimously recommended for approval on a vote of 5 to 0.

The applicant is requesting rezoning to allow for development of single-family attached dwelling units that will be owner occupied. The property is currently undeveloped and was initially rezoned to the R-3 Zoning District in 2010 for single-family detached homes. The area is part of an overall development that includes single-family detached, two-family attached and four-family attached housing structures. The demand for the attached housing units has exceeded expectations, which is why the developer is requesting the rezoning. The applicant held a neighborhood meeting and no major issues or concerns were expressed.

The Preliminary Site Development Plan consists of the following:

- Total site area is 8.38 acres (364,990 s. f.).
- Total units include eleven (11) 4-plex buildings for a total of 44 units.
- Total hard surface area proposed including buildings is 91,695 s. f.
- Total open space- proposed is 273,295 s. f. (74.9% of total site area).
- Each unit has a two stall garage.
- Total parking required is 88 spaces-provided are 88 spaces.
- Access to the units will be from the public street system within the development.
- Street trees are provided along the public streets.
- Buffer-yard landscaping is provided around the perimeter of the site.
- Storm water management is provided for in the regional basin for the overall development.

### **Application Process/Next Steps:**

Actions	Comments
---------	----------



City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on December 12, 2013 and recommended unanimously to approve on a 5 to 0 vote. A portion of the minutes are included as Attachment A.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for January 28, 2014 at the City Council meeting to consider this application.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

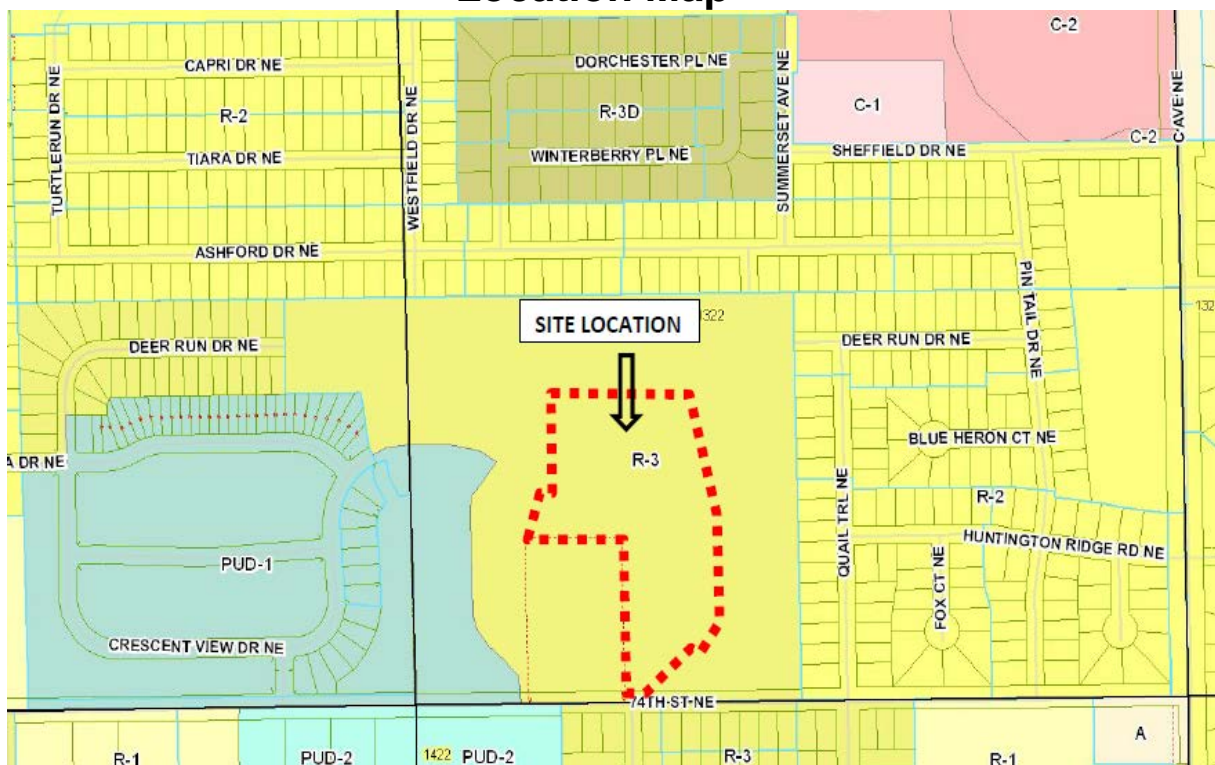
**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

**Explanation (if necessary):**

## Location Map





**MINUTES**  
**CITY PLANNING COMMISSION REGULAR MEETING,**  
**Thursday, December 12, 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: Allan Thoms  
Mike Tertinger

DSD Staff: Vern Zakostelecky, Planner  
Dave Houg, Plats & Zoning Conditions Coordinator  
CD 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 five (5) Commissioners present, two (2) Commissioners absent and Commissioner Halverson arrived for the meeting at 3:20p.m.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the November 21, 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.

**1. Case Name: 880 74<sup>th</sup> Street NE (Rezoning)**  
**Case No: RZNE-006757-2013 Case Manager: Vern Zakostelecky**

Recommendation for approval of a rezoning from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District as requested by Abode Construction, Inc. (Applicant) and Phyllis M. Rausch (Titleholder)

Mr. Zakostelecky stated this property is located between C Avenue and Council Street NE to allow for 4-unit single-family owner occupied homes. The initial rezoning occurred in 2000. This portion of the site was rezoned to R-3 for single family detached housing. On the west side it was rezoned for multi-family and the market demand for those units has exceeded expectations. The applicant did hold a neighborhood meeting with no major issues expressed. The rezoning includes 8.8 acres, 11 4-plex buildings for a total of 44 housing units with 2 stall garages. Total parking provided is 88 parking spaces with additional parking in front of garage spaces and street parking. Storm water management is not required on this site. Mr. Zakostelecky showed a location map, aerial photo, site plan as well as elevations of the proposed homes.

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

Commissioner Overland called for a representative of the applicant. Brian Vogel, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated he would be happy to answer any questions.

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 one from the public wished to speak.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Wilts made a motion to approve the rezoning from R-3, Single Family Residence Zone District to RMF-1, Multiple Family Residence Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 3:35pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Motion setting a public hearing for January 28, 2014 to consider a change of zone for property at 4001 and 4009 Blairs Ferry Road NE from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church. CIP/DID #RZNE-006769-2013

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on December 12, 2013 and recommended for approval unanimously on a 5 to 0 vote. There were no objectors present.

The property is currently developed with a church and parsonage. The applicant is requesting rezoning to allow redevelopment of the property for a Goodyear Tire Store. If approved, the existing buildings would be demolished to make way for a new commercial building. The applicant has met informally with the Historic Preservation Commission (HPC) and will be working with HPC to document the properties and salvage components of the structures for re-use. The Preliminary Site Development Plan consists of the following improvements:

- Total site area of 30,197 s. f. (0.69 acres).
- Total area of proposed new commercial building is 6,832 s. f.
- Total proposed parking is 31 spaces including 2-handicap spaces-required is 28 spaces.
- Access from will be off Blairs Ferry Road NE.
- Screen fencing is proposed along a portion of the south property.
- Storm water management will be provided along the Blairs Ferry Rd. frontage.

### **Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on December 12, 2013 and recommended unanimous approval on a 5 to 0 vote. There were no objectors present at the meeting.</li> </ul>

City Council consideration	<ul style="list-style-type: none"> <li>• A Public Hearing and First Reading of the Ordinance are scheduled for January 28, 2014.</li> <li>• Two additional readings of the Ordinance are required by State law before approval is final.</li> <li>• Approval will be subject to the conditions stated in the Ordinance.</li> </ul>
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**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**





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

**MINUTES  
CITY PLANNING COMMISSION REGULAR MEETING,  
Thursday, December 12, 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:     Allan Thoms  
                             Mike Tertinger

DSD Staff:             Vern Zakostelecky, Planner  
                             Dave Houg, Plats & Zoning Conditions Coordinator

CD 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 five (5) Commissioners present, two (2) Commissioners absent and Commissioner Halverson arrived for the meeting at 3:20p.m..

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the November 21, 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.

**1. Case Name: 4001 and 4009 Blairs Ferry Road NE (Rezoning)  
RZNE-006769-2013 Case Manager: Vern Zakostelecky**

Recommendation for approval of a rezoning from A, Agriculture Zone District to C-2, Community Commercial Zone District as requested by Buffalo Evangelical United Brethren Church (Applicant/Titleholders)

Mr. Zakostecky showed the Commission a location map of the property and surrounding area. To the east is a Casey's convenience and the area to the south and west is zoned agriculture with commercial across the street in Hiawatha to the north. The Future Land Use Map (FLUMA) shows commercial and office to the south and west. The site is developed with a small church and parsonage and the contemplated redevelopment is for a Good Year Tire store. The applicant has met with the Historic Preservation Commission (HPC) and HPC will meet with them to do a walk through with a salvage company to identify parts of the structure that can be salvaged for reuse on other structures. This will be a 6,800 sq. ft. building with 31 parking spaces and two handicap spaces. Access will be off Blairs Ferry Road with a fence along the south property line and staff asked the developer to extend the fence along the south property line to screen the parking lot on the east end of the proposed building. Storm water management is proposed along Blairs Ferry Road. Mr. Zakostecky showed an aerial map, site plan and elevations.

Commissioner Overland called for questions of Mr. Zakostecky. Commissioner Pankey asked where the proposed fencing would be. Mr. Zakostecky the fencing will begin at the southwest corner of the site and ends at the east side of the building but staff would prefer to see the fencing be extended at the east property line. This type of business can produce noise and screening is advised.

Commissioner Wilts asked if Traffic Engineering looked at the traffic situation. Mr. Zakostecky stated that Traffic Engineering did review this project and had no major issue or concerns.

Commissioner Overland called for a representative of the applicant. Dan Schmidt, Brain Engineering, Inc. spoke on behalf of the applicant. Dan indicated the applicant was fine with extending the screen fencing along the entire south property line.

Commissioner Overland called for questions of the applicant. Commissioner Pankey asked how the driveway lined up with Miller Road. Dan indicated it was close to lining up with a commercial driveway on the north side of Blairs Ferry Road.

Commissioner Knox-Seymour asked if the Church did not exist anymore. The applicant stated that this church has been closed and for sale for a long time.

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 in A, Agriculture Zone District to C-2, Community Commercial Zone District. Commissioner Dalhby seconded the motion.

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

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

The meeting was adjourned at 3:35pm  
Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development and Planning





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky

**Phone Number/Ext:** 319 286-5043

**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Alternate Contact Person:** Joe Mailander

**Phone Number/Ext:** 319 286-5822

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

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

Motion setting a Public Hearing for January 28, 2014 to consider a change of zone for property at 418 9<sup>th</sup> Street NW, 420 9<sup>th</sup> Street NW, 424 9<sup>th</sup> Street NW and 428 9<sup>th</sup> Street NW from RMF-1, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. and Michelle L. Lindemann. CIP/DID #RZNE-007160-2013

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on January 2, 2014 and the recommendation from City Planning Commission was unanimous to approve on a 7 to 0 vote.

The property is a single lot currently developed with 3-houses, one that's a duplex. All 3-residential structures were built in 1905 and are in the older established Northwest Neighborhood. The applicant is requesting rezoning to allow the property to be subdivided into 3-lots so the structures can be sold separately. If approved, the applicant will submit an application for formal subdivision approval.

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. In this case, the development agreement provisions will be included in the Ordinance approving the rezoning request. The modification defined in conditions of the rezoning ordinance include:

- Reduction in front, rear and corner side yard setbacks.
- Reduction in minimum lot size/area.
- Allow the one structure to continue to be used as a duplex.
- Increase in minimum lot coverage area.

### **Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on January 2, 2014 and they recommended approval unanimously on a 7 to 0 vote.</li> </ul>



	A portion of the minutes are enclosed as Attachment A.
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for January 28, 2014.</li> <li>Two additional readings of the Ordinance are required by State law before approval is final.</li> <li>Approval will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

## Location Map





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

**Minutes**  
**CITY PLANNING COMMISSION MEETING**  
**Thursday, January 2, 2014 @ 3:00 p.m.**

**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

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

Members Absent: Mike Tertinger  
Virginia Wilts

DSD Staff: Joe Mailander, Manager  
Dave Houg, Plats & Zoning Conditions Coordinator

CD 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.

Commissioner Overland introduced the newest member of the City Planning Commission, Kim King stating the Commission was happy to welcome Kim.

Roll call was answered with seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the December 12, 2013 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Thoms stated the letter from Hall & Hall Engineers, Inc. requesting the March 1, 2013 date be extended for one year was an incorrect date and asked that a corrected letter be resent. The corrected letter is attached to these minutes. Commissioner Overland stated with one correction, the agenda stands approved.

**REGULAR AGENDA**

**1. Case Name:** 418, 420, 424 and 428 9<sup>th</sup> Street NW (Rezoning)

Recommendation for approval of a rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Richard J. & Michelle L. Lindemann (Applicants/Titleholders).

**Case No:** RZNE-007160-2013; **Case Manager:** Vern Zakostelecky

Mr. Mailander stated the request was for a PUD rezoning. Currently there are 3 homes sitting on one lot, which were all built in 1905. The houses have three separate addresses and are all owned by the same owners. Mr. Mailander showed a site plan and aerial view of the site.

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

Commissioner Overland called for a representative of the applicant.

Daniel Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated the intent is to sell in the future but no immediate plan to sell the property.

Commissioner Overland called for questions of the applicant.

Commissioner Thoms asked what the access to the property was and if there were any garages and where was the parking.

Richard Lindeman, 1233 Greenville Avenue NW stated the access is from 9<sup>th</sup> Street with no garages and parking is on the street.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from RMF-1, Multiple Family Residential Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Pankey 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 4:10 P.M.

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development and Planning



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Motion setting Public Hearings for January 28, 2014 to consider amending the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial and to consider a change of zone for property at 3135 J Avenue SW from R-3, Single Family Residence Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC and James M. Hoke. CIP/DID # FLUMA-007527-2013 & RZNE-007161-2013

### **Background:**

The request for a Future Land Use Map Amendment and rezoning of this property was reviewed by the City Planning Commission on January 2, 2014 and recommended for approval on a 5 to 2 vote.

The property is currently undeveloped and the applicant is requesting rezoning to allow development of the property for a self-service storage facility. The applicant has also submitted an application for a Future Land Use Map Amendment (FLUMA) in the City's Comprehensive Plan from Office and Low Density Residential to Commercial. The applicant held a neighborhood meeting on October 29, 2013 and no issues or concerns were expressed. The Preliminary Site Development Plan consists of the following improvements:

- Total site area-85,224 s. f. (0.69 acres).
- Total number of proposed buildings-5.
- Total area of proposed commercial buildings-25,075 s. f.
- Total proposed hard surface area-including buildings, parking, & drives-58,360 s. f.
- Total proposed parking-13 spaces including 1-handicap space-required-15 spaces.
- Total open/green spaces- 26,864 s. f. (31.5% of total site area).
- Access from will be from J St. SW.
- Screen fencing is proposed along the north property line.
- Decorative fencing is proposed along J St. SW.
- Storm water management will be provided at the southeast corner of the site.

### **City Planning Commission FLUMA Findings:**

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

- The proposed use will provide a low intensity use and will give residents and businesses in the general area an option of storage of personal belongs and business equipment and

- products.
- Provides a transition use from the major arterial street traffic and non-residential development to the south and west of the single-family residential in the area.
- Provides for non-residential user at the corner of the intersection of 2-major arterial streets.

Two Commissions member where in opposition for the following reason:

- The C-3 Zoning District would allow other uses too intense next to single family residential.

**Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>• City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>• The City Planning Commission reviewed both applications on January 2, 2014 and recommended approval of both by a 5 to 2 vote. A portion of those minutes are included as Attachment A.</li> <li>• There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>• A public hearing, a vote on the FLUMA Resolution and First Reading of the Ordinance are scheduled for January 28, 2014 and allow for public input.</li> <li>• Approval of the Future Land Use Map Amendment would require a majority City Council vote on a resolution.</li> <li>• Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>• Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

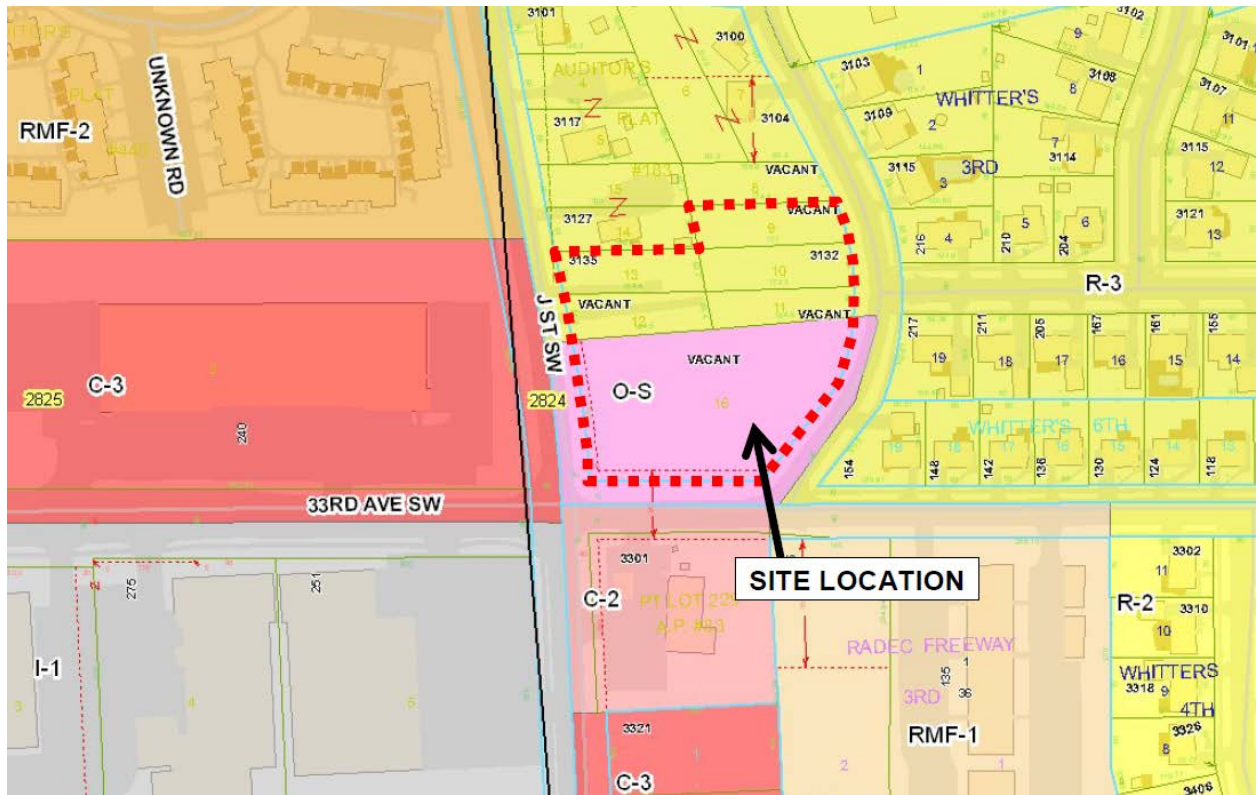
**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

**Explanation (if necessary):**

## Location Map





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

**Minutes**  
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**Thursday, January 2, 2014 @ 3:00 p.m.**  
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Members Present: Scott Overland, Chair  
Jim Halverson, Vice – Chair  
Allan Thoms  
Samantha Dahlby  
Carletta Knox-Seymour  
Richard Pankey  
Kim King

Members Absent: Mike Tertinger  
Virginia Wilts

DSD Staff: Joe Mailander, Manager  
Dave Houg, Plats & Zoning Conditions Coordinator  
CD 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.

Commissioner Overland introduced the newest member of the City Planning Commission, Kim King stating the Commission was happy to welcome Kim. Roll call was answered with seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the December 12, 2013 Minutes stand approved.

Commissioner Overland called for any additions or corrections to the agenda. Commissioner Thoms stated the letter from Hall & Hall Engineers, Inc. requesting the March 1, 2013 date be extended for one year was an incorrect date and asked that a corrected letter be resent. The corrected letter is attached to these minutes. Commissioner Overland stated with one correction, the agenda stands approved.

**REGULAR AGENDA**

***1. Case Name:*** 3135 J Street SW (FLUMA and Rezoning)



- a) Recommendation for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).

***Case No: FLUMA-007527-2013; Case Manager: Vern Zakostelecky***

- b) Recommendation for approval of a rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District as requested by JKLR LLC (Applicant) and James H. Hoke (Titleholder).

***Case No: RZNE-007161-2013; Case Manager: Vern Zakostelecky***

Mr. Mailander stated this application is to rezone to the C-3 Regional Commercial Zone District. Currently the property is vacant and is proposing to construct temperature controlled self-storage on the site. Mr. Mailander provided a preliminary site plan, aerial map and building renderings and pointed out fencing along J Street. The FLUMA shows it is low density. A meeting of the neighborhood was held with no one in attendance.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Thoms stated there were a lot of trees on the property and the topography is very difficult and steep and how much of the property would be used. Mr. Mailander stated that the preliminary site plan would be getting into the tree area and taken to the north property. Commissioner Thoms stated that was a lot of grading and lot of change in topography. Commissioner Thoms also questioned why stacked buildings in a residential neighborhood.

Commissioner Overland called for a representative of the applicant.

Dan Schmidt, Brain Engineering, Inc., 1540 Midland Court NE stated regarding the topography: the two middle buildings would be a walk out at the top and at the bottom and designed to work with the topography as opposed to a slab on grade. The only entrance to the site is on J Street. The east side adjacent to the residential will be a fenced and landscaped per code. There is one home on at the northwest corner and this will also be screened with fencing and landscaping. The northern two proposed buildings are smaller.

Commissioner Thoms stated that lots 8, 9, 10, 11, 12 and 16 would be affected. Mr. Schmidt stated that not lot 8 but lots 9, 10, 11, 12 and 16 would be part of the development site. Commissioner Thoms stated he was parked on Redwood and was looking straight up and asked if there was going to retaining walls. Mr. Schmidt stated yes, there would be retaining walls to work with grade.

Commissioner Pankey asked what the fencing along the north side would be, such as vegetation fence or vinyl type fence. Mr. Schmidt stated there were a couple options, there will be a fence regardless either privacy or chain link, but this hasn't been determined.

Commissioner King asked what the plans for lighting are. Mr. Schmidt referred to the developer.

Jim Schmitt, 185 Morgan Court stated that the lighting will be outdoor lighting for self-storage, some sort of LED lighting with some lights on all the time and some motion censored when customers arrive on the property. Commissioner Halverson asked if the lighting would be



straight down and Mr. Schmitt stated it would be. Commissioner Pankey asked if it would be controlled access. Mr. Schmitt stated that yes it would be controlled access.

Mr. Schmitt stated that they own the property west of this property, the Republic building and to the south of that on 33<sup>rd</sup> is Hupp Electric and across the street to the south is the convenience store and south of that are industrial uses. The titleholder James Hoke lives out of the area and is interested in selling the property and this would never be developed as residential.

Commissioner Knox-Seymour stated she lives and walks in that area and it has been an undesirable area for some time but why a storage facility. Mr. Schmitt stated that on the property acquired earlier there is warehouse space adjoins the Republic warehouse space and the plan is to convert that 15,000 sq ft to climate controlled storage and adding this property.

Commissioner Dahlby asked if sidewalks would be added. Mr. Schmitt stated that has been discussed.

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

Commissioner Knox-Seymour asked why no neighbors attended the meeting. Mr. Mailander stated that staff had sent out the notice and no one responded.

Commissioner Overland called for a motion to approve the Future Land Use Map Amendment. Commissioner Pankey made a motion to approve the Future Land Use Map in the City's Comprehensive Plan from Office and Low Density Residential to Commercial. Commissioner King seconded the motion.

Commissioner Overland called for discussion on the motion.

Commission Thoms stated he feels this is way over doing that particular embankment is startling and tearing out many trees for storage buildings and it is surrounded by residential, a lot of dirt that needed to be removed and would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from R-3, Single Family Residential Zone District and O-S, Office/Service Zone District to C-3, Regional Commercial Zone District. Commissioner Pankey seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Thoms stated for the very same reason he would not support this motion.

Commissioner Overland called for a vote on the motion. The motion passed with five approving and two opposing.

The meeting was adjourned at 4:10 P.M.

Respectfully Submitted, Betty Sheets, Administrative Assistant, Community Development



## **Council Agenda Item Cover Sheet**

### **MOTION TO SET PUBLIC HEARING**

**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** Yes/No Map  
Motion to set a public hearing for January 28, 2014 to consider the vacation of an interim drainage easement located at 551 West Side Place SW as requested by West Side Property 103, LLC. CIP/DID #41-14-020

**Background:**

West Side Property 103, LLC is redesigning their West Side Corporate Park at this location and has requested that the interim drainage easement be vacated to accommodate their design. This vacant land is in the process of being replatted, and a new drainage easement will be established on the new final plat.

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

If the Council does not vote to vacate this interim drainage easement, West Side Property 103, LLC will be required to revise their new development plan for this location.

**Time Sensitivity:** Normal

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

Public Hearing – January 28, 2014

If no objections, recommend passing the resolution on same date as public hearing – January 28, 2014

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

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

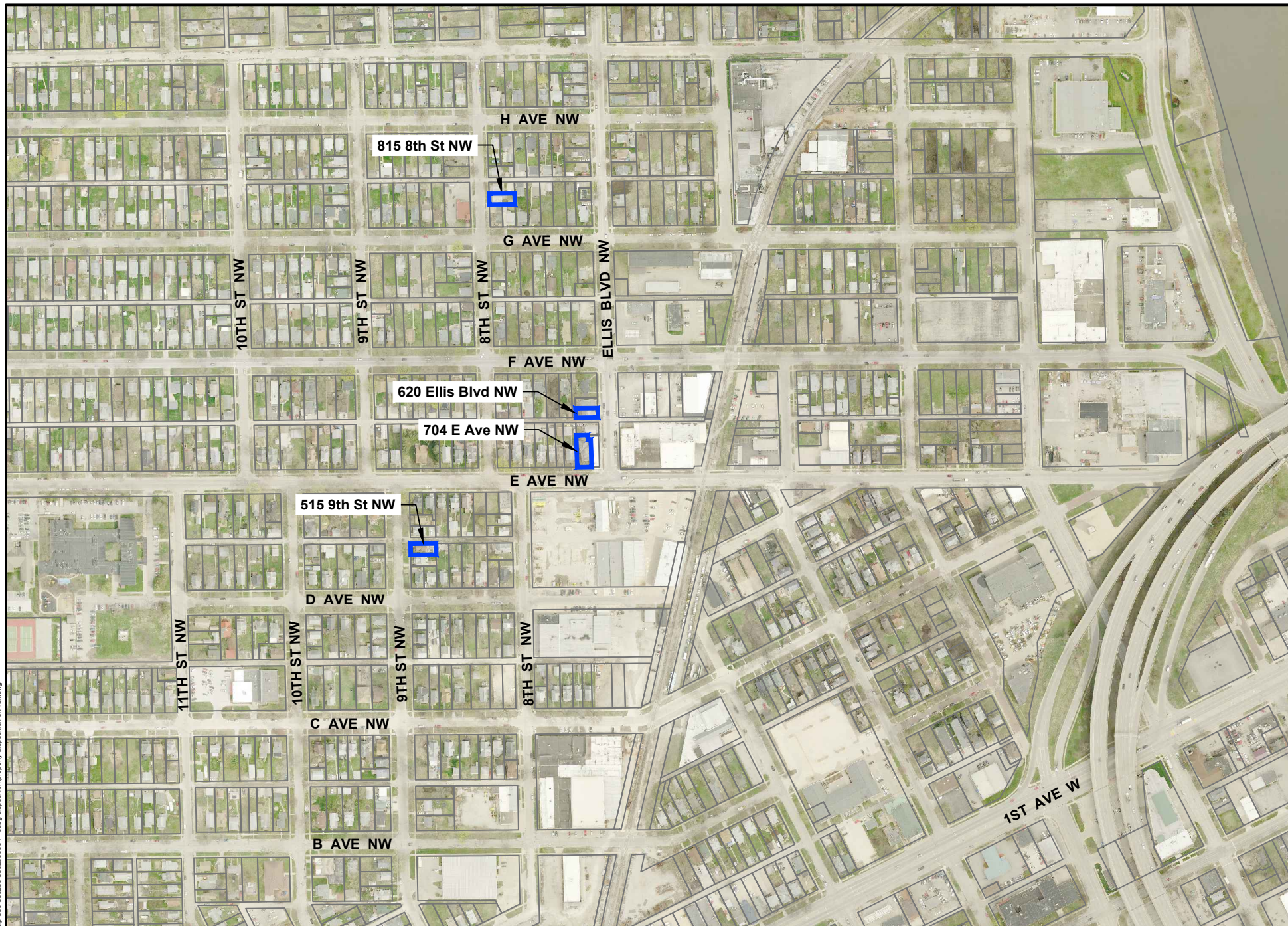
**Local Preference Policy** Applies ☐ Exempt ☒

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

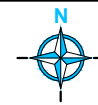
**Recommended by Council Committee:** Yes ☐ No ☐ N/A ☒

**Explanation** (if necessary):





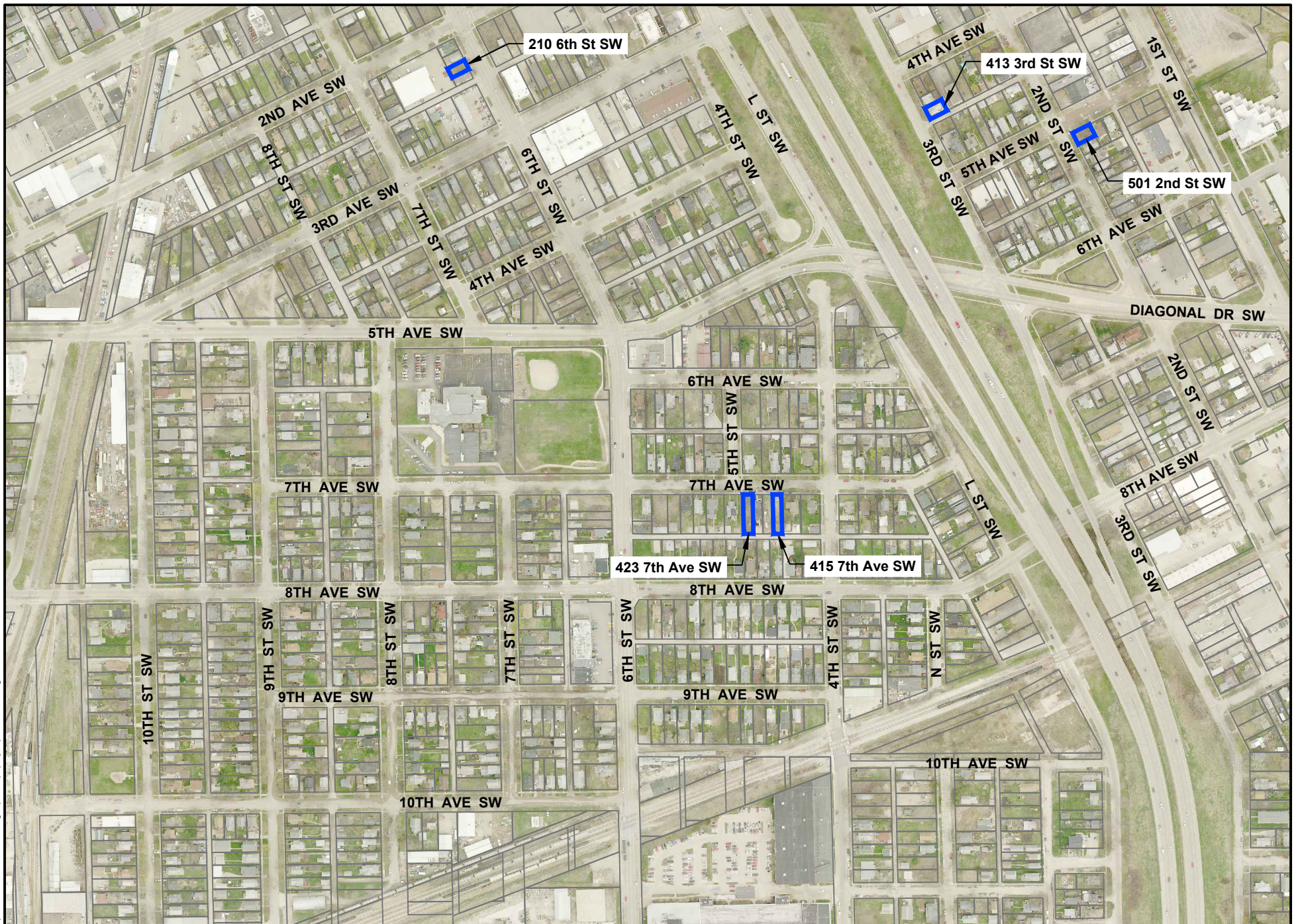
**CDBG ACQUIRED PARCELS**  
**12 NON-CONFORMING VACANT LOTS**  
Sheet 1 of 3



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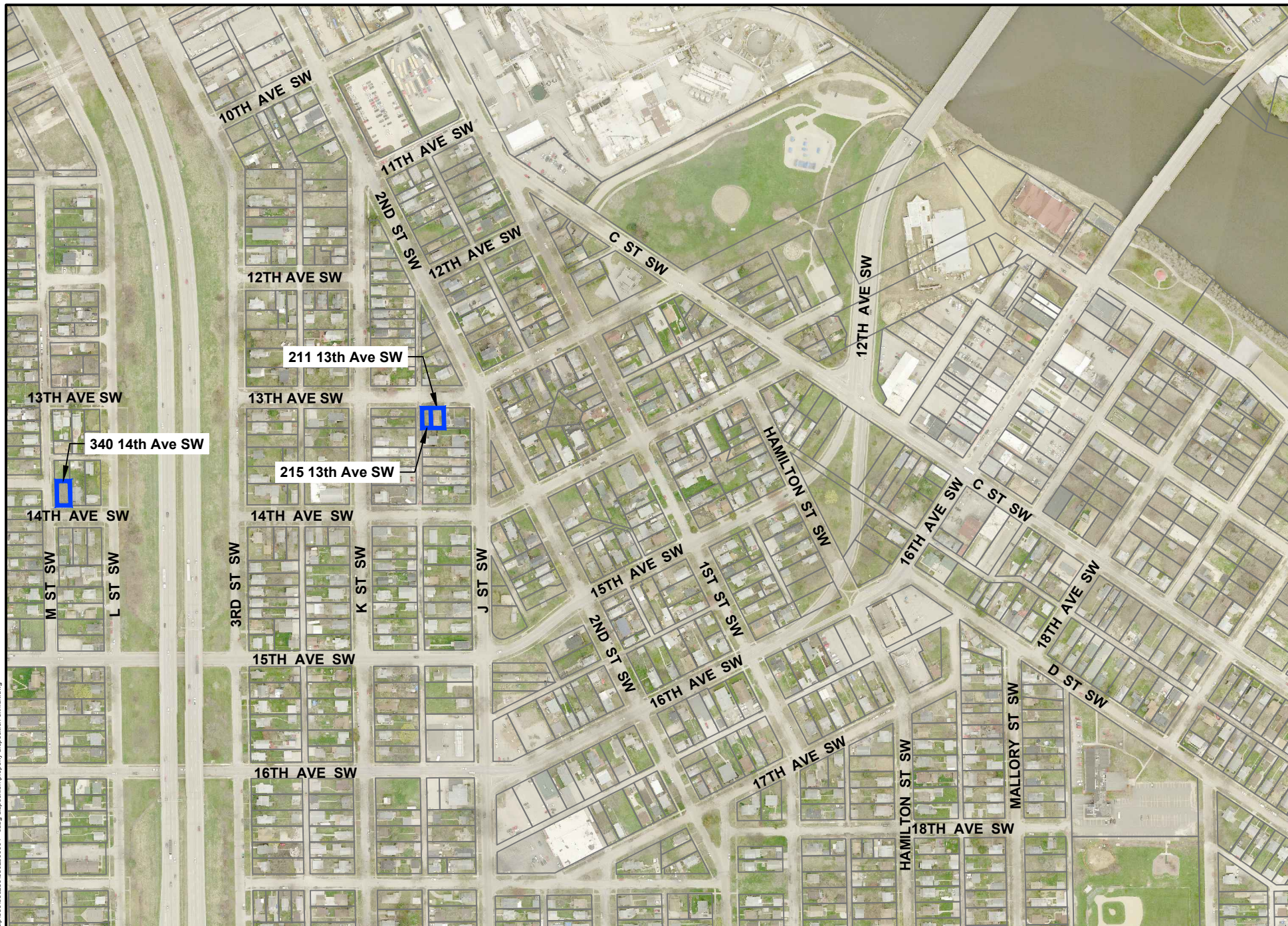
**CDBG ACQUIRED PARCELS**  
**12 NON-CONFORMING VACANT LOTS**  
Sheet 2 of 3



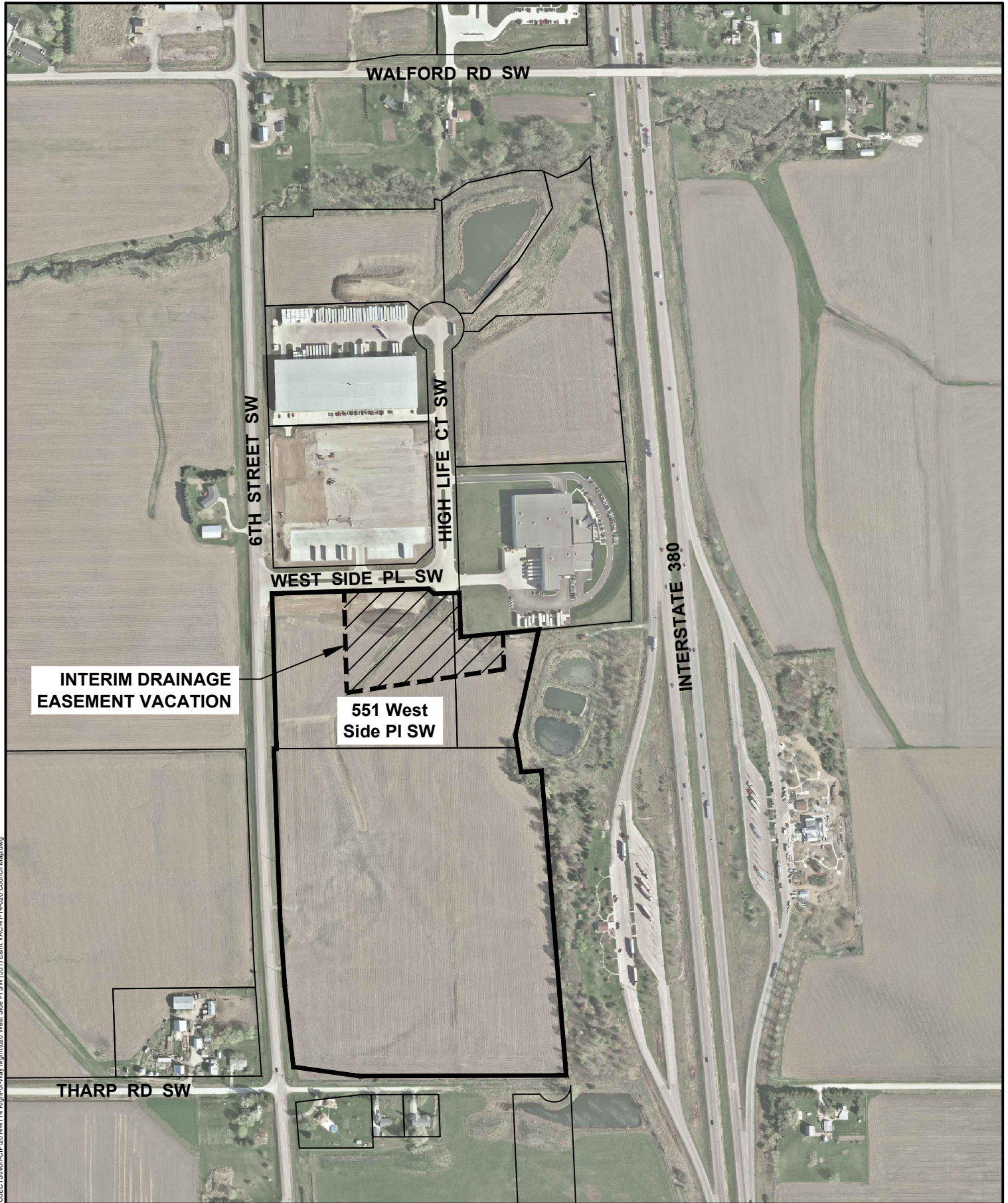
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**INTERIM DRAINAGE EASEMENT VACATION  
551 WEST SIDE PLACE SW**







## **Council Agenda Item Cover Sheet**

### **MOTION TO SET PUBLIC HEARING**

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Phone Number/Extension:** 5807

**E-mail Address:** r.rasmussen@cedar-rapids.org

**Alternate Contact Person:** Carol Morgan

**Phone Number/Extension:** 5092

**E-mail Address:** c.morgan@cedar-rapids.org

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

Motion to set a public hearing for January 28, 2014 to consider the continuation of the disposition of excess City-owned property described as 12 non-conforming vacant lots. CIP/DID #3302500004

#### **Background:**

The City of Cedar Rapids acquired these parcels through the Voluntary Property Acquisition Program and is seeking to dispose of them by sealed bid to adjacent property owners. The criteria used by City Staff to identify the lots as non-conforming is as follows: lots must either have a total square footage of less than 4,200 square feet or have property frontage less than 30 feet in width. The City Assessor will provide valuations for each lot, and those valuations will be used to determine fair market value.

The following 12 City-owned non-conforming vacant lots are included and are listed in the Notice of Public Hearing:

620 Ellis Boulevard NW	501 2 <sup>nd</sup> Street SW	415 7 <sup>th</sup> Avenue SW	340 14 <sup>th</sup> Avenue SW
515 9 <sup>th</sup> Street NW	210 6 <sup>th</sup> Street SW	815 8 <sup>th</sup> Street NW	413 3 <sup>rd</sup> Street SW
704 E Avenue NW	211 13 <sup>th</sup> Avenue SW	215 13 <sup>th</sup> Avenue SW	423 7 <sup>th</sup> Avenue SW

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

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

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

If there are no objections during the public hearing, the Public Works Department recommends approving the resolution continuing the disposition of these 12 non-conforming vacant lots.

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

Continue with maintenance including mowing and snow removal, and opt not to receive the benefit of property taxes on these parcels.

**Time Sensitivity:** Normal

**Resolution Date:** January 28, 2014

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

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

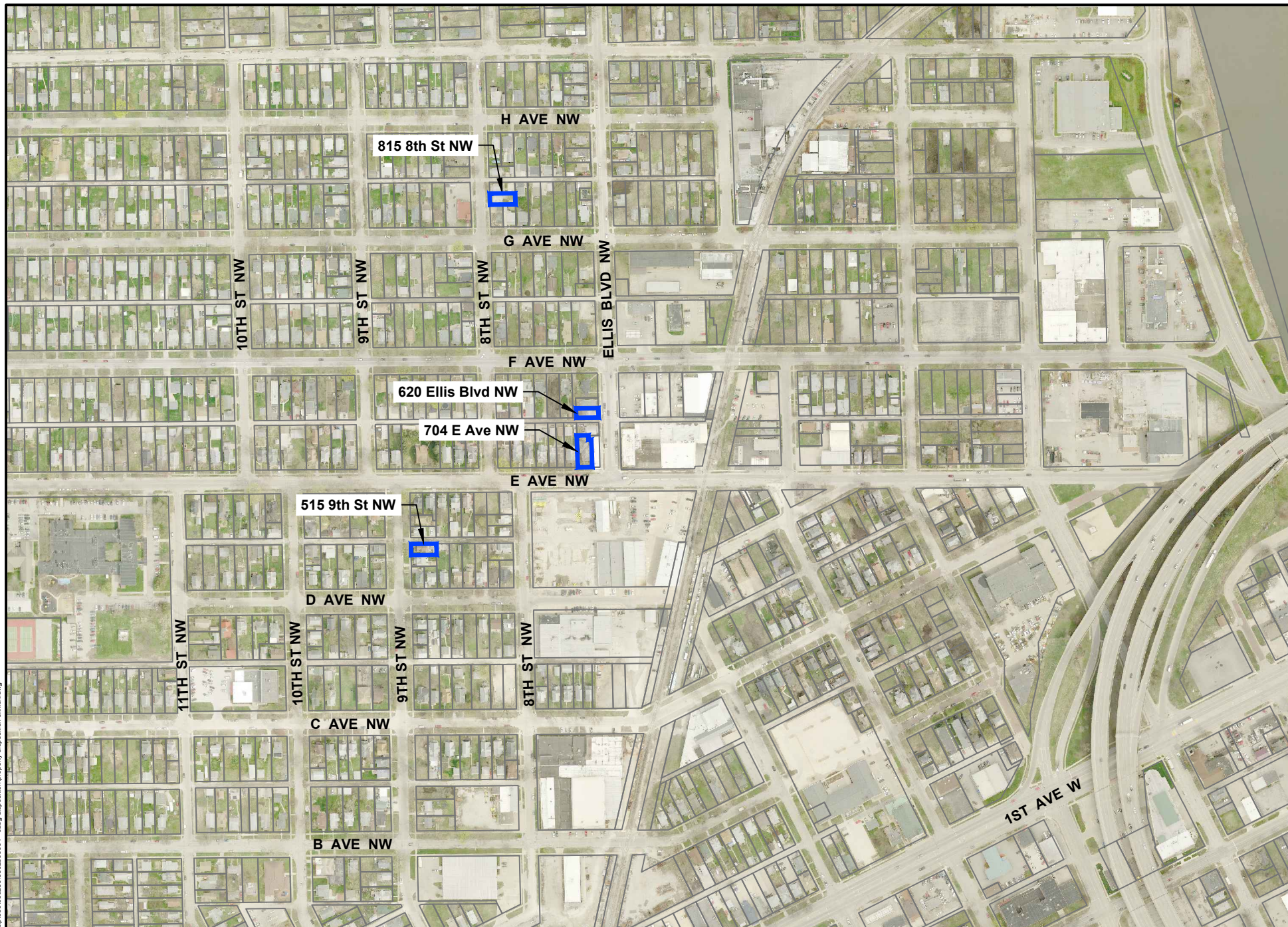
**Local Preference Policy:** Applies ☐ Exempt ☒

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

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

**Explanation (if necessary):**





**CDBG ACQUIRED PARCELS**  
**12 NON-CONFORMING VACANT LOTS**  
Sheet 1 of 3

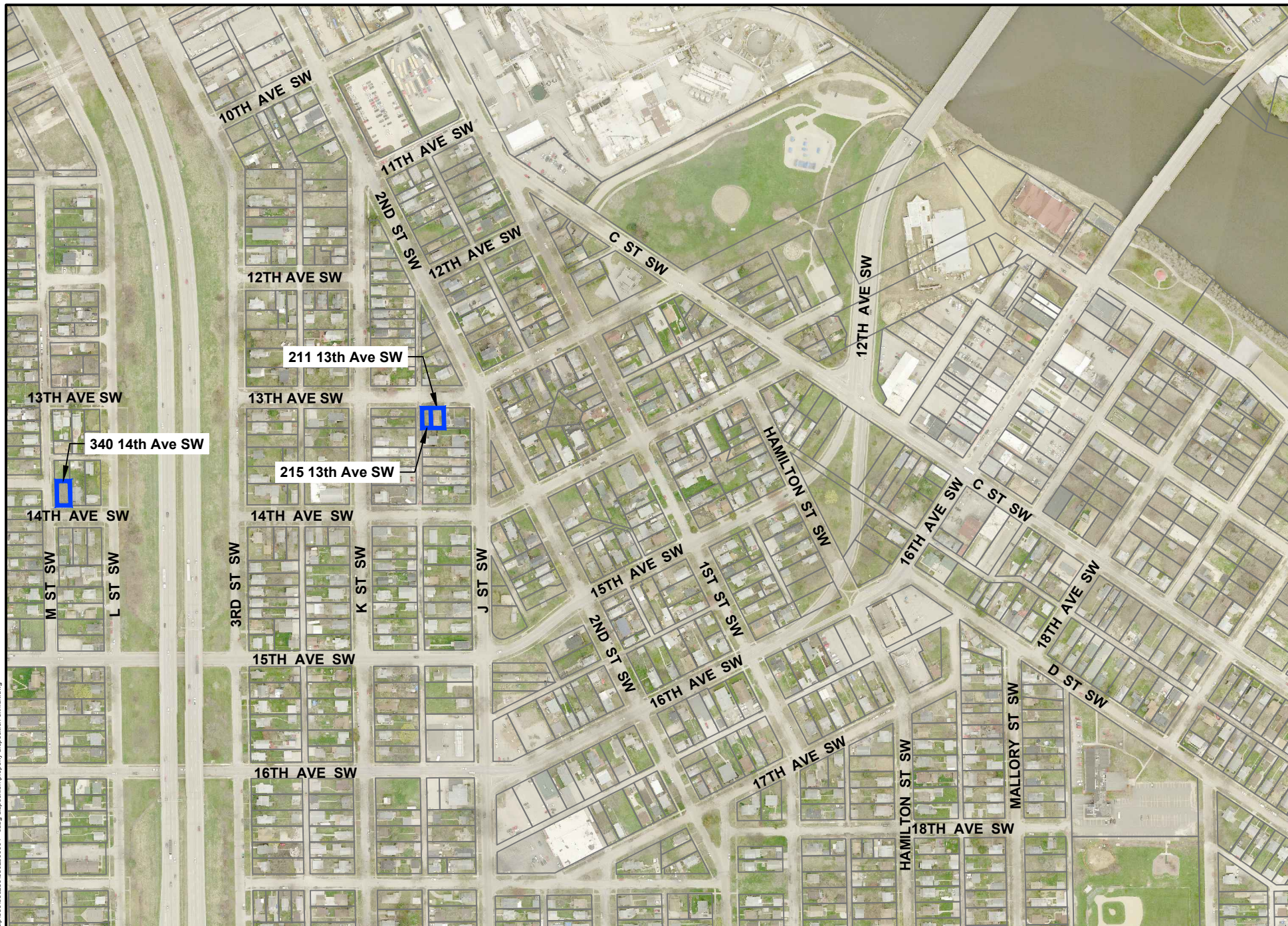


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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Chrystal Shaver

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Motion setting a public hearing for January 28, 2014 to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2014 to June 30, 2015. CIP/DID #246513

### **Background:**

The City of Cedar Rapids is an "Entitlement Community" for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs administered by the U.S. Department of Urban Development (HUD). This means Cedar Rapids qualifies, based upon population, to receive an annual allocation of CDBG and HOME funding directly from HUD for use in the community. Funds are allocated based on a formula that considers factors such as population, degree of poverty, and age of housing stock, and are subject to the annual Congressional appropriations process. Though funds have not yet been officially allocated for FY14, estimated funding is approximately \$1,085,181 for CDBG and \$309,892 for HOME. This is similar to funding received in the current fiscal year, but a significant reduction from prior years, due to congressional cuts to discretionary funding.

The Annual Action Plan outlines activities to be undertaken with program budget allocations. Any activities undertaken must correspond to a specific priority need identified in the Consolidated Plan. Funding proposals are reviewed and recommendations made to City Council by the City's Grants and Programs Citizens Advisory Committee.

This is the first of two required public hearings that are part of the "Consolidated Planning" process for the CDBG and HOME entitlement grant programs. The purpose of the hearing is to obtain citizen comments concerning:

1. The identification of local community development needs (both housing and non-housing, such as public improvements, services, and facilities, and economic development activities); and
2. Establishment of priority needs for budgeting purposes.

The public hearing also provides opportunity for consultation with appropriate public and private agencies, State and other local agencies; social service agencies, regarding housing needs of children, seniors, persons with disabilities, homeless persons, etc.; and health/welfare agencies, regarding child-related lead based paint hazards and poisonings.

This effort is specifically in regard to preparation of an Annual Actual Plan for the period from July 1, 2014 to June 30, 2015. Following the public hearing, the Grants and Programs committee will review applications and make funding recommendations for City Council's consideration in April or May of 2014. A second public hearing will be held prior to final approval of the Annual Action Plan.

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

The Grants and Programs Citizens' Advisory Committee will begin their work in mid-January. The Annual Action Plan is due to HUD on May 15, 2014.

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

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

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

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

**Explanation (if necessary):**



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Motion setting a public hearing for January 28, 2014 to consider the disposition of excess City-owned property at 1100 3<sup>rd</sup> Street SE and an approximately 48,000 square foot portion of 400 12<sup>th</sup> Avenue SE located in the Consolidated Central Urban Renewal Area CIP/DID#281736

### **Background:**

This public hearing is to clean up the legal description of property included in a Development Agreement and Lease with the Cedar Rapids City Market, Inc. which was authorized by the City Council on July 26, 2011.

The Development Agreement and Lease with the Cedar Rapids City Market, Inc. contained error in the legal description of property being Leased which the Market has the option to purchase beginning in 2016. Iowa Code requires a public hearing to be conducted for the leasing or disposition of City-owned property.

Subsequent to the public hearing, staff will bring forward an amendment to the Development Agreement and Lease to correct the legal description.

### **Action / Recommendation:**

City staff recommends setting a public hearing.

### **Alternative Recommendation:**

City Council may table and request additional information.

### **Time Sensitivity:**

**Resolution Date:** N/A

**Estimated Presentation Time:** N/A

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

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

### **Explanation:**

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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Seth Gunnerson

**Phone Number/Ext:** 319 286-5129

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

**Alternate Contact Person:** Thomas Smith

**Phone Number/Ext:** 319 286-5161

**Email:** [t.smith@cedar-rapids.org](mailto:t.smith@cedar-rapids.org)

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

Motion setting a public hearing for January 28, 2014 to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to allow on-premise digital display signs to display full motion video as a conditional use in certain zone districts. CIP/DID #817382

### **Background:**

On July 23, 2013 the City Council adopted the Digital Sign Ordinance, which set display criteria standards for on and off-premise signs in the community.

One of the provisions of the ordinance is a prohibition on full motion video on digital signs in the community, effective January 1, 2014. At the time City Council directed staff to identify a process to allow exceptions to be approved by the City on a case-by-case basis. Staff explored the existing Conditional Use process, or creating separate permit process.

State law requires that appeals or exceptions to zoning issues are, by state code, exclusively the domain of the Board of Adjustment. The limitation on video on signs is in a gray area, and could be interpreted to not be exclusively a zoning issue.

Due to the fact that locational considerations, such as zoning district, would be considered as part of the acceptance for video on digital signs, City staff is recommending that the Conditional Use process be used. Under the proposed ordinance, full motion video would be permitted by conditional use in all commercial and industrial districts.

- Limitations on full motion video shall not apply to scoreboards or video displays not intended to be viewed from the public right-of-way.
- Limitations shall not apply to video displayed to special events, such as movie nights, which would be reviewed and approved separately by City staff.

City Council's Development Committee recommended the ordinance at its September 25, 2013 meeting.

City Planning Commission reviewed the proposed ordinance on December 12, 2013 and recommended its adoption.

**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 ☐ N/A ☒

**Explanation:**

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

**Explanation:**

The Development Committee recommended approval of the proposed ordinance at its September 25, 2013 meeting. The City Planning Commission reviewed the proposed resolution on December 12, 2013 and recommended approval.





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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5821

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for January 28, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Curb Repair Project - Contract 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on January 29, 2014 (estimated cost is \$320,000). CIP/DID #301998-04

### **Background:**

The approved FY 2014 Capital Improvements Program includes funding for road maintenance for the City. Street improvements in FY 2015 will largely be funded by Local Optional Sales Tax (LOST) revenue. The purpose of the program is to prevent further deterioration of municipal streets in accordance with the LOST program. The available funding for this activity is \$404,267. This project is entitled FY 2014 Curb Repair Project – Contract 1 and subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2014 and be completed within 42 working days.

### **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 FY 2014 Curb Repair Project – Contract 1 and advertising for bids by publishing notice to bidders for the project.

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

If the resolution is not adopted the project could be delayed, resulting in further deterioration to the affected streets, or funds could be used for these improvements at a later date. Alternatively, the FY 2014 CIP could be amended and funds from this project applied to another project.

**Time Sensitivity:** Normal

**Resolution Date Adopting Plans and Specs:** January 14, 2014

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

**Budget Information (if applicable):** 301998

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

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

**Explanation (if necessary):**



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** City Clerk

**Presenter at meeting:** Chief Wayne Jerman  
**Email:** [w.jerman@cedar-rapids.org](mailto:w.jerman@cedar-rapids.org)

**Phone Number/Ext:** 319-286-5374

**Alternate Contact Person:** Diane Weimer  
**Email:** [d.weimer@cedar-rapids.org](mailto: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 violation of State Code regarding the sale of cigarettes to minors against Kum & Go #520, 2604 16<sup>th</sup> Avenue SW.

Motion assessing a \$1,500 civil penalty for second violation of State Code regarding the sale of cigarettes to minors against Market Express, 5340 16<sup>th</sup> Avenue SW.

**Background:**

Kum & Go #520 violation was on or about November 13, 2013. Clerk was found guilty on November 19, 2013. Permit holder signed consent to assessment and waived hearing.

Market Express violation was on October 30, 2013. Clerk was found guilty on November 26, 2013. The previous citation was on November 10, 2011 where a \$300 civil penalty was paid. Since this is a 2<sup>nd</sup> violation within two years the Permittee may choose to pay either a \$1,500 civil penalty or serve a 30 day suspension of the permit. Permittee chose to pay the civil penalty. Permit holder signed consent to assessment and waived hearing.

**Action / Recommendation:**

Assess 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. The two permit holders have each paid their civil penalty to the City of Cedar Rapids. Per Iowa State Code the civil penalty is mandatory.

**Time Sensitivity:**

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:** 1/14/2014

**Submitting Department:** City Clerk

**Presenter at Meeting:** Chief Jerman

**Phone Number/Ext:** 5374

**Email:**

**Alternate Contact Person:** Wanda Miller

**Phone Number/Ext:** 5274

**Email:** wandam@cedar-rapids.org

### Description of Agenda Item:

Motion approving the beer/liquor/wine applications of:

1. BBQ This!, 560 BOYSON RD NE;
2. Cobble Hill, 219 2ND ST SE;
3. El Kahir Embassy Club, 1400 BLAIRS FERRY RD NE;
4. EL Rancho Mexican Restaurant, 2747 16TH AVE SW;
5. Hawkeye Convenience Store East, 1581 1ST AVE SE;
6. Hawkeye Convenience Store Noelridge, 1120 OLD MARION RD NE;
7. Jim's Foods, 812 6TH ST SW;
8. JW's Pub & Grub, 58 MILLER AVE SW (new-formerly Fat Jacks);
9. L J's Catering at Shores Event Center, 700 16TH ST NE;
10. Lava, 5400 EDGEWOOD RD NE;
11. Otis' Tailgators Sports Bar, 3969 CENTER POINT RD NE;
12. Sam Liquor & Tobacco, 1500 1ST AVE NE (new-formerly YR Dollar Stop);
13. Silver Star Saloon, 2665 EDGEWOOD PKWY SW;
14. Todd's on the Go, 235 EDGEWOOD RD NW;

### Background:

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

### Alternative Recommendation:

### Time Sensitivity:

**Resolution Date:** N/A

**Estimated Presentation Time:** N/A

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

**Local Preference Policy:** Applies      Exempt **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:** 1/14/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
BBQ This! 560 BOYSON RD NE	2	0	0	0
Cobble Hill 219 2ND ST SE	1	0	0	0
El Kahir Embassy Club 1400 BLAIRS FERRY RD NE	5	0	0	0
EL Rancho Mexican Restaurant 2747 16TH AVE SW	6	0	0	0
Hawkeye Convenience Store East 1581 1ST AVE SE	73	0	1	12
Hawkeye Convenience Store Noelridge 1120 OLD MARION RD NE	19	0	0	3
Jim's Foods 812 6TH ST SW	107	0	1	14
JW's Pub & Grub 58 MILLER AVE SW	0	0	0	0
L J's Catering at Shores Event Center 700 16TH ST NE	0	0	0	0
Lava 5400 EDGEWOOD RD NE	8	0	0	0
Otis' Tailgators Sports Bar 3969 CENTER POINT RD NE	76	1	0	3
Sam Liquor & Tobacco 1500 1ST AVE NE	0	0	0	0
Silver Star Saloon 2665 EDGEWOOD PKWY SW	31	1	0	5

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Todd's on the Go				
235 EDGEWOOD RD NW				

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated January 14, 2014 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 14<sup>th</sup> day of January, 2014.



REC  
TED  
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WPC  
STR

RESOLUTION NO.

TRANSFER OF FUNDS

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

Passed this 14<sup>th</sup> day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** City Clerk

**Presenter at meeting:** Amy Stevenson  
**Email:** [a.stevenson@cedar-rapids.org](mailto:a.stevenson@cedar-rapids.org)

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

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

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

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

Resolutions appointing and thanking the following individuals: CIP/DID #

- a. Appointing Monica Vernon as Mayor Pro Tempore; CIP/DID #
- b. Vote of thanks to Moira Blake for serving on the Cedar Rapids Historic Preservation Commission; CIP/DID #691376
- c. Vote of thanks to Susie Weinacht for serving on the Parks & Recreation Commission; CIP/DID #572850
- d. Vote of thanks to the late Violet Urbanek for serving on the ADA Advisory Committee. CIP/DID #775389

**Background:**

Moira Blake submitted a letter of resignation to city staff.  
 Susie Weinacht was elected to the Cedar Rapids City Council.

**Action / Recommendation:**

Approve resolutions as presented.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** N/A

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Monica Vernon is hereby appointed as Mayor Pro Tempore to serve for a term of one year from the date of this resolution or until such time as a successor is appointed and qualified.

Passed this 14<sup>th</sup> day of January, 2014.

RESOLUTION NO.

WHEREAS, Moira Blake has devoted considerable time and effort as a member of the Cedar Rapids Historic Preservation Commission,

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

Passed this 14<sup>th</sup> day of January, 2014.

## RESOLUTION NO.

WHEREAS, Susie Weinacht has devoted considerable time and effort as a member of the Parks & Recreation Commission,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Susie Weinacht for serving as a member of the Parks & Recreation Commission.

Passed this 14<sup>th</sup> day of January, 2014.

RESOLUTION NO.

WHEREAS, Violet Urbanek devoted considerable time and effort as a member of the ADA Advisory Committee,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to the late Violet Urbanek for serving as a member of the ADA Advisory Committee.

Passed this 14<sup>th</sup> day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

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

**Phone Number/Ext:** 319 286-5129

**Alternate Contact Person:** Thomas Smith  
**Email:** [t.smith@cedar-rapids.org](mailto:t.smith@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5161

**Description of Agenda Item:** ☐ Ordinance ☒ Public Hearing ☐ Regular Agenda  
 Resolution authorizing the formation of a Kingston Village Design Review Technical Advisory Committee to review Land Development applications within the Kingston Village Overlay District. CIP/DID #865258

### **Background:**

On December 17, 2013 City Council approved the First Reading of an ordinance to establish a Kingston Village Design Review Overlay District (KV-O) which establishes unique zoning criteria within the Kingston Village Plan area. The ordinance calls for the establishment of a Design Review Technical Advisory Committee (DRTAC), which will be made up of neighborhood stakeholders, to review building permits and land development applications within the KV-O and provide comments and recommendations on projects.

Final adoption of the ordinance is anticipated at the January 14, 2014 City Council Meeting. This resolution would establish the committee and then set the composition of its membership. The recommended composition:

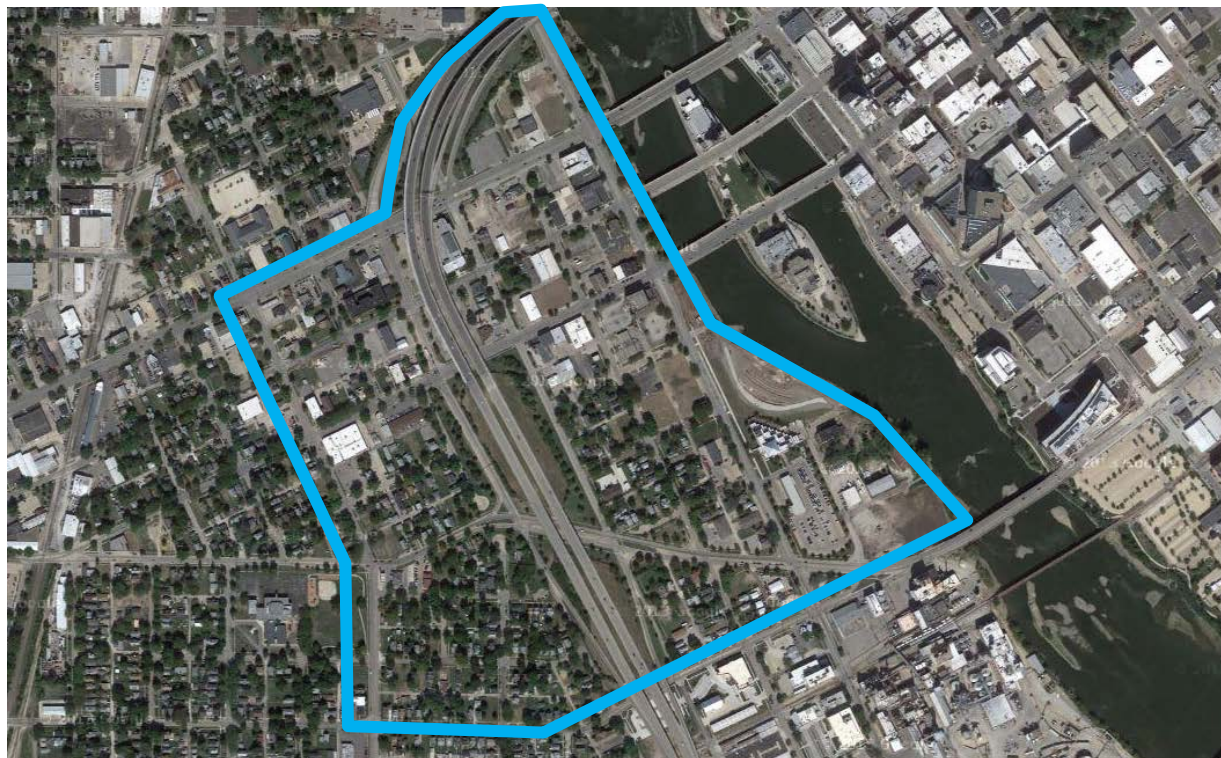
- One (1) Developer with experience rehabilitating historic structures
- One (1) Licensed architect
- Three (3) stakeholders who either own property in Kingston Village, operate a business in the district, or reside within the district.

Staff is currently working to solicit applications for both the Kingston Village and Ellis Boulevard Overlay Districts. Appointments to City boards are made by the Mayor with the consent of City Council. Staff anticipates that both boards will be appointed by early Spring. Prior to appointment of members, staff will review all applications within the Kingston Village area and ensure compliance with the new zoning standards.

The formation of the district and establishment of a DRTAC was recommended at the November 21, 2013 City Planning Commission Meeting. The recommendations were recommended by City Council's Development Committee on October 23, 2013. Input on the recommendations has been gathered from stakeholders in the Kingston Village planning area, the Developer's Council and from representatives from sign companies in Cedar Rapids.

The establishment of a design review overlay district to provide stakeholders with input on future development projects within the neighborhood was a key recommendation of the 2013 Kingston Village Plan.

The boundaries for the proposed Kingston Village Overlay District are the same as the study area for the Kingston Village Plan, and are shown on the map below.



*Proposed KV-O Boundaries*

**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:** N/A

**Estimated Presentation Time:** 0 minutes

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

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

**Explanation:**

N/A ☐

**Recommended by Council Committee** Yes ☒ No ☐

**Explanation:**

The Development Committee recommended approval of the proposed ordinance at its October 23, 2013 meeting. The City Planning Commission reviewed the proposed resolution on November 21, 2013 and recommended approval.



RESOLUTION NO.

RESOLUTION AUTHORIZING THE FORMATION OF A KINGSTON  
VILLAGE DESIGN REVIEW TECHNICAL ADVISORY COMMITTEE TO  
REVIEW LAND DEVELOPMENT APPLICATIONS WITHIN THE  
KINGSTON VILLAGE OVERLAY DISTRICT

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Kingston Village Design Review Technical Advisory Committee is created; and

WHEREAS, The Kingston Village Design Review Technical Advisory Committee shall review proposed building permits and land development applications for multifamily and commercial projects in the Kingston Village Overlay District. The Kingston Village Design Review Technical Advisory Committee shall have no authority to approve or deny projects, but shall have the following duties:

1. To meet with applicants and provide comments related to building permits and/or land development applications, as related to the guidelines and standards set for Kingston Village Overlay District;
2. To educate the community and perform outreach in a consistent, efficient and expedient manner that will assist developers and property owners in meeting the Kingston Village Overlay District design guidelines and standards;
3. To demonstrate support for projects which meet the design guidelines and standards as determined by City staff and/or the appropriate approving body for the building permit or development application.

BE IT FURTHER RESOLVED that The Kingston Village Design Review Technical Advisory Committee shall be made up of five (5) members with the following qualifications: one (1) licensed architect; one (1) developer with experience in rehabilitation of historic structures in the City of Cedar Rapids; and three (3) stakeholders who either own property within the district, operate a business or non-profit organization within the district, or reside within the district.

Introduced this 14<sup>th</sup> day of January, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

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

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

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

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

1. Resolutions approving assessment actions:  
Intent to assess – Solid Waste & Recycling – clean-up costs – four properties.

### **Background:**

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

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

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

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

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

The City Council could decide not to assess.

### **Time Sensitivity:**

**Resolution Date:** 1-14-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

INTENT TO ASSESS

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

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

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

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 p.m., February 12, 2014.

Passed this 14th day of January, 2014.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Intent To Assess List  
12/6/13 - 12/18/13

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
12/6/2013	A01304	142846500200000	John J.	Vrba	207	14th Ave	SW	2	28	\$ 284.75	
12/6/2013	A00485	141538400900000	Bank of America NA		1633	D Ave	NE	5	6	\$ 152.75	
12/6/2013	A01303	142232701600000	1220 3rd Ave SE LLC		1220	3rd Ave	SE	13		\$ 308.25	
12/18/2013	A00523	142033200700000	Jason A.	Svestka	1019	Sioux Dr	NW	44		\$ 237.25	
										<u>\$ 983.00</u>	



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

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

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

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

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

Resolutions approving assessment actions:

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

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

(Note: The Intent to Assess Resolution was approved at the Council Meeting on December 3, 2013.)

### **Background:**

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 1863-12-13 passed on December 3, 2013.

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

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

The City Council could decide not to assess.

**Time Sensitivity:**

**Resolution Date:** 1-14-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

LEVY ASSESSMENT

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

NUISANCE ABATEMENTS

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

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

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

Passed this 14th day of January, 2014.

City of Cedar Rapids  
Solid Waste & Recycling Department  
Special Assessment List  
Service Dates: 10-28-13 - 11-4-13

Date	Customer #	GPN#/ Parcel	First Name	Last Name	House	Street	Quad	Lot	Block	Amount	Flood Zone
10/28/2013	A01287	143423100500000	David F & Mary C	Gage Trustees	2134	C St	SW	5	3	\$ 332.00	
10/28/2013	A00322	142828000700000	Marie	Grignon	507	2nd St	SW	10	15	\$ 367.00	
										<u>\$ 699.00</u>	

**Council Agenda Item Cover Sheet**☒ **Consent Agenda**      ☐ **Regular Agenda****Council Meeting Date:** January 14, 2014**Submitting Department:** Utilities – Water Division**Presenter at meeting:** Steve Hershner    **Phone No.:** 5281    **E-mail:** [s.hersnher@cedar-rapids.org](mailto:s.hersnher@cedar-rapids.org)**Alternate Contact:** Kevin Kirchner    **Phone No.:** 5902    **E-mail:** [k.kirchner@cedar-rapids.org](mailto:k.kirchner@cedar-rapids.org)**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 25 properties; CIP/DID #

This is a Resolution to Assess (Intent) – Various Properties for Delinquent Municipal Utility Bills, Penalties and Iowa Sales Tax. (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:** 1/14/14**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 25<sup>th</sup> day of February, 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 3:00 p.m., February 25, 2014.

Passed this 14<sup>th</sup> day of January, 2014.

## LIEN INTENTS (SPECIAL ASSESSMENTS) 1-14-14

			LIEN INTENTS 1-14-14
#		Balance Due	Premise Address
1		\$ 85.97	141 34th Street Dr SE
2		\$ 239.58	145 Hayes St SW
3		\$ 292.83	209 Park Ct SE
4		\$ 105.79	221 Windsor Dr NE
5		\$ 125.47	315 2nd Ave SE
6		\$ 40.62	341 Indiandale Rd SE
7		\$ 87.01	345 19th Street SE
8		\$ 62.01	428 Memorial Dr SE
9		\$ 14.71	625 28th Street Ct SE
10		\$ 47.97	1026 12th St NE
11		\$ 26.44	1109 14th Ave SW
12		\$ 1,704.53	1309 L AVE NE
13		\$ 79.03	1626 13th Ave SE
14		\$ 153.51	1728 B AVE NE
15		\$ 90.41	1811 B Ave NE
16		\$ 55.67	1930 E Ave NW
17		\$ 147.55	2509 33rd Ave SW
18		\$ 147.55	2517 33rd Ave SW
19		\$ 324.96	2775 Franklin Ave NE
20		\$ 106.63	3937 Crestwood Dr NW
21		\$ 429.85	4602 Twin Pine Dr NE
22		\$ 302.85	5029 Louisa St NE
23		\$ 229.15	5445 Cedar Dr NW
24		\$ 235.41	6311 Beverly Road SW
25		\$ 110.88	6617 Kiowa Trace NE
		<b>\$ 6,046.38</b>	<b>Grand Total</b>
		<b>25</b>	<b>Number of Properties</b>
		<b>\$ 40.62</b>	<b>Balance Due - Low</b>
		<b>\$ 1,704.53</b>	<b>Balance Due - High</b>

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 11 properties. CIP/DID #987176

Out of the 11 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 November 19<sup>th</sup> Council Meeting.]

**Background:**

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 1784-11-13 on November 19, 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:** 1/14/14

**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 14<sup>th</sup> day of January, 2014.



## SPECIAL ASSESSMENTS (TO BE LIENED) 1-14-14

				<b>Special Assessments 1-14-14</b>		
				<b>Lien Intents 11-19-13</b>		
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>		<b>Flood</b>
1		\$ 163.31		216 15TH ST NE		
2		\$ 181.49		250 18TH ST NW		
3		\$ 249.77		359 GREEN VALLEY TER SE		
4		\$ 188.89		521 9TH ST SW UPPER		Y
5		\$ 182.13		939 OAKLAND RD NE		
6		\$ 154.70		941 M ST SW #1		Y
7		\$ 125.65		1016 11TH AVE SE		
8		\$ 222.80		1019 SIOUX DR NW		
9		\$ 237.14		1435 K ST SW		Y
10		\$ 200.39		2616 C AVE NE		
11		\$ 171.81		3707 1ST AVE SE		
		<b>\$ 2,078.08</b>		<b>Grand Total</b>		
		<b>11</b>		<b>Number of Properties</b>		
		<b>\$ 125.65</b>		<b>Balance Due - Low</b>		
		<b>\$ 249.77</b>		<b>Balance Due - High</b>		

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 18 properties. CIP/DID #994383

Out of the 18 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 December 3<sup>rd</sup> Council Meeting.]

**Background:**

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess these properties was approved by City Council Resolution No. 1864-12-13 on December 3, 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:** 1/14/14

**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 14<sup>th</sup> day of January, 2014.

## SPECIAL ASSESSMENTS (TO BE LIENED) 1-14-14

				Special Assessments 1-14-14		
				Lien Intents 12-3-13		
#		Balance Due		Premise Address		Flood
1		\$ 510.29		58 MILLER AVE SW		
2		\$ 182.71		218 15TH ST NE		
3		\$ 139.97		350 17TH ST SE		
4		\$ 182.71		735 36TH ST NE		
5		\$ 257.52		907 C AVE NW		Y
6		\$ 506.02		1021 DANIELS ST NE		
7		\$ 241.98		1148 I AVE NE		
8		\$ 262.49		1215 19TH AVE SW		
9		\$ 222.38		1267 ELMHURST DR NE		
10		\$ 210.87		1415 4TH ST SW		Y
11		\$ 134.76		1450 COUNCIL ST NE		
12		\$ 164.05		1602 HUGHES DR SW		
13		\$ 195.29		1701 C AVE NE		
14		\$ 126.79		1711 14TH AVE SW		
15		\$ 199.82		1812 J ST SW		Y
16		\$ 178.11		2320 FRUITLAND BLVD SW		
17		\$ 466.93		2927 CENTER POINT RD NE		
18		\$ 213.86		3324 OAKLAND RD NE		
		<b>\$ 4,396.55</b>		<b>Grand Total</b>		
		<b>18</b>		<b>Number of Properties</b>		
		<b>\$ 126.79</b>		<b>Balance Due - Low</b>		
		<b>\$ 510.29</b>		<b>Balance Due - High</b>		





## 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**  
 Resolutions accepting maintenance bonds for various subdivision improvements:

- a. Accepting Portland Cement Concrete pavement in Remington West Addition and approving 4-year Maintenance Bond submitted by E & F Cement and Asphaltic Concrete Company, Inc. in the amount of \$79,200. CIP/DID #47-05-010
- b. Accepting sanitary sewer in Applewood Hills Eleventh Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$32,672. CIP/DID #47-11-012
- c. Accepting storm sewer in Applewood Hills Eleventh Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$11,645. CIP/DID #47-11-012
- d. Accepting Portland Cement Concrete pavement in Applewood Hills Eleventh Addition and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation in the amount of \$40,592. CIP/DID #47-11-012
- e. Accepting storm sewer in Kum & Go #517, 32<sup>nd</sup> Street NE and 1<sup>st</sup> Avenue SE and approving 2-year Maintenance Bond submitted by Henning Construction Co., Inc. in the amount of \$8,900. CIP/DID #95-11-101
- f. Accepting Portland Cement Concrete pavement in Kum & Go #517, 32<sup>nd</sup> Street NE and 1<sup>st</sup> Avenue SE and approving 4-year Maintenance Bond submitted by Henning Construction Co., Inc. in the amount of \$12,000. CIP/DID #95-11-101

### Background:

This item includes acceptance of six (6) maintenance bonds from various contractors for various development improvements that have been completed. The infrastructure improvements completed by the development projects include Portland Cement Concrete pavement, sanitary sewer and storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bonds provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action / Recommendation:**

The Public Works Department recommends adoption of the Resolutions to accept the maintenance bonds as submitted for the various subdivision improvements listed.

**Alternative to the Recommendation:**

If Council chooses not to accept the maintenance bonds, the Developer will encounter difficulty obtaining building permits and certification of occupancy for this development.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

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

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

**Explanation:** Private development

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, E & F Cement and Asphaltic Concrete Company, Inc. has filed a Maintenance Bond executed by Merchants Bonding Company (Mutual) in the sum of \$79,200 for Portland Cement Concrete pavement in Remington West Addition, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by E & F Cement and Asphaltic Concrete Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Signature Homes, John Huber, PO Box 8837, Cedar Rapids, IA of the responsibility for:

1. The maintenance of adequate backfill around and under pavement.
2. The prevention and repair of paving undermining.
3. The removal and cleaning of the street surface of soil and debris resulting from the erosion of the adjacent property.

The above items shall remain the responsibility of Signature Homes until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by E & F Cement & Asphaltic Concrete Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.

## RESOLUTION NO.

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed sanitary sewer in Applewood Hills Eleventh Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$32,672 covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the sanitary sewer constructed be and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Dave Schmitt Construction Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.

## RESOLUTION NO.

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed storm sewer in Applewood Hills Eleventh Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$11,645 covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the storm sewer constructed be and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Dave Schmitt Construction Company, Inc. be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.



## RESOLUTION NO.

WHEREAS, City Wide Construction Corporation has filed a Maintenance Bond executed by North American Specialty Insurance Company in the sum of \$40,592 for Portland Cement Concrete pavement in Applewood Hills Eleventh Addition, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by City Wide Construction Corporation be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Wilmar Development Company of the responsibility for:

1. The maintenance of adequate backfill around and under pavement.
2. The prevention and repair of paving undermining.
3. The removal and cleaning of the street surface of soil and debris resulting from the erosion of the adjacent property.

The above items shall remain the responsibility of Wilmar Development Company until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by City Wide Construction Corporation be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.

RESOLUTION NO.

WHEREAS, Henning Construction Co., LLC has constructed storm sewer in Kum & Go #517, 32<sup>nd</sup> Street NE and 1<sup>st</sup> Avenue SE, and

WHEREAS, said work has now been completed, and Henning Construction Co., LLC has filed a 2-year Maintenance Bond, executed by Merchants Bonding Company (Mutual) in the sum of \$8,900 covering said work, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the storm sewer constructed be and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the 2-year Maintenance Bond filed by Henning Construction Co., LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.

## RESOLUTION NO.

WHEREAS, Henning Construction Co., LLC has filed a Maintenance Bond executed by Merchants Bonding Company (Mutual) in the sum of \$12,000 for Portland Cement Concrete pavement at the Kum & Go #517, 32<sup>nd</sup> Street NE & 1<sup>st</sup> Ave SE, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by Henning Construction Co., LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Kum & Go, LC of the responsibility for:

1. The maintenance of adequate backfill around and under pavement.
2. The prevention and repair of paving undermining.
3. The removal and cleaning of the street surface of soil and debris resulting from the erosion of the adjacent property.

The above items shall remain the responsibility of Kum & Go, LC until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by Henning Construction Co., LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.



## 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, authorizing final payment in the amount of \$4,797.41 and approving the 4-Year Performance Bond submitted by Eastern Iowa Excavating & Concrete LLC for the Prairie Park Fishery Trail Entrance project (original contract amount was \$100,923; final contract amount is \$95,948.14). CIP/DID #353011-04

### Background:

Construction has been substantially completed by Eastern Iowa Excavating & Concrete LLC for the Prairie Park Fishery Trail Entrance project. This is an approved Capital Improvements Project (CIP No. 353011-04) with a final construction contract amount of \$95,948.14. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

### Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$4,797.41.

### 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 the City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

**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):** Project provides hard-surfaced connection between loop trail at Prairie Park Fishery and the Sac and Fox Trail. Local trail groups have advocated for this project.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Prairie Park Fishery Trail Entrance project (Contract No. 353011-04), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 22, 2013 in the amount of \$98,623 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

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

Original Contract Amount	\$98,623.00
Possible Incentive	2,300.00
Change Order No. 1	1,053.22
Change Order No. 2	2,738.40
Change Order No. 3	(6,466.48)
Removal of Original Incentive	<u>(2,300.00)</u>
Amended Contract Amount	\$95,948.14

, now therefore

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

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Prairie Park Fishery Trail Entrance project, (Contract No. 353011-04) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$4,797.41 to Eastern Iowa Excavating & Concrete LLC as final payment.

The final contract price is \$95,948.14 distributed as follows: \$95,948.14 353-353000-353011, 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 14<sup>th</sup> day of January, 2014.









## 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, authorizing final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by Metro Pavers, Inc. for the Edgewood Road SW from South of CRANDIC Railroad to 37<sup>th</sup> Avenue Intersection project (original contract amount was \$5,877,570.62; final contract amount is \$5,978,056.62). CIP/DID #301083-05

### Background:

Construction has been substantially completed by Metro Pavers, Inc. for the Edgewood Road SW from South of CRANDIC Railroad to 37<sup>th</sup> Avenue Intersection project. This is an approved Capital Improvements Project (CIP No. 301083-05) (IDOT No. HDP-1187(711)—71-57) with a final construction contract amount of \$5,978,056.62. 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 \$30,000.

### 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:** January 14, 2014

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

**Budget Information (if applicable):** IDOT funding

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

**Explanation:** Project was awarded prior to policy implementation.

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Edgewood Road SW from South of CRANDIC Railroad to 37<sup>th</sup> Avenue Intersection project (Contract No. 301083-05) (IDOT No. HDP-1187(711)—71-57), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated November 12, 2008 in the amount of \$5,870,570.62 covering said work filed by Metro Pavers, Inc. and executed by Federal Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$5,877,570.62
Incentive Clause	64,213.59
Change Order No. 1	11,000.00
Change Order No. 2	1,677.50
Change Order No. 3	4,039.20
Change Order No. 4	15,279.48
Change Order No. 5	12,654.66
Change Order No. 6	55,773.83
Change Order No. 7	8,149.05
Change Order No. 8	4,342.25
Change Order No. 9	25,661.58
Change Order No. 10	7,184.60
Change Order No. 11	11,357.80
Change Order No. 12	4,830.00
Change Order No. 13	2,394.88
Change Order No. 14	2,405.60
Change Order No. 15	1,559.40
Change Order No. 16	6,800.00
Change Order No. 17	9,078.98
Change Order No. 18 (Final)	(122,200.56)
Disincentive (Smoothness)	(2,000.00)
Removal of Original Incentive	<u>(23,715.84)</u>
Amended Contract Amount	\$5,978,056.62

, 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 South of CRANDIC Railroad to 37<sup>th</sup> Avenue Intersection project, (Contract No. 301083-05) 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 \$30,000 to Metro Pavers, Inc. as final payment.

The final contract price is \$5,978,056.62 distributed as follows:

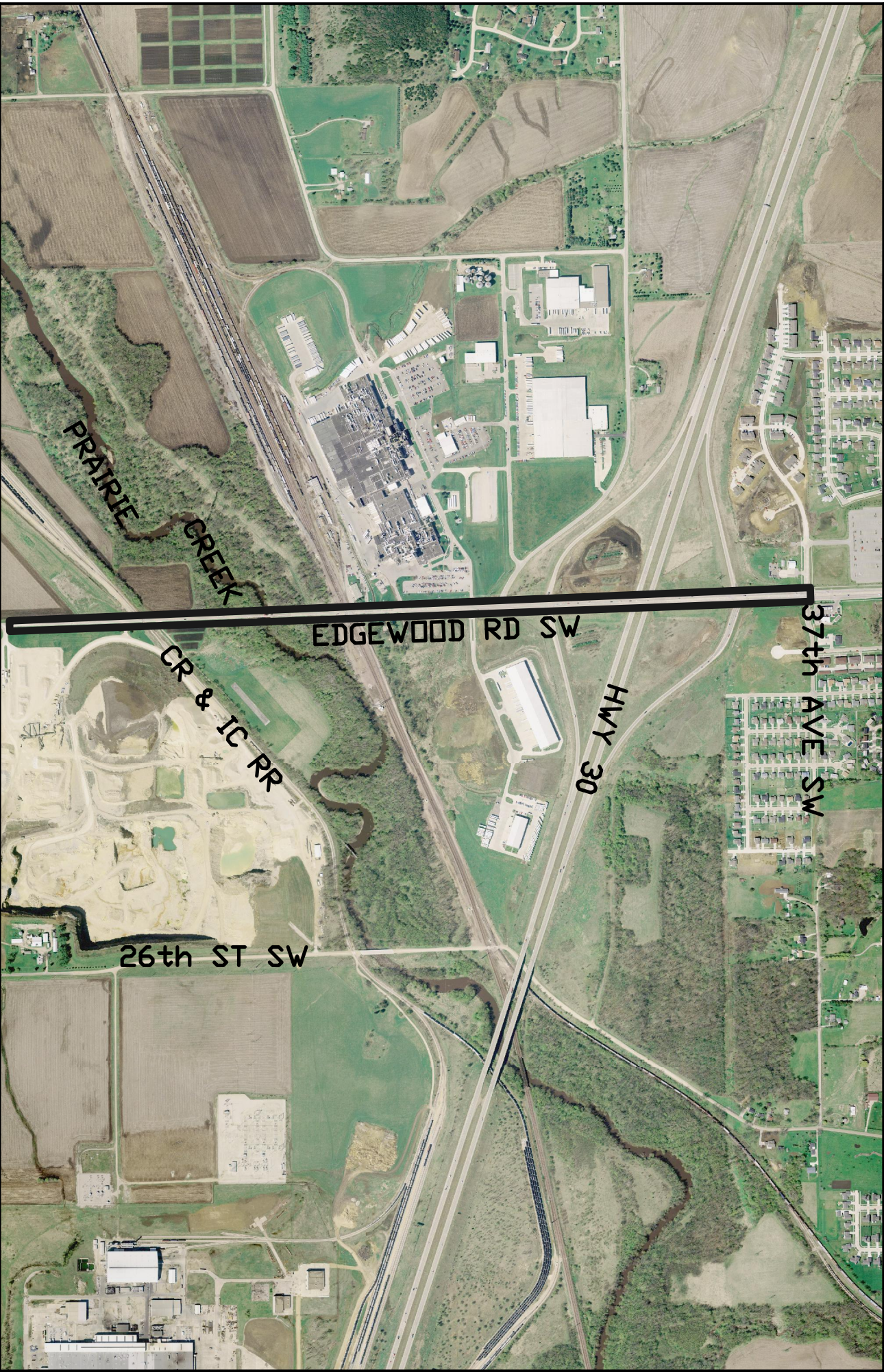
\$3,068,683.58	301-301000-301083
\$ 567,067.19	301-301000-301850
\$ 61,146.00	304-304000-304091
\$ 5,202.20	305-305000-305050
\$2,062,032.65	305-305000-305092
\$ 142,459.00	306-306000-306158
\$ 39,690.00	655-655000-655833
\$ 31,776.00	625-625000-625542-6252007048

, 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 14<sup>th</sup> day of January, 2014.





SCALE: NONE

EDGEWOOD ROAD SW  
FROM SOUTH OF CRANDIC RR TO 37TH AVE SW  
RECONSTRUCTION PROJECT



CEDAR RAPIDS  
City Of Five Seasons

301083-05





## 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, authorizing final payment in the amount of \$73,346.12 and approving the 4-year Performance Bond submitted by Pirc-Tobin Construction, Inc. for the 2<sup>nd</sup> Avenue SW from 3<sup>rd</sup> Street to 6<sup>th</sup> Street Pavement Reconstruction and Water Main Improvements project (original contract amount was \$1,477,936.53; final contract amount is \$1,466,922.32). CIP/DID #301869-01

### Background:

Construction has been substantially completed by Pirc-Tobin Construction, Inc. for the 2<sup>nd</sup> Avenue SW from 3<sup>rd</sup> Street to 6<sup>th</sup> Street Pavement Reconstruction and Water Main Improvements project. This is an approved Capital Improvements Project (CIP No. 301869-01) with a final construction contract amount of \$1,466,922.32. 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 \$73,346.12.

### 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:** January 14, 2014

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

**Budget Information (if applicable):** Revenue Bonds and Enterprise Funds as follows:

<b>Phase 1</b> (FY 2013 as approved)	
301869 (Street)	\$895,931.27
306199 (Traffic)	\$187,631.32
625884 -2012042 (Water)	<u>\$268,000.00</u>
<b>Total Phase 1 Funding</b>	<b>\$1,351,562.59</b>
<b>Phase 2</b> (FY 2014 subject to Council approval)	
301869 (Street)	\$495,000.00
306199	<u>\$ 67,000.00</u>
<b>Total Phase 2 Funding</b>	<b>\$562,000.00</b>

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

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

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

**Explanation** (if necessary): Project concept previously reviewed and approved by City Council Infrastructure Committee.



RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 2<sup>nd</sup> Avenue SW from 3<sup>rd</sup> Street to 6<sup>th</sup> Street Pavement Reconstruction and Water Main Improvements project (Contract No. 301869-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated August 14, 2012 in the amount of \$1,432,536.53 covering said work filed by Pirc-Tobin construction, Inc. and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	1,432,536.53
Incentive up to	45,400.00
Change Order No. 1	13,536.00
Change Order No. 2	260.00
Change Order No. 3	1,027.05
Change Order No. 4	9,182.34
Change Order No. 5	38,036.30
Change Order No. 6	14,205.97
Change Order No. 7	7,374.23
Change Order No. 8 (Final)	(84,236.10)
Removal of Original Incentive	<u>(10,400.00)</u>
Amended Contract Amount	\$1,466,922.32

, 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

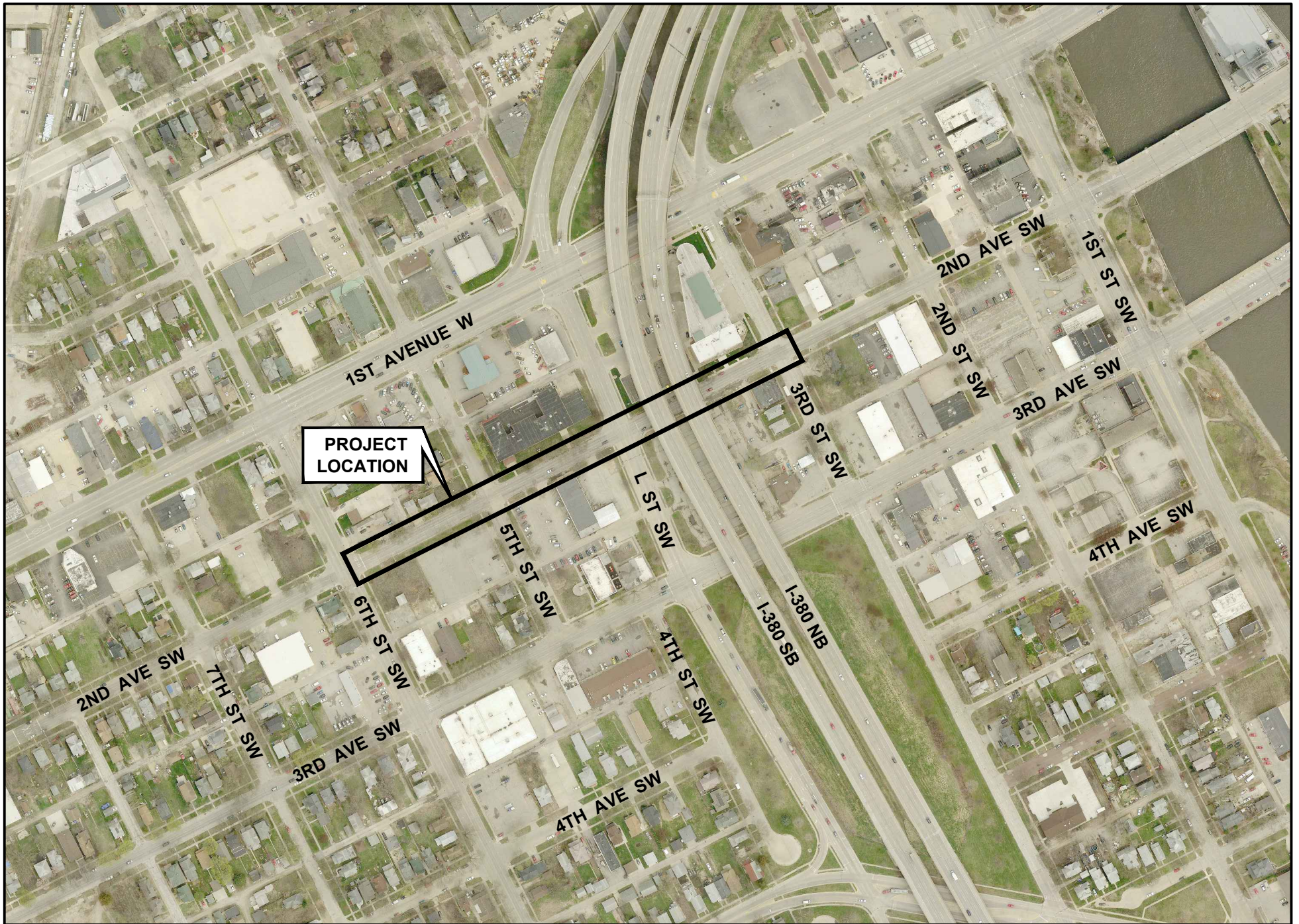
BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 2<sup>nd</sup> Avenue SW from 3<sup>rd</sup> Street to 6<sup>th</sup> Street Pavement Reconstruction and Water Main Improvements project, (Contract No. 301869-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$73,346.12 to Pirc-Tobin Construction, Inc. as final payment.

The final contract price is \$1,466,922.32 distributed as follows: \$912,769.38 301-301000-301869, \$352,421.44 306-306000-306199, \$7,318.02 330-330000-18517-SSD103, \$194,413.48 625-625000-625884-6252012042, , 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 14<sup>th</sup> day of January, 2014.









## 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, authorizing final payment in the amount of \$14,385.48 and approving the 4-year Performance Bond submitted by L.L. Pelling Company, Inc. for the 3<sup>rd</sup> Street SE from 5<sup>th</sup> Avenue SE to 8<sup>th</sup> Avenue SE Rehabilitation project (original contract amount was \$265,210.15; final contract amount is \$287,709.68). CIP/DID #3012048-01

### Background:

Construction has been substantially completed by L.L. Pelling Company, Inc. for the 3<sup>rd</sup> Street SE from 5<sup>th</sup> Avenue SE to 8<sup>th</sup> Avenue SE Rehabilitation. This is an approved Capital Improvements Project (CIP No. 3012048-01) with a final construction contract amount of \$287,709.68. 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 \$14,385.48.

### 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:** January 14, 2014

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

**Budget Information (if applicable):** 3012048 General Obligation Bonds

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

**Explanation:** State bidding requirements apply.

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

**Explanation (if necessary):** Recommended to proceed with construction at the May 15, 2012 Infrastructure Committee meeting.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 3<sup>rd</sup> Street SE from 5<sup>th</sup> Avenue SE to 8<sup>th</sup> Avenue SE Rehabilitation project (Contract No. 3012048-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated August 14, 2012 in the amount of \$253,210.15 covering said work filed by L.L. Pelling Company, Inc. and executed by Merchants Bonding Company (Mutual) 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	\$253,210.15
Possible Incentive	12,000.00
Change Order No. 1	2,384.20
Change Order No. 2	10,296.78
Change Order No. 3	2,660.01
Change Order No. 4	8,325.09
Change Order No. 5	<u>(1,166.55)</u>
Amended Contract Amount	\$287,709.68

, 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 3<sup>rd</sup> Street SE from 5<sup>th</sup> Avenue SE to 8<sup>th</sup> Avenue SE Rehabilitation project, (Contract No. 3012048-01) 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 \$14,385.48 to L.L. Pelling Company, Inc. as final payment.

The final contract price is \$287,709.68 distributed as follows: \$244,813.79 301-301000-3012048, \$39,428.38 625-625000-625884-6252013015, \$3,467.51 304-304000-304990, 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 14<sup>th</sup> day of January, 2014.









## 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, authorizing final payment in the amount of \$2,776.50 and approving the 4-year Performance Bond submitted by Trey Electric Corp. for the Wiley Boulevard Roadway Improvements Temporary Traffic Signal at Wiley Boulevard SW and 31<sup>st</sup> Street project (original contract amount was \$56,490; final contract amount is \$55,530). CIP/DID #306196-01

### Background:

Construction has been substantially completed by Trey Electric Corp. for the Wiley Boulevard Roadway Improvements Temporary Traffic Signal at Wiley Boulevard SW and 31<sup>st</sup> Street project. This is an approved Capital Improvements Project (CIP No. 306196-01) with a final construction contract amount of \$55,530. 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 \$2,776.50.

### 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:** January 14, 2014

**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 ☒



RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Wiley Boulevard Roadway Improvements Temporary Traffic Signal at Wiley Boulevard SW and 31<sup>st</sup> Street project (Contract No. 306196-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated November 27, 2012 in the amount of \$56,490 covering said work filed by Trey Electric Corporation and executed by Cincinnati Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$56,490
Possible Incentive	3,000
Quantity Adjustment	(960)
Removal of Original Incentive	<u>(3,000)</u>
Amended Contract Amount	\$55,530

, now therefore

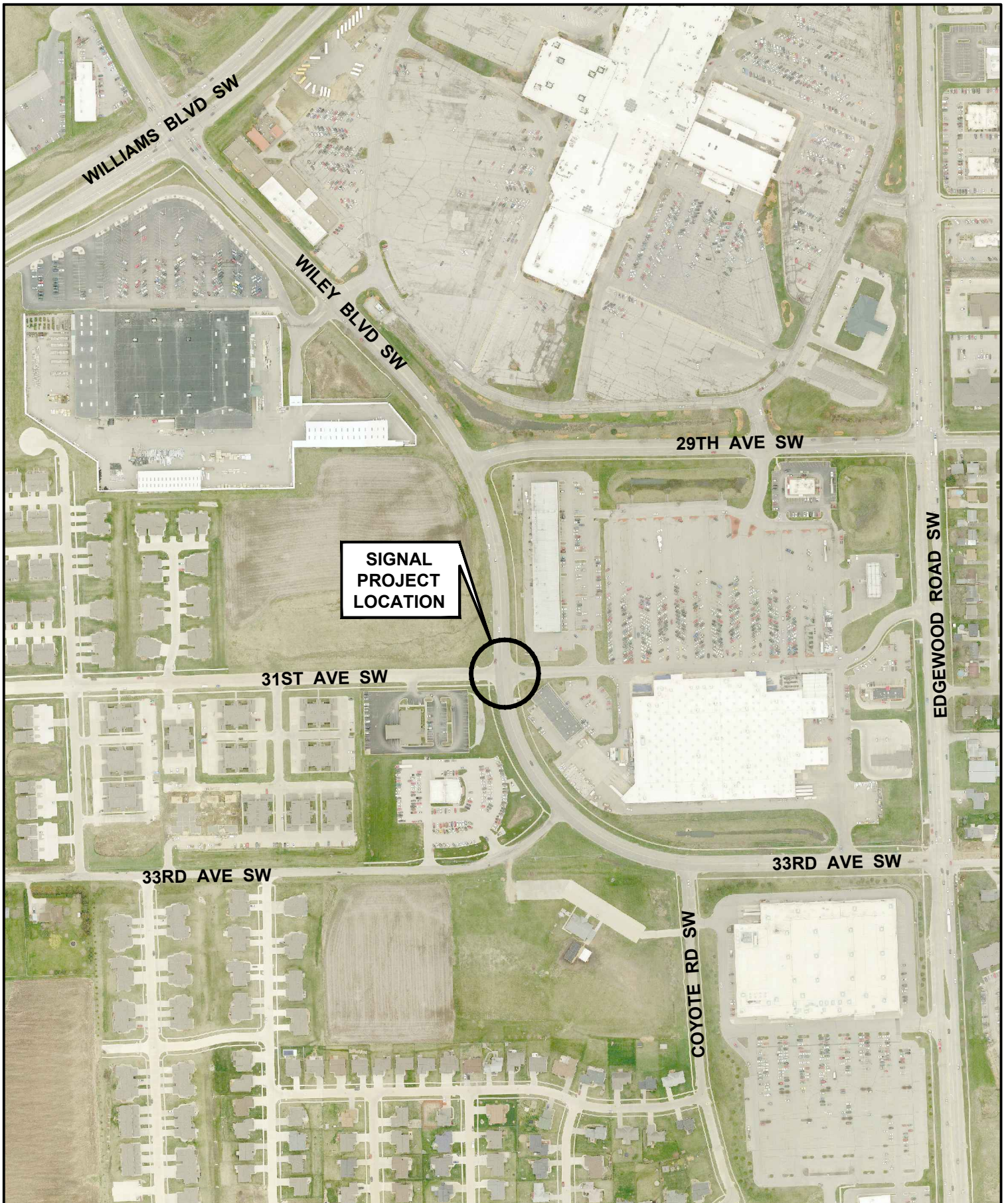
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Wiley Boulevard Roadway Improvements Temporary Traffic Signal at Wiley Boulevard SW and 31<sup>st</sup> Street project, (Contract No. 306196-01) 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 \$2,776.50 to Trey Electric Corporation as final payment.

The final contract price is \$55,530 distributed as follows: \$55,530 306-306000-306196  
, 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 14<sup>th</sup> day of January, 2014.







## 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, authorizing final payment in the amount of \$4,450.98 and approving the 4-year Performance Bond submitted by Schrader Excavating & Grading Company for the Sac and Fox Trail Relocation North of Mt Vernon Road project (original contract amount was \$95,245.55; final contract amount is \$89,019.66). CIP/DID #325046-02

**Background:**

Construction has been substantially completed by Schrader Excavating & Grading Company for the Sac and Fox Trail Relocation North of Mt Vernon Road project. This is an approved Capital Improvements Project (CIP No. 325046-02) with a final construction contract amount of \$89,019.66. 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 \$4,450.98.

**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:** January 14, 2014

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

**Budget Information (if applicable):** CIP 325046 (\$39,900 GO bonds, \$126,100 cash on hand transfer from 325036), CIP 655625 (\$40,000 cash on hand)

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

**Explanation:** Chapter 26 of the Code of Iowa requires construction contracts for non-utility public improvements be awarded to the lowest responsive, responsible bidder.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the Sac and Fox Trail Relocation North of Mt Vernon Road project (Contract No. 325046-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 12, 2013 in the amount of \$95,245.55 covering said work filed by Schrader Excavating & Grading Company and executed by SureTec Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$95,245.55
Possible Incentive	1,500.00
Change Order No. 1	173.47
Change Order No. 2	448.25
Change Order No. 3	(6,847.61)
Removal of Original Incentive	<u>(1,500.00)</u>
Amended Contract Amount	\$89,019.66

, 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

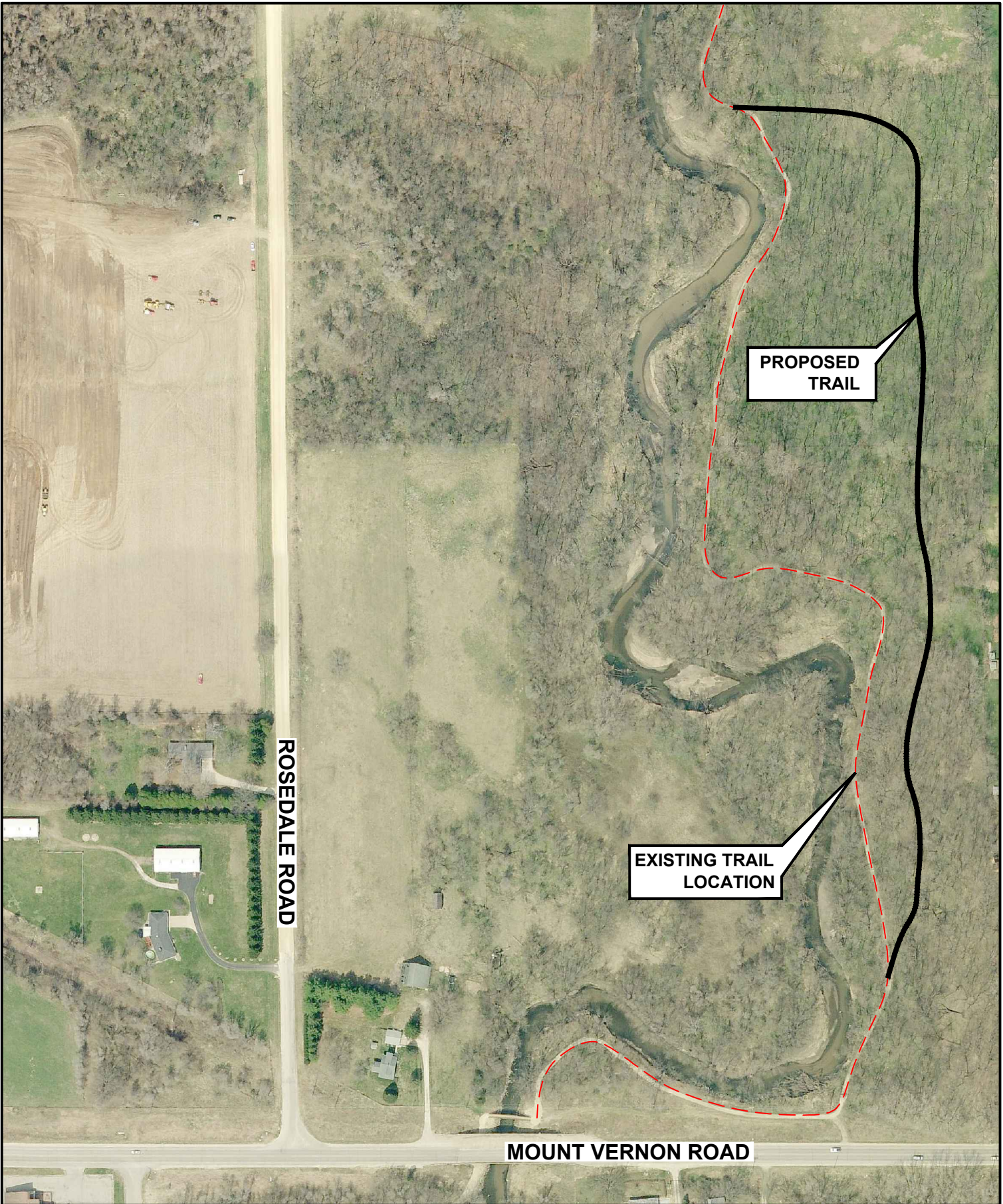
BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Sac and Fox Trail Relocation North of Mt Vernon Road project, (Contract No. 325046-02) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$4,450.98 to Schrader Excavating & Grading Company as final payment.

The final contract price is \$89,019.66 distributed as follows: \$58,841.24 325-325000-325046, \$30,178.42 655-655000-655625  
, 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 14<sup>th</sup> day of January, 2014.





**PROPOSED  
TRAIL**

**EXISTING TRAIL  
LOCATION**

**ROSEDALE ROAD**

**MOUNT VERNON ROAD**



## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities – Water Pollution Control Facility Division

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

**Alternate Contact:** Bruce Jacobs      **Phone No.:** 5913    **E-mail:** [b.jacobs@cedar-rapids.org](mailto:b.jacobs@cedar-rapids.org)

**Description of Agenda Item:**

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

- a. Pre-Acidification Tank Roof Replacement project, authorize issuance of final retainage payment in the amount of \$17,119.73 and approving the 2-year Performance Bond submitted by Rice Lake Construction Group (original contract amount was \$358,600; final contract amount is \$342,404.06). CIP/DID #615163-02

**Background:**

The previous Pre-Acidification Tank Roof was installed in July 1999 and suffered a complete failure in September 2004. The previous roof system was composed of FRP structural members; consisting of both beams and columns. A brief review of the roof collapse was completed by CH2M Hill in October 2004 with a full review completed in August 2005 by HDR Engineering, Inc. Since the roof failure the tank has remained in operation without a roof. Due to operation impacts, odors and potential safety concerns a new roof was recommended.

The Pre-Acidification Tank Roof Replacement project consisted of providing and installing a new fiber reinforced plastic (FRP) segmented dome cover over an existing 73-foot diameter stainless steel tank. A new odor control fan, new ductwork and associated electrical controls were also installed.

Change Order No.1 was approved by the City Manager in November 2013 for a net decrease in the amount of \$(16,195.94) in part due to a credit for revising the ½" ss plate at the top of the tank wall. The Contract amount with Change Order No.1 is \$342,404.06.

Construction has been substantially completed by Rice Lake Construction Group for the Pre-Acidification Tank Roof Replacement project.

**Action / Recommendation:**

The Utilities – 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 \$17,119.73 to Rice Lake Construction Group, thirty days after acceptance in accord with the State of Iowa Code.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 01/14/14

**Resolution Date:** 01/14/14

**Estimated Presentation Time:** 0 Minutes

**Budget Information Process Information:**

- 1) **Included in Current Budget Year:** The project was funded from the FY2012, FY2013, and FY2014 Utilities Department – WPC Division CIP budgets and coded to 925-553000-615-615000-X-X-615163.
- 2) **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The WPC FY2012, FY2013, and FY2014 budgets included \$450,000 for the roof replacement. The total project cost is \$420,404.06 which includes engineering design, estimated at \$78,000 and construction services, at \$342,404.06.
- 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 Pre-Acidification Tank Roof Replacement project (Contract No. 615163-02) is substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated August 9, 2012 in the amount of \$358,600 covering said work filed by Rice Lake Construction Group and executed by Federal 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 \$17,119.73 to Rice Lake Construction Group, thirty days after acceptance in accord with the State of Iowa Code. The original contract amount was \$358,600; final contract amount is \$342,404.06.

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 14<sup>th</sup> day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Brent Schlotfeldt

**Phone Number/Ext:** 5809

**Email:** b.schlotfeldt@cedar-rapids.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 \$5,335.89 and approving the 2-Year Performance Bond submitted by Cedar Service Company for the Ambroz Roof Replacement project. (original contract amount was \$105,309; final contract amount is \$106,717.88). CIP/DID #0913-045

**Background:**

City Council approved award of the contract for the Ambroz Roof Replacement project with Cedar Service Company through Resolution No. 1683-10-13. Facilities Maintenance Services has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated November 6, 2013 in the amount of \$105,309 covering said work filed by Cedar Service Company and executed by Employers Mutual Casualty Company provides a two-year correction period for defects in materials and workmanship.

**Contract Summary:**

Original Contract, Resolution No. 1683-10-13	\$105,309.00
Amendment No. 1, signed by the City Manager December 20, 2013	\$1,408.88
<b>Contract Total</b>	<b>\$106,717.88</b>

This Resolution is also to approve final payment to Cedar Service Company of \$5,335.89.

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 360-081308-3602107

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Cedar Service Company is a certified local vendor

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and Cedar Service Company are parties to a Contract for the Ambroz Roof Replacement project, authorized by Resolution No. 1683-10-13; and

WHEREAS, Facilities Maintenance Services has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications; and

WHEREAS, a Performance Bond dated November 6, 2013 in the amount of \$105,309 covering said work filed by Cedar Service Company and executed by Employers Mutual Casualty Company provides a two-year correction period for defects in materials and workmanship; now therefore

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

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

Original Contract, Resolution No. 1683-10-13	\$105,309.00
Amendment No. 1, signed by the City Manager December 20, 2013	\$1,408.88
<b>Contract Total</b>	<b>\$106,717.88</b>

AND BE IT FURTHER RESOLVED that based on the recommendation by Facilities Maintenance Services that the Ambroz Roof Replacement 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 \$5,335.89 to Cedar Service Company; and

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

Passed this 14<sup>th</sup> day of January, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 01-14-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** John Riggs      **Phone Number/Ext:** X5981  
**Email:** [j.riggs@cedar-rapids.org](mailto:j.riggs@cedar-rapids.org)

**Alternate Contact Person:**      **Phone Number/Ext:**  
**Email:**

**Description of Agenda Item:**

Amendment No. 9 to the contract for Environmental Remediation and Demolition Services for the former Animal Control Facility project, final payment in the amount of \$7,232.75 to reflect the actual quantities and the 2-year Performance Bond submitted by Active Thermal Concepts, Inc. (original contract amount was \$103,469; final contract amount is \$408,230.10) **(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 actual quantity of discovered biosolid waste (sludge) has increased from the estimated quantity. The chart below shows the adjusted cubic yards of biosolid waste (sludge) as follows:

Description	Firm Fixed Price	Adjusted Qty	Extended Price
<b>Active Thermal (Prime Contractor)</b>			
Loading biosolid waste (sludge)	\$10.605 per cu yd	(250) cu yds	
(10 cubic yards per load)	106.05 per load	(25) loads	(2,651.25)
Trucking to landfill, including tipping time	\$47.257 per cu yd	(250) cu yds	
(10 cubic yards per load)	472.57 per load	(25) loads	(11,814.25)
<b>Mike McMurrin Trucking, Inc. (Subcontractor)</b>			
Loading biosolid waste (sludge)	\$10.605 per cu yd	375 cu yds	
(15 cubic yards per load)	159.075 per load	25 loads	3,976.875
Trucking to landfill, including tipping time	\$47.257 per cu yd	375 cu yds	
(15 cubic yards per load)	708.855 per load	25 loads	17,721.375
Total Increase in Biosolid Waste (Amendment No. 9)			\$ 7,232.75

The construction contract work on the Environmental Remediation and Demolition Services for the former Animal Control Facility (Contract No. 1112-112), has now been substantially completed in accordance with the approved specifications

The final total of actual cubic yards of biosolid waste (sludge) is as follows:

Description	Firm Fixed Price	Actual Qty	Extended Price
<b>Active Thermal (Prime Contractor)</b>			
Loading biosolid waste (sludge)	\$10.605 per cu yd	360 cu yds	
(10 cubic yards per load)	106.05 per load	36 loads	3,817.800
Trucking to landfill, including tipping time	\$47.257 per cu yd	360 cu yds	
(10 cubic yards per load)	472.57 per load	36 loads	17,012.520
<b>Mike McMurrin Trucking, Inc. (Subcontractor)</b>			
Loading biosolid waste (sludge)	\$10.605 per cu yd	2565 cu yds	
(15 cubic yards per load)	159.075 per load	171 loads	27,201.825
Trucking to landfill, including tipping time	\$47.257 per cu yd	2565 cu yds	
(15 cubic yards per load)	708.855 per load	171 loads	121,214.205
Total			\$ 169,246.35

A summary of the Contract 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	Resolution No. 1806-11-13
Amendment No. 9	7,232.75	To close out and reflect estimated qtys vs. actual qtys
Total	\$ 408,230.10	Total Project Cost

**Action / Recommendation:**

That the City Manager be authorized to sign Amendment No. 9 as described above.

**Alternative Recommendation:** None

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

**Resolution Date:** 01-14-14

**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 ☐ No ☐ N/A ☒

**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, authorized by Resolution No. 0080-01-13; and

WHEREAS, construction contract work has been substantially completed on the Environmental Remediation and Demolition Services for the Former Animal Control Facility (Contract No. 1112-112) in accordance with the approved specifications; and

WHEREAS, the final cost of this project is \$408,230.10 and funding for these services is covered under the flood related budgets, the GL coding is 522104-330-330720-PDE001; and

WHEREAS, a Performance Bond, dated December 26, 2012 in the amount of \$103,469 covering said work filed by Active Thermal Concepts, Inc. and executed by Arch 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 City Manager and the City Clerk are hereby directed to execute Amendment No. 9 with Active Thermal Concepts, Inc. for Environmental Remediation and Demolition Services for the Former Animal Control Facility (Contract No. 1112-112) in the amount of \$ 7,232.75 to reflect the difference between the estimated quantities and the actual quantities. A cost summary of the contract changes for this project 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	Resolution No. 1806-11-13
Amendment No. 9	7,232.75	To close out and reflect estimated qtys vs. actual qtys
Total	\$ 408,230.10	Total Project Cost

Passed this 14<sup>th</sup> day of January 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

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

- a. Cedar Valley Habitat for Humanity, Inc. for property at 714 G Avenue NW
- b. Cedar Valley Habitat for Humanity, Inc. for property at 827 G Avenue NW
- c. Cedar Valley Habitat for Humanity, Inc. for property at 828 C Avenue NW
- d. Cedar Valley Habitat for Humanity, Inc. for property at 831 G Avenue NW
- e. Cedar Valley Habitat for Humanity, Inc. for property at 1113 11<sup>th</sup> Street NW

### **Background:**

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated City-owned properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 151 such agreements and deeds for City property have been executed for the ROOTs program.

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

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



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

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

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

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

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** January 14, 2014

**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 CEDAR VALLEY HABITAT FOR  
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 714 G AVENUE NW  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 714 G Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 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 Cedar Valley Habitat for Humanity, 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 14<sup>th</sup> Day of January, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR VALLEY HABITAT FOR  
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 827 G AVENUE NW  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 827 G Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 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 Cedar Valley Habitat for Humanity, 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 14<sup>th</sup> Day of January, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR VALLEY HABITAT FOR  
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 828 C AVENUE NW  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 828 C Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 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 Cedar Valley Habitat for Humanity, 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 14<sup>th</sup> Day of January, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR VALLEY HABITAT FOR  
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 831 G AVENUE NW  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 831 G Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 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 Cedar Valley Habitat for Humanity, 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 14<sup>th</sup> Day of January, 2014



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR VALLEY HABITAT FOR  
HUMANITY, INC. FOR CITY-OWNED PROPERTY AT 1113 11<sup>TH</sup> STREET NW  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1113 11<sup>th</sup> Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 16, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 26, 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 Cedar Valley Habitat for Humanity, 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 14<sup>th</sup> Day of January, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

**Alternate Contact Person:** Doug Wilson, PE  
**E-mail Address:** d.wilson@cedar-rapids.org

**Phone Number/Extension:** 5141

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

Resolution setting a public hearing date for February 25, 2014 to consider the Resolution of Necessity (Proposed) for the construction of the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project. CIP/DID #3012001-00

**Background:** This project proposes to construct a Shared Use Path on the east side of Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW. This improvement is the last phase of the multi-phase Edgewood Road SW improvements from Highway 30 to 60<sup>th</sup> Avenue SW, and provides an extension of the existing Shared Use Path that currently stops at Prairie Valley Court SW. The improvements include a bridge over Highway 30, an underpass structure for the westbound Highway 30 off-ramp, and using the existing undercrossing of the eastbound Highway 30 on-ramp.

When infrastructure construction by the City has benefited underdeveloped land, it has been the City's practice to charge adjacent lands for benefit they receive, via special assessment. If not assessed, the City is essentially financing development construction and increasing property value at the cost of taxpayers.

Refer to the attached flow chart of the Special Assessment process. The proposed Resolution of Necessity before City Council is the fourth resolution in a series of resolutions which will lead to an assessment public hearing (Step 5A on the flow chart). This resolution is in accordance with Iowa Code Section 384 for special assessments.

A public hearing is proposed for February 25, 2014 to receive public comments. Property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

1. Adopt the Resolution of Necessity as proposed and proceed with the project and special assessment
2. Amend the preliminary assessments, then adopt the Resolution of Necessity and proceed with the project
3. Defer action until a specified later date
4. Abandon the special assessment

### Action / Recommendation:

The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on February 25, 2014 to receive public comments.

**Alternative to the Recommendation:**

If resolution is not adopted, the assessment will not proceed. The project will then require funding by TIF (Tax Increment Financing) and the STP (Surface Transportation Program) grant, general obligation funds, or the project abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP No. 3012001 and 305121

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

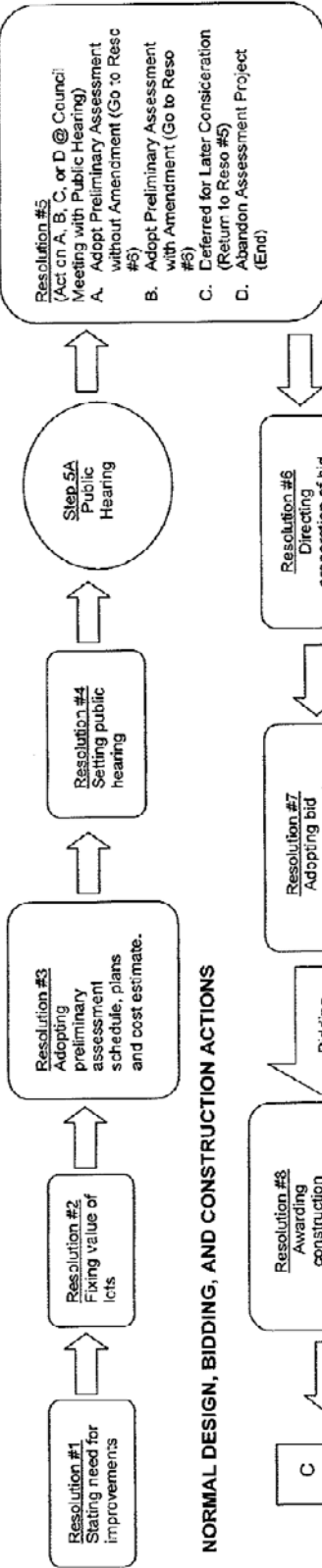
**Explanation:** Proposed resolution is an Assessment step, not a purchase.

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

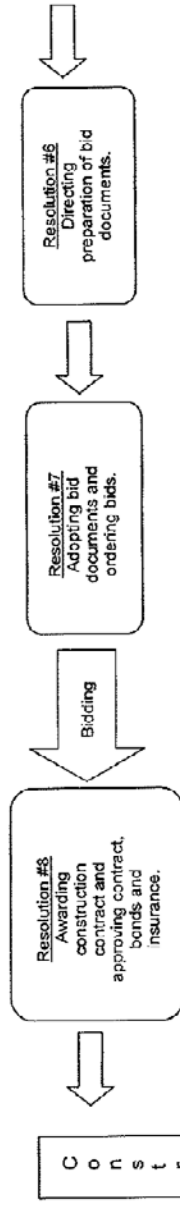
**Explanation** (if necessary):

# FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS\* SUMMARY

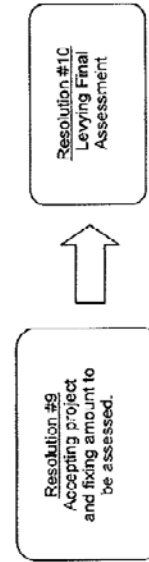
## PRELIMINARY ASSESSMENT ACTIONS



## NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



## FINAL ASSESSMENT ACTIONS

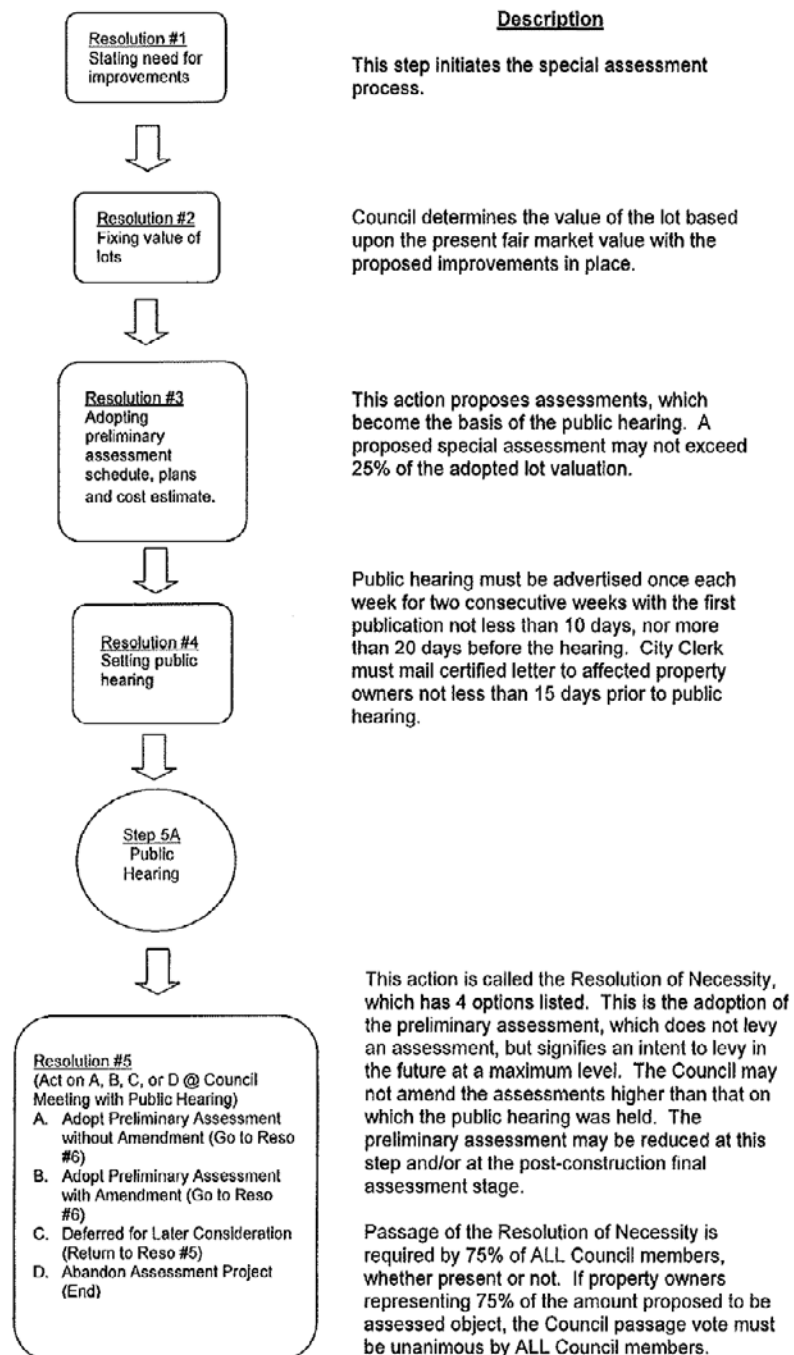


\* Sidewalk repair assessments may skip Resolution #4, Step 5A, Resolution #5, and Resolution #6.

UPDATED 8/23/07

Page 1 of 2

### CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT





RESOLUTION NO.

RESOLUTION SETTING A PUBLIC HEARING DATE FOR FEBRUARY 25, 2014 TO  
CONSIDER THE RESOLUTION OF NECESSITY (PROPOSED)

WHEREAS, preliminary plans and specifications and plat and schedule and estimate of cost are now on file in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, showing the boundaries of the District, containing the properties and lots to be assessed, locations of the improvements, each lot proposed to be assessed, together with a valuation of each lot as fixed by the Council, an estimate of the cost of the entire proposed improvements, stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project as hereinafter described, in Cedar Rapids, Iowa:

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project in Cedar Rapids, Iowa.

Said District containing the properties to be assessed is set out and described in the following "Notice to Property Owners", set out in this Resolution.

Said improvements within said District are located and described in the following "Notice to Property Owners", set out in this Resolution.

The method of construction shall be by contract.

Costs of said improvements will be assessed to the properties within the boundaries of the District. No property shall be assessed more than it is benefited by the improvement, nor more than 25% of its value on the date of its assessment. Said assessment may include a ten percent Default and Deficiency Fund, as authorized by Section 384.44, State Code of Iowa.

A plat and schedule and estimate of costs are now on file in the Office of the Clerk as required by law.

Any difference between the amount which is derived from cash payments made by property owners during the thirty day collection period and the sale of Improvement Bonds issued against assessments on benefited properties and the total cost of the improvements, shall be paid for from the proceeds derived from the issuance and sale of bonds as authorized by Section 384.25, State Code of Iowa, and/or from such other funds of said Municipality as may be legally used for such purpose.

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 4:00 p.m., on the 25<sup>th</sup> day of February, 2014 at Council Chambers, City Hall, 3<sup>rd</sup> Floor, 101 First Street SE, in the City of Cedar Rapids, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the district. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure, and

BE IT FURTHER RESOLVED, that the Clerk is hereby instructed to cause notice to be published and mailed as required by law of the pendency of this Resolution and of the time and place of hearing objections thereto, and to the said preliminary plans and specifications, estimate of costs and to the making of said improvements; said Notice to be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, a proposed Resolution of Necessity, an estimate of costs and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within District as approved by the Council of Cedar Rapids, Iowa, for an improvement, designated as the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project of the types and in the location as follows:

GPN & Legal Description:

190635100300000	190632800200000
PRAIRIE VALLEY BUSINESS PARK 1ST	ROYAL HEIGHTS COMMERCIAL 1ST
LOT 1 EX RD	STR/LB 2 EX RD

That the proposed District to be benefited and subject to assessment for the cost of such improvements is described as follows:

A 10 foot wide sidewalk/shared use path along the east side of Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW which includes a bridge over U.S. Hwy. 30 and an underpass structure under the westbound exit ramp, and any necessary work such as grading, seeding, and removals to complete said construction.

The Cedar Rapids City Council will meet at 4:00 p.m., on the 25<sup>th</sup> day of February, 2014 at the Cedar Rapids Council Chambers, 3<sup>rd</sup> floor of City Hall, 101 First Street SE, Cedar Rapids, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract, or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

The Notice is given by authority of the Council of the City of Cedar Rapids, Iowa.

Amy Stevenson  
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)

INTRODUCED AND PROPOSED at a meeting held on the 14<sup>th</sup> day of January, 2014









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes Map**  
 Resolution accepting work and fixing amount to be assessed for the 1<sup>st</sup> Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project. CIP/DID #301697-00

### Background:

Construction has been completed by Curtis Contracting Corp. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301697-02) with a final construction amount of \$69,816.65. Final amount proposed to be assessed to the benefited properties is \$8,490. The preliminary assessment amount of \$8,490 was approved by City Council on January 22, 2013. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed.

### Alternative to the Recommendation:

Revise the current policy from a 50/50 contribution program to something with a higher city contribution, and in turn lower the assessments. The FY 2014 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue.

**Time Sensitivity:** Must be acted on by January 14, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** January 14, 2014

**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.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on June 25, 2013, the City of Cedar Rapids, Iowa, entered into contract with Curtis Contracting Corp. of Cedar Rapids, Iowa, for the construction of the 1<sup>st</sup> Avenue East from the Cottage Grove Place Entrance to Thompson Drive Sidewalk Extension project within the City, as therein described; and

WHEREAS, said contractor has fully completed the construction of said improvements, known as the 1<sup>st</sup> Avenue East from the Cottage Grove Place Entrance to Thompson Drive Sidewalk Extension in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on January 14, 2014:

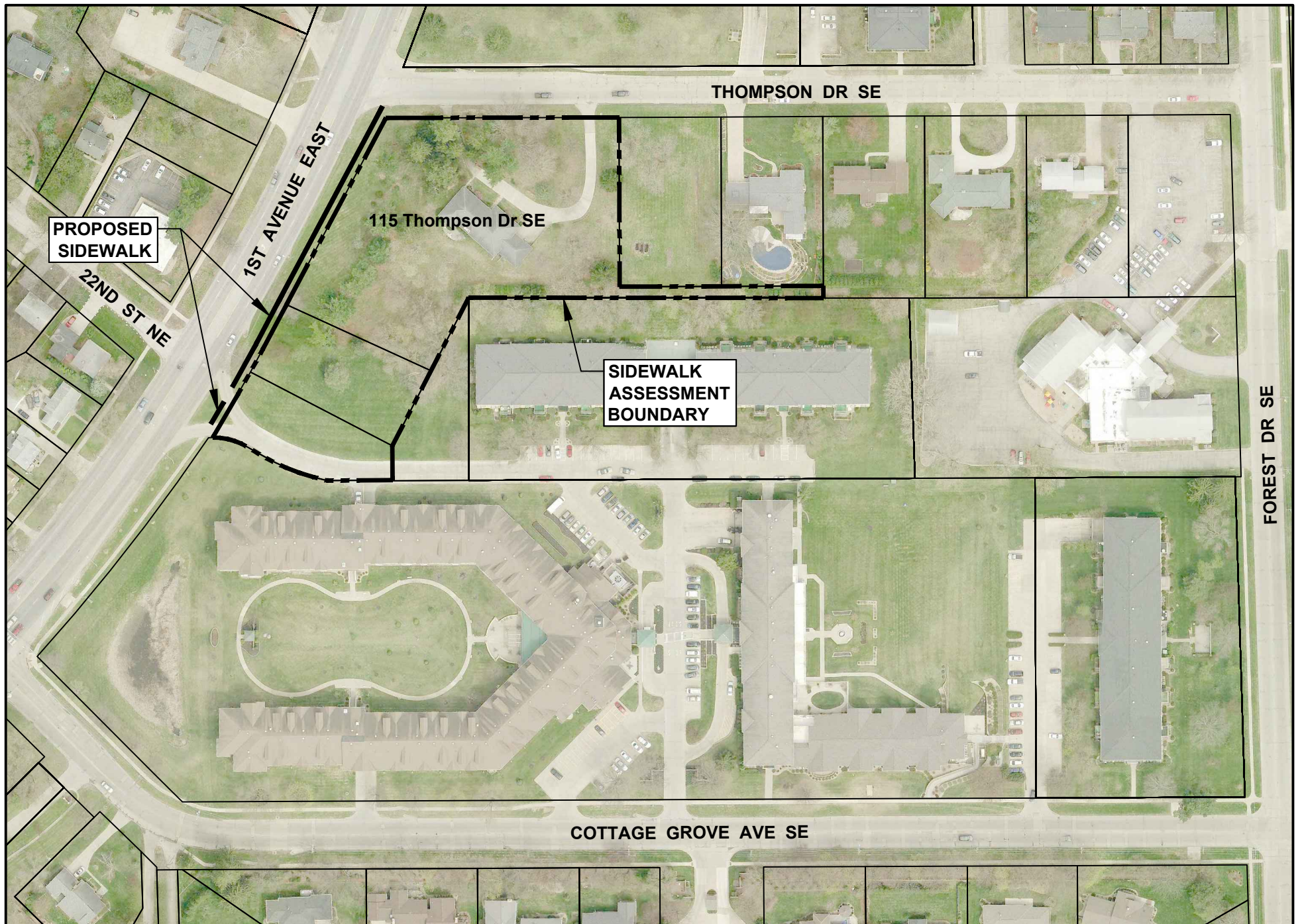
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA:

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been fully completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$69,816.65.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$93,338.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the Portland Cement Concrete sidewalk extension, together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$8,490 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 14<sup>th</sup> day of January, 2014.







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5808

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

Resolution accepting work and fixing amount to be assessed for the 3<sup>rd</sup> Street SE Reconstruction and Streetscape Improvements from 8<sup>th</sup> Avenue SE to 14<sup>th</sup> Avenue SE project. CIP/DID #321526-00

### Background:

Construction has been completed by Rathje Construction Company for the subject project. This is a previously approved Capital Improvements Project (CIP No.321526-02) with a final construction amount of \$2,948,939.30. The City Council approved the Property Assessment Agreement Program with City Council Resolution No. 1134-08-11 on August 23, 2011. The preliminary assessment amount of \$1,563,502 was approved by the City Council on May 25, 2010. Final amount proposed to be assessed to the benefited properties is \$1,526,020 with \$981,016 (64%) of the final assessment amount paid with Tax Increment Revenues, or the parcels are owned by the City of Cedar Rapids and the Tax Increment will be generated with redevelopment of the parcels. Following is a summary of the assessments paid with Tax Increment Revenues (TIF):

- 3 parcels for the Bottleworks Development with a previous Agreement for Private Redevelopment
- 13 parcels for properties with approved Reinvestment Agreements
- 1 parcel with an approved Agreement for Private Redevelopment with an approved Certificate of Occupancy
- 2 parcels with an approved Agreement for Private Redevelopment, but no Certificate of Occupancy. The assessment (without interest) will be reimbursed at the time of Certificate of Occupancy with TIF funds.
- 11 parcels owned by the City of Cedar Rapids

The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution to accept the work and fix the amount to be assessed

### Alternative to the Recommendation:

Revise the current assessment methodology from the city paying the standard street improvements and the property owners paying the enhanced street improvements, to something with a higher city contribution, and in turn lower the assessments. The FY14 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue.

**Time Sensitivity:** Must be acted on by January 14, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP No. 321526 and 321538

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

**Explanation:** Final assessment proceedings as defined by Code of Iowa

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

**Explanation** (if necessary):

RESOLUTION NO.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on December 14, 2010, the City of Cedar Rapids, Iowa, entered into contract with Rathje Construction Company of Marion, Iowa, for the construction of the 3<sup>rd</sup> Street SE Reconstruction and Streetscape Improvements from 8<sup>th</sup> Avenue SE to 14<sup>th</sup> Avenue SE project within the City, as therein described; and

WHEREAS, said contractor has fully completed the construction of said improvements, known as the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on December 31, 2013:

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

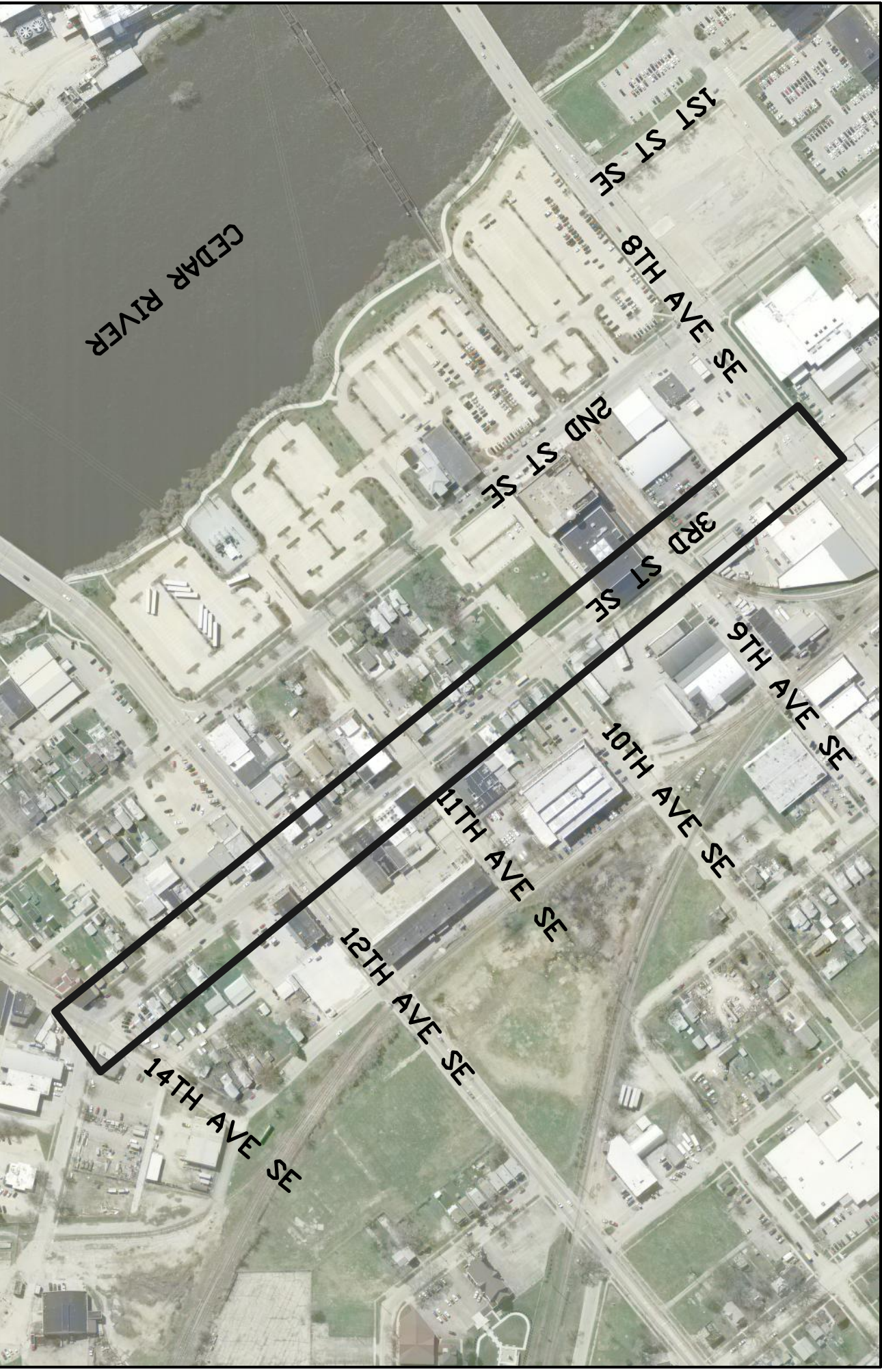
Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been fully completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$2,948,939.30.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$3,567,745.77.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the 3rd Street SE Reconstruction and Streetscape Improvements from 8th Avenue SE to 14th Avenue SE project together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$1,526,020 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 14<sup>th</sup> day of January, 2014.





CEDAR RIVER

1ST ST SE

8TH AVE SE

2ND ST SE

3RD ST SE

9TH AVE SE

10TH AVE SE

11TH AVE SE

12TH AVE SE

14TH AVE SE



SCALE: NONE

3RD ST SE  
FROM 8TH AVE TO 14TH AVE  
STREETSCAPE PROJECT



CEDAR RAPIDS  
CITY OF FIVE SEASONS

321526



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5808

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

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 1st Avenue and Collins Road NE and 40th Street NE Improvements project. CIP/DID #301447-00

### Background:

Construction has been completed by Peterson Contractors, Inc. for the 1<sup>st</sup> Avenue and Collins Road Improvements project (CIP 301447), and by City Wide Construction for the 40th Street NE from C Avenue to 1st Avenue Sidewalk Extension project (CIP 301736). These are previously approved Capital Improvements Projects with a final construction amount of \$8,913,956.71 for CIP 301447, and a final construction amount of \$230,405.38 for CIP 301736. The total for both projects combined is \$9,144,362.09. Final amount proposed to be assessed to the 79 benefited properties is \$909,500. The preliminary assessment amount of \$1,164,410 was approved by City Council on March 11, 2009. 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 January 14, 2014 due to assessment schedule per State code timeline.

**Resolution Date:** January 14, 2014

**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.

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on November 10, 2009, the City of Cedar Rapids, Iowa, entered into contract with Peterson Contractors, Inc. of Reinbeck, Iowa, for the construction of the 1<sup>st</sup> Avenue and Collins Road NE improvements project within the City, as therein described; and

WHEREAS, on May 25, 2010, the City of Cedar Rapids, Iowa, entered into contract with City Wide Construction of Cedar Rapids, Iowa, for the construction of the 40th Street NE from C Avenue to 1st Avenue Sidewalk Extension project within the City, as therein described; and

WHEREAS, said contractors have substantially completed the construction of said improvements, known as the 1st Avenue and Collins Road NE and 40th Street NE Improvements in accordance with the terms and conditions of said contracts and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on December 10, 2013:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$9,144,362.09

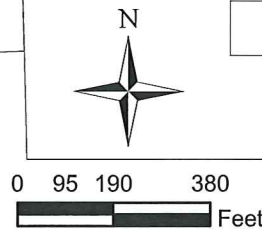
Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$10,227,973.16.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the 1st Avenue and Collins Road NE and 40th Street NE Improvements together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefore, and \$909,500 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED AND APPROVED this 17<sup>th</sup> day of December, 2013.



FINAL ASSESSMENT PLAT  
1ST AVENUE AND COLLINS ROAD NE  
AND 40TH STREET NE IMPROVEMENTS  
(CIP 301447)



**Legend**

- Right Turn Lane District Boundary
- New Sidewalk
- Assessment Boundary
- Project Improvements
- Right Turn Lane District ID
- Parcel Number



I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Engineer under the laws of the State of Iowa.

*Jeffrey C. Morrow*  
Jeffrey C. Morrow Iowa Reg No. 14259  
My License renewal date is December 31, 2015  
Pages covered by this seal: ALL

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5157

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

**Phone Number/Extension:** 5847

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda**  
Resolution establishing "No Parking Anytime" on the west side of 32<sup>nd</sup> Street NW from Johnson Avenue NW southerly for a distance of 90 feet. CIP/DID #PARK-007455-2013

**Background:**

The Public Works Department received a citizen request for parking restriction on 32<sup>nd</sup> Street NW south of Johnson Avenue NW, due to conflicting turning traffic off Johnson Avenue NW with parked vehicles on 32<sup>nd</sup> Street NW near the intersection. The Traffic Engineering Division of the Public Works Department reviewed this site and recommends removal of parking on the west side of 32<sup>nd</sup> Street NW from Johnson Avenue NW southerly for a distance of 90 feet for public safety.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution.

**Alternative Recommendation:**

Should Council determine not to approve the requested parking restriction, the existing corner clearance of 25 feet from the property line will remain in place.

**Time Sensitivity:** Normal.

**Resolution Date:** January 14, 2013

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

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

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

**Explanation:** Local Preference Policy does not apply to parking.

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the Public Works Department received a request from a citizen regarding concerns with parked vehicles on 32<sup>nd</sup> Street NW conflicting with vehicles turning off Johnson Avenue NW, and

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended establishing "No Parking Anytime" on the west side of 32<sup>nd</sup> Street NW from Johnson Avenue southerly for a distance of 90 feet, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that "No Parking Anytime" on the west side of 32<sup>nd</sup> Street NW from Johnson Avenue southerly for a distance of 90 feet, be and the same is hereby approved.

Passed this 14<sup>th</sup> day of January, 2014









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Thomas Peterson  
**E-mail Address:** t.peterson@cedar-rapids.org

**Phone Number/Extension:** 5847

**Alternate Contact Person:** Scott Hamlin  
**E-mail Address:** s.hamlin@cedar-rapids.org

**Phone Number/Extension:** 5171

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes MAP**  
 Resolution approving the installation of a stop sign at the intersection of 28<sup>th</sup> Avenue SW and 27<sup>th</sup> Street SW, stopping eastbound vehicle traffic on 28<sup>th</sup> Avenue SW for 27<sup>th</sup> Street SW.  
 CIP/DID #60-14-031

**Background:**

This intersection is a "T" intersection. Installing a stop sign will improve the safety of drivers traveling eastbound on 28<sup>th</sup> Avenue SW to enter the intersection with 27<sup>th</sup> Street SW after stopping and seeing it is safe to proceed.

**Action / Recommendation:**

The Public Works Department recommends approving the resolution to install a stop sign at 28<sup>th</sup> Avenue SW and 27<sup>th</sup> Street SW, stopping eastbound traffic on 28<sup>th</sup> Avenue SW at the intersection with 27<sup>th</sup> Street SW.

**Alternative Recommendation:**

Should Council not approve the resolution, the intersection will remain uncontrolled.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):**

RESOLUTION NO.

WHEREAS, the Traffic Engineering Division of the Public Works Department has recommended that a stop sign be installed at the intersection of 28<sup>th</sup> Avenue SW and 27<sup>th</sup> Street SW, such that vehicle traffic on 28<sup>th</sup> Avenue SW stops for 27<sup>th</sup> Street SW,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the installation of a stop sign at the intersection of 28<sup>th</sup> Avenue SW and 27<sup>th</sup> Street SW, stopping vehicle traffic on 28<sup>th</sup> Avenue SW for 27<sup>th</sup> Street SW, be and the same is hereby approved.

Passed this 14<sup>th</sup> day of January, 2014





Cadd File Name: W:\PROJECTS\Non-CIP\2014\014 Traffic Control Device Request\60-14-031 Council Map.dwg



**INSTALLATION OF STOP SIGN AT  
28TH AVENUE SW AND 27TH STREET SW  
(STOPPING 28TH AVENUE SW FOR 27TH STREET SW)**





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** City Manager's Office

**Presenter at meeting:** Sandi Fowler

**Phone Number/Ext:** 286-5077

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

**Alternate Contact Person:** Angie Charipar

**Phone Number/Ext:** 286-5090

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

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

Resolution amending the names of two Council Committees and updating the City Council Committees Structure, Responsibilities, and Operational Guidelines. (CIP/DID #638270)

### **Background:**

The Cedar Rapids Council Committees were established on January 25, 2011, to enhance communication between City Council and City staff at an early point in the development of significant items affecting public policy, to enable City staff to obtain early feedback from City Council members on issues affecting public policy, and for City Council members to develop and maintain an enhanced level of knowledge on matters affecting public policy.

It is the desire of the Cedar Rapids City Council that the name of the Public Safety Committee be changed to the Public Safety & Youth Services Committee and the name of the Flood Recovery Committee be changed to the Flood Protection Committee, resulting in these five Council Committees:

- Development Committee
- Finance & Administrative Services Committee
- Flood Protection Committee
- Infrastructure Committee
- Public Safety & Youth Services Committee

The appropriate changes have also been made to the Structure, Responsibilities, and Operational Guidelines.

### **Action / Recommendation:**

Approve resolution as presented.

**Time Sensitivity:** Immediate

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** Consent Agenda

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

RESOLUTION NO.

RESOLUTION AMENDING THE NAMES OF TWO COUNCIL COMMITTEES AND UPDATING  
THE CITY COUNCIL COMMITTEES STRUCTURE, RESPONSIBILITIES, AND OPERATIONAL  
GUIDELINES

WHEREAS, on January 25, 2011, by Resolution No. 0066-01-11 the Cedar Rapids City Council established Council Committees to enhance communication between City Council and City staff at an early point in the development of significant items affecting public policy, to enable City staff to obtain early feedback from City Council members on issues affecting public policy, and for City Council members to develop and maintain an enhanced level of knowledge on matters affecting public policy, and

WHEREAS, it is the desire of the Cedar Rapids City Council that the name of the Public Safety Committee be changed to the Public Safety & Youth Services Committee and the name of the Flood Recovery Committee be changed to the Flood Protection Committee.

WHEREAS, the following five Council Committees are now established:

Development Committee  
Finance & Administrative Services Committee  
Flood Protection Committee  
Infrastructure Committee  
Public Safety & Youth Services Committee

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the name of the Public Safety Committee is changed to the Public Safety & Youth Services Committee and the name of the Flood Recovery Committee is changed to the Flood Protection Committee.

BE IT FURTHER RESOLVED that the attached updated Cedar Rapids City Council Committees, Structure, Responsibilities, and Operational Guidelines, dated as of the date of this Resolution (Exhibit A), is hereby adopted.

Passed this 14<sup>th</sup> day of January, 2014.



Exhibit A

Revised 01 14 2014

## **Cedar Rapids City Council Committees**

### **Structure, Responsibilities, and Operational Guidelines**

#### **Purpose**

This document is intended to provide guidance and direction regarding the structure, responsibilities, and operational guidelines of Cedar Rapids City Council Committees.

#### **Committees**

The five City Council Committees and their areas of focus include:

1. **Development Committee**

Purpose: To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the physical, social, and economic vibrancy of the City of Cedar Rapids.

City Director Lead: Community Development Director

Areas of focus:

- Comprehensive plan
- Community design standards
- Historic preservation
- Housing
- Development standards, guidelines, and policies
- Growth and sustainability
- Economic development projects

2. **Finance & Administrative Services Committee**

Purpose: To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the financial and organizational strength of the City of Cedar Rapids.

City Director Lead: Finance Director

Areas of focus:

- Budget process
- Fee structures
- Personnel issues
- Procurement process review
- All other financial/administrative issues

3. Flood Protection Committee

City Director Lead: Executive Administrator for Development Services

Purpose: To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the flood protection system for the City of Cedar Rapids.

Areas of focus:

- Construction issues
- Funding processes
- Partnership with the State of Iowa for the Flood Mitigation Board Award
- Partnership with the Federal government, including the Army Corps of Engineers

4. Infrastructure Committee

City Director Lead: Public Works Director

Purpose: To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the quality and sustainability of the infrastructure of the City of Cedar Rapids.

Areas of focus:

- Annual CIP process
- Trails
- Sidewalks
- Assessment policies
- Street construction
- Public Works services
- Parks and Recreation services
- Municipal utilities

5. Public Safety & Youth Services Committee

City Director Lead: Police Chief

Purpose: To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the safety and livability of the City of Cedar Rapids.

Areas of focus:

- Law enforcement
- Fire protection
- Life safety
- Code Enforcement services
- Neighborhood health and vitality
- Youth issues

The Role of City Council Committees

1. City Council Committees are intended to enhance communication between the City Council and City staff at the early phase of the development of significant items affecting public policy questions.
2. These Committees will enable City staff to obtain early feedback from representative members of the City Council on issues affecting public policy prior to their presentation, as necessary, to the full City Council.

3. City Council Committee members develop and maintain a deeper level of knowledge on matters of a technical nature which might affect public policy in order to increase the positive exchange of information and discussions between City Council members, City staff, and the public.
4. When appropriate, items may be considered by a City Council Committee before a final recommendation from the appropriate City Board or Commission.
5. City Council Committees do not replace the City Council as final decision makers on behalf of the full City Council. Council Committees make no staff direction on administrative matters, specific assignments, or work tasks. If Committee members seek additional information from an outside party or consultant resulting in additional cost to the City, approval to incur such cost must be approved by the full City Council.
6. Any discussion or feedback expressed or received at a Committee meeting should not be construed or understood to be a decision by or for the City Council. Further, any recommendation the Committee may make to the City Council is based on information possessed by the Committee at the time the recommendation is made and may be revised or amended upon receipt by the Committee of additional or newer information.

#### Operational Guidelines and Functional Structure

1. City Council Committees consist of 3 or 4 Council members and Committee chairs which shall be appointed by the Mayor as per the Charter of the City of Cedar Rapids, Iowa, Section 2.06. Members are appointed in January of each year.
2. No member of the City Council may serve on more than three Committees.
3. Council Committees will schedule regular monthly meetings. The monthly meeting schedule should allow at least 10 days prior to the subsequent Council Meeting.
4. All City Council Committee meeting notices will be posted and meetings will be conducted in conformance with the "Open Meetings Law" in the Iowa State Code. All agendas should include language identical or similar to: "Any discussion, feedback or recommendation by Committee member(s) should not be construed or understood to be an action or decision by or for the Cedar Rapids City Council. Further, any recommendation(s) the Committee may make to the City Council is based on information possessed by the Committee at that point in time."
5. The Council Committee chair will forward to the City Director Lead those items to be placed on the meeting agenda a minimum of one week in advance of the scheduled monthly meeting.
6. The City Director Lead will coordinate with staff members the preparation of the agenda to determine whether items will be presented to a Committee or placed on the Council's regular agenda to be considered by the full City Council. Any item may be referred to the full Council by the Committee considering that item.
7. The full City Council by majority vote may refer any item on its agenda to an appropriate Committee.
8. Regularly scheduled Committee meetings are intended to allow regular attendance by City Council Committee members, as well as City Director Leads, staff, and the City Manager, as necessary. In order to prevent inadvertent violations of the Iowa Open Meetings Law, attendance by non-member Council members that will result in a quorum of the full City Council is discouraged.
9. The regular Council meeting agenda shall include an opportunity for Committee reports at which time any appointed Committee member may report to the Mayor and City Council on pertinent and timely issues before a Committee.

#### City Director Lead Role



The City Manager serves as an advisor to each City Council Committee; however, each Committee has an identified staff lead at the Director-level. The responsibilities of the City Director Lead are as follows:

1. Attend all meetings of the City Council Committee.
2. Research information and prepare reports and correspondence as required for the Committee.
3. Provide administrative support to the Committee, including distribution of documents to the Committee as required.
4. Coordinate with the Committee chair to prepare agendas.
5. Schedule regular monthly meetings and provide appropriate public notification.
6. Prepare Committee minutes within one week of the meeting and submit to the City Clerk for posting and distribution to the full City Council.
7. Coordinate posting all Committee-related items, including agendas and minutes, on the City Website.
8. Serve as the communication link between the Committee and city administration, City departments, and Council as appropriate.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** City Manager's Office

**Presenter at meeting:** consent

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** John Riggs

**Phone Number/Ext:** 286-5981

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

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

Resolution authorizing the abatement and demolition of one commercial parcel (202 6<sup>th</sup> Street SW) under the Community Development Block Grant Program (**FLOOD**). CIP/DID #377545

### **Background:**

In June 2011, Council authorized the abatement and demolition of CDBG acquired commercial properties. The City continues to acquire commercial properties through the program. Staff requests permission to proceed with the abatement and demolition of the one property listed below.

GPN	Address	Formerly Known As	Floodplain	MA	Rating
142828100800000	202 6 <sup>th</sup> St SW	6-plex/Barbershop	Inundation	NR	2

After acquisition, Building Services completed initial assessments of each parcel and assigned a number from 0-3 to rate the condition of the structures with 3 being the most significant damage.

On December 3, 2013, City Council authorized the execution of an Option to Purchase Agreement with the Landover Development Corporation which includes the above parcel. The corporation has submitted a multi family housing project to the Iowa Finance Authority for Low Income Housing Tax Credit funds to finance the project. The Historic Preservation Commission has reviewed the project and did not express any concerns with the demolition.

### **Action / Recommendation:**

Adoption of attached resolution

### **Alternative Recommendation:**

Request more information.

### **Time Sensitivity:**

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 Minutes

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

Greenway Area – 330-330620-18518-3306200001

Construction Area – 330-330620-18515-3306200002  
Neighborhood Area – 330-330620-18515-3306200003

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

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

CM  
BSD  
CD  
ENG  
377545  
3302500001  
3302500002  
3302500003  
330250-01  
330250-02  
330250-03

RESOLUTION NO.

WHEREAS, the City signed a three (3) year contract dated November 4, 2009 for a Community Development Block Grant (CDBG) award for the voluntary property acquisition and demolition of flood-damaged properties; and

WHEREAS, the City of Cedar Rapids CDBG contract terminates November 29, 2014 that requires the City to complete acquisition and demolition of properties registered in the program; and

WHEREAS, the Building Services Department performs evaluations assessing each acquired commercial property with a damage rating from 0-3 with 3 being the most significant damage; and

WHEREAS, the City of Cedar Rapids Council passed resolution number 0837-06-11 directing staff to proceed with abatement and demolition of commercial properties acquired through the CDBG Voluntary Acquisition Program; and

WHEREAS, one commercial property has been acquired,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, to authorize the City Manager, or his designee, to proceed with abatement and demolition for the list of properties in Exhibit A.

Passed this 14th day of January, 2014.

## Exhibit A

GPN	Address	Formerly Known As	Floodplain	MA	Rating
142828100800000	202 6 <sup>th</sup> St SW	6-plex/Barbershop	Inundation	NR	2





## Council Agenda Item Cover Sheet

**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:** Jon Resler, P.E.

**Phone Number/Extension:** 5155

**E-mail Address:** j.resler@cedar-rapids.org

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

Resolution authorizing execution of Amendment No. 1 to the Professional Services Agreement with Ament Design, formerly known as Ament, Inc., specifying an increased amount not to exceed \$6,000 for design services in connection with the 29<sup>th</sup> Street NE Signal Improvement Project (original contract amount was \$50,000; total contract amount with this amendment is \$56,000). CIP/DID #306204-01

### Background:

The professional design services for this project include design and preparation of plans and specifications for upgrading of the existing traffic signal at the 29<sup>th</sup> Street and Oakland Road intersection, installation of a fully-actuated traffic signal at the 29<sup>th</sup> Street and Prairie Drive intersection, and installation of interconnection of the traffic signals.

Existing right-of-way at the 29<sup>th</sup> Street and Oakland Road NE intersection is very restricted. The traffic signal improvements at 29<sup>th</sup> Street and Prairie Drive NE are being coordinated with the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Sidewalk project (CIP No. 301385). Both intersections have anticipated future intersection improvements.

Consultant is providing additional design services to provide final design alignments and elevations for future intersection improvements, future sidewalk improvements, future sidewalk ramp improvements, revised vehicle detection, an upgrade to existing leaking water valves and additional project administration, for an increase in the project schedule from four months to 23 months.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement with Ament Design specifying an increased amount not to exceed \$6,000.

**Alternative Recommendation:** If the Professional Services Agreement amendment is not executed, staff will need to review other options for these services.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP No. 306204 and 3012071

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

**Explanation:** Ament Design is a local firm meeting the requirements of this policy.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, it has been determined that the 29<sup>th</sup> Street NE Signal Improvements project should be constructed, and

WHEREAS, it was determined that future intersection improvements, future sidewalks, and future sidewalk ramps need to be provided in the design services for the project, 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. 1 to the Professional Services Agreement with Ament Design, formerly known as Ament, Inc., in the amount of \$6,000 for the 29<sup>th</sup> Street NE Signal Improvements Project, Contract No. 306204-01. A summary of the amendments for this contract is as follows:

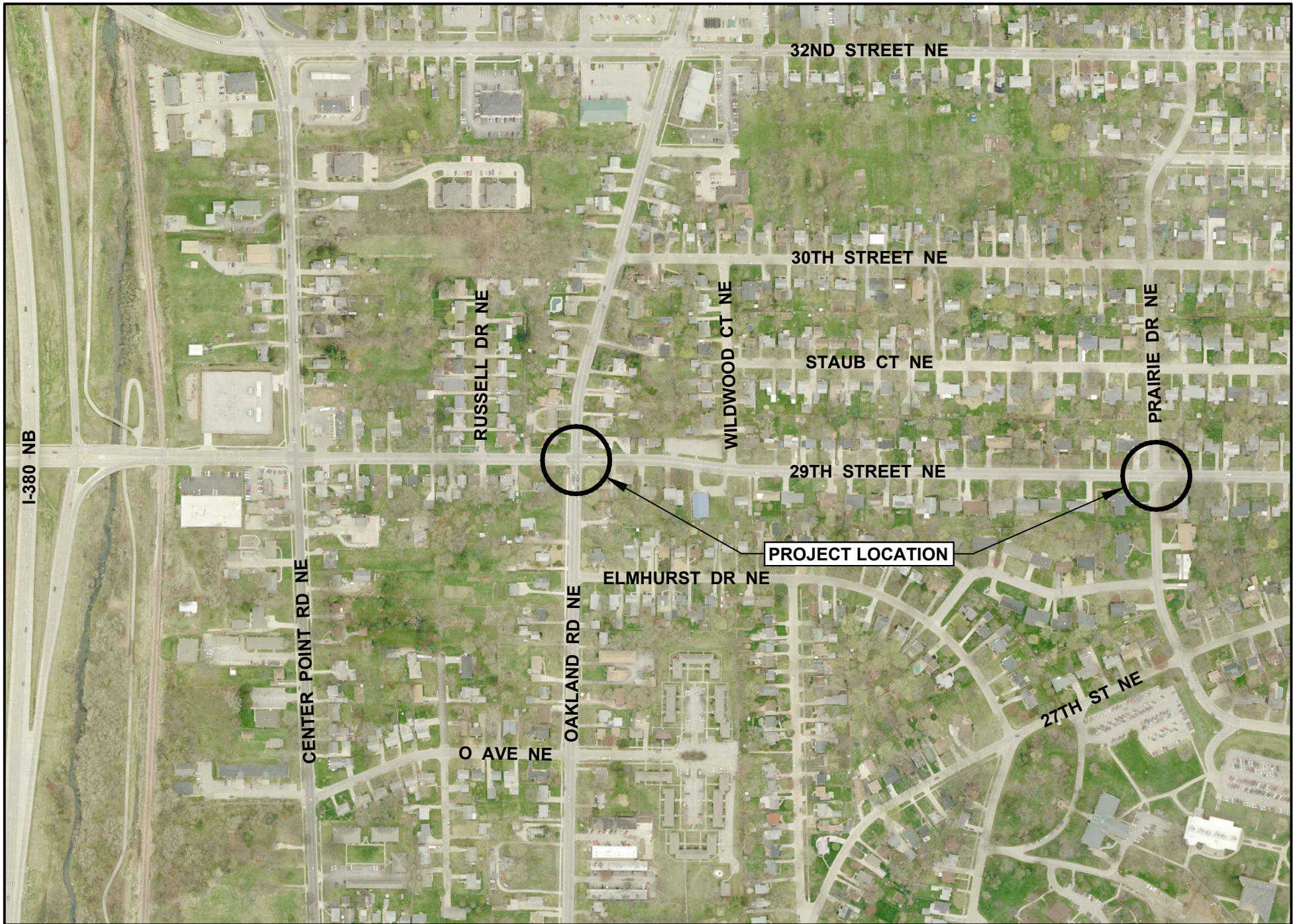
Original Contract Amount:	\$50,000
Amendment No. 1	\$6,000
	<hr/>
Amended Contract Amount	\$56,000

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012071	\$4,300
Fund 306, Dept ID 306000 Project 306204	\$1,700

Passed this 14<sup>th</sup> day of January, 2014









## 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 Donaldson Professional Services Group specifying an increased amount not to exceed \$8,400 for engineering services in connection with the Alley between C Avenue NW and D Avenue NW from 10<sup>th</sup> Street to 11<sup>th</sup> Street NW, Sanitary Sewer and Alley Improvements (original contract amount was \$27,180; total contract amount with this amendment is \$35,580). CIP/DID #655941-01

### Background:

Upon review of additional field data, it was discovered that the existing sanitary sewer main located within the alley between C Avenue NW and D Avenue NW from 9<sup>th</sup> Street to 10<sup>th</sup> Street NW is also in poor condition and needs replacement. This amendment expands the project limits to include the removal and replacement of the aforementioned sanitary sewer main.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 1 of the Professional Services Agreement with Donaldson Professional Services Group specifying an increased amount not to exceed \$8,400.

### Alternative Recommendation:

Alternatives to the recommendation include deferring the proposed sanitary sewer replacement to a future capital improvements project.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP 655941 (\$35,580)

**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 Donaldson Professional Services Group to provide engineering design services for the Alley between C Avenue NW and D Avenue NW from 10<sup>th</sup> Street to 11<sup>th</sup> Street, Sanitary Sewer and Alley Improvements project (Contract No. 655941-01), and

WHEREAS, it was discovered that the existing sanitary sewer main located within the alley between C Avenue NW and D Avenue NW from 9<sup>th</sup> Street to 10<sup>th</sup> Street NW is in poor condition and needs replacement, and

WHEREAS, additional design services are necessary to include the aforementioned sanitary sewer replacement within the proposed project,

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 engineering consultant agreement with Donaldson Professional Services Group in the amount of \$8,400 for the Alley between C Avenue NW and D Avenue NW from 10<sup>th</sup> Street to 11<sup>th</sup> Street, Sanitary Sewer and Alley Improvements project (Contract No. 655941-01). A summary of the contract amendments for this contract is as follows:

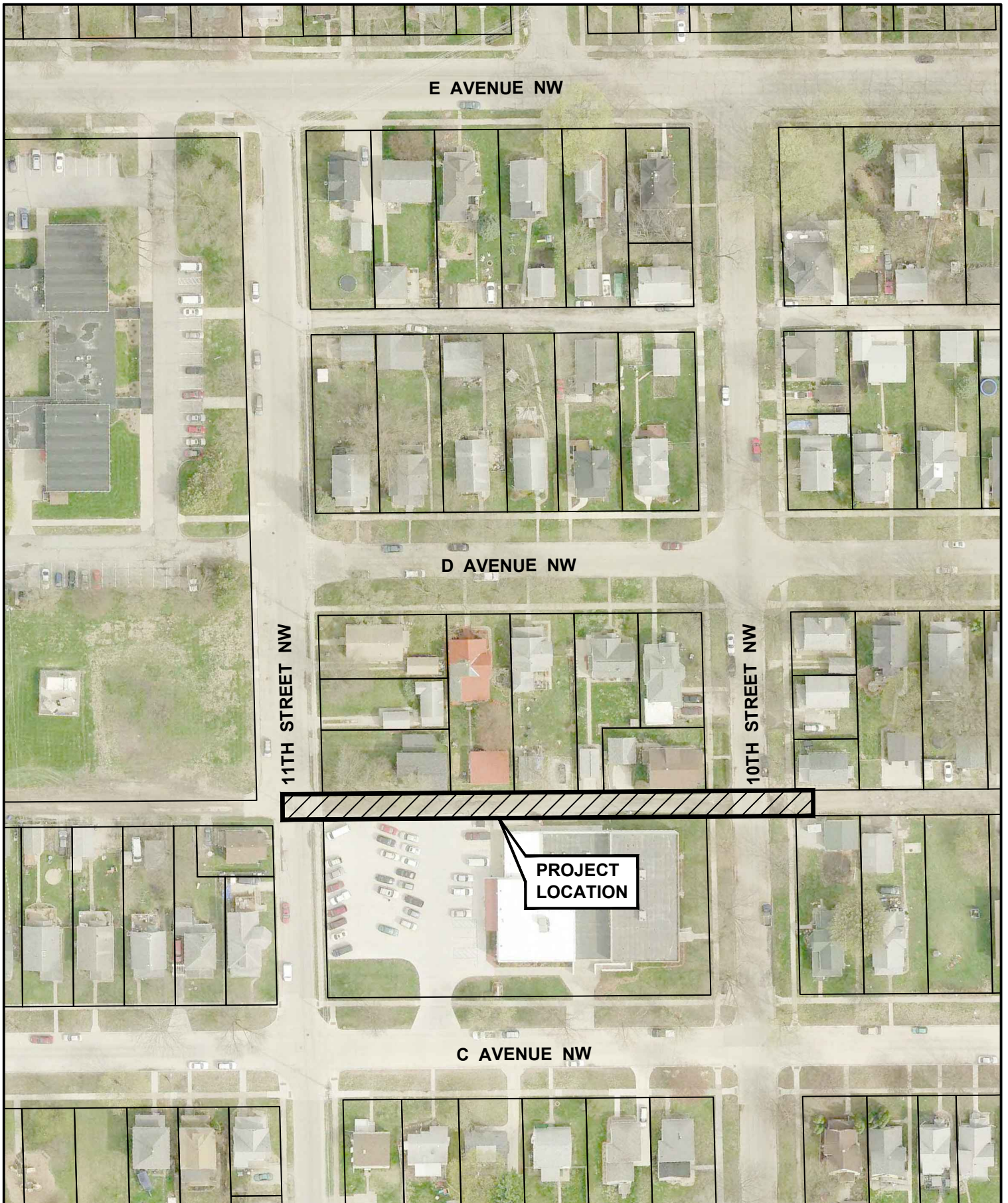
Original Contract Amount:	\$27,180
Amendment No. 1	\$8,400
	<hr/>
Amended Contract Amount	\$35,580

General ledger coding for this amendment to be as follows:

Fund 655, Dept ID 655000 Project 655941	\$8,400
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Passed this 14<sup>th</sup> day of January, 2014







## 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. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$3,635 for engineering services in connection with the Prairie Creek from West of 6<sup>th</sup> Street SW to J Street SW Sanitary Sewer Capacity Improvements project (original contract amount was \$274,800; total contract amount with this amendment is \$293,535). CIP/DID #655028-07

### Background:

This project involves constructing sanitary sewer capacity improvements adjacent to Prairie Creek from west of 6<sup>th</sup> Street SW to J Street SW. The proposed improvements are located within a parcel currently owned by the Cedar Rapids and Iowa City Railroad (CRANDIC) Company thus requiring the City to purchase a portion of the property. Included in this amendment are additional design services as necessary to develop a plat of survey for the subject parcel.

### Action / Recommendation:

The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$3,635.

### Alternative Recommendation:

Alternatives include not proceeding with the proposed amendment or renegotiating the scope and fee.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP 655028 (\$293,535)

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

**Explanation:**

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

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 the proposed improvements are located within a parcel currently owned by the Cedar Rapids and Iowa City Railroad Company (CRANDIC),

WHEREAS, additional design services are necessary to develop a plat of survey as required to purchase a portion of the subject parcel,

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. 2 to the Professional Services Agreement with Snyder and Associates, Inc. in the amount of \$3,635 for the Prairie Creek from West of 6th Street SW to J Street SW Sanitary Sewer Capacity Improvements project (Contract No. 655028-07). A summary of the contract amendments for this contract is as follows:

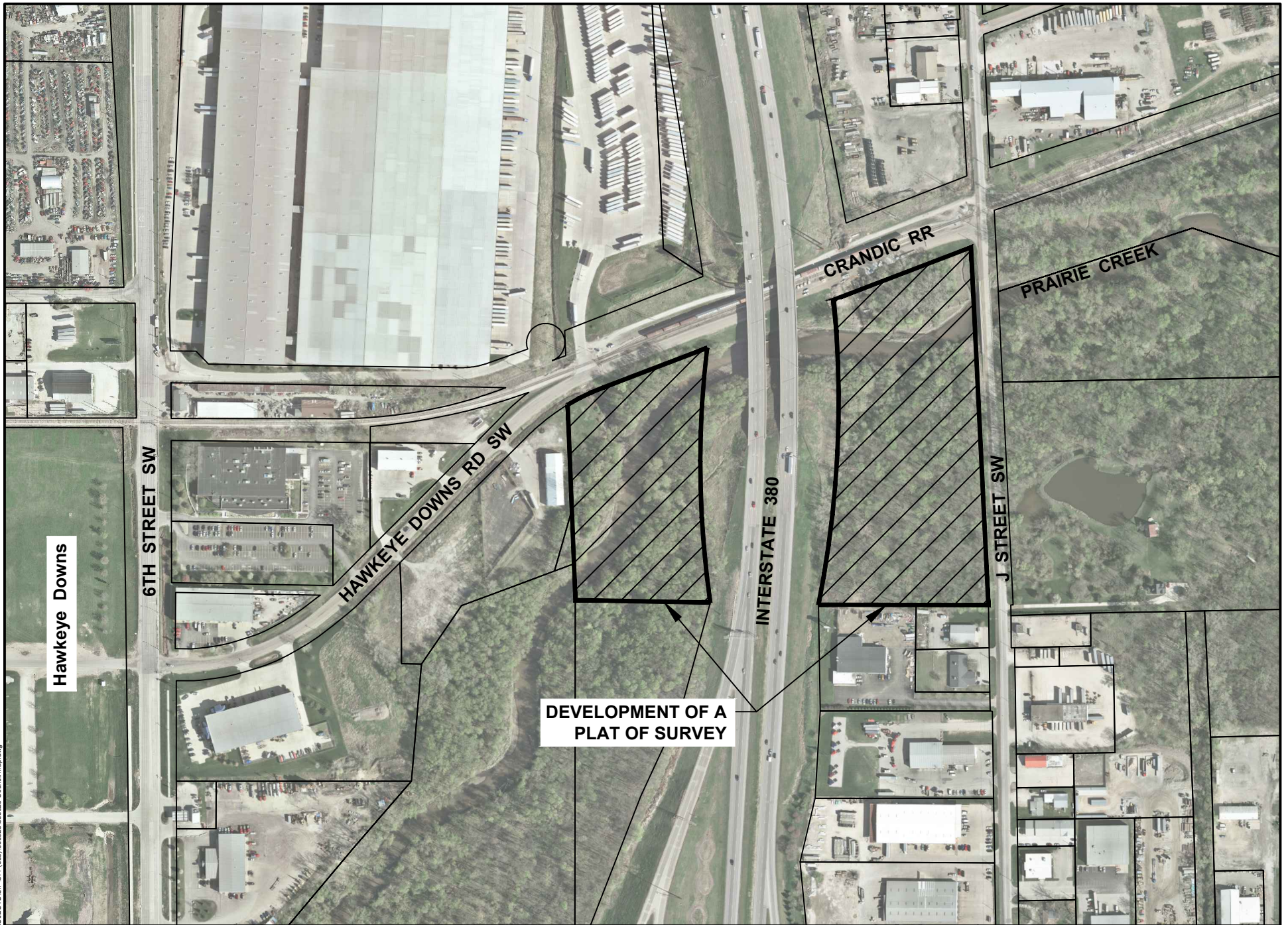
Original Contract Amount:	\$274,800.00
Amendment No. 1	\$15,100.00
Amendment No. 2	\$3,635.00
Amended Contract Amount	<u>\$293,535.00</u>

General ledger coding for this amendment to be as follows:

Fund 655, Dept ID 655000 Project 655028	\$3,635
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Passed this 14<sup>th</sup> day of January, 2014







## **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:** 5807

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

**Phone Number/Extension:** 5803

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

Resolution approving and ratifying Amendment No. 19 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount not to exceed \$2,000,000 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract price was \$95,474,137; total contract amount with this amendment is \$145,759,190) (**FLOOD**). CIP/DID #3302500001-2

#### **Background:**

On July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority (IEDA) a Community Development Block Grant (CDBG) Voluntary Property Acquisition/Demolition Application to voluntarily acquire and demolish flood-damaged properties. The City signed a contract on November 24, 2009 for a CDBG award amount of \$95,474,137 for 852 parcels.

As additional property owners registered their properties for the buyout program, the original grant had nine amendments increasing the grant amount from \$95,474,137 to \$166,865,594.

IEDA subsequently amended the contract for non-financial changes which include: extending the requirement on demolition timeline; amending contract end date to November 4, 2013; amending each Article in the contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A; reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity; and increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City.

IEDA requested a clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. The Amendment No. 15 to the original contract reduced the grant award from \$166,865,594 to \$147,759,190. Sufficient funds remain in the program to complete the outstanding acquisitions.

Subsequent to Amendment No. 15 IEDA amended the contract for non-financial changes which include: Amending Article 5.11 to revise the existing language; amending contract end date to November 29, 2014; and amending each Article in the contract that refers to "Attachment A, Program Description and Budget" as "amended".

IEDA has requested an additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. Amendment No. 19 to the original contract will reduce the grant award from \$147,759,190 to \$145,759,190. The demolition budget will be reduced \$2,000,000 as sufficient demolition funds remain in the program to cover the demo costs for the outstanding properties in the program. This resolution will formally ratify Amendment No. 19 to the original Contract Agreement between the Iowa Economic Development Authority and the City of Cedar Rapids for administration



under the Community Development Block Grant program. Specifically, it will authorize the execution of the amendment necessary to reduce the grant award \$2,000,000.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution and executing Amendment No. 19 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) to amend the award by reducing the amount from \$147,759,190 to \$145,759,190.

**Alternative to the Recommendation:**

City Council may table this item at this time and request additional information.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** 330/330000/330250/3302500001-2, 3302500002 & 3302500003

**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:**

RESOLUTION NO.

RESOLUTION APPROVING AND RATIFYING AMENDMENT NO. 19 TO THE IOWA  
ECONOMIC DEVELOPMENT AUTHORITY CONTRACT AGREEMENT FOR  
ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, on July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority a Community Development Block Grant Property Acquisition/Demolition Application to administer, voluntarily acquire and demolish flood-damaged properties, and

WHEREAS, the City signed the original contract on November 24, 2009 for a Community Development Block Grant award totaling \$95,474,137 for the voluntary property acquisition of flood-damaged properties, and

WHEREAS, numerous contract amendments followed with Amendment No. 8 & 9 being approved by City Council Resolution No. 0459-04-11 increasing the grant award amount to \$166,865,594, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

- No. 10: Extending the requirement on demolition timeline
- No. 11: Amending the contract end date to November 4, 2013
- No. 12: Amending each Article in the Contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A
- No. 13: Reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity
- No. 14: Increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City

WHEREAS, Amendment No. 15 being the last approved by City Council Resolution No. 0736-05-13, reduced the grant award amount from \$166,865,594 to \$147,759,190, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

- No. 16: Amending Article 5.11 "Removal of Existing Building" by deleting the existing language and inserting; "Existing buildings and other structures located on acquired property that, in the sole discretion of the Department, are determined to be incompatible with the use of property after acquisition must be removed by demolition or relocation to an area outside the applicable Special Hazard Flood Area by the contract end date."
- No. 17: Amend contract end date to November 29, 2014.
- No. 18: Amend each Article in the contract that refers to "Attachment A, Program Description and Budget" to "Attachment A, Program Description and Budget, as amended."

WHEREAS, the City received Amendment No. 19 to the original Contract Agreement to amend the award by reducing the amount from \$147,759,190 to \$145,759,190,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to sign Amendment No. 19 from the Iowa Economic Development Authority amending the City of Cedar Rapids Community Development Block Grant to an amount not to exceed \$145,759,190 to administer, voluntarily acquire and demolish the flood damaged properties (3302500001-2, 3302500002, and 3302500003), and the execution of said Amendment No. 19 is hereby ratified, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute Amendment No. 19 and such other documentation reasonably necessary between the Iowa Economic Development Authority and the City of Cedar Rapids, Iowa to efficiently administer the project grant.

Passed this 14<sup>th</sup> day of January, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 01-14-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** John Riggs

**Phone Number/Ext:** 5981

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

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

Amendment No. 8 for Debris Monitoring Services for Various Flood Projects project with Neel-Schaffer, Inc. to reflect an increase in the scope of work and to allow for mileage reimbursement for an amount not to exceed \$61,966.12 (original contract amount was \$71,400; total contract amount with this amendment is \$305,176.12) (**FLOOD**). CIP/DID #0811-035

### **Background:**

1. During the demolition process at the former Animal Control Facility (Project #1112-112), bio-solid waste (sludge) material was discovered. This material is classified as special waste, and the city is released from using our local landfill exclusively. Therefore, the decision was made to dispose of this special waste at the Quad Cities Landfill – Millennium Waste Inc. in Milan, IL as the least cost alternative. Since this is a change of landfill destination and the material is not being disposed of at the Cedar Rapids Linn County Solid Waste Agency, mileage is authorized round trip from the Neel Schaffer office in Cedar Rapids to Milan, IL back to Cedar Rapids. Neel Schaffer shall not charge more than .46 (forty-six) cents per mile and the total mileage amount shall not exceed \$3,966.12 for demolition project #1112-112.
2. Due to the increased debris monitoring requirements for discoveries made during the demolitions of the former Animal Control Facility, the Public Works Building and the Second Street Parkade, an additional \$58,000.00 shall be added to this contract.
3. No quantity of hours is guaranteed. The number of hours and the number of Debris Monitors are at the sole direction of the Project Manager and are based upon the workload. Payment for debris monitoring services rendered shall be based on the actual hours worked.
4. The all-inclusive firm fixed hourly rates remain unchanged and are as follows:  
Debris Monitor Supervisor at \$47.00 per hour  
Debris Monitor at \$36.00 per hour

### **Summary of Agreement:**

Original Contract	\$ 71,400.00	Resolution No. 1236-09-11
Amendment No. 1	0	To identify properties for debris monitoring services
Amendment No. 2	56,000.00	To extend term, reflect an increase in the number of hours, Resolution No.0528-04-12
Amendment No. 3	60,810.00	To reflect an increase of hours, additional FEMA properties, Resolution No. 1417-09-02
Amendment No. 4	0	To extend term and add one FEMA property
Amendment No. 5	55,000.00	Extend term, increase of hours, additional FEMA properties, Resolution No. 0417-03-13
Amendment No. 6	0	To add two FEMA properties
Amendment No. 7	0	To extend term through 06-30-14
Amendment No. 8	61,966.12	To reflect an increase of hours and to allow for mileage reimbursement round trip to the landfill in Milan, IL
<b>Total</b>	<b>\$305,176.12</b>	<b>Not to exceed, except by written amendment</b>

**Action / Recommendation:**

Resolution authorizing the City Manager and the City Clerk to execute of Amendment No. 8 to the Agreement for Debris Monitoring Services for Various Flood Projects for an amount not to exceed \$61,966.12.

**Alternative Recommendation:** None

**Time Sensitivity:** Sensitive. A delay will impact the progress of the demolition process and affect neighborhoods.

**Resolution Date:** 01-14-14

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

**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, Iowa and Neel Schaffer, Inc. are parties to an Agreement, authorized by Resolution No. 1236-09-11, whereby Neel Schaffer, Inc. provides Flood Related Debris Monitoring Services to the City; and

WHEREAS, the services were competitively solicited on August 16, 2011 by a competitive Request for Proposal process (RFP #0811-035); and

WHEREAS, the City and Neel Schaffer, Inc. are desirous of amending the Agreement to reflect mileage roundtrip to the Quad Cities Landfill-Millennium Waste for demolition project #1112-112 and and to reflect increased debris monitoring services for discovery items made during the demolition of the former Animal Control Facility, the Public Works Building and the Second Street Parkade; and

WHEREAS, the all-inclusive firm fixed hourly rates remain unchanged and are as follows: Debris Monitor Supervisor at \$47.00 per hour and Debris Monitor at \$36.00 per hour; and

WHEREAS, a summary of the project is listed below:

Original Contract	\$ 71,400.00	Resolution No. 1236-09-11
Amendment No. 1	0	To identify properties for debris monitoring services
Amendment No. 2	56,000.00	To extend term, reflect an increase in the number of hours, Resolution No.0528-04-12
Amendment No. 3	60,810.00	To reflect an increase of hours, additional FEMA properties, Resolution No. 1417-09-02
Amendment No. 4	0	To extend term and add one FEMA property
Amendment No. 5	55,000.00	Extend term, increase of hours, additional FEMA properties, Resolution No. 0417-03-13
Amendment No. 6	0	To add two FEMA properties
Amendment No. 7	0	To extend term through 06-30-14
Amendment No. 8	61,966.12	To reflect an increase of hours and to allow for mileage reimbursement round trip to the landfill in Milan, IL
Total	\$305,176.12	Not to exceed, except by written amendment

AND WHEREAS, the funding for the services described herein is from various FEMA projects.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above recommendation be accepted and that the City Manager and the City Clerk are hereby authorized to execute Amendment No. 8 for Debris Monitoring Services for Various Flood Projects for an amount not to exceed \$61,966.12.

Passed this 14th of January 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Scott Sovers  
**E-mail Address:** s.rovers@cedar-rapids.org

**Phone Number/Extension:** 5547

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

Resolution amending Resolution No. 1769-11-13 to correct the total amount of the award from \$79,260.63 to \$79,290.63 for the 8<sup>th</sup> Street NW at Ellis Lane NW Flood Protection Improvements project. CIP/DID 304285-01

**Background:**

Resolution No. 1769-11-13 awarded the contract with a total award amount of \$79,260.63; however, the correct total award amount is \$79,290.63 (\$73,290.63 plus incentive up to \$6,000).

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution to amend Resolution No. 1769-11-13, correcting the total award amount to \$79,290.63.

**Alternative Recommendation:**

None, an addition error was made on the award resolution.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

**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.

RESOLUTION NO.

WHEREAS, Resolution No. 1769-11-13 awarded Contract No. 304285-01 to Iowa State Contractors, Inc. in the total amount of \$79,260.63 for the 8<sup>th</sup> Street NW at Ellis Lane NW Flood Protection Improvements project, and

WHEREAS, the correct total award amount is \$79,290.63 (\$73,290.63 plus incentive up to \$6,000), and

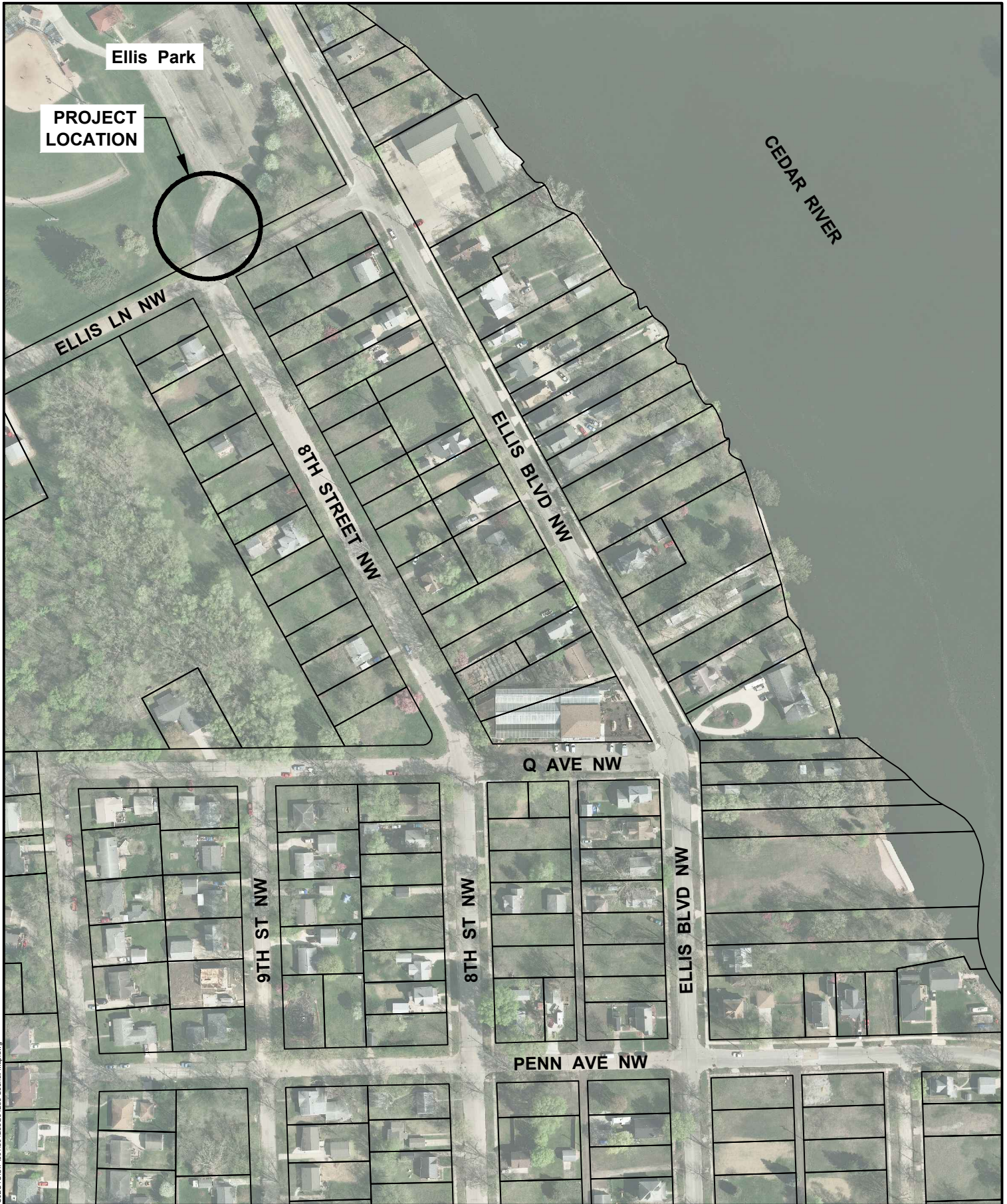
WHEREAS, the general ledger coding for this shall be as follows: \$79,290.63 304-304000-304285

now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, that Resolution No. 1769-11-13 be amended to award Iowa State Contractors, Inc. a contract in the amount of \$73,290.63, plus incentive up to \$6,000 for a total award amount of \$79,290.63 for the 8<sup>th</sup> Street NW at Ellis Lane NW Flood Protection Improvements project.

Passed this 14<sup>th</sup> day of January, 2014.





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

**Council Agenda Item Cover Sheet****Council Meeting Date:** 01-14-14**Submitting Department:** Finance – Purchasing Services Division**Presenter at meeting:** consent**Phone Number/Ext:****Email:****Alternate Contact Person:** Rita Rasmussen**Phone Number/Ext:** 5807**Email:** [r.rasmussen@cedar-rapids.org](mailto:r.rasmussen@cedar-rapids.org)**Description of Agenda Item:**

Resolution amending Resolution No. 1344-11-10 to reflect the correct federal funding source with Ackley, Kopecky and Kingery for Real Estate Acquisition Legal Services (**FLOOD**). CIP/DID #0109-220

**Background:**

Resolution No 1344-11-10 incorrectly stated Amendment No. 1 was for Legal Services for the Hazard Mitigation Grant Program Property Acquisition. This resolution amends Resolution 1344-11-10 to state that the Legal Services are for the Community Development Block Grant Voluntary Property Acquisition Program (CDBG).

**Action / Recommendation:**

To approve the amended resolution to reflect to correct federal funding source.

**Alternative Recommendation:** none**Time Sensitivity:** Not sensitive**Resolution Date:** 01-14-14**Estimated Presentation Time:** consent**Budget Information (if applicable):****Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** Federal Funding - CDBG**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒**Explanation (if necessary):**





PUR  
ENG  
FIN  
377545  
0109-220  
472583  
1344-11-10

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa ("the City") and the law firm of Ackley, Kopecky & Kingery, LLP are parties to an Agreement, whereby the law firm provides real estate acquisition legal services regarding the City's Community Development Block Grant (CDBG) Voluntary Property Acquisition Program; and

WHEREAS, the City solicited the services that are subject of the Agreement in February 2009 by a Request for Proposal process (RFP #0109-220); and

WHEREAS, on November 23, 2010 the Cedar Rapids City Council passed Resolution No. 1344-11-10 which authorized the City Manager to execute Amendment No. 1 to the Agreement; and

WHEREAS, the sixth unnumbered paragraph of Resolution No. 1344-11-10 referred to the legal services subject of the amendment to relate to the City's Hazard Mitigation Grant Program Property Acquisition Program and not the CDBG program and should be amended to read as follows:

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the above recommendation be accepted and that the City Manager is hereby authorized to execute Amendment No. 1 for Legal Services for the CDBG Voluntary Property Acquisition Program for the amount not to exceed \$100,000.*

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Resolution No. 1344-11-10 be amended as stated above and that this amendment will be deemed to be effective as of November 23, 2010.

Passed this 14th day of January 2014.

**Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities Department – Water Pollution Control Facility

**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. Amend Resolution No. 1942-12-13 to correct change order dollar amounts to \$59,248.19 for the J Avenue Chlorine System Improvements project with TLC Diversified, Inc. The final contract amount was correct (original contract amount was \$399,000; final contract amount is \$458,248.19). CIP/DID #6250009-02

**Background:**

Resolution No. 1942-13 passed on December 17, 2013 accepted the J Avenue Chlorine System Improvements project (Contract No. 6250009-02), authorized the final (retainage) payment in the amount of \$22,912.41 and approved the 2-year Performance Bond submitted by TLC Diversified, Inc.

The original contract amount was \$399,000 and the final contract amount with change orders 1 and 2 is \$458,248.19. **This amended resolution is to correct the change order dollar amounts on the resolution, Change Order No. 1 amount should be \$55,761.71 and Change Order No. 2 amount should be \$3,486.48. The total contract price was correct.**

**Action / Recommendation:**

The Utilities Department – Water Division recommends adopting the resolution amending Resolution No. 1942-12-13 (accepting the J Avenue Chlorine System Improvements project with TLC Diversified, Inc.) to correct the change order dollar amounts to \$59,248.19

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** 1-14-14

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

**Budget Information (if applicable):**

1. **Included in Current Budget Year:** Yes. The project was funded from the FY11 through FY14 Water Department CIP budgets and coded to 553000-625-625000-X-X-6250009.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total project cost including estimated engineering costs (\$181,166) and construction services (\$458,248.19) is \$639,414.19.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project was publicly bid as a Capital Improvement Project.

**Local Preference Policy**      Applies ☐      Exempt ☒

**Explanation:**

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

**Explanation (if necessary):** N/A

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division needs to amend Resolution No. 1942-12-13 passed on the 17<sup>th</sup> day of December, 2013. This resolution accepted the J Avenue Chlorine System Improvements project (Contract No. 6250009-02), and

WHEREAS, the change order dollar amounts were wrong on the Resolution, the correct change order amounts should be \$59,248.19, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 1942-12-13 be amended to reflect the correct dollar amounts on the change orders (see below) for the J Avenue Chlorine System Improvements project (Contract No. 6250009-02). The original contract amount was \$399,000 and the total final contract amount is \$458,248.19.

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

Original Contract Amount	\$399,000.00
Change Order No. 1	55,761.71
Change Order No. 2	<u>3,486.48</u>
Final Contract Amount	\$458,248.19

The project was funded from the Utilities Department - Water CIP budget and coded to 553000-625-625000-X-X-6250009.

Passed this 14<sup>th</sup> day of January, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

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

Authorizing Change Order No. 10 (Final Revised) deducting the amount of \$19,682.13 with Horsfield Construction, Inc. for the C Avenue NE – From Huntington Ridge Road NE to East Main Street NE PCC Pavement, HMA Resurfacing, and Traffic Signal Improvement project (original contract amount was \$1,180,574.34; total contract amount with this amendment is \$1,264,585.55). CIP/DID #301249-03)

**Background:**

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional cost for change in the pipe type from the bid material of PVC truss pipe to C900 sanitary sewer pipe. Three additional sanitary sewer service stubs on the east side of C Avenue NE between Sheffield Drive and East Robins Road were required due to the addition of new sanitary sewer north of Sheffield Drive NE.

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):**

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

**Explanation:** Project was awarded prior to policy implementation.



ENG  
AUD FILE  
FIN  
CLK  
HORSFIELD  
SNYDER & ASSOC  
301249-03

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 10 (Final Revised) deducting the amount of \$19,682.13 with Horsfield Construction, Inc. for the C Avenue NE – From Huntington Ridge Road NE to East Main Street NE PCC Pavement, HMA Resurfacing, and Traffic Signal Improvement project, Contract No. 301249-03. A cost summary of the contract changes for this project is as follows:

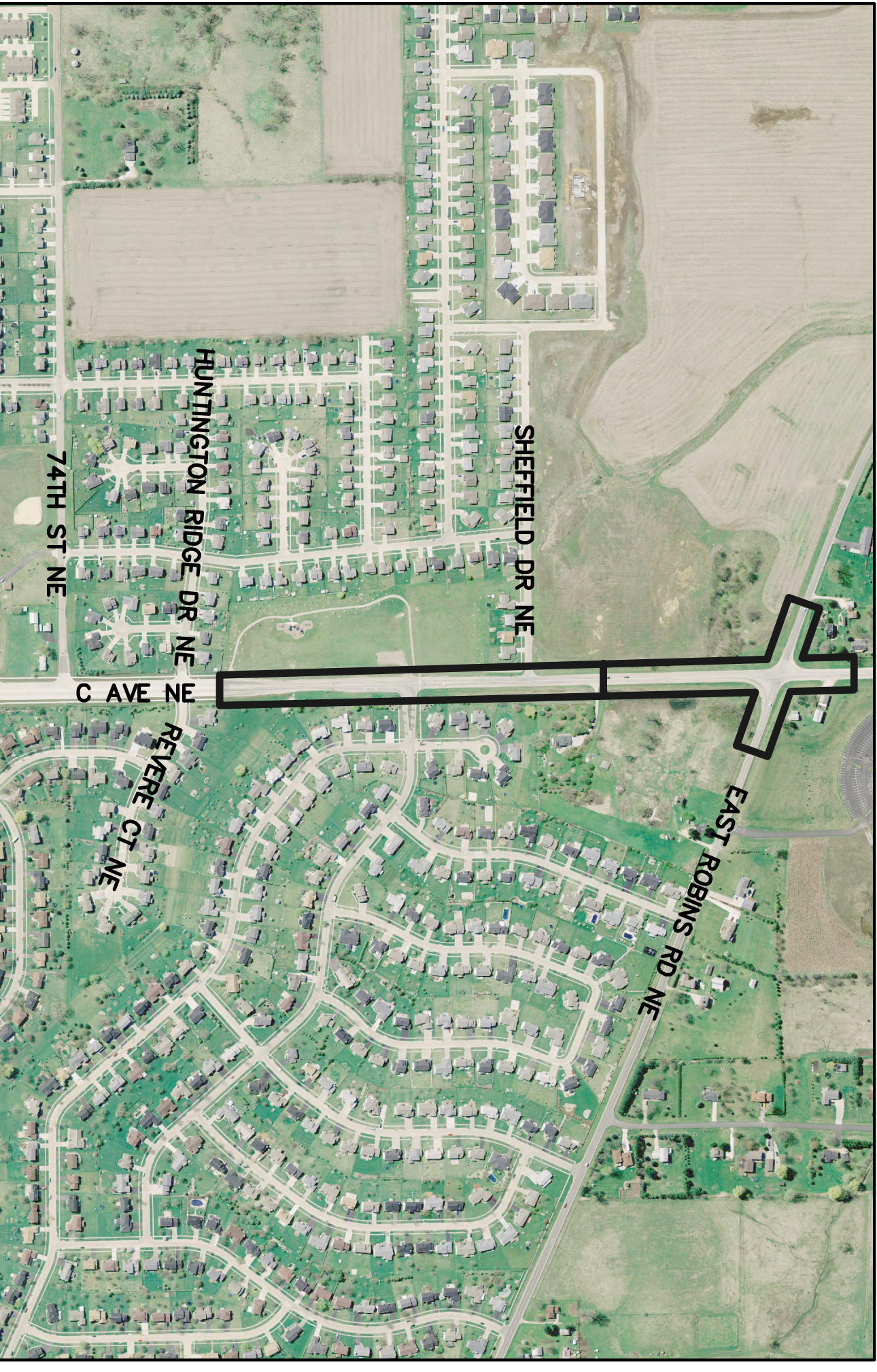
Original Contract Amount	\$1,160,774.34
Possible Incentive	19,800.00
Change Order No. 1	4,180.36
Change Order No. 2	7,195.75
Change Order No. 3	9,334.00
Change Order No. 4	50,303.60
Change Order No. 5	6,329.28
Change Order No. 6	23,759.97
Change Order No. 7	2,163.68
Change Order No. 8	1,516.70
Change Order No. 9	310.00
Change Order No. 10 (Final) Revised	(19,682.13)
Removal of Original Incentive	<u>(1,400.00)</u>
Amended Contract Amount	\$1,264,585.55

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

(\$36,253.46)	301-301000-30185-301249
(\$2,989.00)	301-301000-30185-301867
(\$1,686.17)	301-301000-30187-301867
(\$1,994.00)	307-307000-307178
\$23,240.50	655-655000-655924

Passed this 14<sup>th</sup> day of January, 2014.





SHEFFIELD DR NE

HUNTINGTON RIDGE DR NE

74TH ST NE

C AVE NE

REVERE CT NE

EAST ROBINS RD NE



SCALE: NONE

C AVE NE FROM NORTH OF REVERE COURT/  
HUNTINGTON RIDGE RD TO NORTH OF  
SHEFFIELD DR, PCC WIDENING PROJECT



CEDAR RAPIDS  
City Of Five Seasons

301249





24j

## 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**

Authorizing Change Order No. 6 in the amount of \$20,842.98 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,596,629.89). CIP/DID #301696-01

### **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 trench backfill was required due to wet soils encountered while installing the water main. Backfill material was brought in to minimize delays drying the existing soils. Onsite material was used whenever available.

### **Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 6 submitted by Rathje Construction Company.

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP 301696

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

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

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

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

ENG  
AUD FILE  
FIN  
CLK  
RATHJE  
SNYDER  
301696-01

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. 6 in the amount of \$20,842.98 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34<sup>th</sup> Street SE, Contract No. 301696-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,459,777.11
Possible Incentive	70,000.00
Change Order No. 1	127.00
Change Order No. 2	18,600.00
Change Order No. 3	2,025.00
Change Order No. 4	20,892.80
Change Order No. 5	4,365.00
Change Order No. 6	<u>20,842.98</u>
Amended Contract Amount	\$1,596,629.89

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

\$12,999.98	301-301000-301696
\$ 7,843.00	625-625000-625884-6252013027

Passed this 14<sup>th</sup> day of January, 2014.









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:**      ☒ **Consent Agenda**      ☐ **Regular Agenda**      **No Map**  
 Authorizing Change Order No. 12 in the amount of \$1,059.75 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project (original contract amount was \$189,177.50; total contract amount with this amendment is \$275,862.75). CIP/DID #3017012-01

### Background:

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

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 12 submitted by BWC Excavating, LC.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

### Budget Information (if applicable):

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

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

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

**Explanation** (if necessary):

ENG  
AUD FILE  
FIN  
CLK  
BWC  
3017012-01

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. 12 in the amount of \$1,059.75 with BWC Excavating, LC for the FY 2012 Sidewalk Repair and Ramp Program – Contract No. 1 project, Contract No. 3017012-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$185,177.50
Possible Incentive	4,000.00
Change Order No. 1	56,093.20
Change Order No. 2	7,816.50
Change Order No. 3	1,350.75
Change Order No. 4	5,369.13
Change Order No. 5	133.50
Change Order No. 6	310.50
Change Order No. 7	405.00
Change Order No. 8	790.50
Change Order No. 9	1,209.00
Change Order No. 10	453.75
Change Order No. 11	11,693.67
Change Order No.12	<u>1,059.75</u>
Amended Contract Amount	\$275,862.75

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

\$1,059.75                      301-301000-3017012

Passed this 14<sup>th</sup> day of January, 2014.



## 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**

Authorizing Change Order No. 7 in the amount of \$59.46 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$3,037,467.35; total contract amount with this amendment is \$3,089,089.45). CIP/DID #304037-06

**Background:**

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

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 7 submitted by Zinser Grading & Excavating, LLC.

**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:** January 14, 2014

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

**Budget Information (if applicable):** CIP 304037: \$3,841,479 (100% CDBG Grant), CIP 3012056: \$190,605 (GO Bonds), CIP 6252010084: \$73,000 (Revenue Bonds)

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

**Explanation:** Grant-funded project

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

**Explanation** (if necessary): Project was presented and discussed at three separate meetings (June 21, 2011, August 16, 2011 and November 15, 2011).

ENG  
AUD FILE  
FIN  
CLK  
ZINSER  
FOTH  
304037-06

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. 7 in the amount of \$59.46 with Zinser Grading & Excavating, LLC for the E Avenue NW–Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements, Contract No. 304037-06. A cost summary of the contract changes for this project is as follows:

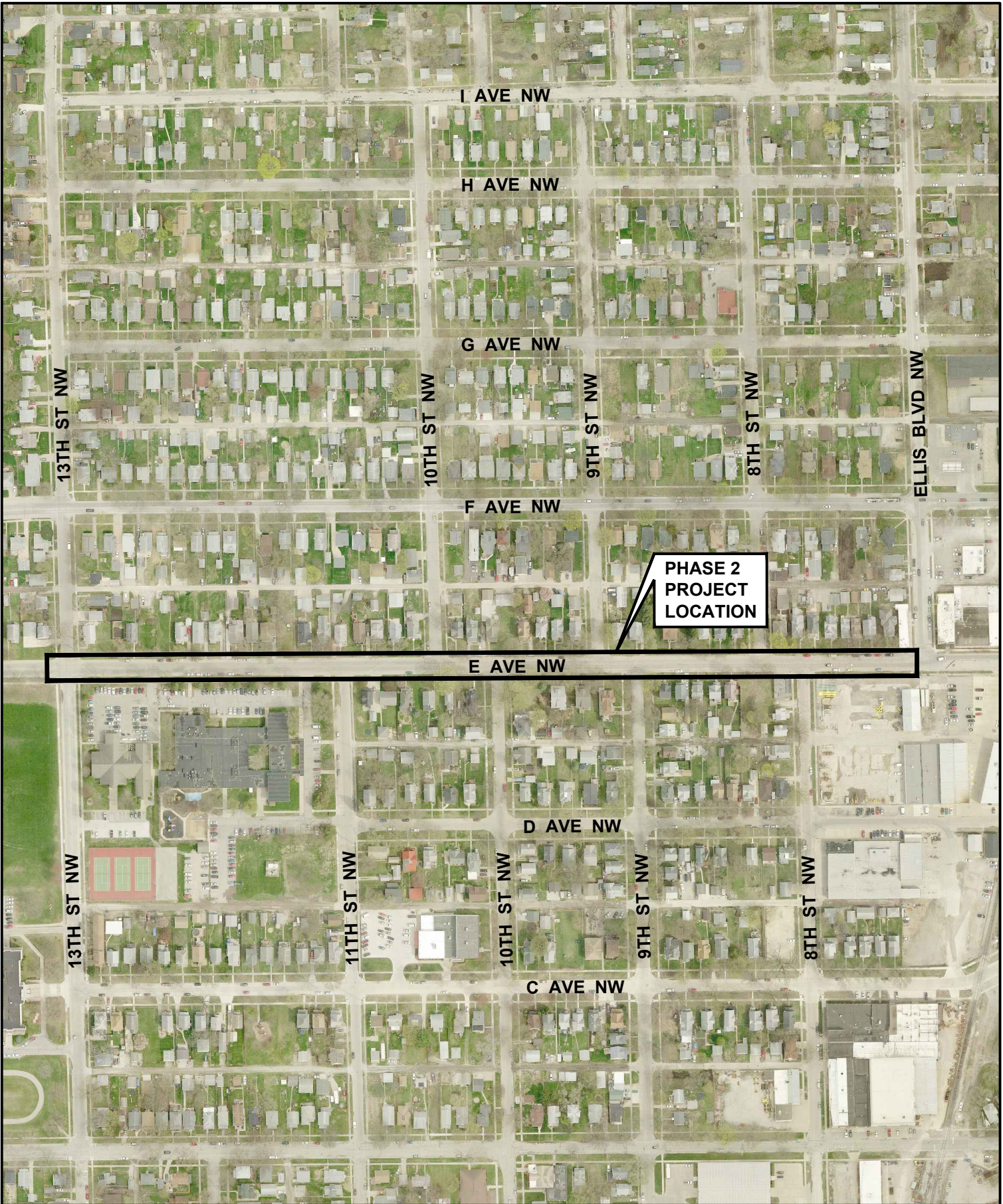
Original Contract Amount	2,987,467.35
Possible Incentive	50,000.00
Change Order No. 1	7,250.96
Change Order No. 2	850.00
Change Order No. 3	375.00
Change Order No. 4	4,274.52
Change Order No. 5	36,199.00
Change Order No. 6	2,613.16
Change Order No. 7	<u>59.46</u>
Amended Contract Amount	\$3,089,089.45

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

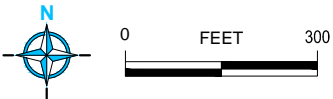
\$59.46                      304-304000-304037

Passed this 14<sup>th</sup> day of January, 2014.





**E AVENUE NW - PHASE 2, 13TH STREET TO ELLIS BLVD  
STORM SEWER, WATER MAIN, SIDEWALK  
AND STREET IMPROVEMENTS**







24m

## 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**

Authorizing Change Order No. 2 in the amount of \$18,440.93, plus an additional 2 working days, with Price Industrial Electric, Inc. for the E And F Avenue At 1<sup>st</sup> Street NW And 1<sup>st</sup> Street NE Traffic Signal Improvements project (original contract amount was \$318,463; total contract amount with this amendment is \$350,657.63). CIP/DID #306222-01

### Background:

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

Additional work on the traffic signals on E & F Avenue NW include relocation of the signal pole footings due to utility conflicts, and additional work due to finding concrete underground at the site of signal pole 3. Extra work was for testing to determine what the obstruction was and how to remove it.

Additional repairs are being added to this contract at the request of the City of Cedar Rapids Traffic Engineering staff, which includes traffic signal work at the intersections of Mt Vernon Road SE and Highway 13 and Collins Road and F Avenue NE.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 2 submitted by Price Industrial Electric, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** Normal

**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 for highway, bridge, or culvert improvements to be awarded to the lowest responsive, responsible bidder.

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

**Explanation** (if necessary): Project updates provided to the Infrastructure Committee.

ENG  
AUD FILE  
FIN  
CLK  
PRICE  
SNYDER  
306222-01

RESOLUTION NO.

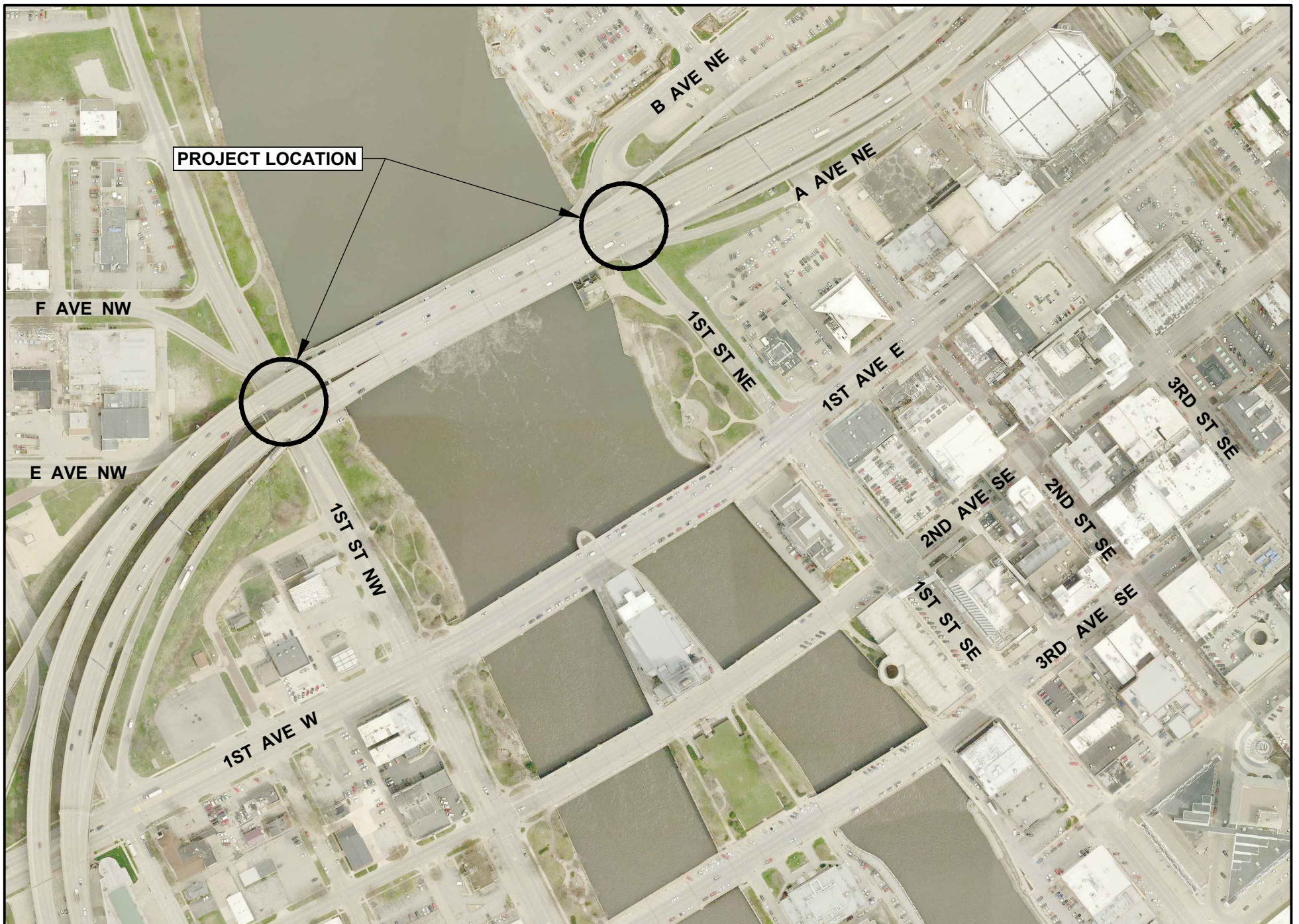
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$18,440.93, plus an additional 2 working days, with Price Industrial Electric, Inc. for the E And F Avenue At 1<sup>st</sup> Street NW And 1<sup>st</sup> Street NE Traffic Signal Improvements project, Contract No. 306222-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$314,963.00
Possible Incentive	3,500.00
Change Order No. 1	13,753.70
Change Order No. 2	18,440.93
	<hr/>
Amended Contract Amount	\$350,657.63

General ledger coding for this Change Order to be as follows: \$14,717.05 306-306000-306992, \$3,723.88 360-306000-306222

Passed this 14<sup>th</sup> day of January, 2014.









## 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. 25 in the amount of \$100,410 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project (original contract amount was \$28,273,698; total contract amount with this amendment is \$29,850,779). CIP/DID #535100-23

### Background:

WCD = Work Change Directive

WCD #64	Per sketches issued by OPN, additional costs to supply and install steel members, fabricated ladders, and 4'x4' access door to allow the facility's event staff to access the newly installed rigging grid structure between gridlines 15 and 16.	\$52,082
WCD #65	Additional costs to supply and install supplemental fall protection horizontal lifelines at locations east of gridline 16.	\$37,388
	Additional costs to supply and install supplemental fall protection horizontal lifelines at locations west of gridline 16	\$10,058
	Additional costs to modify existing lighting fixtures and supports to accommodate newly installed rigging grid and fall protection system.	\$882

### Action / Recommendation:

The Public Works Department and Frew Development Group (the Construction Manager) recommend approval of Change Order No. 25 submitted by Miron Construction Company, Inc.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

### Budget Information (if applicable)

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

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

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

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 25 in the amount of \$100,410 with Miron Construction Company, Inc. for the Cedar Rapids Convention Complex – General project, Contract No. 535100-23. A cost summary of the contract changes for this project is as follows:

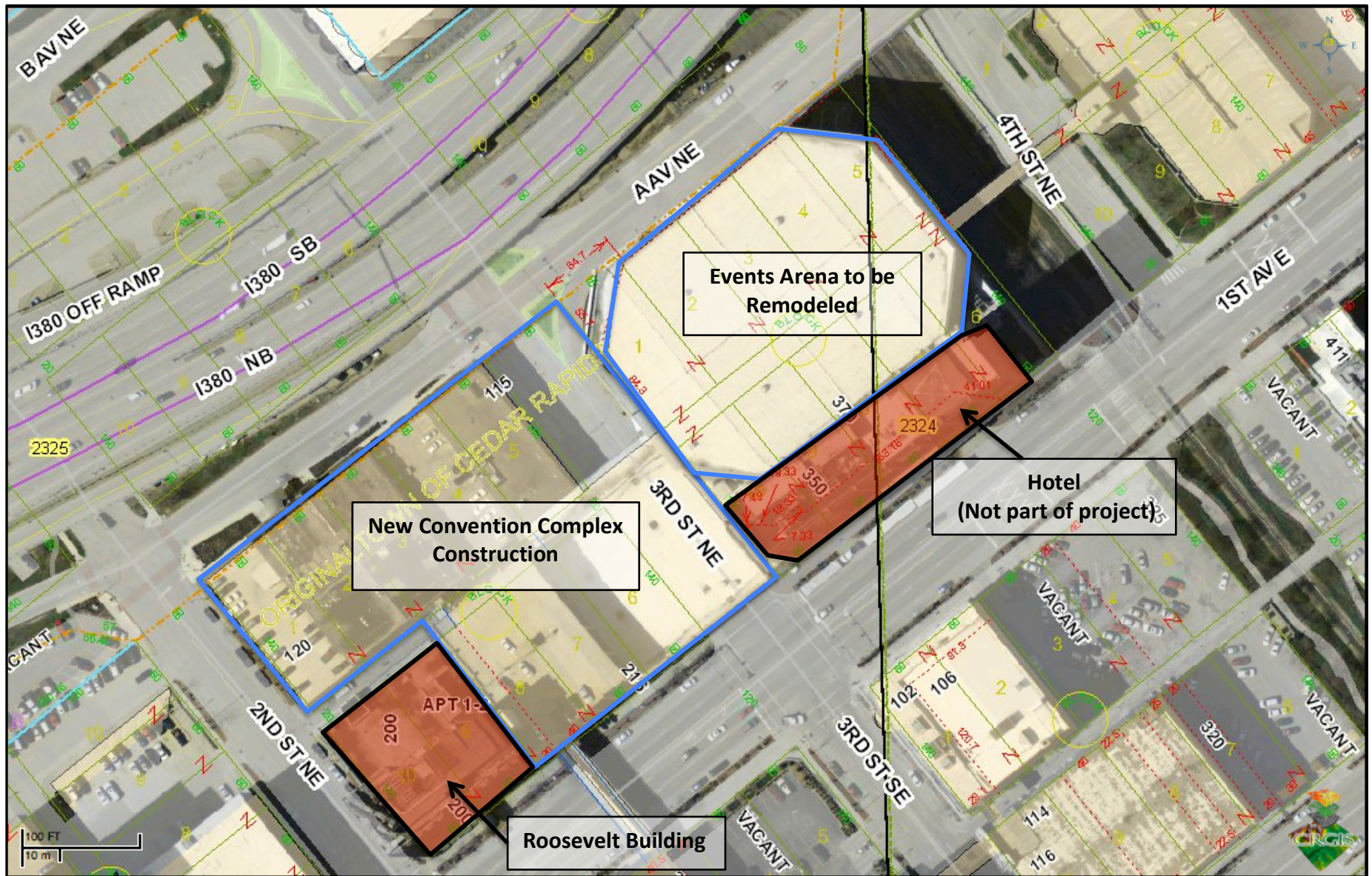
Original Contract Amount	\$28,273,698
Change Order No. 1	63,221
Change Order No. 2	221,371
Change Order No. 3	47,099
Change Order No. 4	4,856
Change Order No. 5	135,829
Change Order No. 6	61,065
Change Order No. 7	119,199
Change Order No. 8	153,813
Change Order No. 9	1,089
Change Order No. 10	85,897
Change Order No. 11	29,884
Change Order No. 12	(22,774)
Change Order No. 13	0
Change Order No. 14	65,183
Change Order No. 15	79,137
Change Order No. 16	9,748
Change Order No. 17	34,243
Change Order No. 18	33,894
Change Order No. 19	72,852
Change Order No. 20	29,890
Change Order No. 21	61,183
Change Order No. 22	13,930
Change Order No. 23	179,794
Change Order No. 24	(3,732)
Change Order No. 25	<u>100,410</u>
Amended Contract Amount	\$29,850,779

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

\$100,410      535-535000-535100

Passed this 14<sup>th</sup> day of January, 2014.







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5258

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

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

Authorizing Change Order No. 1 in the amount of \$5,242.95, plus an additional 14 calendar days, with Bowker Mechanical Contractors, LLC for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue – Mechanical project (original contract amount was \$215,000; total contract amount with this amendment is \$220,242.95). CIP/DID #635120-21

**Background:**

WCD = Work Change Directive

WCD #1	ITC 19 -Sump Pump (Design Coordination Issue)	\$828.80
	ITC 31 -Relocation of fire hose connection to the standpipe system per the Fire Inspectors request due to a change in the Fire Code after the design was approved (Owner Change)	\$4,414.15
	Additional 14 Days; Final Completion Date: 12/2/13	

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 1 submitted by Bowker Mechanical Contractors, LLC.

**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:** January 14, 2014

**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):

ENG  
AUD FILE  
FIN  
CLK  
BOWKER  
OPN  
635120-21

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. 1 in the amount of \$5,242.95, plus an additional 14 calendar days, with Bowker Mechanical Contractors, LLC for the 2<sup>nd</sup> Street SE Parking Ramp at 7<sup>th</sup> Avenue - Mechanical project, Contract No. 635120-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$215,000.00
Change Order No. 1	5,242.95
	<hr/>
Amended Contract Amount	\$220,242.95

General ledger coding for this Change Order to be as follows: \$5,242.95 635-635000-635120

Passed this 14<sup>th</sup> day of January, 2014.









## 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**

Authorizing Change Order No. 7 in the amount of \$753.49 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project (original contract amount was \$5,394,964; total contract amount with this amendment is \$5,455,341.25). CIP/DID #655080-03

**Background:**

This is a contract change order to adjust the contract price for additional work based on contractor quotes reviewed and accepted based on the scope of work. The plan grating would not meet load requirements, so additional bearing bars and hardware were needed. Additional contaminated soil testing was required.

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 7 submitted by S.M. Hentges & Sons, 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:** January 14, 2014

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

**Budget Information (if applicable):** 655080: \$7,370,000 (CDBG) and \$1,000,000 (Revenue bonds), 615229: \$271,500 (Revenue bonds)

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

**Explanation:** Grant-funded project.

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

**Explanation** (if necessary): Project was discussed at September 20, 2011 Infrastructure Committee meeting.



ENG  
AUD FILE  
FIN  
CLK  
SM HENTGES  
ANDERSON BOGRET  
655080-03

RESOLUTION NO.

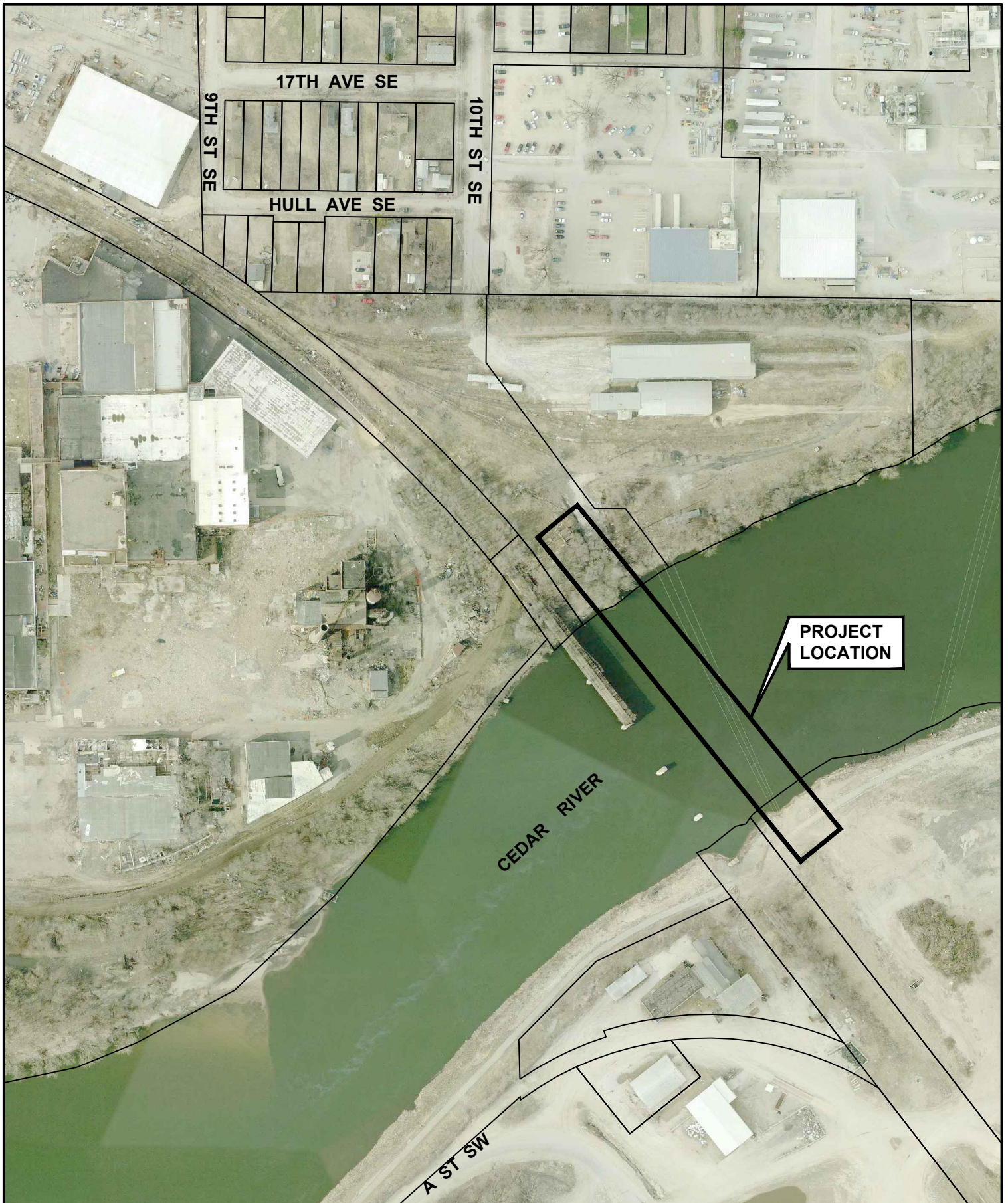
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 7 in the amount of \$753.49 with S.M. Hentges & Sons, Inc. for the Cedar River Sanitary Sewer Crossing Improvements project, Contract No. 655080-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$5,370,464.00
Possible Incentive	24,500.00
Change Order No. 1	1,186.81
Change Order No. 2	9,105.14
Change Order No. 3	4,804.16
Change Order No. 4	7,628.19
Change Order No. 5	20,094.74
Change Order No. 6	16,804.72
Change Order No. 7	<u>753.49</u>
Amended Contract Amount	\$5,455,341.25

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

\$753.49                      655-655000-655080

Passed this 14<sup>th</sup> day of January, 2014.





## 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 **Phone Number/Extension:** 5848  
**E-mail Address:** p.wieneke@cedar-rapids.org

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

Authorizing Change Order No. 4 (Final) in the amount of \$10,824 with BWC Excavating, LC for the B Avenue NE From 15<sup>th</sup> Street to the Northeast Sanitary Sewer And Street Improvements project (original contract amount was \$266,858.84; total contract amount with this amendment is \$298,631.24). CIP/DID #655996-06

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Additional work to replace an 88-year old water main under new pavement and to provide adequate separation from sanitary sewer.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 (Final) submitted by BWC Excavating, LC.

### Alternative to the Recommendation:

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** Total Budget: \$461,089 (655996 - \$254,009, 3012054 - \$103,080, 304996 - \$104,000)

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

**Explanation:** State Code Section 26.9 requires public improvement projects be awarded to the lowest responsive, responsible bidder.

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

**Explanation** (if necessary):

ENG  
AUD FILE  
FIN  
CLK  
BWC EXCAVATING  
ANDERSON BOGERT  
655996-06

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. 4 (Final) in the amount of \$10,824.38 with BWC Excavating, LC for the B Avenue NE From 15<sup>th</sup> Street to the Northeast Sanitary Sewer And Street Improvements, Contract No. 655996-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$266,858.84
Possible Incentive	12,000.00
Change Order No. 1	733.67
Change Order No. 2	19,405.94
Change Order No. 3	808.41
Change Order No. 4 Final	10,824.38
Removal of Original Incentive	-12,000
	<hr/>
Amended Contract Amount	\$298,631.24

General ledger coding for this Change Order to be as follows: \$-1,247.74 301-301000-301254, \$-1,296.52 304-304000-304996, \$23,729.60 625-625000-625884-6252013054, \$-10,360.96 655-655000-655996

Passed this 14<sup>th</sup> day of January, 2014.





**B AVENUE NE FROM 15TH STREET TO THE NORTHEAST  
SANITARY SEWER AND STREET IMPROVEMENTS**



0 FEET 150





## 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**

Authorizing Change Order No. 4 in the amount of \$4,840 with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II project (original contract amount was \$941,580.60; total contract amount with this amendment is \$1,011,428.41). CIP/DID #2011025-03

**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 plans showed connecting to an existing tile on Linden Drive and 19<sup>th</sup> Street SE, but when the contractor reached that point, there was not a tile to connect to. The Contractor had to install 200 LF of 6" tile along 19<sup>th</sup> Street and connect to an existing intake.

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 4 submitted by Rathje Construction Company.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):**

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

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

ENG  
AUD FILE  
FIN  
CLK  
RATHJE  
SHIVE HATTERY  
2011025-03

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. 4 in the amount of \$4,840 with Rathje Construction Company for the Bever-Linden-Blake SE Area Water Main Improvements – Phase II, Contract No. 2011025-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$941,580.60
Change Order No. 1	19,102.00
Change Order No. 2	1,541.40
Change Order No. 3	44,364.41
Change Order No. 4	<u>4,840.00</u>
Amended Contract Amount	\$1,011,428.41

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

\$ 4,840.00	301-301000-30185-301277
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Passed this 14<sup>th</sup> day of January, 2014.



## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5258

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

**Phone Number/Extension:** 5808

**Description of Agenda Item:**      ☒ **Consent Agenda**      ☐ **Regular Agenda**  
 Authorizing Change Order No. 14 in the amount of \$105,832.50 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library Project - General Contractor project (original contract amount was \$14,235,000; total contract amount with this amendment is \$15,445,824.10) **(FLOOD)**. CIP/DID #PLE001-20

### Background:

WCD= Work Change Directive

WCD #18	Children's Collection Light Fixture Details, Flooring Transition Details, and Skywalk Soffit Material	\$24,094
	Stained Glass Niche and Auditorium Theatrical Revisions	\$2,652
	Revised Plant Schedule for Bulbs and Grasses	\$1,177
	Revised Café Storage Ceiling Height, Revised Water Heater Schedule	\$1,009
	Finish Detail Revisions	\$11,889
	Register Wall Angle	\$2,143
	Reinstall Receiving 137 Casework, Stair 3 Railing, Sill at Tech Learning Lab	\$12,331
	Traffic Signal Conflict at 4 <sup>th</sup> Ave & 5 <sup>th</sup> St	\$2,233
	Aluminum corner guards, Door 259 hardware, Café posts and pivot door hardware	\$2,882
	Rock path, chalk board items, well head paint	\$14,102
	Remove allowance for the project delay moved labor hours into a new labor contractor year associated with Kone Elevator from the contract.	(\$2,159)
	Remove handling, trucking and storage of 20 loads of curtain wall and a metal panels and 2 months of storage on flat bed trailers	(\$40,480)
	Remove Sage glass installation temporary glass enclosure allowance from contract.	(\$11,500)
	Fireplace framing	\$1,272
	Book Drop Damage	\$783
	Thermostat Wall Repair	\$676
	Hose Bib Wall Repair	\$812
	Additional Door Hardware, Additional Fire Extinguishers/Cabinets, Additional Window Treatments and Lumi Sheet Canopy Details	\$9,438
	Floor Base Credit – Back of House	(\$2,904)
	Miscellaneous Door Hardware Changes	\$4,058
	Large Study Room Projection and Window Treatments, Floor box additions and modifications, Young Adult meeting management and 50 Gallon Water Heater	\$11,416
	Concrete Sign Base	\$1,213
	Electrical utility costs for the period of June 11 <sup>th</sup> , permanent HVAC system startup, to Alliant account switchover to the Owner	\$24,573
	Furnish and install temporary wood panels at 1 <sup>st</sup> Floor Lobby and Lounge areas	\$34,122.50



**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 14 submitted by Knutson Construction Services Midwest, 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:** January 14, 2014

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

**Budget Information (if applicable):**

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

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

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

ENG  
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KNUTSON  
OPN  
PLE001-20  
377545

RESOLUTION NO.

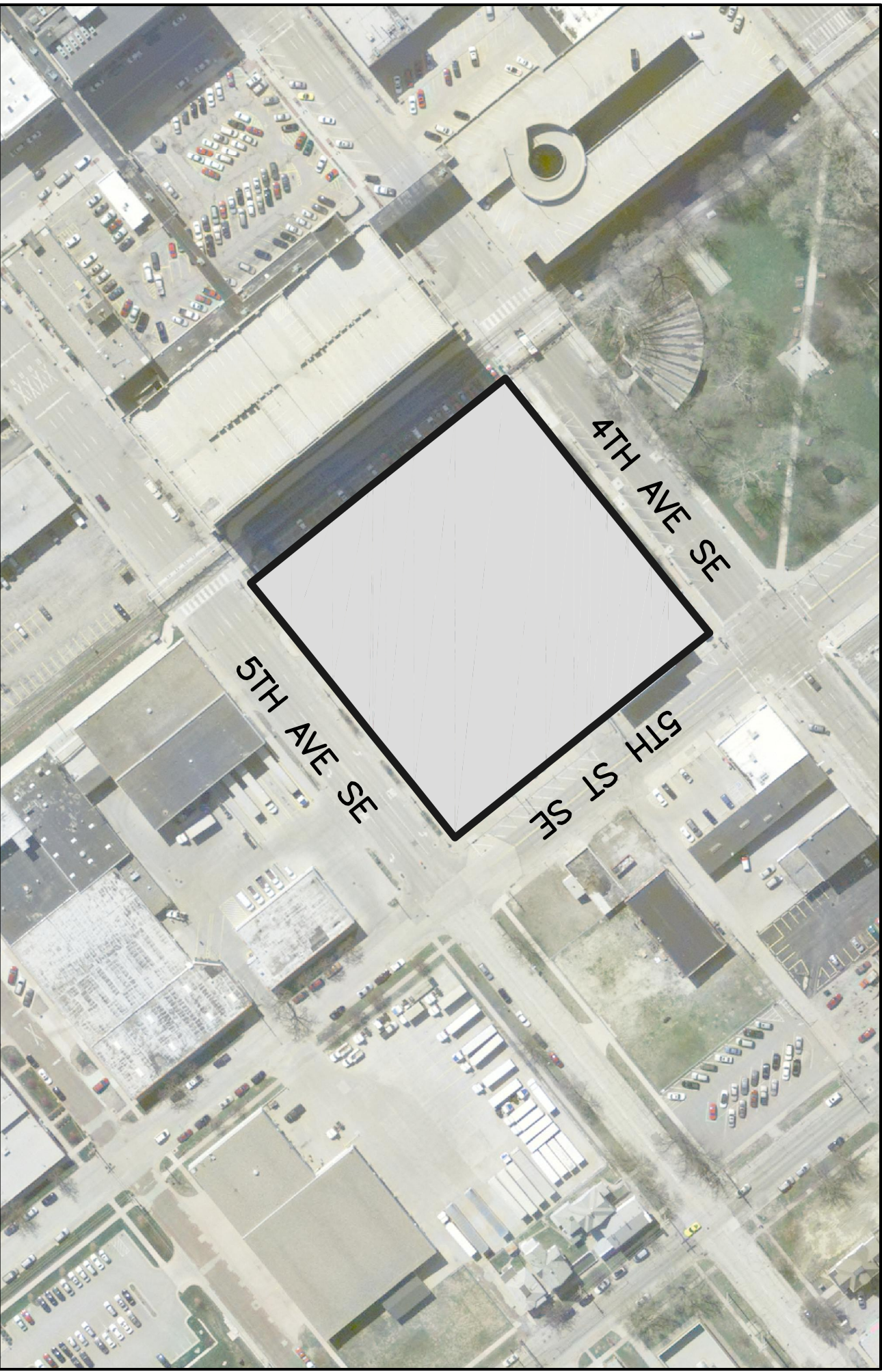
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 14 in the amount of \$105,832.50 with Knutson Construction Services Midwest, Inc. for the Cedar Rapids Public Library - General Contractor, Contract No. PLE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$14,235,000.00
Change Order No. 1	79,031.00
Change Order No. 2	21,986.00
Change Order No. 3	431,162.00
Change Order No. 4	61,940.00
Change Order No. 5	88,649.00
Change Order No. 6	73,982.00
Change Order No. 7	127,951.00
Change Order No. 8	61,320.00
Change Order No. 9	39,610.00
Change Order No. 10	20,430.00
Change Order No. 11	26,522.00
Change Order No. 12	15,992.00
Change Order No. 13	56,416.60
Change Order No. 14	<u>105,832.50</u>
Amended Contract Amount	\$15,445,824.10

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

\$105,832.50 330-330010-18512-PLE001

Passed this 14<sup>th</sup> day of January, 2014.



SCALE: NONE

# CEDAR RAPIDS PUBLIC LIBRARY



CEDAR RAPIDS  
City Of Five Seasons

PLE001



## Council Agenda Item Cover Sheet

**\*\*FLOOD\*\***

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5808

**Alternate Contact Person:** John Ryan  
**E-mail Address:** John.Ryan@Ryancompanies.com

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

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda**  
 Resolution authorizing Change Order No. 18 (Final Revised) deducting the amount of \$13,750 with Miron Construction Company, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 - General Contractor project (original contract amount was \$6,466,900; total contract amount with this amendment is \$7,173,965) (**FLOOD**). CIP/DID #PTE001-21

**Background:**WCD = Work Change Directive  
 WCD #29 Settlement of costs associated with project acceptance and final occupancy

**Action / Recommendation:**  
 The Public Works Department and Ryan Companies US (the Construction Manager) recommend approval of Change Order No. 18 (Final Revised) submitted by Miron Construction 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:** January 14, 2014

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

**Budget Information (if applicable):**

**Local Preference Policy:** Applies ☐ Exempt ☒  
**Explanation:** Non-local monies are funding this project.

**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒  
**Explanation (if necessary)** This project has not been considered by a Council Committee.



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MIRON  
OPN  
PTE001-21  
377545

RESOLUTION NO.

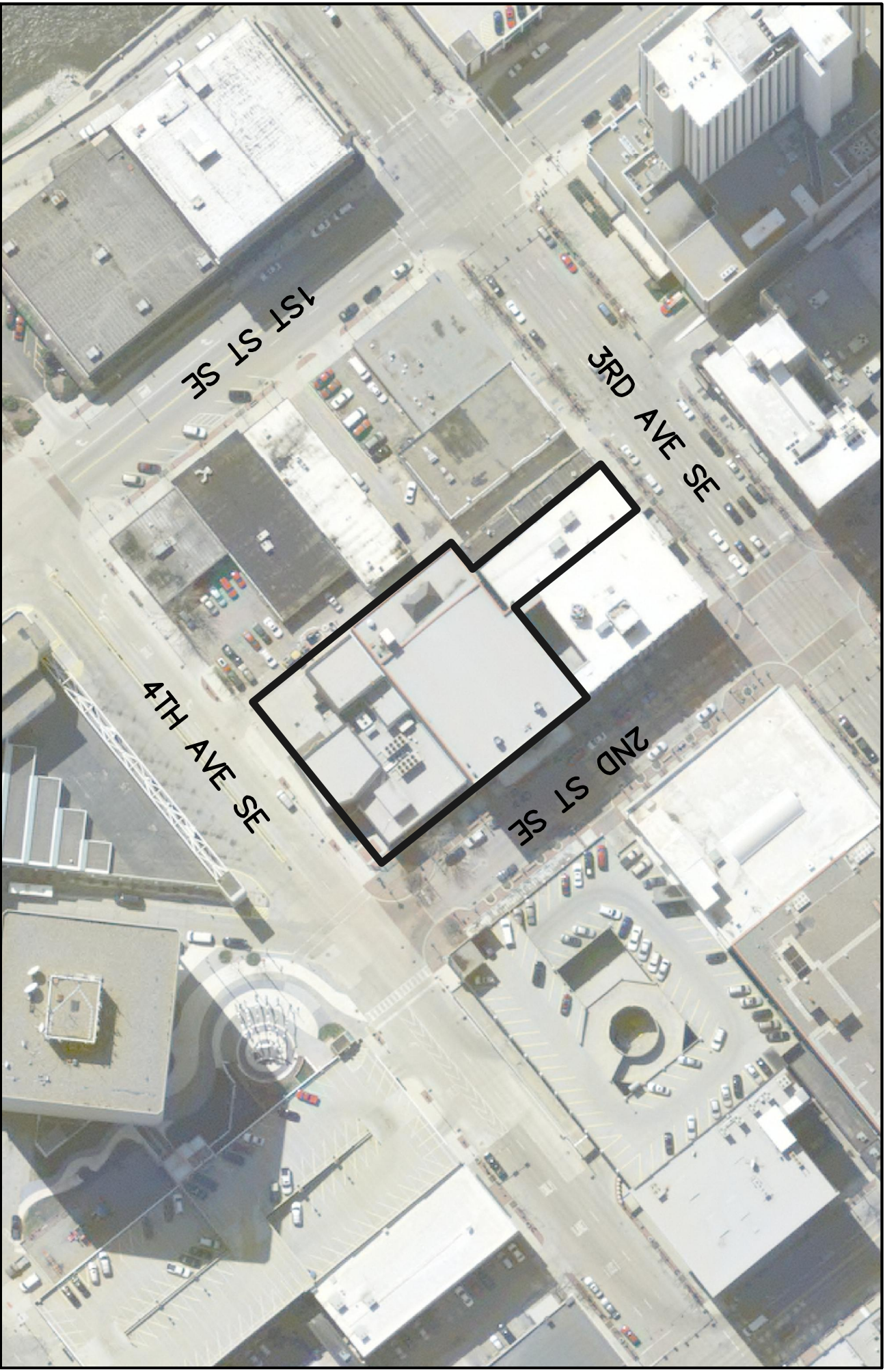
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 18 (Final Revised) deducting the amount of \$13,750 with Miron Construction Company, Inc. for the Paramount Theatre Flood Recovery & Renovation – Bid Package 2 – General Contractor project, Contract No. PTE001-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$6,436,900
Incentive Clause	30,000
Change Order No. 1	4,120
Change Order No. 2	21,742
Change Order No. 3	(9,639)
Change Order No. 4	44,454
Change Order No. 5	31,006
Change Order No. 6	98,976
Change Order No. 7	200,250
Change Order No. 8	5,218
Change Order No. 9	28,839
Change Order No. 10	197,877
Change Order No. 11	52,994
Change Order No. 12	27,213
Change Order No. 13	37,762
Change Order No. 14	8,545
Change Order No. 15	4,984
Change Order No. 16	(12,329)
Change Order No. 17	8,803
Change Order No. 18 (Final Revised)	(13,750)
Removal of Original Incentive	<u>(30,000)</u>
Amended Contract Amount	\$7,173,965

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

(\$13,750) 330-330210-18512-PTE001

Passed this 14<sup>th</sup> day of January, 2014.



SCALE: NONE

# PARAMOUNT THEATER FLOOD RECOVERY PROJECT



CEDAR RAPIDS  
City Of Five Seasons

PT001-10



## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5804

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

**Phone Number/Extension:** 5848

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes Map**  
 Authorizing Change Order No. 9 in the amount of \$92,688.28 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project (original contract amount was \$2,791,496.24; total contract amount with this amendment is \$2,993,013.46) **(FLOOD)**. CIP/DID #SSD005-02

#### **Background:**

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

Copper water services and ductile iron pipe (DIP) water service were not on original bid but they needed replaced. The designed manhole was not large enough to handle the twin 20" DIP lines that they were connected to, so the contractor was asked to build two new sanitary structures. There were five more trees and stumps added to this contract for removal. There was not a service shown for the Museum on the plans, so a new sanitary service with cleanouts had to be installed. There was a concrete duct bank in the way of the hydrant run, so the hydrant had to be set deeper, which called for a hydrant extension.

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

The Public Works Department recommends approval of Change Order No. 9 submitted by Maxwell Construction, Inc.

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

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

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

**Explanation:** FEMA funded project

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

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

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of \$92,688.28 with Maxwell Construction, Inc. for the 2<sup>nd</sup> Street SE From 9<sup>th</sup> Avenue to the Sinclair Site Sanitary Sewer Reconstruction project, Contract No. SSD005-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,733,296.24
Possible Incentive	58,200.00
Change Order No. 1	36,068.50
Change Order No. 2	65,512.67
Change Order No. 3	9,779.60
Change Order No. 4	7,122.35
Change Order No. 5	(35,774.96)
Change Order No. 6	(2,889.16)
Change Order No. 7	18,134.94
Change Order No. 8	10,875.00
Change Order No. 9	<u>92,688.28</u>
Amended Contract Amount	\$2,993,013.46

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

\$74,617.34	330-330210-18511-SSD005
\$ 3,908.58	330-330210-18511-SSD105
\$14,162.36	625-625000-625884-6252011045

Passed this 14<sup>th</sup> day of January, 2014.





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5258

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

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

Authorizing Change Order No. 2 in the amount of \$103,088 with Woodruff Construction, LLC for the Ground Transportation Center Renovation project (original contract amount was \$9,097,000; total contract amount with this amendment is \$9,214,445) (**FLOOD**). CIP/DID #TRE001-20

### Background:

WCD = Work Change Directive

WCD #3	Provide and install (3) additional shades	\$1,260
	Relocate sprinkler discharge and test valves. Clean existing precast panels and adjacent storefront windows.	
		\$9,934
	Install conduit and electrical wire from electrical panel in Montessori mechanical room to existing junction box in the GTC	
		\$1,064
	Remove and install new roof drains and pipe	\$13,730
	Install (4) access doors	\$788
	Remove existing mechanical grilles and install new linear diffusers. Relocate can lights	\$11,396
	Provide and install (2) stainless steel trays in counter top below window W20. Install spandrel film on window W14. Modify framing and revise window W32. Remove existing column covers and install new aluminum composite panels.	\$8,474
	Change base material to 6' on GTC main level	\$1,300
	Credit to not install break metal soffit and G4 light fixtures.	(\$20,300)
	Install 18" x 18" access door at ceiling in conference room 104	\$186
	Install new water main across 1 <sup>st</sup> Street. Cut and patch street. Upon excavation, pipe was found to be 6" ductile iron pipe (DIP) and not 1' and 2" copper service.	
		\$16,824
	Install hollow structural steel (HSS) and stud kickers for ceiling mount unit wall bracing.	\$5,586
WCD #4	Install temporary concrete infill on 1 <sup>st</sup> Street and 4 <sup>th</sup> Avenue	\$8,400
	Install exposed aggregate cast in place concrete for precast infills	\$26,474
	Install (2) access panels in vestibule 101 and 102 and make necessary electrical changes.	\$1,106
	Relocate existing endowment sugar maple trees	\$546
	Install new door hardware and electrical power	\$4,597
	Install fire treated plywood and break metal bulkhead	\$2,868

Install discharge outlet on the sump pump in the elevator pit to the new mop sink in the mechanical room

\$733

Install new Ceiling Unit Heaters-3's (CUH-3's) and electrical power to the new CUH-3's

\$8,122

**Action / Recommendation:**

The Public Works Department recommends approval of Change Order No. 2 submitted by Woodruff Construction, LLC.

**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:** January 14, 2014

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

**Budget Information (if applicable):** Fund 330 Dept ID 330330 Project TRE001

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

**Explanation:** FEMA does not allow.

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

**Explanation** (if necessary):

ENG  
AUD FILE  
FIN  
CLK  
WOODRUFF  
SOLUM LANG  
TRE001-20  
377545

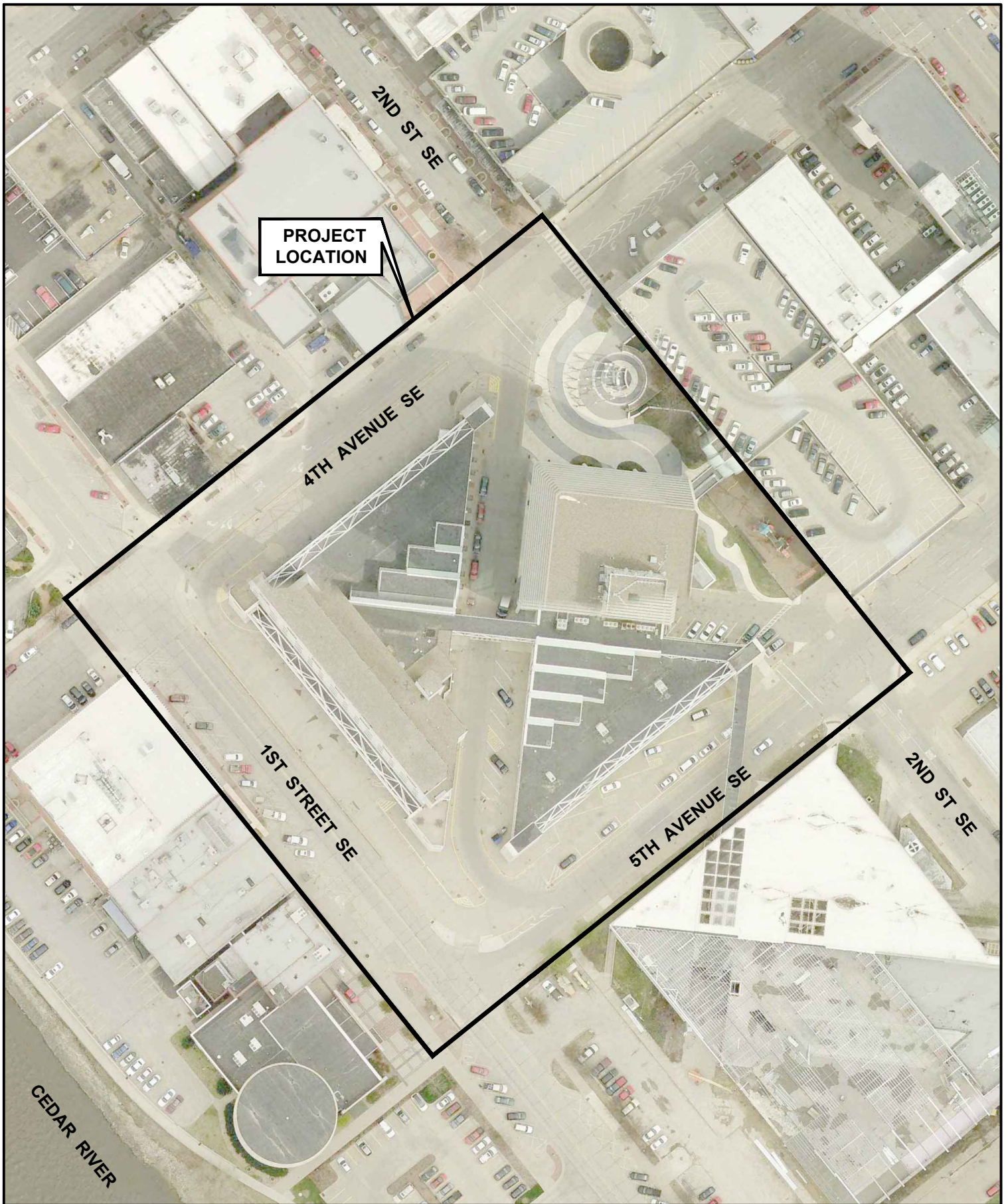
RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 2 in the amount of \$103,088 with Woodruff Construction, LLC for the Ground Transportation Center Renovation, Contract No. TRE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$9,097,000
Possible Incentive	65,000
Change Order No. 1	(50,643)
Change Order No. 2	103,088
	<hr/>
Amended Contract Amount	\$9,214,445

General ledger coding for this Change Order to be as follows: \$86,264 330-330330-18512-TRE001, \$16,824 625-625000-625884-6252012064

Passed this 14<sup>th</sup> day of January, 2014.







24w

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities Department – Water Pollution Control Facility

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

**Alternate Contact:** John Ernst      **Phone No.:** 4684      **E-mail:** johne@cedar-rapids.org

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

Rescinding Resolution No. 1429-08-13 which authorized execution of a Professional Services Agreement with Stanley Consultants, Inc. for an amount not to exceed \$53,500 for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility. CIP/DID #618580

### **Background:**

Resolution No. 1006-9-10 adopted on September 14, 2010 authorized a Professional Services Agreement with Stanley Consultants, Inc. for assistance for the Water Pollution Control Facilities 2010 Title V Reporting and Air Permitting.

In June 2013, City Council approved Resolution No. 1027-06-13 authorizing Amendment No. 4 to the original Professional Services Agreement for an amount not to exceed \$53,500 for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for the Water Pollution Control Facility.

After Resolution No. 1027-06-13 was adopted it was determined that a new Professional Services Agreement was required and Resolution No. 1429-08-13 was adopted on August 27, 2013 authorizing a new Professional Services Agreement with Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for an amount not to exceed \$53,500.

In September 2013, it was determined that it would best to write a new Professional Services Agreement with Stanley Consultants, Inc. to bring this contract into compliance with the City's new contract language, therefore, a new Professional Services Agreement with Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports for an amount not to exceed \$53,500 was adopted by Resolution No. 1482-09-13 on September 10, 2013.

Resolution No. 1482-09-13 nullified/rescinded Resolution No. 1027-06-13, but did not rescind Resolution No. 1429-08-13.

### **Action / Recommendation:**

The Utilities Department – Water Pollution Control Facility recommends that Resolution No. 1429-08-13 be and the same is hereby fully rescinded.

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

**Time Sensitivity:** 1-14-14

**Resolution Date:** 1-14-14

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

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

1. **Included in Current Budget Year:** Funded from FY2014 services and operations budget and coded to 918-521104-611-611004-611054.

**Local Preference Policy**

Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation** (if necessary): N/A

RESOLUTION NO.

WHEREAS, Resolution No. 1006-09-10 adopted on September 14, 2010 authorized a Professional Services Agreement with Stanley Consultants, Inc. for assistance for the Water Pollution Control Facilities 2010 Title V Reporting and Air Permitting, and

WHEREAS, Resolution No. 1027-06-13 adopted on June 23, 2013 authorized Amendment No. 4 to the original Professional Services Agreement (approved in 2010) for an amount not to exceed \$53,500, and

WHEREAS, after Resolution No. 1027-06-13 was adopted it was determined that a new Professional Services Agreement was required and Resolution No. 1429-08-13 was adopted on August 27, 2013 authorizing a new Professional Services Agreement with Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports, and Annual Compliance Certification for an amount not to exceed \$53,500, and

WHEREAS, in September 2013, after both Resolutions were adopted, it was determined that it would best to write a new contract with Stanley Consultants, Inc. to bring this contract into compliance with the City's new contract language, therefore, a new Professional Services Agreement with Stanley Consultants, Inc. for the construction and Title V Permit updates and review, the CY2013 Title V Emissions Inventory, Semi-Annual Monitoring Reports for an amount not to exceed \$53,500 was adopted by Resolution No. 1482-09-13 on September 10, 2013, and

WHEREAS, Resolution No. 1482-09-13 nullified/rescinded Resolution No. 1027-06-13, but did not rescind Resolution No. 1429-08-13, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Resolution No. 1429-08-13 be and the same is hereby fully rescinded and that the Professional Services Agreement with Stanley Consultants, Inc. authorized by Resolution No. 1482-09-13 remain in full force and effect.

Passed this 14<sup>th</sup> day of January, 2014.

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Utilities – Water Pollution Control Facility

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

**Alternate Contact:** Andrew Lundy **Phone No.:** 5968 **E-mail:** [a.lundy@cedar-rapids.org](mailto:a.lundy@cedar-rapids.org)

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

Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$349,179 for the Collection System I/I Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment. CIP/DID #615192-01

### **Background:**

During extreme wet weather events, portions of the sanitary sewer collection system may become flooded, resulting in basement backups and sanitary sewer overflows. A recent example of this occurred in late August 2009. In the Spring of 2010 a Study was undertaken to evaluate the City's flow meter data, basement backup information, sanitary sewer overflow information, and other sewershed data to develop a plan for reducing excess infiltration and inflow in problem areas. This Study was completed in the Summer of 2011. HDR Engineering, Inc. was selected as the most qualified consultant to perform these engineering services.

The previous study focused on currently available flow monitor data to document large sewershed contributions to the sanitary sewer system after the June 2008 flood. The study also suggested additional flow monitor locations to help document contributions during wet & dry conditions. During May & June 2013, wet weather and high river flow conditions did occur and this study will allow analysis of contribution patterns under these conditions from our expanded flow monitor network and begin an extensive analysis of the effect of infiltration on the Water Pollution Control Facility. In order to further define the issues related to sewer infiltration additional assessment is required. This additional assessment will begin a Pilot Program to develop methods to address sewer infiltration in previously identified problem areas. The assessment will also be considering sewer infiltrations direct, and indirect effect on the Water Pollution Control Facility.

The overall goal of this Assessment is to forecast future wastewater flows, identify the impacts on Main Interceptor Sewer and Main Lift Station capacity, conduct a pilot study to demonstrate I/I reduction potential and establish a template for future I/I reduction, and to develop system to more effectively use collection system flow metering data. To provide the necessary background information, the prior Collection System I/I Analysis will be updated in light of much higher flows recently experienced at the Water Pollution Control Facility, the implications of infiltration and inflow (I/I) versus large sewer projects will be considered, and alternatives will be developed and preliminarily evaluated to provide or avoid additional Main Interceptor Sewer and Main Lift Station capacity needs.

### **Action / Recommendation:**

The Utilities Department – Water Pollution Control Facility Staff recommends approval of the Professional Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$349,179 for the Collection System I/I Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment and authorizing the City Manager and City Clerk to execute said Agreement.



**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 1-14-14

**Resolution Date:** 1-14-14

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes, funding for Collection System I/I Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment is included in FY14 WPC budget and the Public Works FY14 budget. Project costs will be coded to 925-553000-615-615000-615192 (\$67,379) and 655032 (\$281,800).
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The WPC and Public Works FY14 budgets include \$550,000 under CIP number 615192 and 655032.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria on previous selection for this work.

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation** Consultant Evaluation form gives preference to local consultants.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, in the Spring of 2010 a study was undertaken and completed in the Summer of 2011 by HDR Engineering, Inc., to evaluate the City's flow meter data, basement backup information, sanitary sewer overflow information, and other sewershed data to develop a plan for reducing excess infiltration and inflow in problem areas, and suggested additional flow monitor locations to help document contributions during wet and dry conditions, and

WHEREAS, during May & June 2013, wet weather and high river flow conditions did occur which allows analysis of contribution patterns under these conditions from our expanded flow monitor network and in order to further define the issues related to sewer infiltration additional assessment is required which will begin a Pilot Program to develop methods to address sewer infiltration in previously identified problem areas and will also be considering sewer infiltrations direct, and indirect effect on the Water Pollution Control Facility, and

WHEREAS, the overall goal of this Assessment is to forecast future wastewater flows, identify the impacts of Main Interceptor Sewer and Main Lift Station capacity, conduct a pilot study to demonstrate 1/1 reduction potential and establish a template for future 1/1 reduction, and to develop systems to more effectively use collection system flow metering data, and

WHEREAS, the Utilities Department – Water Pollution Control Facility recommends approval of the Professional Services Agreement with HDR Engineering, Inc., for the Collection System 1/1 Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment and authorizing the City Manager and City Clerk to execute said Agreement, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to enter into a Professional Services Agreement with HDR Engineering, Inc. for the Collection System 1/1 Analysis/Pilot Program and WPC Main Lift Station Capacity Assessment for an amount not to exceed \$349,179 be hereby approved and the City Manager and City Clerk authorized to execute. To be funded from the FY14 WPC budget and FY14 Public Works budget and coded to 925-553000-615-615000-615192 (\$67,379) and 655032 (\$281,800).

Passed this 14<sup>th</sup> day of January, 2014.

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Cedar Rapids Police Department

**Presenter at meeting:** Sgt. Collins **Phone Number/Ext:** 5443

**E-mail Address:** [r.collins@cedar-rapids.org](mailto:r.collins@cedar-rapids.org)

**Alternate Contact Person:** D/C Jonker **Phone Number/Ext:** 5338

**E-mail Address:** [t.jonker@cedar-rapids.org](mailto:t.jonker@cedar-rapids.org)

**Description of Agenda Item:**

Resolution executing the Methamphetamine Drug Hot Spots Grant Program FY 2010 Award Notice extension contract. CIP/DID #759134

**Background:**

The majority of the grant has been used to date. Approval of this resolution extends the interdiction grant agreement through June 30, 2014 with an additional \$5,000 awarded in interdiction overtime.

**Action / Recommendation:**

The Police Department recommends the Cedar Rapids City Council approve authorization for executing the Grant Award Notice extension.

**Alternative Recommendation:** NA

**Time Sensitivity:**

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0

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

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

**Explanation:** NA

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

**Explanation:**

RESOLUTION NO.

WHEREAS, the initial Methamphetamine Drug Hot Spots Grant Program FY 2010 Award Notice was for the period July 1, 2011 through December 31, 2011 in the amount of \$8,467, and

WHEREAS, the Governor's Office of Drug Control Policy has awarded an additional \$5,000 for the interdiction grant, and

WHEREAS, the Governor's Office of Drug Control Policy has signed an extension of the grant period from October 1, 2013 through June 30, 2014,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the Police Department's award program manager for the Methamphetamine Drug Hot Spots Grant Program FY 2010 Award Notice, are hereby authorized to execute the contract described herein.

Passed this 14th day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Parks and Recreation – Golf Operations

**Presenter at meeting:** Lisa Miller

**Phone Number/Ext:** 5544

**Email:** l.miller@cedar-rapids.org

**Alternate Contact Person:** Sven Leff

**Phone Number/Ext:** 5739

**Email:** s.leff@cedar-rapids.org

**Description of Agenda Item:**

Resolution authorizing purchase of merchandise for resale at Ellis, Jones and Twin Pines golf course clubhouses in the amount of \$30,286.60 which includes estimated freight charges but not to exceed \$40,000 from Nike Golf USA, the sole source merchandise vendor.

**Background:**

The City of Cedar Rapids Parks and Recreation Department – Golf Operations has done business for several years with quality golf product vendors. This sole source company, Nike Golf USA, offers incentive terms/pricing for orders placed in advance of delivery dates.

**Action / Recommendation:**

Authorize approval to place future orders/purchase of Nike Golf USA golf equipment for resale for the 2014 golf season.

**Alternative Recommendation:**

Do not provide merchandise for golf courses. This would result in decreased revenue for Golf Operations.

**Time Sensitivity:** To ensure delivery and obtain discount terms for the 2014 golf season, the order needs to be placed with Nike Golf USA by mid-January 2014.

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):**

Merchandise will be coded as follows:

531113-691- 691045 (Twin Pines) = \$ 2,448; 691060 (Jones) = \$ 22,588.60;  
691015 (Ellis)=\$5,250

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This is a sole source vendor.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Parks and Recreation Department – Golf Operations orders merchandise for retail at the city operated golf clubhouses. Merchandise includes balls, golf clubs, putters, bags, caps, and accessories from a quality sole source golf merchandise vendor, and

WHEREAS, the City of Cedar Rapids Parks and Recreation Department – Golf Operations estimates a total merchandise order of \$30,286.60 but not to exceed \$40,000 from Nike Golf USA, a sole source golf merchandise company for the 2014 golf season broken down as follows:

Twin Pines Golf Course	\$2,373
Shipping and Handling	<u>\$75</u>
Total cost based on estimated demand	\$2,448
Jones Golf Course	\$21,588.60
Shipping and Handling	<u>\$1,000.00</u>
Total cost based on estimated demand	\$22,588.60
Ellis Golf Course	\$5,100
Shipping and Handling	<u>\$150</u>
Total cost based on estimated demand	\$5,250
Total Cost	<b>\$30,286.60</b>

WHEREAS, Nike Golf USA has completed all required forms and is an approved vendor,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Parks and Recreation Department – Golf Operations is hereby authorized to purchase the requested merchandise for resale at the city operated clubhouses in the estimated amount of \$30,286.60, but not to exceed \$40,000 from Nike Golf USA, a merchandise supplier.

Passed this 14<sup>th</sup> day of January, 2014



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Parks & Recreation – Golf Operations

**Presenter at meeting:** Lisa Miller

**Phone Number/Ext:** 5544

**Email:** [l.miller@cedar-rapids.org](mailto:l.miller@cedar-rapids.org)

**Alternate Contact Person:** Sven Leff

**Phone Number/Ext:** 5739

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

### **Description of Agenda Item**

Resolution authorizing the purchase of golf merchandise from Ping, for the resale at the four (4) golf course clubhouses in an amount of \$11,916.56, with future orders not to exceed \$25,000 which includes estimated freight charges for 2014.

### **Background:**

The majority of the expenditures from Ping are the result of special orders from club fitting services at the golf courses. This sole source vendor, Ping, offers incentive terms/pricing for orders paid for within term dates.

### **Action / Recommendation:**

Authorize approval of resolution for the purchase of Ping merchandise for resale for the 2014 season.

### **Alternative Recommendation:**

Do not meet needs of golfers in the community by not providing merchandise for resale. This would result in a decrease of revenue for Golf Operations and would lower customer satisfaction levels.

**Time Sensitivity:** High – Delay could prevent timely payment options of Ping invoices.

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0

**Budget Information (if applicable):**

Merchandise will be coded to appropriate cost center under 531113-691-

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This is a sole source vendor.

**Recommended by Council Committee**

Yes ☐

No ☐

N/A ☒

**Explanation (if necessary):**





RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Parks and Recreation Department – Golf Operations orders merchandise for retail at the city operated golf clubhouses. Merchandise includes balls, golf clubs, drivers, putters, bags, caps, accessories, shoes, and clothing apparel from a quality sole source merchandise vendor, and

WHEREAS, The City of Cedar Rapids Parks and Recreation Department – Golf Operations estimates a total merchandise order in the amount of \$11,916.56, with future orders not to exceed \$25,000 for purchases made January 2014 through December 2014. Purchase is to be made from Ping, a sole source golf merchandise company for the 2014 golf season as follows:

Twin Pines Golf Course	\$8,861.26
Shipping	<u>\$266.00</u>
TOTAL	\$9,127.26

Gardner Golf Course	\$2,709.30
Shipping	<u>\$80.00</u>
TOTAL	\$2,789.30

WHEREAS, Ping has completed all required forms and is an approved vendor,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Parks and Recreation Department – Golf Operations is hereby authorized to purchase the requested merchandise for resale at the city operated clubhouses in the estimated amount of not to exceed \$25,000 from Ping Golf merchandise supplier.

Passed this 14th day of January, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Parks and Recreation – Golf Operations

**Presenter at meeting:** Lisa Miller

**Phone Number/Ext:** 5544

**Email:** l.miller@cedar-rapids.org

**Alternate Contact Person:** Sven Leff

**Phone Number/Ext:** 5739

**Email:** s.leff@cedar-rapids.org

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

Resolution authorizing purchase of merchandise for resale at the four (4) golf course clubhouses in the amount of \$59,244.90, with future purchases not to exceed \$80,000 which includes estimated freight charges from Acushnet Company (Titleist and Foot Joy), a sole source merchandise vendor.

### **Background:**

The City of Cedar Rapids Parks and Recreation Department – Golf Operations has done business for several years with quality golf product vendors. This sole source company, Acushnet (Titleist and Foot Joy), offers incentive terms/pricing for orders placed in advance of delivery dates. The 'not to exceed level' will allow ample opportunity for special orders to be placed for customers within the Acushnet Company product lines thus providing opportunity for additional revenue generation.

### **Action / Recommendation:**

Authorize approval to place future orders/purchase of Titleist and Foot Joy golf equipment for resale for the 2014 golf season.

### **Alternative Recommendation:**

Do not provide merchandise for golf courses. This would result in decreased revenue for Golf Operations.

**Time Sensitivity:** To ensure delivery and obtain discount terms for the 2014 golf season, the order needs to be placed with Acushnet (Titleist and Foot Joy) by mid-January 2014.

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0

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

Merchandise will be coded as follows:

531113-691- 691015 (Ellis) = \$26,885.40; 691035 (Gardner) = \$ 10,303;

691045 (Twin Pines) = \$ 9,346.50; 691060 (Jones) = \$ 12,710

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This is a sole source vendor.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Parks and Recreation Department – Golf Operations orders merchandise for retail at the city operated golf clubhouses. Merchandise includes balls, golf clubs, putters, bags, caps, and accessories from a quality sole source golf merchandise vendor, and

WHEREAS, the City of Cedar Rapids Parks and Recreation Department – Golf Operations estimates a total merchandise order in the amount of \$41,752.50 from Titleist and \$17,492.40 from Foot Joy (both companies of Acushnet), a sole source golf merchandise company, for a total of \$59,244.50 for the 2014 golf season broken down as follows:

Ellis Golf Course - Titleist	\$21,185.80
Shipping and Handling	\$ 400.00
Ellis Golf Course – Foot Joy	\$ 5,199.60
Shipping and Handling	<u>\$ 100.00</u>
Total cost based on estimated demand	\$26,885.40
 Gardner Golf Course - Titleist	 \$ 6,438.00
Shipping and Handling	\$ 120.00
Gardner Golf Course – Foot Joy	\$ 3,645.00
Shipping and Handling	<u>\$ 100.00</u>
Total cost based on estimated demand	\$10,303.00
 Twin Pines Golf Course - Titleist	 \$ 6,456.00
Shipping and Handling	\$ 110.00
Twin Pines Golf Course – Foot Joy	\$ 2,730.50
Shipping and Handling	<u>\$ 50.00</u>
Total cost based on estimated demand	\$9,346.50
 Jones Golf Course - Titleist	 \$ 6,903.00
Shipping and Handling	\$ 140.00
Jones Golf Course – Foot Joy	\$ 5,557.00
Shipping and Handling	<u>\$ 110.00</u>
Total cost based on estimated demand	\$12,710.00
 Total Cost	 <b>\$59,244.90</b>

WHEREAS, Acushnet (Titleist and Foot Joy) has completed all required forms and is an approved vendor,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Parks and Recreation Department – Golf Operations is hereby authorized to purchase the requested merchandise for resale at the city operated clubhouses in the estimated amount of \$41,752.50 from Titleist and \$17,492.40 from Foot Joy, both Acushnet Company merchandise suppliers.

Passed this 14<sup>th</sup> day of January, 2014



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Scott Sovers, PE  
**E-mail Address:** s.sovers@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 a Professional Services Agreement with Foth Infrastructure and Environment, LLC for an amount not to exceed \$45,441 for design services in connection with the Detention Basins #112 and 206 Water Quality Improvements project. CIP/DID #304160-11

**Background:**

Detention Basins 112 (White Ivy Place NE) and 206 (1400 Block of 11<sup>th</sup> Street NW) do not currently have water quality measures installed. This project will install drain tile and water quality outlet structures on the existing outlet pipes to bring the basins up to current National Pollutant Discharge Elimination System (NPDES) standards.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Foth Infrastructure and Environment, LLC.

**Alternative Recommendation:**

The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay this project until City Staff has the resources available to proceed with design.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** CIP 304160 (\$107,690 CDBG Grant)

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

**Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

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

WHEREAS, the Public Works Director / City Engineer has determined Foth Infrastructure and Environment, LLC is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$45,441, and

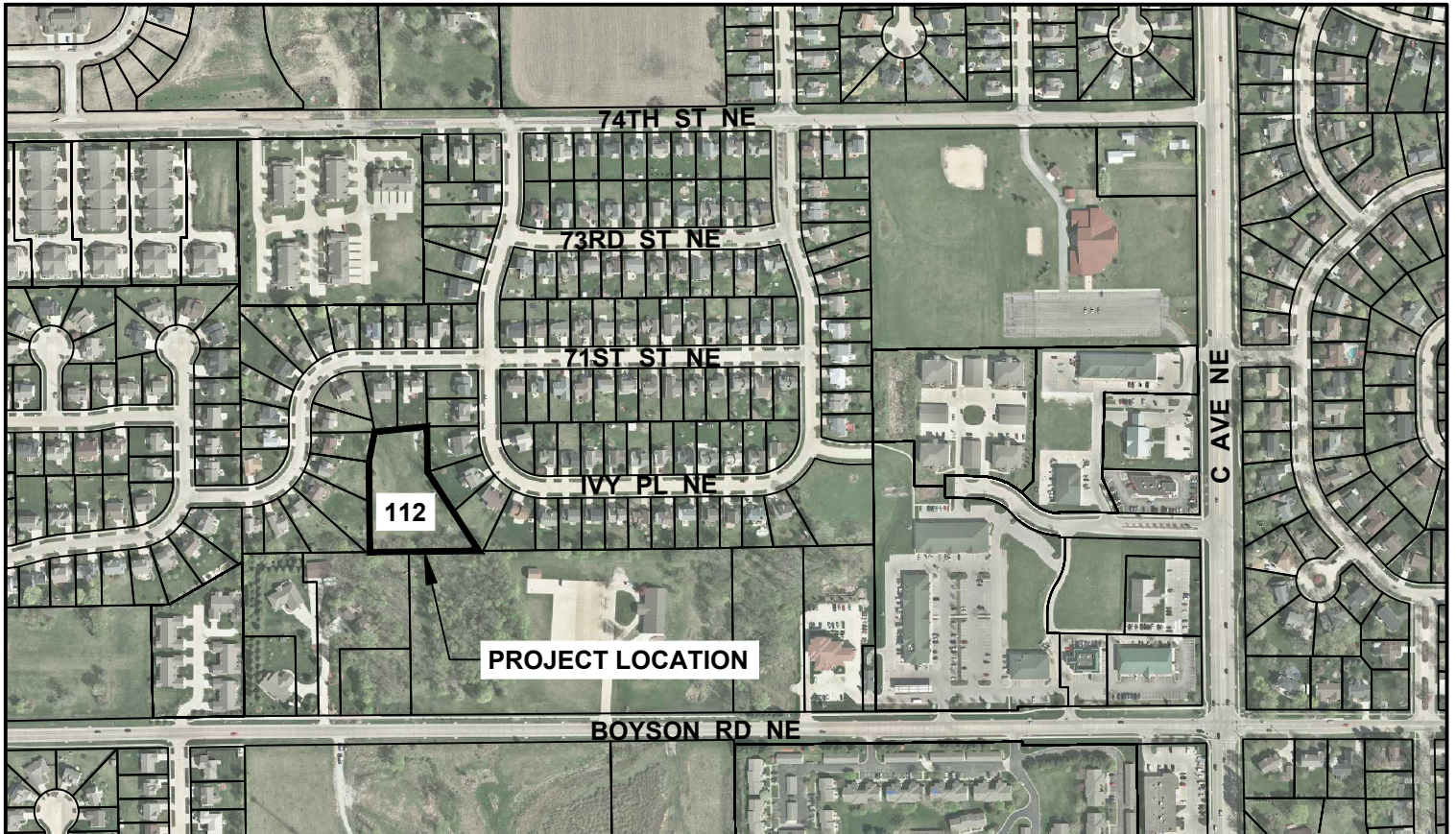
WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 304160-11 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for Detention Basins #112 and 206 Water Quality Improvements project (Fund 304, Dept ID 304000, Project 304160),

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

Passed this 14<sup>th</sup> day of January, 2014.





Cadd File Name: W:\PROJECTS\GIS\304160 Detention Basin Repairs\304160 Council Map.dwg





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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

**Alternate Contact Person:** Rita Rasmussen  
**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Resolution accepting a Warranty Deed and Easement for Public Sidewalk and Utility Easement from Rockwell Collins, Inc., for the consideration of \$1 and other valuable consideration for dedication of right-of-way and easement for public sidewalk and utility located on the east side of C Avenue NE, south of Blairs Ferry Road NE approximately 1295.84 feet. CIP/DID #49-14-029

### **Background:**

Rockwell Collins, Inc. submitted a Warranty Deed and Easement for Public Sidewalk and Utility Easement for dedication of right-of-way and easement for public sidewalk and utility. These dedications are being made as a result of a building permit and site plan site review for Rockwell Collins' buildings constructed in the recent past on the east side of C Avenue NE, south of Blairs Ferry Road NE.

### **Action / Recommendation:**

The Public Works Department recommends approval of the resolution to accept the Warranty Deed and Easement for Public Sidewalk and Utility Easement from Rockwell Collins, Inc.

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

Defer action until additional information is provided to address City Council requests.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

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

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

**Explanation:** Local Preference Policy does not apply to dedications of right-of-way and easements.

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

**Explanation (if necessary):**

ENG  
AUD FILE  
FIN  
TRS  
RCR  
CD  
ASR  
FOTH  
ROCKWELL  
301612-00  
49-14-029

RESOLUTION NO.

WHEREAS, Rockwell Collins, Inc., A Delaware Corporation, has submitted a Warranty Deed and Easement for Public Sidewalk and Utility Easement for dedication of right-of-way and easement for public sidewalk and utility located on the east side of C Avenue NE south of Blairs Ferry Road NE approximately 1295.84 feet, and

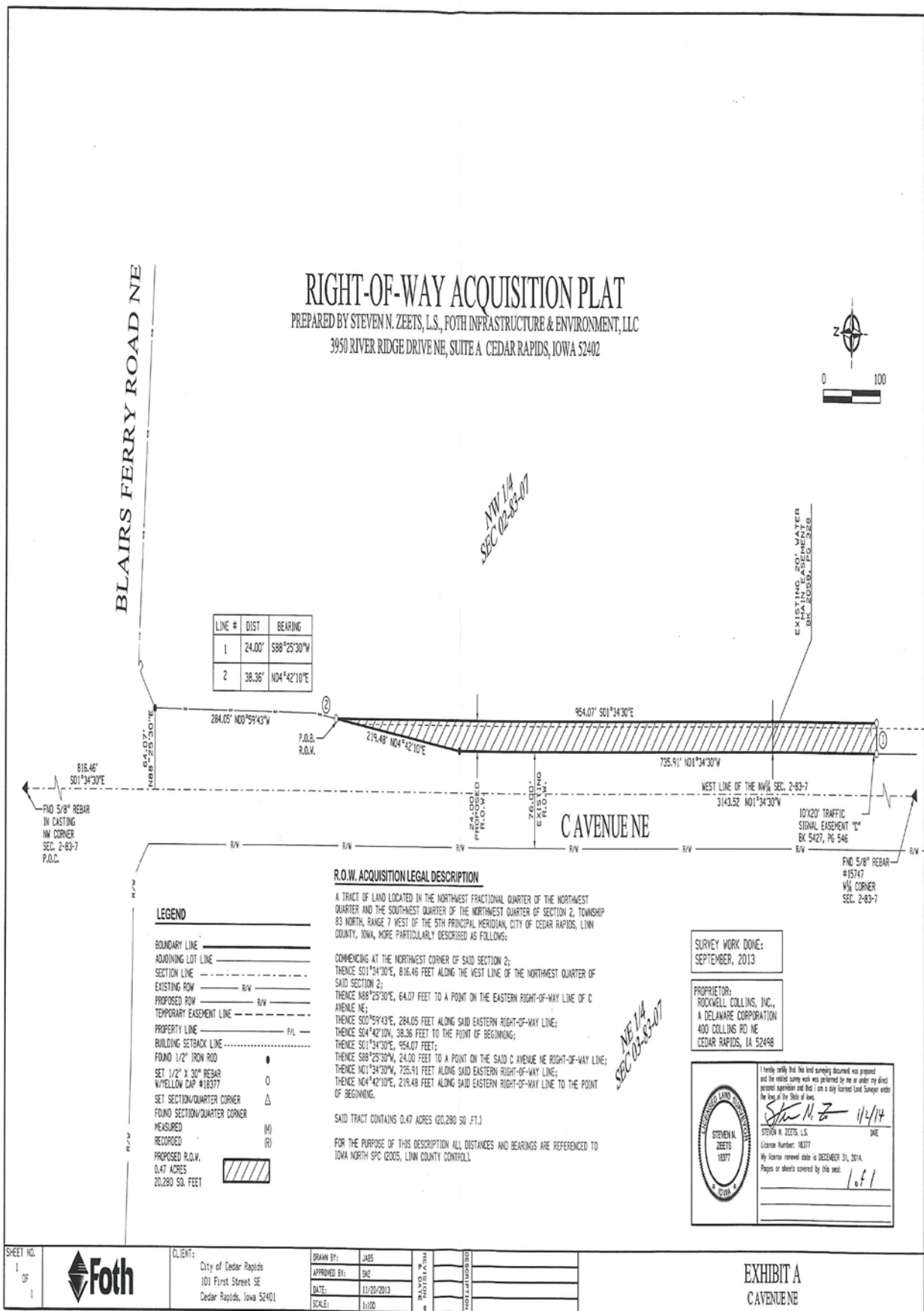
WHEREAS, Rockwell Collins, Inc., A Delaware Corporation, 400 Collins Road NE, Cedar Rapids, Iowa 52498, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat  
See Attached Permanent Public Sidewalk & Utility Easement

now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Warranty Deed and Easement for Public Sidewalk and Utility Easement submitted by Rockwell Collins, Inc., A Delaware Corporation is 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 14<sup>th</sup> day of January, 2014.









BLAIRS FERRY ROAD NE

RIGHT-OF-WAY  
DEDICATION

C AVENUE NE

PERMANENT PUBLIC  
SIDEWALK & UTILITY  
EASEMENT



ROCKWELL COLLINS, INC.  
RIGHT-OF-WAY, SIDEWALK &  
UTILITY EASEMENT DEDICATION



0 FEET 200



## 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 \$49,900 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Iowa Concrete Products Co. in care of Cretex Concrete Products, Inc., from land located at 3921 J Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (**FLOOD**). CIP/DID #SSD011-00

#### **Background:**

In previous fiscal years, the City Council approved funding in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project.

These easements are required to accommodate the proposed improvements, including repairing damage to sanitary sewers as a result of the 2008 flood. 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 \$49,900 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Iowa Concrete Products Co. in care of Cretex Concrete Products, Inc.

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

Do not proceed with acquiring the proposed Easement for Sanitary Sewer and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure sanitary sewer replacement.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information:** SSD/SSD000/SSD011

**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 a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Iowa Concrete Products Co. in care of Cretex Concrete Products, Inc., 6655 Wedgwood Road, Maple Grove, Minnesota 55311, OWNER of the real property known and described as:

See Attached Permanent Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer and temporary grading easement for construction at 3921 J Street SW to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$34,839
Temporary Easement	\$10,195
Damages	\$4,866
TOTAL	<u>\$49,900</u>

, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase an 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 Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 3 project (Fund SSD, Dept. ID SSD000, Project SSD011), 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

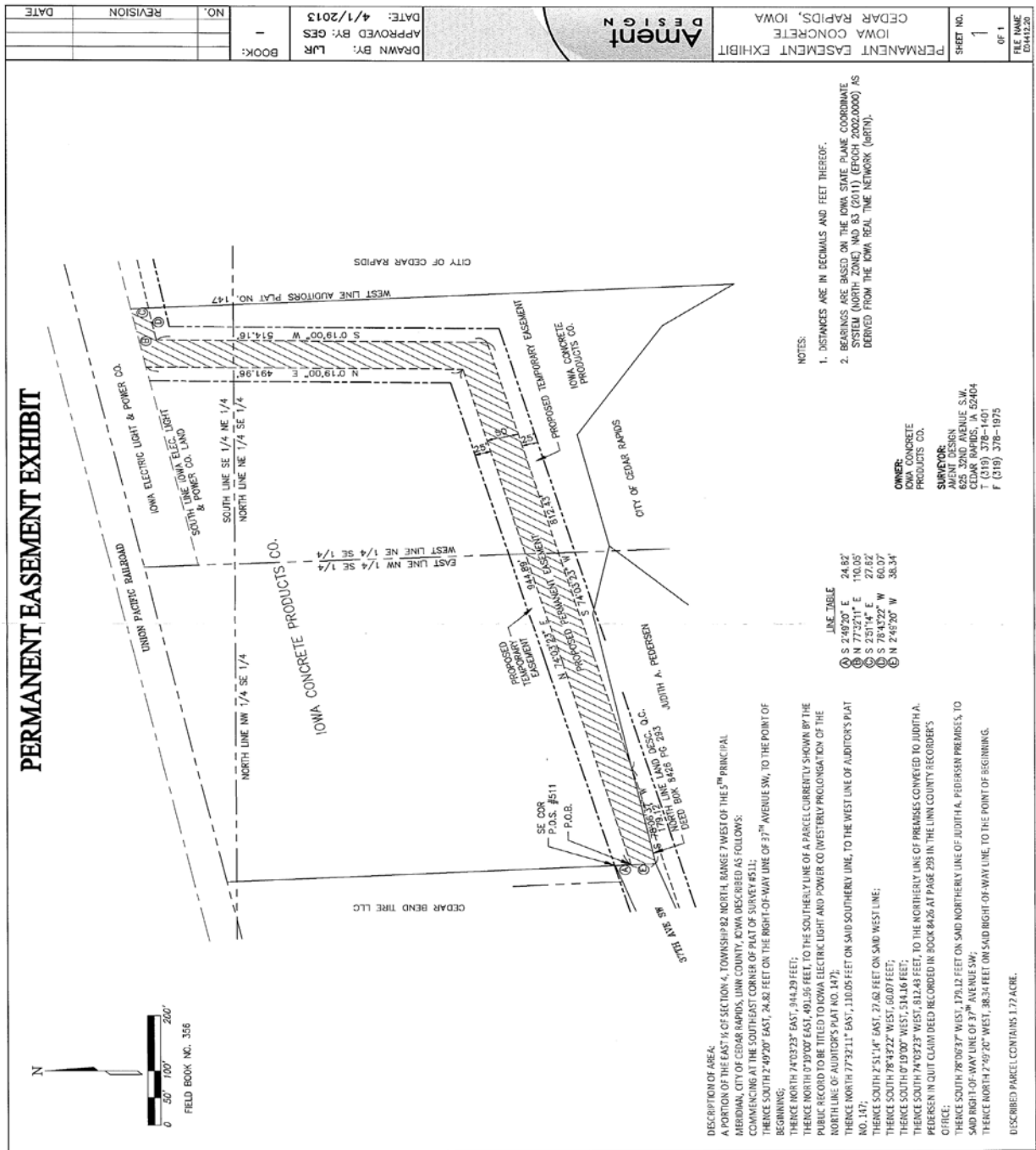
BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

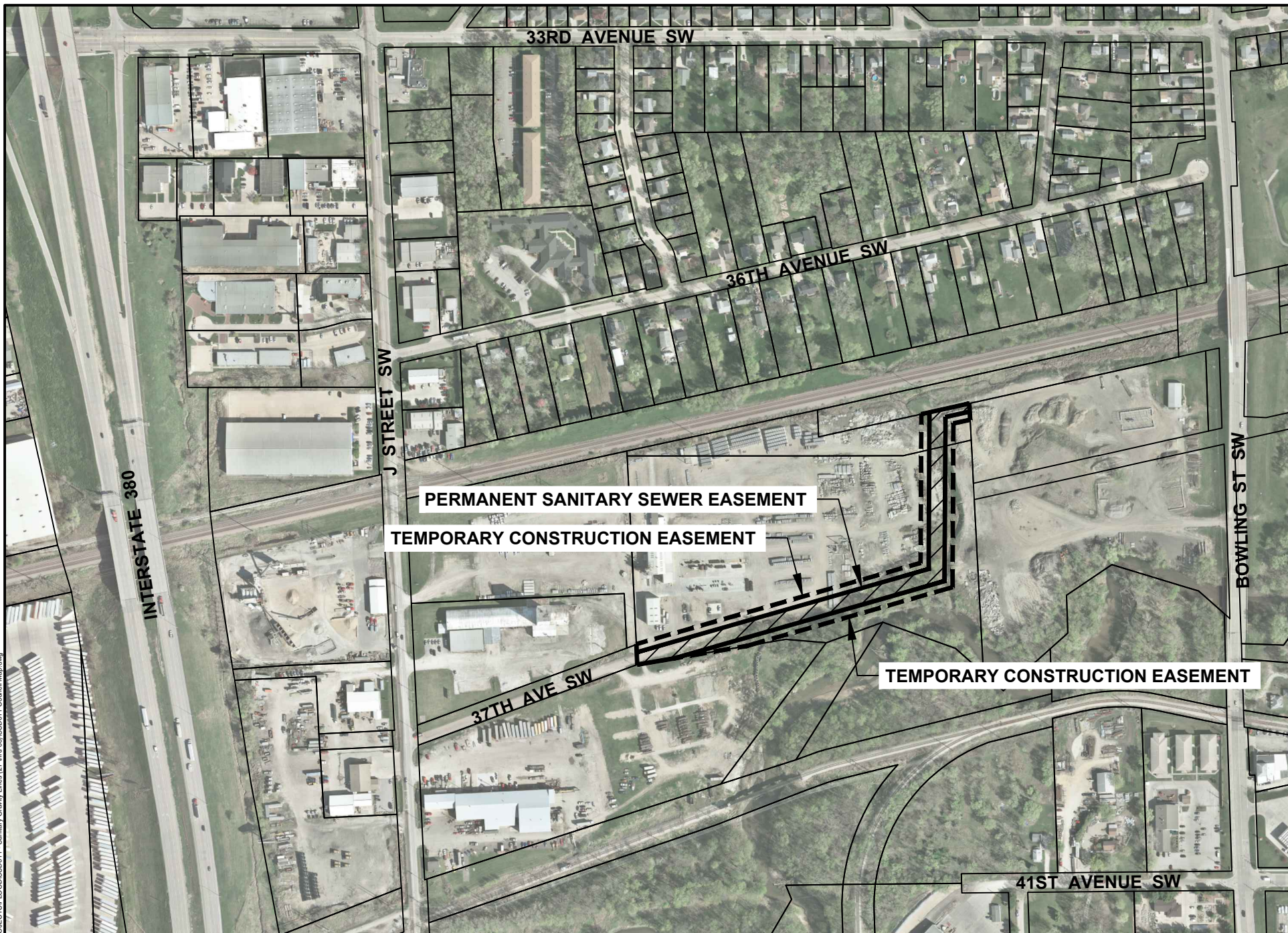
BE IT FURTHER RESOLVED, that the Easement for Sanitary Sewer be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.













## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

**Alternate Contact Person:** Rita Rasmussen  
**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$333 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., from vacant land located east of Bowling Street SW and south of the Chicago and Northwestern Transportation Company railroad right-of-way, in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project (**FLOOD**). CIP/DID #SSD011-00

#### **Background:**

In previous fiscal years, the City Council approved funding towards the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project.

These easements are required to accommodate the proposed improvements, including repairing damage to sanitary sewers as a result of the 2008 flood. Compensation amount proposed is based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

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

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$333 and accepting an Easement for Sanitary Sewer and a Temporary Grading Easement for Construction from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co.

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

Do not proceed with acquiring the proposed Easement for Sanitary Sewer and Temporary Grading Easement for Construction and direct City staff to abandon or reconfigure sanitary sewer replacement.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** SSD/SSD000/SSD011

**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 a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., 200 1<sup>st</sup> Street SE, Cedar Rapids, Iowa 52401-1409, OWNER of the real property known and described as:

See Attached Permanent Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer and temporary grading easement for construction from vacant land located east of Bowling Street SW and south of the Chicago and Northwestern Transportation Company railroad right-of-way to the City of Cedar Rapids for consideration as follows:

Permanent Easement	\$249
Temporary Easement	\$84
TOTAL	<hr/> \$333

, 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 Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project (Fund SSD, Dept. ID SSD000, Project SSD011), 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

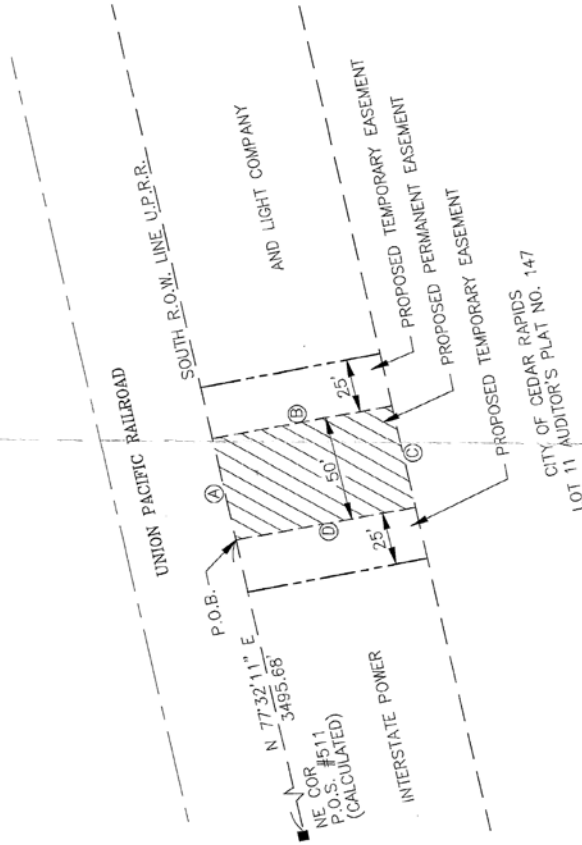
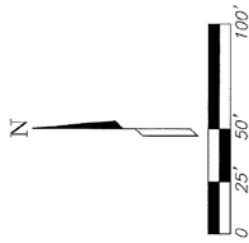
BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

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 14<sup>th</sup> day of January, 2014.



# PERMANENT EASEMENT EXHIBIT



## NOTES:

1. DISTANCES ARE IN DECIMALS AND FEET THEREOF.
2. BEARINGS ARE BASED ON THE IOWA STATE PLANE COORDINATE SYSTEM (NORTH ZONE) NAD 83 (2011) AS DERIVED FROM THE IOWA REAL TIME NETWORK (IGRTN).

## LINE TABLE

①	N	77°32'11"	E	50.01'
②	S	11°16'26"	E	83.02'
③	S	77°32'11"	W	50.01'
④	N	11°16'26"	W	83.02'

## DESCRIPTION OF AREA:

A PORTION OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF PLAT OF SURVEY #511;  
 THENCE NORTH 77°32'11" EAST, 3495.68 FEET ON THE SOUTH RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, TO THE POINT OF BEGINNING;  
 THENCE NORTH 77°32'11" EAST, 50.01 FEET ON SAID SOUTH RAILROAD RIGHT-OF-WAY LINE;  
 THENCE SOUTH 11°16'26" EAST, 83.02 FEET, TO THE NORTH LINE OF LOT 11 OF AUDITOR'S PLAT NO. 147;  
 THENCE SOUTH 77°32'11" WEST, 50.01 FEET ON SAID NORTH LINE;  
 THENCE NORTH 11°16'26" WEST, 83.02 FEET, TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 0.10 ACRE.

**OWNER:**  
INTERSTATE POWER AND LIGHT COMPANY

**SURVEYOR:**  
AMENT, INC.  
625 32ND AVENUE S.W.  
CEDAR RAPIDS, IA 52404  
T (319) 378-1401  
F (319) 378-1975



Cadd File Name: W:\PROJECTS\FLOODSSD011 - Sanitary Gravity Lines (27 thru 66)\SSD011 Council Map.dwg



**PRAIRIE CREEK FROM J STREET SW TO CEDAR RIVER  
SANITARY SEWER RECONSTRUCTION**



0 FEET 500





24gg

## **Council Agenda Item Cover Sheet**

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

**Alternate Contact Person:** Rita Rasmussen  
**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5808

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$745 and accepting an Easement for Sanitary Sewer from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., from vacant land located northeast of 3921 J Street SW, south of the Chicago and Northwestern Transportation Company railroad right-of-way, west of Bowling Street SW in connection with the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project (**FLOOD**). CIP/DID #SSD011-00

#### **Background:**

In previous fiscal years, the City Council approved funding towards the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project.

This easement is required to accommodate the proposed improvements, including repairing damage to sanitary sewers as a result of the 2008 flood. Compensation amount proposed is based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

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

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$745 and accepting an Easement for Sanitary Sewer from Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co.

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

Do not proceed with acquiring the proposed Easement for Sanitary Sewer and direct City staff to abandon or reconfigure sanitary sewer replacement.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** SSD/SSD000/SSD011

**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 exists in order to accommodate the proposed facilities, and

WHEREAS, Interstate Power and Light Company, formerly known as Iowa Electric Light and Power Co., 200 1<sup>st</sup> Street SE, Cedar Rapids, Iowa 52401-1409, OWNER of the real property known and described as:

See Attached Permanent Easement Exhibit

has agreed to convey the necessary easement for sanitary sewer from vacant land located northeast of 3921 J Street SW, south of the Chicago and Northwestern Transportation Company railroad right-of-way, west of Bowling Street SW to the City of Cedar Rapids for \$745, 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 the Prairie Creek from J Street SW to Cedar River Sanitary Sewer Reconstruction Phase 1 project (Fund SSD, Dept. ID SSD000, Project SSD011), 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

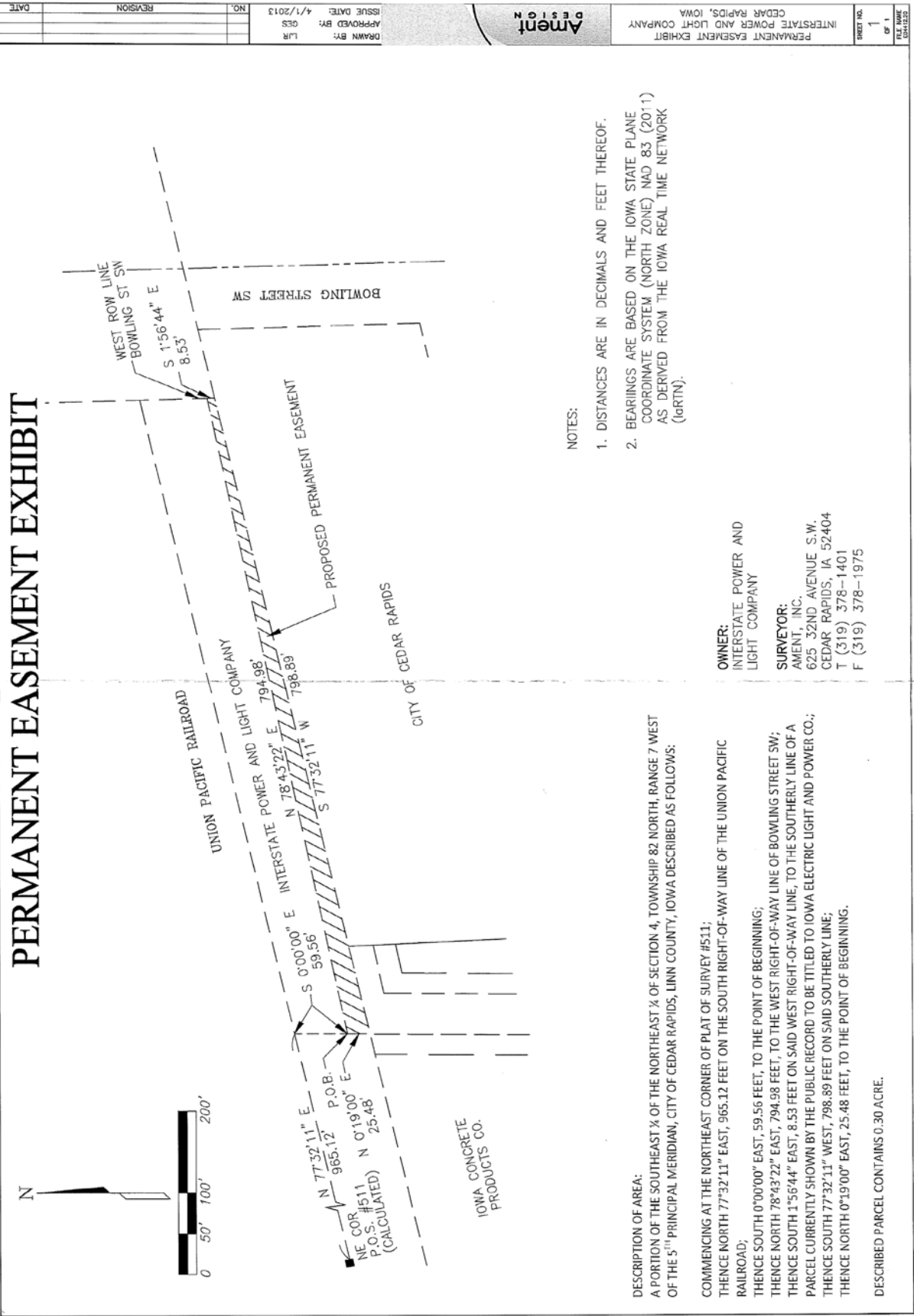
BE IT FURTHER RESOLVED that the Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

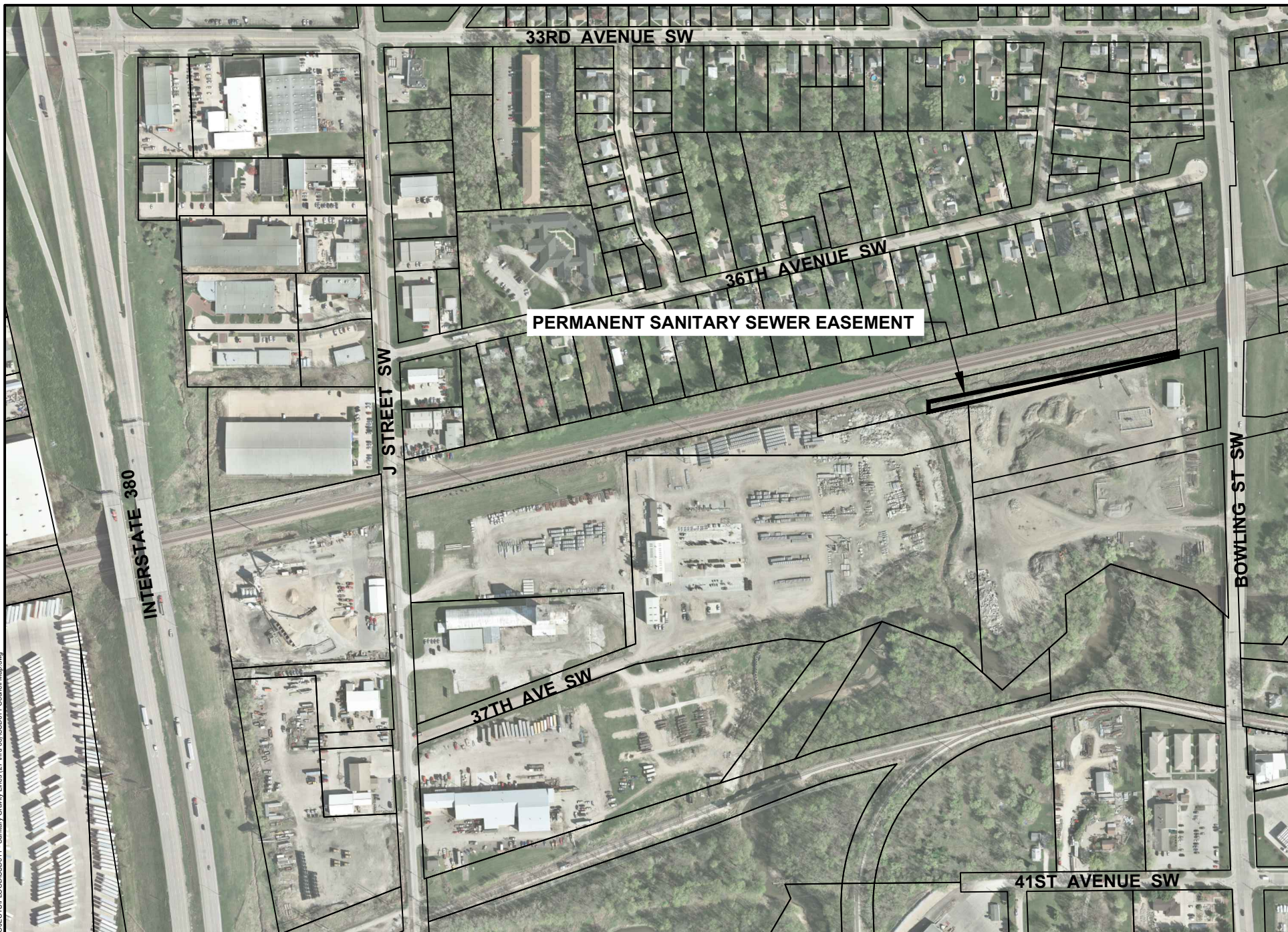
BE IT FURTHER RESOLVED, that the Easement for Sanitary Sewer be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 14<sup>th</sup> day of January, 2014.









**PRAIRIE CREEK FROM J STREET SW TO CEDAR RIVER  
SANITARY SEWER RECONSTRUCTION**







## 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 \$394 and accepting an Easement for Sanitary Sewer from David C. Portz from land located at 520 4<sup>th</sup> Street 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.

This easement is 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 \$394 and accepting an Easement for Sanitary Sewer from David C. Portz.

**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:** January 14, 2014

**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):

ENG  
AUD FILE  
FIN  
TRS  
RCR  
PORTZ  
SSD103-00  
377545

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, David C. Portz, 520 4<sup>th</sup> Street 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 at 520 4<sup>th</sup> Street SW to the City of Cedar Rapids for \$394, 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 14<sup>th</sup> day of January, 2014.



PREPARED BY: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394  
RETURN TO: TIM FORINASH SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

## **SANITARY SEWER EASEMENT EXHIBIT**

### **SANITARY SEWER EASEMENT DESCRIPTION**

A part of Lot 1, Block 3, A K Murray's Addition to the City of Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of said Lot 1; thence North 1°20'00" West, along the West line of said Lot 1, a distance of 119.56 feet, to the Point of Beginning; thence continuing North 1°20'00" West, along said West line, a distance of 12.44 feet to the Northwest corner of said Lot 1; thence North 89°59'57" East, along the North line of said Lot 1, a distance of 24.98 feet; thence South 63°15'51" West, 27.65 feet to the Point of Beginning, containing 155 Square Feet, more or less.

### **PREPARED FOR**

CITY OF CEDAR RAPIDS  
ENGINEERING DEPARTMENT

SW QUADRANT, 2008 FLOOD  
AREA SANITARY SEWER  
RESTORATION, PHASE 2, PART 2  
CIP #SSD103-06

### **EASEMENT AREA**

155 SQAURE FEET

### **DATE OF SURVEY**

02-27-2013

### **OWNER**

DAVID C. PORTZ

### **LEGEND**

<u>Survey</u>	<u>Found</u>	<u>Set</u>
Section Corner	▲	△
1/2" Rebar	●	○
(Unless Otherwise Noted)		
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Minimum Protection Elevation	MPE	
Section Line	---	
Easement Line	----	

### **SANITARY SEWER EASEMENT EXHIBIT**

**DAVID C. PORTZ**



**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

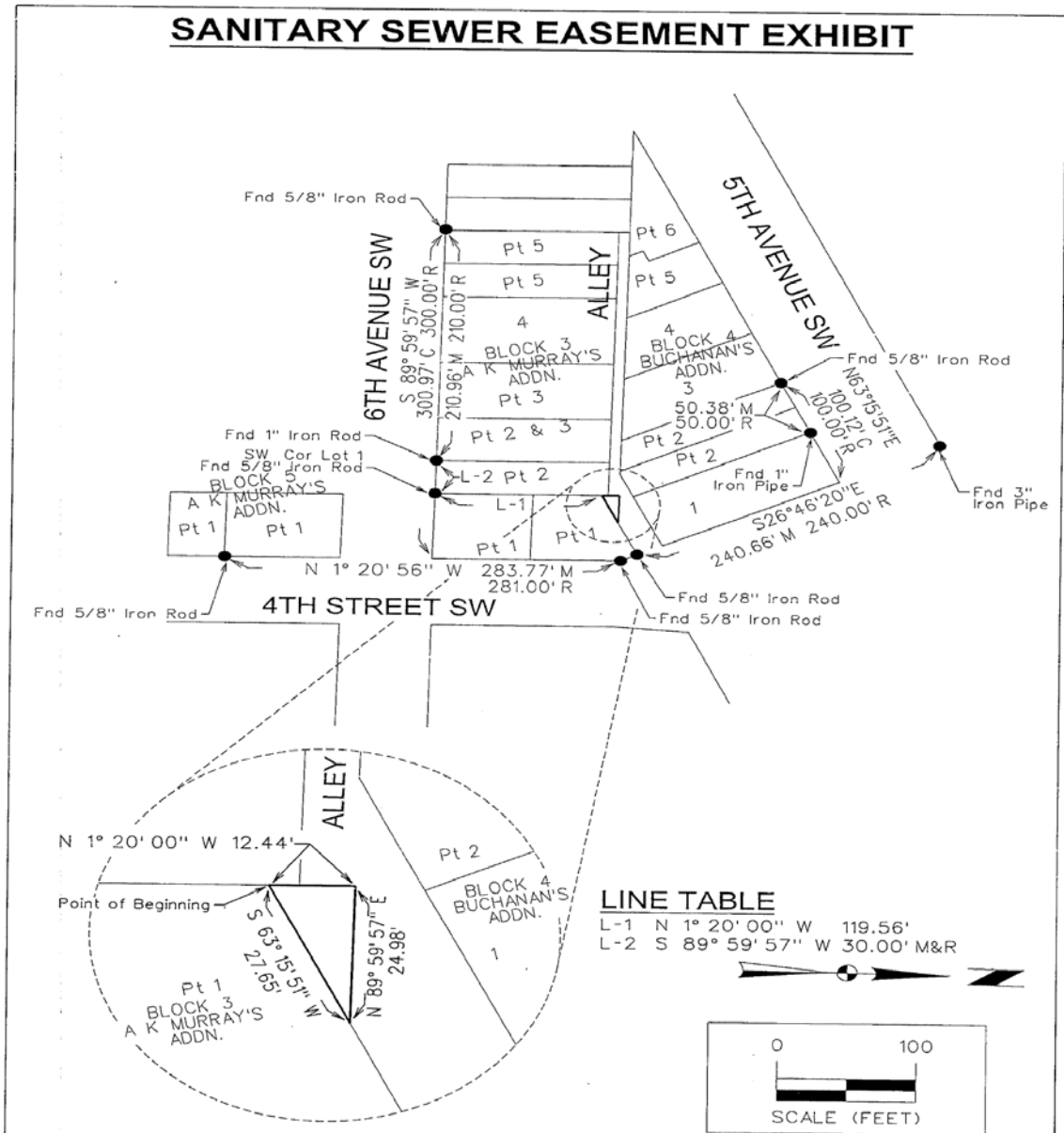
5005 BOWLING STREET S.W.  
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET	1 OF 2
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4/3/2013  
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# SANITARY SEWER EASEMENT EXHIBIT



## SANITARY SEWER EASEMENT EXHIBIT DAVID C. PORTZ



**SNYDER & ASSOCIATES, INC.**  
Engineers and Planners

5005 BOWLING STREET S.W.  
CEDAR RAPIDS, IA 52404 (319) 362-9394

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Snyder





**520 4TH STREET SW - SANITARY SEWER EASEMENT  
SANITARY SEWER SW QUADRANT FLOOD REPAIRS PROJECT**







## Council Agenda Item Cover Sheet

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5258

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

**Phone Number/Extension:** 5808

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

Resolution authorizing release of partial final payment in the amount of \$185,916.55 to Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; amended contract amount is \$3,914,032.49) (**FLOOD**). CIP/DID #PLE001-21

#### **Background:**

Construction has been substantially completed by Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project with a final construction contract amount of \$3,914,032.49. Funding resources for this project were approved in FY14 and prior years and the project completed within the approved budget.

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

The Public Works Department and Ryan Companies, US, Inc. (the Construction Manager) recommend the issuance of partial final payment to the contractor in the amount of \$185,916.55. The final release of \$9,785.09 in retainage will be held until additional work is completed.

#### **Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 minutes

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

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

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

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

**Explanation (if necessary):**



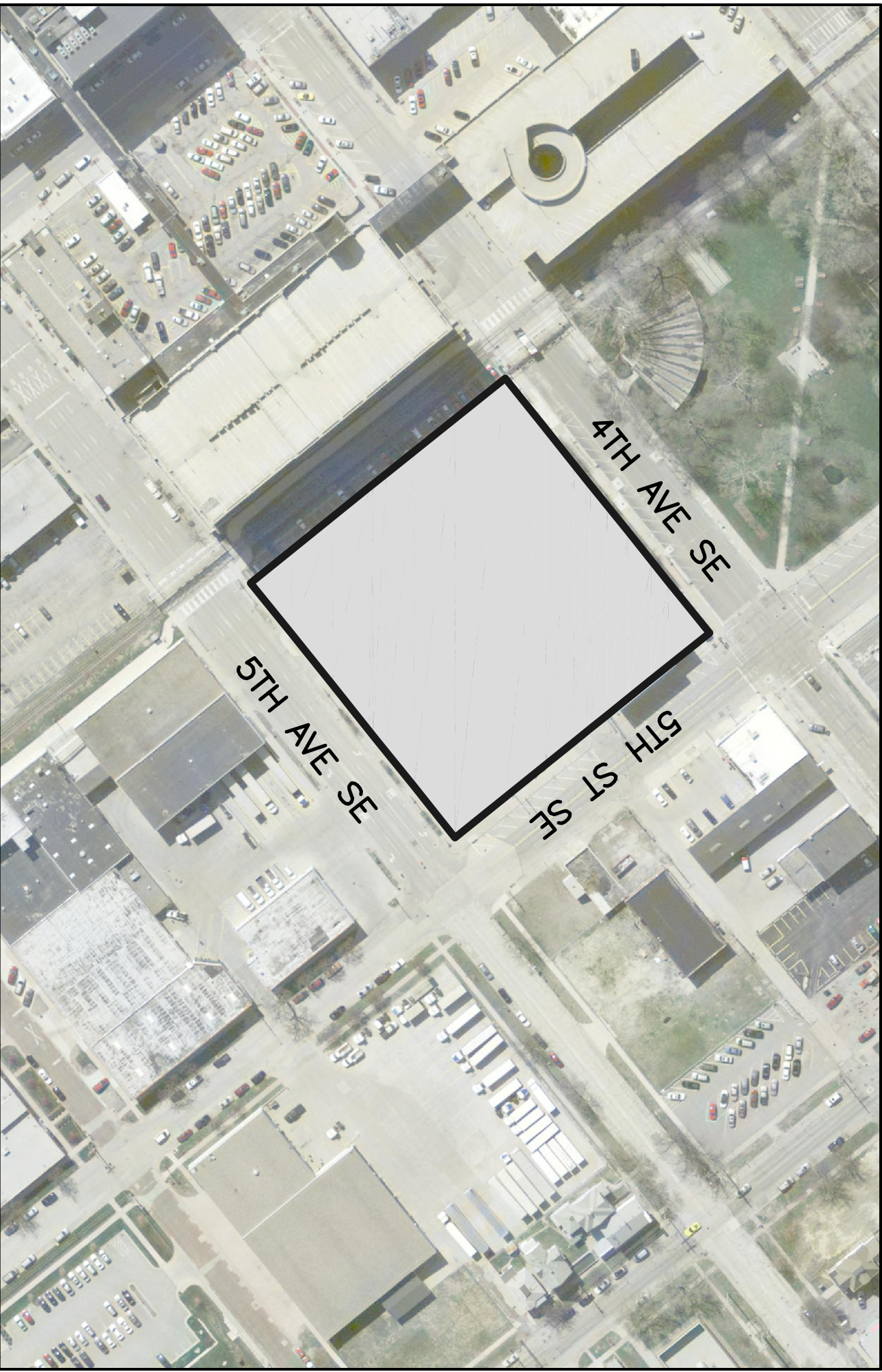
ENG  
FIN  
CLK  
TRS  
BOWKER  
OPN  
PLE001-21  
377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Public Works Director/City Engineer certifies that the work on the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (Contract No. PLE001-21), has been substantially completed in accordance with the plans and specifications and that the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$185,916.55 to Bowker Mechanical Contractors, LC as a partial final payment, and

BE IT FURTHER RESOLVED that \$9,785.09 of the retainage will be held until additional work is completed.

Passed this 14<sup>th</sup> day of January, 2014.



4TH AVE SE

5TH ST SE

5TH AVE SE



SCALE: NONE

# CEDAR RAPIDS PUBLIC LIBRARY



CEDAR RAPIDS  
City Of Five Seasons

PLE001



24jj

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA  
**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5807

**Alternate Contact Person:** David Wallace  
**E-mail Address:** DavidW@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Resolution accepting an easement for sanitary sewer from Midwest Development Co., from land located at 809 E Avenue NW in connection with the E Avenue NW-Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project. CIP/DID #304037-00

### **Background:**

The subject property at 809 E Avenue NW was a City-owned parcel acquired through the City's voluntary acquisition program and later sold to Midwest Development. The property initially was served from 8<sup>th</sup> Street NW, but as a part of this project, the property sanitary sewer line was extended from the alley between 8<sup>th</sup> and 9<sup>th</sup> Street NW through 807 E Avenue. The easement is required to accommodate a sanitary sewer line which provides service to the subject property and to the adjacent property to the east at 520 8<sup>th</sup> Street NW.

### **Action / Recommendation:**

The Public Works Department recommends accepting the easement for sanitary sewer from Midwest Development Co.

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

If Council does not approve the resolution, the City facility will be on private property and not be protected with an easement.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** 304/304000/304037

**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 an additional easement for sanitary sewer exists in order to accommodate the proposed facilities, and

WHEREAS, Midwest Development Co., 411 First Avenue SE, Suite 410, Cedar Rapids, Iowa 52401, is the Owner of the real property known and described as:

North 70 Feet of Lot 3, Block 2, Mansfield's First Addition to Cedar Rapids, Linn County, Iowa  
has agreed to convey the necessary easement for sanitary sewer at 809 E Avenue NW to the City of Cedar Rapids for one dollar (\$1.00) and other valuable consideration, and

WHEREAS, the Public Works Director / City Engineer recommends the City accept the easement for sanitary sewer, and

WHEREAS, the City Council has allocated Capital Improvement funds for the E Avenue NW—Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project (Fund 304, Dept. ID 304000, Project 304037), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, 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 14<sup>th</sup> day of January, 2014.









24kk

## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA

**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5807

**Alternate Contact Person:** David Wallace

**E-mail Address:** DavidW@cedar-rapids.org

**Phone Number/Extension:** 5814

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

Resolution accepting an easement for sanitary sewer from Premiere Developers, Inc., from land located at 807 E Avenue NW in connection with the E Avenue NW-Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project. CIP/DID #304037-00)

### **Background:**

The subject property at 807 E Avenue NW was a City-owned parcel acquired through the City's voluntary acquisition program and later sold to Premiere Developers, Inc. The property initially was served from 8<sup>th</sup> Street NW, but as a part of this project, the property sanitary sewer line was extended from the alley between 8<sup>th</sup> and 9<sup>th</sup> Street NW. The easement is required to accommodate a sanitary sewer line which provides service to the subject property and to the adjacent property to the north at 809 E Avenue NW.

### **Action / Recommendation:**

The Public Works Department recommends accepting the easement for sanitary sewer from Premiere Developers, Inc.

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

If Council does not approve the resolution, the City facility will be on private property and not be protected with an easement.

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** 304/304000/304037

**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 an additional easement for sanitary sewer exists in order to accommodate the proposed facilities, and

WHEREAS, Premiere Developers, Inc., 265 Jasper Street, Marion, IA 52302, is the Owner of the real property known and described as:

South 70 Feet of Lot 3, Block 2, Mansfield's First Addition to Cedar Rapids, Linn County, Iowa  
has agreed to convey the necessary easement for sanitary sewer at 807 E Avenue NW to the City of Cedar Rapids for one dollar (\$1.00) and other valuable consideration, and

WHEREAS, the Public Works Director / City Engineer recommends the City accept the easement for sanitary sewer, and

WHEREAS, the City Council has allocated Capital Improvement funds for the E Avenue NW-Phase I Ellis Boulevard to 3<sup>rd</sup> Street Storm Sewer, Water Main, Sidewalk and Street Improvements project (Fund 304, Dept. ID 304000, Project 304037), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, 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 14<sup>th</sup> day of January, 2014.







**Council Agenda Item Cover Sheet**☒ **Consent Agenda**      ☐ **Regular Agenda****Council Meeting Date:** January 14, 2014**Submitting Department:** Utilities – Water**Presenter at meeting:** Steve Hershner    **Phone:** 5281    **E-mail:** [s.hershner@cedar-rapids.org](mailto:s.hershner@cedar-rapids.org)**Alternate Contact:** Ken Russell                      **Phone:** 5926    **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)**Description of Agenda Item:** (insert same wording as used on agenda summary)

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$43,520 for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd project. CIP/DID #625542-2014058-01

**Background:**

The Utilities Department – Water Division intends to install approximately 1,150 lineal feet of 24-inch transmission main extending the 720 lineal feet of dead-end 24-inch transmission main that is being installed as part of the Ushers Ferry crossing improvements associated with the DOT Highway 100 project. This completes a loop of the transmission main from North River Boulevard NE to Blairs Ferry Road NE.

The closure of the loop at Blairs Ferry Road also allows a portion of the Edgewood Road water main to be taken out of service for the construction of the highway interchange at Edgewood Road and Highway 100.

The Ushers Ferry water transmission main is part of the Utilities Department long range plan for distribution system improvements.

Our schedule proposes to have plans ready for project bid by April 2014 and completed by September 2014.

**Action / Recommendation:**

The Utilities Department – Water Division recommends that the Professional Services Agreement with McClure Engineering Co. be approved and that the City Manager and City Clerk authorized to execute said Agreement.

**Alternative Recommendation:**

Should the City Council decide not to approve the Professional Services Agreement, the design of the improvements will not proceed. The construction sequencing of Highway 100 relies on the completion of the loop of this water transmission main in order to take a portion of the water main on Edgewood Road out of service, additionally, this segment of water transmission main has been part of the Utilities Long Range Plan.

**Time Sensitivity:** Request action during the January 14, 2014 City Council meeting in an effort to maintain the proposed design and construction schedule.

**Resolution Date:** January 14, 2014**Estimated Presentation Time:** 0 Minute(s)**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Yes, the Fiscal Year 2014 CIP budget includes funding for Water Main Replacement. The general ledger coding for this project is 553000-625-625000-625542-2014058.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Fiscal Year 2014 CIP budget included \$1,200,000 for engineering and construction of new water mains under CIP number 625542. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.

3. **Purchasing Department used or Purchasing Guidelines followed:** Purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy**

**Applies** ☒

**Exempt** ☐

**Explanation:** N/A

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

**Explanation (if necessary):** McClure Engineering Co. is a local firm who has recently provided satisfactory design service on similar Utilities and Public Works projects.

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Utilities Department – Water Division needs to extend a 24-inch water transmission main on Ushers Ferry Road from Highway 100 to Blairs Ferry Road NE, as part of the crossing improvements associated with the DOT Highway 100 project, and

WHEREAS, the Water Division will require the specialized services of a consultant for the engineering design, specifications and drawings, and bidding services, and

WHEREAS, McClure Engineering Co., possess the expertise and experience needed for this project and has proposed to furnish these services for an amount not to exceed \$43,520, and

WHEREAS, the Utilities Department – Water Division staff has determined that the proposed fee is fair and reasonable for the scope of services to be furnished and recommends that the City execute a Professional Services Agreement with McClure Engineering Co. for the design services for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd project (Contract No. 625542-2014058-01), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with McClure Engineering Co., for an amount not to exceed \$43,520, for design services for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd project (Contract No. 625542-2014058-01) be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from Utilities Department - Water Division Fiscal Year 2014 CIP budget and coded to 553000-625-625000-625542-2014058.

Passed this 14<sup>th</sup> day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

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

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

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

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

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

Resolution authorizing execution of a Special Warranty Deed with OPC Allan Investments, LLC for disposition of City-owned property at 222 3<sup>rd</sup> Avenue SW located in the 3<sup>rd</sup> Avenue SW Commercial Historic District (**FLOOD**). CIP/DID #803706

### **Background:**

The proposed resolution authorizes conveyance of City-owned property at 222 3<sup>rd</sup> Avenue SW to OPC Allan Investments, LLC by way of Special Warranty Deed.

On August 27, 2013 the City Council adopted Resolution No. 1414-08-13 authorizing execution of a Development Agreement with the Developer. The Developers has performed its obligations to satisfying terms in the Agreement to receive title to the property. The City has received Amended Deed Restrictions from the Iowa Economic Development Authority to allow the project to move forward based upon flood mitigations measures being implemented in the project. Additionally, the State Historic Preservation Office has provided review that the proposed improvements will not adversely impact the historic integrity of the structure.

### **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:** January 14, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** N/A – Federal Funds

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

### **Explanation:**

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

**Explanation:** On May 22, 2013 the Development Committee reviewed establishing Restrictive Covenants to be incorporated into the Development Agreement to restrict certain uses and recommends including them.



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED WITH OPC  
ALLAN INVESTMENTS, LLC FOR CITY-OWNED PROPERTY AT 222 3RD AVENUE SW  
LOCATED IN THE 3RD AVENUE SW COMMERCIAL HISTORIC DISTRICT

WHEREAS, the City owns property at 222 3<sup>rd</sup> Avenue SW (the "Property") which was acquired through the City's Voluntary Property Acquisition Program; and

WHEREAS, on October 24, 2012 the City Council's Development Committee recommended proposals be sought for redevelopment of said Property; and

WHEREAS, on November 13, 2012 City Council made a motion to conduct a public hearing, a notice was published on November 17, 2012, and the public hearing was held on November 27, 2012 on the possible disposition of the Property; and

WHEREAS, an informational meeting was held on December 10, 2012 for all interested proposers to discuss criteria set forth by the City in the request for proposals; and

WHEREAS, the City received four (4) proposals for 222 3rd Avenue SW to purchase and redevelop the Property; and

WHEREAS, an evaluation team comprised of City staff and representatives of Taylor Area Neighborhood Association, Westside Redevelopment Group, Downtown District, Development Community, and Save CR Heritage reviewed the proposals on March 21, 2013; and

WHEREAS, on April 9, 2013 the City Council adopted Resolution No. 0577-04-013 which directed staff to pursue a Development Agreement with OPC Allan Investments, LLC (the "Developer"); and

WHEREAS, on August 27, 2013 the City Council adopted Resolution No. 1414-08-13 authorizing execution of a Development Agreement with the Developer; and

WHEREAS, the Developer has performed its obligations in accordance with the Development Agreement to receive the title to the property which has been prepared and 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 the City Manager and City Clerk, or their designees, are hereby authorized and directed to execute a Special Warranty Deed and associated documents with OPC Allan Investments, LLC effectuating the conveyance of City owned property at 222 3<sup>rd</sup> Avenue SW and that the Resolution and Deed be recorded in the office of the Linn County, Iowa Recorder and thereafter filed with the Finance Director.

Passed this 14<sup>th</sup> Day of January, 2014.



24nn

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Resolution authorizing execution of a Development Agreement with Rowell Hardware Development, LLC for disposition and redevelopment of City-owned property at 120 3<sup>rd</sup> Avenue SW located in the 3<sup>rd</sup> Avenue SW Commercial Historic District (**FLOOD**). CIP/DID #803706

### **Background:**

The proposed resolution authorizes the execution of a Development Agreement with Rowell Hardware Development, LLC (the "Developer") for the redevelopment of City owned property at 120 3<sup>rd</sup> Avenue SW. The City and Developer have come to a mutual agreement as to the terms and conditions of the Development Agreement. It should be noted that there is no City financial participation contemplated in this Agreement.

The following are highlights of the terms of the Development Agreement:

- The Improvements will be made in accordance with the Secretary of Interior's Standards for the treatment of historic properties;
- The Developer will purchase the property for \$74,000 based on a property appraisal. The funds are to be returned to the Federal government as a result of the funding source used to acquire the property.
- The Developer will provide a Demolition Deposit of \$48,500 which will be escrowed based upon the cost to abate and demolish the property. The funds are returned to the Developer upon completing the vacant shell improvements.
- The Developer will provide a Minimum Investment of \$500,000.
- The Developer will provide flood proofing measures to the property which meet the City's codes and are approved by the Iowa Economic Development Authority (IEDA) prior to transferring title.
- The Developer is required to carry flood risk insurance on the building in perpetuity.
- The Developer will establish Restrictive Covenants that will run with title to the property which limit uses of the property. Some of the prohibited uses include:
  - Liquor or tobacco stores;
  - Adult entertainment;
  - Tattoo shop;

- Payday lending institutions or pawn shops;
- Dry cleaning or Laundromat facility;
- Gas station or equipment storage;
- The Developer will begin construction work within 30 days of closing and complete the Improvements within 180 days.

The City acquired the property through the Voluntary Property Acquisition Program. As a result, many of the terms in the Development Agreement pertain to meeting the requirements of IEDA to sell the property for redevelopment.

On April 9, 2013 the City Council adopted Resolution No. 0577-04-13 directing staff to negotiate a Development Agreement with Rowell Hardware Development, LLC. The City received four (4) proposals for redevelopment of this property after a 60-day solicitation of competitive proposals.

**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:** January 14, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** N/A – Federal Funds

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

**Explanation:**

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

**Explanation:** On May 22, 2013 the Development Committee reviewed establishing Restrictive Covenants to be incorporated into the Development Agreement to restrict certain uses and recommends including them.

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH ROWELL HARDWARE DEVELOPMENT, LLC FOR THE DISPOSITION AND  
REDEVELOPMENT OF CITY-OWNED PROPERTY AT 120 3RD AVENUE SW  
LOCATED IN THE 3RD AVENUE SW COMMERCIAL HISTORIC DISTRICT

WHEREAS, the City owns property at 120 3<sup>rd</sup> Avenue SW (the "Property") which was acquired through the City's Voluntary Property Acquisition Program; and

WHEREAS, on October 24, 2012 the City Council's Development Committee recommended proposals be sought for redevelopment of said Property; and

WHEREAS, on November 13, 2012 City Council made a motion to conduct a public hearing, a notice was published on November 17, 2012, and the public hearing was held on November 27, 2012 on the possible disposition of the Property; and

WHEREAS, an informational meeting was held on December 10, 2012 for all interested proposers to discuss criteria set forth by the City in the request for proposals; and

WHEREAS, the City received three (3) proposals for the purchase and redevelopment of the Property; and

WHEREAS, an evaluation team comprised of City staff and representatives of Taylor Area Neighborhood Association, Westside Redevelopment Group, Downtown District, Development Community, and Save CR Heritage reviewed the proposals on March 21, 2013; and

WHEREAS, on April 9, 2013 the City Council adopted Resolution No. 0577-04-013 which directed staff to pursue a Development Agreement with Rowell Hardware Development, LLC; and

WHEREAS, the City and Rowell Hardware Development, LLC 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 the City Manager and City Clerk, or their designees, are hereby authorized and directed to execute the Development Agreement and associated documents with Rowell Hardware Development, LLC for the disposition and redevelopment of City owned property at 120 3<sup>rd</sup> Avenue SW.

Passed this 14<sup>th</sup> day of January, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Casey Drew / Jeff  
Pomeranz

**Phone Number/Ext:** 5097

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

**Description of Agenda Item:**

Resolution authorizing the City Council to approve funding to Diversity Focus in Fiscal Year 2014 of \$40,000.

**Background:**

Diversity Focus assist communities in the Corridor to become more aware of the benefits of diversity. This organization is requesting the City of Cedar Rapids to commit \$40,000 in Fiscal Year 2014.

**Action / Recommendation:**

Recommend City Council approve resolution to Diversity Focus in the amount of \$40,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** January 14, 2014

**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 City of Cedar Rapids recognizes the need for a more diverse community in order to attract and retain employees, and,

WHEREAS, the City of Cedar Rapids City Council has pledge support of Diversity Focus in Fiscal Year 2014,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, hereby authorizes payment in the amount of \$40,000.00 to Diversity Focus in Fiscal Year 2014.

Passed the 14th day of January 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Sharon Cummins  
**Email:** [s.cummins@uscellularcenter.com](mailto:s.cummins@uscellularcenter.com)

**Phone Number/Ext:** 731-4529

**Description of Agenda Item:**

Sponsorship Agreement between the City's Convention Complex Manager, Doubletree Management, LLC ("Hilton"), VenuWorks of Cedar Rapids, LLC ("VenuWorks") and Cedar Rapids Association of Realtors for a term of two years, with a total payment of \$15,000.

**Background:**

The City's Management Agreement ("Management Agreement") with Hilton specifically allows Hilton to enter into agreements for goods or services that have a maximum term of one year. Agreements with a term greater than one year and not terminable at will on thirty days' notice or less must receive prior written approval from the Owner.

The initial term of the Agreement shall be two years. Thereafter, the Agreement has the option to renew on a year-by-year basis unless terminated by either party.

The Agreement requires Cedar Rapids Association of Realtors to pay VenuWorks a total of \$15,000 for advertising on *indoor signage*.

**Action / Recommendation:**

Approve the Resolution.

**Alternative Recommendation:**

Table or deny the resolution.

**Time Sensitivity:** Urgent to project schedule

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** Arena Operating Budget

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION APPROVING SPONSOR AND SUPPLIER AGREEMENT WITH  
CEDAR RAPIDS ASSOCIATION OF REALTORS FOR THE CITY'S CONVENTION CENTER  
COMPLEX

WHEREAS, the City owns the Cedar Rapids Convention Complex ("Facility"), which will involve the sale of Advertising Sponsorships;

WHEREAS, City has entered into a ("Management Agreement") with Doubletree Management Services, LLC ("Hilton") to operate the completed Facility;

WHEREAS, VenuWorks of Cedar Rapids, LLC ("VenuWorks") was authorized to sell advertising and promotional sponsorships in the U.S. Cellular Center Arena;

WHEREAS, the Management Agreement authorizes Hilton to enter into agreements to sell advertising and promotional sponsorships, provided that the City approve any such agreement if its term is for a period longer than one year;

WHEREAS, VenuWorks has entered into a two year agreement with Cedar Rapids Association of Realtors which includes the purchase of digital signage at the arena;

WHEREAS the Agreement requires Cedar Rapids Association of Realtors to pay VenuWorks a total of \$15,000.

WHEREAS, Cedar Rapids Association of Realtors desires to acquire such rights.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Cedar Rapids, Iowa hereby approves the Supplier Agreement between VenuWorks and Cedar Rapids Association of Realtors as noted herein.

Passed this 14<sup>th</sup> day of January 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Sharon Cummins  
**Email:** [s.cummins@uscellularcenter.com](mailto:s.cummins@uscellularcenter.com)

**Phone Number/Ext:** 731-4529

**Description of Agenda Item:**

Sponsorship Agreement between the City's Convention Complex Manager, Doubletree Management, LLC ("Hilton"), VenuWorks of Cedar Rapids, LLC ("VenuWorks") and The Eastern Iowa Airport for a term of two years, with a total payment of \$8,000.

**Background:**

The City's Management Agreement ("Management Agreement") with Hilton specifically allows Hilton to enter into agreements for goods or services that have a maximum term of one year. Agreements with a term greater than one year and not terminable at will on thirty days' notice or less must receive prior written approval from the Owner.

The initial term of the Agreement shall be two years. Thereafter, the Agreement has the option to renew on a year-by-year basis unless terminated by either party.

The Agreement requires The Eastern Iowa Airport to pay VenuWorks a total of \$8,000 for advertising on *indoor signage*.

**Action / Recommendation:**

Approve the Resolution.

**Alternative Recommendation:**

Table or deny the Resolution.

**Time Sensitivity:** Urgent to project schedule.

**Resolution Date:** January 14, 2014

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

**Budget Information (if applicable):** Arena operating budget

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION APPROVING SPONSOR AND SUPPLIER AGREEMENT WITH  
THE EASTERN IOWA AIRPORT FOR THE CITY'S CONVENTION CENTER COMPLEX

WHEREAS, the City owns the Cedar Rapids Convention Complex ("Facility"), which will involve the sale of Advertising Sponsorships;

WHEREAS, City has entered into a ("Management Agreement") with Doubletree Management Services, LLC ("Hilton") to operate the completed Facility;

WHEREAS, VenuWorks of Cedar Rapids, LLC ("VenuWorks") was authorized to sell advertising and promotional sponsorships in the U.S. Cellular Center Arena;

WHEREAS, the Management Agreement authorizes Hilton to enter into agreements to sell advertising and promotional sponsorships, provided that the City approve any such agreement if its term is for a period longer than one year;

WHEREAS, VenuWorks has entered into a two year agreement with The Eastern Iowa Airport which includes the purchase of digital signage at the arena;

WHEREAS the Agreement requires The Eastern Iowa Airport to pay VenuWorks a total of \$8,000.

WHEREAS, The Eastern Iowa Airport desires to acquire such rights.

NOW, THEREFORE BE IT RESOLVED, that the City Council of Cedar Rapids, Iowa hereby approves the Supplier Agreement between VenuWorks and The Eastern Iowa Airport as noted herein.

Passed this 14<sup>th</sup> day of January 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance

**Presenter at meeting:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 286-5097

**Alternate Contact Person:** Yvonne Aubrey  
**Email:** [y.aubrey@cedar-rapids.org](mailto:y.aubrey@cedar-rapids.org)

**Phone Number/Ext:** 286-5008

**Description of Agenda Item:**

Resolution authorizing purchase of excess casualty insurance coverage through Aon Risk Services Central, Inc. (Aon) from States Self-Insurers Risk Retention Group for the City of Cedar Rapids in the amount of \$331,239.60.

**Background:**

The City of Cedar Rapids entered into an agreement with Aon to handle all insurance needs. Aon, on behalf of the City, solicited renewal quotes from States Self-Insurers Risk Retention Group. The excess casualty insurance policy being purchased will provide \$10 million in coverage per occurrence and aggregate, with a \$500,000 deductible per occurrence.

Excess casualty insurance provides an advantage to the City's risk financing program by reducing its exposure to large losses and smoothing the uncertainty of the cost of risk. The excess casualty insurance policy will cover losses stemming from automobile and transit liability, general liability, law enforcement liability, public officials liability, employment practices liability and sexual misconduct liability.

**Action / Recommendation:**

City Council approve the purchase of the excess casualty insurance policy in the amount of \$331,239.60.

**Alternative Recommendation:**

**Time Sensitivity:** N/A

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

**Recommended by Council Committee**

Yes ☐

No ☐

N/A ☒

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, 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 solicit quotes for excess casualty insurance coverage for the period of January 15, 2014 through January 15, 2015.

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 \$331,239.60 for excess casualty insurance coverage for the City of Cedar Rapids.

Funding will be from the Risk Fund budget (525104-011-011000).

Passed this 14<sup>th</sup> day of January, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance

**Presenter at meeting:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 286-5097

**Alternate Contact Person:** Yvonne Aubrey  
**Email:** [y.aubrey@cedar-rapids.org](mailto:y.aubrey@cedar-rapids.org)

**Phone Number/Ext:** 286-5008

**Description of Agenda Item:**

Resolution authorizing purchase of stop loss insurance coverage from Swiss Re for the City of Cedar Rapids Medical Plan in the amount of \$207,191.04.

**Background:**

The City of Cedar Rapids currently has no stop loss coverage as part of its self-funded medical and prescription program. This poses an unlimited exposure to catastrophic risk. The City engaged the services of Holmes Murphy in an effort to secure the highest quality, lowest cost stop loss coverage. The parameters of the stop loss policy were set utilizing actuarial evaluation and subsequent opinion indicating a specific deductible of \$300k-\$500k was in the best financial interest of the City based upon analysis of the City's last three years of medical and prescription claims.

Holmes Murphy, on behalf of the City, solicited quotes and is recommending the City bind coverage with Swiss Re on its \$400k specific deductible with a \$75k aggregating specific, no new laser at renewal option. Based upon current enrollment, the annual premium will be approximately \$207k. This contract does have an \$800k laser deductible on one current claimant. The no new laser at renewal option recommendation will protect the City from future lasers.

Stop loss insurance provides an advantage to the City's risk financing program by reducing its exposure to large losses and smoothing the uncertainty of the cost of catastrophic loss.

**Action / Recommendation:**

City Council approve the purchase of the stop loss insurance policy in the amount of \$207,191.04 for the calendar year January 1, 2014-December 31, 2014.

**Alternative Recommendation:**

Not purchase stop loss insurance and have City self insured health fund cover entire risk.

**Time Sensitivity:** N/A

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:**

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

WHEREAS, Holmes Murphy was instructed to solicit quotes for stop loss insurance coverage for the period of January 1, 2014 through December 31, 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 Swiss Re in the amount of \$207,191.04 for stop loss insurance coverage for the City of Cedar Rapids.

Funding will be from the Risk Fund budget (521106-013-013000).

Passed this 14<sup>th</sup> day of January, 2014.





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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Daniel Gibbins  
**Email:** [d.gibbins@cedar-rapids.org](mailto:d.gibbins@cedar-rapids.org)

**Phone Number/Ext:** 5768

**Alternate Contact Person:** Heather Mell  
**Email:** [h.mell@cedar-rapids.org](mailto:h.mell@cedar-rapids.org)

**Phone Number/Ext:** 5117

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

Contract for caulking and painting of Noelridge Pool with A1A Sandblasting for the Parks and Recreation Department for an amount not to exceed \$44,431. CIP/DID #0913-053

### **Background:**

Purchasing Services solicited bids on behalf of Parks and Recreation for the caulking and painting of Noelridge Pool with four (4) vendors responding. A1A Sandblasting was the lowest bidder with their total bid of \$44,431.

Bids were received from:

A1A Sandblasting	Cedar Rapids, IA	\$44,431
D.A Bunch Co.	Cedar Rapids, IA	\$72,265
Terry and Sons Painting Contractors, Inc	Muscatine, IA	\$68,501
VnNevel Coatings and Restoration, Inc	Victor, IA	\$68,500

### **Action / Recommendation:**

Recommend council approve resolution

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 324228-324-554000

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**Local Preference applies, but did not have an affect on award.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for caulking and painting of Noelridge Pool on behalf of the City of Cedar Rapids Parks and Recreation Department; and

WHEREAS, responses were received from four vendors; and

WHEREAS, the Parks and Recreation Department is making the following recommendation for award to A1A Sandblasting, which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be January 15, 2014 through April 24, 2014; and

WHEREAS, the not-to-exceed expenditure is \$44,431.

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 A1A Sandblasting as described herein.

Passed this 14<sup>th</sup> day of January, 2014.



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Description of Agenda Item:**

Fleet Services Division purchase of one 2014 Ford F-150 Pick-up truck from Ed Stivers Ford for use by Public Works Department – Streets Maintenance Division, for a total amount of \$25,997. CIP/DID #4416-13

**Background:** This is a budgeted fleet replacement for equipment which has exceeded its lifecycle and cost-efficient life. This purchase is being made from Ed Stivers Ford, of Waukee, Iowa who is the awarded dealer for State Bid Contract #4416-13.

**Action / Recommendation:**

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

**Alternative Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** January 14, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Fund 073, Dept ID 073000 Project 073001

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** This is a purchase from existing State of Iowa Bid Contract.

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the Fleet Services Division has solicited a quotation for the purchase of one 2014 Ford F-150 Pick-up for a budgeted and scheduled fleet replacement for use by the Public Works Department – Streets Maintenance, and

WHEREAS, Ed Stivers Ford, Waukeg, Iowa, is the current holder of the State Bid Contract No. 4416-13 for “Trucks, Vans and SUV’s” as let by the Iowa Department of Administrative Services (DAS), and

WHEREAS, Ed Stivers Ford of Waukeg, Iowa, is able to provide the requested vehicle at the State Bid contracted price, and

WHEREAS, the expenditure for said purchase will be \$25,997 budgeted in FY 2014 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said 2014 Ford F-150 Pick-up from Ed Stivers Ford for the amount of \$25,997,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the named vehicle from Ed Stivers Ford as described herein.

Passed this 14th day of January, 2014.

**Council Agenda Item Cover Sheet****Council Meeting Date:** January 14, 2014**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Tariq Baloch**Phone Number/Ext:** 5283**Email:** t.baloch@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Contract for Sodium Silicofluoride with Hawkins, Inc. for Water Operations for an annual amount not to exceed \$58,000. CIP/DID #1213-099

**Background:**

This chemical is added to the water supply to help prevent dental cavities. Purchasing Services solicited bids on behalf of Water Operations. Three bids were received. Water Operations recommends award to Hawkins, Inc. based on how they deliver the fluoride. The Northwest Water Treatment Plant only has the ability to off-load single pallets. The other two companies, although lower in price, ship the pallets of fluoride double-stacked, which prevents Water staff from off-loading the product. The estimated purchase for 2014 is 128,899 pounds.

**Bids received:**

Company	Location	Price per Pound	Extended Price
Hawkins, Inc.	Minneapolis	\$0.45	\$58,000.00
Key Chemical, Inc.	Waxhaw, NC	\$0.4124	\$53,153.82
Thatcher Company	Salt Lake City	\$0.436	\$56,195.60

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** January 14, 2014**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 531104-621-621001**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** No local company submitted a bid

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for Sodium Silicofluoride on behalf of the City of Cedar Rapids Water Operations; and

WHEREAS, responses were received from three vendors; and

WHEREAS, Water Operations is making the following recommendation for award to Hawkins, Inc. based on how they deliver the fluoride; and

WHEREAS, the Northwest Water Treatment Plant only has the ability to off-load single pallets and the other two bidders, although lower in price, ship the pallets of fluoride double-stacked, which prevents Water staff from off-loading the product; and

WHEREAS, the Contract period will be January 14, 2014 through December 31, 2014, with the option of four additional one-year renewals; and

WHEREAS, the estimated annual expenditure is \$58,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Hawkins, Inc. as described herein.

Passed this 14<sup>th</sup> day of January, 2014.



**Council Agenda Item Cover Sheet****Council Meeting Date:** January 14, 2014**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Kendall Street**Phone Number/Ext:** 5956**Email:** k.street@cedar-rapids.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Utilities Department – Water Operations purchase of six Allen-Bradley variable frequency drives and Marathon motors from Van Meter, Inc. in the amount of \$69,598.68. CIP/DID #1213-109

**Background:**

The Utilities Department – Water Operations has standardized to Allen-Bradley variable frequency drives in the water treatment plants. Van Meter, Inc. is the territorial distributor of Allen-Bradley equipment for Cedar Rapids. Purchasing Services prepared a price request for the purchase of six Allen-Bradley variable frequency drive and Marathon motors from Van Meter, Inc. for use at the J Avenue Water Treatment Plant. Water Operations will purchase one initially, then purchase the remaining five within six months of the initial purchase.

**Pricing Summary:**

Qty	Description	Unit Price	Extended Price
6	Allen-Bradley variable frequency drives	\$10,869.56	\$65,217.36
6	Marathon motors	\$730.22	\$4,381.32
			\$69,598.68

**Action / Recommendation:** Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** January 14, 2014**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 533101-621-621002**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Van Meter, Inc. is a certified local vendor

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Operations has standardized to Allen-Bradley variable frequency drives in the water treatment plants; and

WHEREAS, Van Meter, Inc. is the territorial distributor of Allen-Bradley equipment for Cedar Rapids; and

WHEREAS, Water Operations desires to purchase six Allen-Bradley variable frequency drives and Marathon motors from Van Meter, Inc. for the lime slakers at the J Avenue water treatment plant; and

WHEREAS, the initial purchase shall be one, with the remaining five purchased within six months after the initial purchase; and

WHEREAS, the total cost is \$69,598.68.

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

Passed this 14<sup>th</sup> day of January, 2014.



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Finance-Purchasing Services Division

**Presenter at meeting:** consent

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:**

**Phone Number/Ext:** 5022

**Email:** Judy Lehman

**Description of Agenda Item:**

Contract for Courier and Security Guard Services with Per Mar Security Services for citywide courier and security guard service for an annual amount not to exceed \$100,000. CIP/DID #1013-072

**Background:**

A Request for Proposal was issued on November 15, 2013 for citywide courier and security guard services. Three proposals were received and were carefully evaluated by the evaluation team on 3 criteria; (1) experience and qualifications (2) cost and (3) responsiveness. The team is recommending award to Per Mar Security Services.

Firm	City, State	Ranking Total Points
Per Mar Security Services	Cedar Rapids, IA	839.99
Securitas	Cedar Rapids, IA	625.33
Rochester Armored Car Inc	Marion, IA	Could not provide all services

The services to be provided under this contract are as follows: (1) citywide courier services, (2) utility bill payment station courier services, (3) water shutoff notice delivery services, (4) security patrol checks at the City Services Center, (5) security patrol checks at the Prairie Park Fishery and (6) as needed security guard services.

**Action / Recommendation:**

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to execute a contract with Per Mar Security Services

**Alternative Recommendation:** none

**Time Sensitivity:** Sensitive, current contract expires on January 31, 2014

**Resolution Date:** 01-14-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):** Departmental operating budgets

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Applied but did not affect the outcome.

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

**Explanation (if necessary):**



## RESOLUTION

WHEREAS, the Purchasing Services Division solicited proposals for courier and security guard services on November 15, 2013; and

WHEREAS, three proposals were received and after careful evaluation by city facility personnel, it is recommended that the contract be awarded to Per Mar Security Services; and

WHEREAS, the initial contract will be for a two-year period (February 1, 2014 through January 31, 2016) with the option of two additional two-year renewal periods; and

WHEREAS, the services include; (1) citywide courier services, (2) utility bill payment station courier services, (3) water shutoff notice delivery services, (4) security patrol checks at the City Services Center, (5) security patrol checks at the Prairie Park Fishery and (6) as needed security guard services; and

WHEREAS, the cost of the services shall not exceed \$100,000 annually and the funding is from departmental operating budgets.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and the City Manager and the City Clerk be authorized to sign the contract with Per Mar Security Services.

Passed this 14th day of January 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Scott Sovers, PE  
**E-mail Address:** s.rovers@cedar-rapids.org

**Phone Number/Extension:** 5547

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

Bids were received on January 8, 2014 for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction project (estimated cost is \$2,840,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #655625-05

**Action / Recommendation:**  
 Noted on attached bid report.

**Alternative Recommendation:** None

**Time Sensitivity:** None

**Resolution Date:** None

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

**Budget Information (if applicable):** 655625-03 total funding: \$3,817,000 (Cedar Rapids: \$1,304,848, Marion: \$1,154,232, Hiawatha: \$595,976, Robins: \$761,944, Linn County: \$0). Funding split per multi-jurisdictional agreement (Cedar Rapids Resolution 0827-10-08)

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

**Explanation:** Chapter 26 of the Code of Iowa requires public improvement projects to be awarded to the lowest, responsive, responsible bidder.

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



January 8, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Indian Creek Trunk Sanitary Sewer Segment 2 – Phase 2 Reconstruction, Contract Number 655625-05

Dear City Council:

Bids were received on January 8, 2014 for the Indian Creek Trunk Sanitary Sewer Segment 2 - Phase 2 Reconstruction project as follows:

S.M. Hentges & Sons, Inc., Jordan, MN	\$1,800,940.67
Minger Construction, Inc., Chanhassen, MN	\$1,949,206.00
Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$2,157,616.50
Carstensen Contracting, Inc., Pipestone, MN	\$2,259,591.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$2,269,013.00
S.J. Louis Construction, Inc., Rockville, MN	\$2,387,950.00
Langman Construction, Inc., Rock Island, IL	\$2,496,611.03
S.R. Weidema, Inc., Maple Grove, MN	\$2,782,440.00
BWC Excavating, LC, Solon, IA	\$2,901,957.63
Tschiggfrie Excavating, Dubuque, IA	\$2,985,595.00

The engineers cost opinion for this work is \$2,840,000. 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



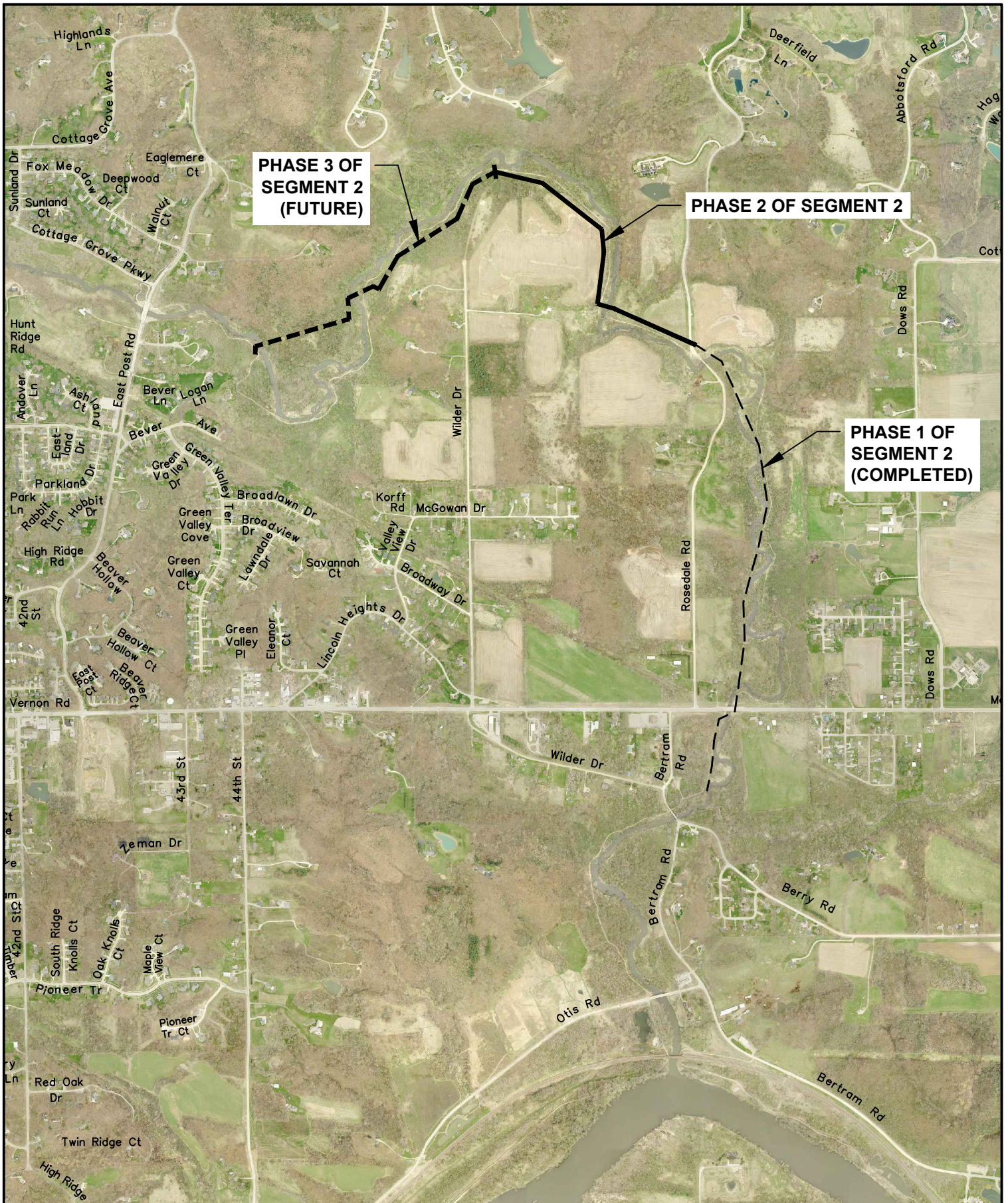
Lee Tippe, P.E.  
Project Engineer II

LJT/cap

cc: David J. Elgin, P.E., L.S., Public Works Director/City Engineer  
Robert A. Davis, P.E., Engineering Manager

Public Works Department  
1201 Sixth Street S.W. • Cedar Rapids, Iowa 52404-5836 • (319) 286-5802 • FAX (319) 286-5801





**PHASE 3 OF  
SEGMENT 2  
(FUTURE)**

**PHASE 2 OF SEGMENT 2**

**PHASE 1 OF  
SEGMENT 2  
(COMPLETED)**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Gary Petersen, PE  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

**Alternate Contact Person:** Doug Wilson, PE  
**E-mail Address:** d.wilson@cedar-rapids.org

**Phone Number/Extension:** 5141

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

Report on bids and resolution awarding and approving contract in the amount of \$99,819 plus incentive up to \$4,000, bond and insurance of L.L. Pelling Company, Inc. for the H Street SW from Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project (estimated cost is \$120,000). CIP/DID #3012072-01

### Background:

L.L. Pelling Company, Inc., North Liberty, IA	\$99,819.00
Incentive up to	<u>\$ 4,000.00</u>
Total	\$103,819.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$106,962.00
Eastern Iowa Excavating & Concrete, Cascade, IA	\$107,000.35
Pirc-Tobin Construction, Inc., Alburnett, IA	\$107,976.90
Hansen Asphalt, Iowa City, IA	\$115,642.00

L.L. Pelling Company, Inc. submitted the lowest of the bids received on December 18, 2013 for the H Street SW from Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project. The bid is within the approved budget. Construction work is anticipated to begin this spring and be completed within 20 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$99,819 plus incentive up to \$4,000, bond and insurance of L.L. Pelling Company, Inc. for the H Street SW from Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation 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 January 14, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** January 14, 2014



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

**Budget Information (if applicable):** CIP No. 3012072: \$120,000

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

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

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



December 18, 2013

City Council  
City of Cedar Rapids

RE: Report on bids as read for the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation, Contract Number 3012072-01

Dear City Council:

Bids were received on December 18, 2013 for the H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$ 99,819.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$106,962.00
Eastern Iowa Excavating & Concrete, Cascade, IA	\$107,000.35
Pirc-Tobin Construction, Inc., Alburnett, IA	\$107,976.90
Hansen Asphalt, Iowa City, IA	\$115,642.00

The engineers cost opinion for this work is \$120,000. 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 red ink, appearing to read "Gary Petersen".

Gary Petersen, P.E.  
Capital Improvement Project Manager

GCP/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 December 3, 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 H Street SW From Diagonal Drive SW to North of 7<sup>th</sup> Avenue SW Pavement Rehabilitation public improvement project (Contract No. 3012072-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on December 7, 2013 pursuant to which a public hearing was held on December 17, 2013, and

WHEREAS, the following bids were received, opened and announced on December 18, 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 January 14, 2013:

L.L. Pelling Company, Inc., North Liberty, IA	\$99,819.00
Incentive up to	<u>\$ 4,000.00</u>
Total	\$103,819.00
Ricklefs Excavating, Ltd., Anamosa, IA	\$106,962.00
Eastern Iowa Excavating & Concrete, Cascade, IA	\$107,000.35
Pirc-Tobin Construction, Inc., Alburnett, IA	\$107,976.90
Hansen Asphalt, Iowa City, IA	\$115,642.00

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$103,819 301-301000-3012072; 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. L.L. Pelling Company, Inc. 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 L.L. Pelling Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to L.L. Pelling Company, Inc.;

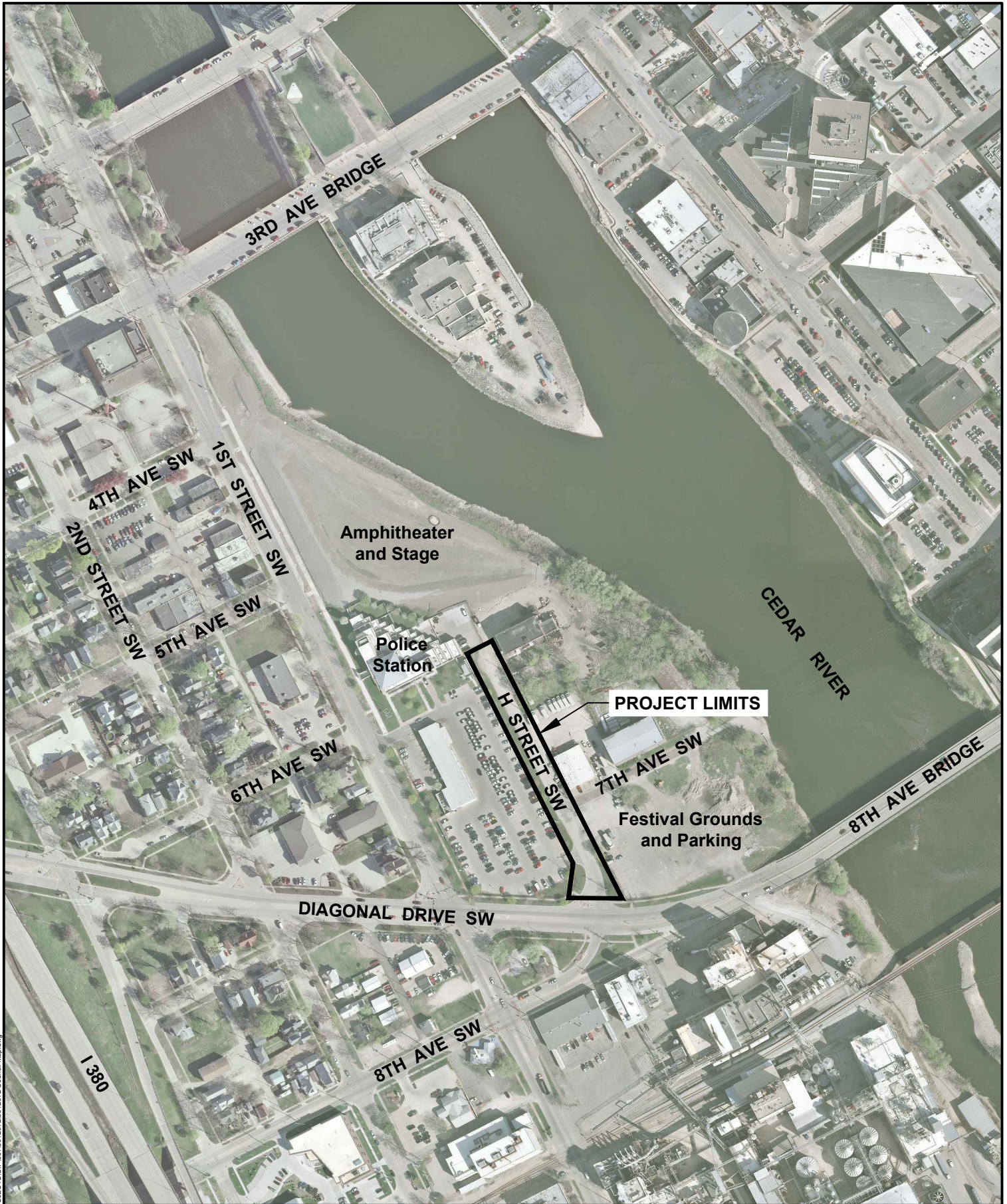
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

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 14th day of January, 2014.





Cadd File Name: W:\PROJECTS\CI\3012072\3012072 Coverd Map.dwg



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 01-14-14

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** John Riggs

**Phone Number/Ext:** X5981

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

**Alternate Contact Person:**

**Phone Number/Ext:**

**Email:**

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

Report on bids for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels. (John Riggs) CIP/DID #1113-089

- a. Resolution awarding and approving contract for the amount not to exceed \$77,470, bond and insurance of BWC Excavating, LC for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project (estimated cost is \$203,000) (**FLOOD**). CIP/DID #1113-089

### **Background:**

The Work to be performed under this project is to provide all-inclusive environmental remediation and demolition services for 10 flood-damaged parcels consisting of 7 main structures and 7 accessory structures. Payment for environmental remediation and demolition services rendered shall be on a firm fixed price basis.

Five bids were received on December 18, 2013. The bids have been carefully reviewed and it is recommended that the contract be awarded to the responsible bidder who submitted the lowest responsive bid, which was submitted by BWC Excavating, LC. The cost of this demolition project is \$77,470.

Vendor	City, State	Bid Amount
BWC Excavating, LC	Solon, IA	\$ 77,470
D.W. Zinser Company	Walford, IA	\$ 87,400
Kelly Demolition	Mt. Vernon, IA	\$ 90,791
Ricklefs Excavating	Anamosa, IA	\$ 116,460
Active Thermal Concepts	Hiawatha, IA	\$ 128,021

The contract shall be effective on the date of issuance of the Notice to Proceed and shall end on March 7, 2014. The contract may be extended upon mutual agreement of the City and the Contractor.

### **Action / Recommendation:**

That the City Council approve the resolution awarding bid and authorizing the City Manager and the City Clerk to execute an agreement with BWC Excavating, LC for the amount not to exceed \$77,470 for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels project, #1113-089.



**Alternative Recommendation:** None

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

**Resolution Date:** 01-14-14

**Estimated Presentation Time:** 2 minutes

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

Structures in the Greenway Area: 3306200001

Structures in the Construction Study Area: 3306200002

Structures in the Neighborhood Revitalization Area: 3306200003

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** Federally Funded Project - CDBG

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

**Explanation (if necessary):**



January 14, 2014

City Council - City of Cedar Rapids

RE: Report on bids as read for the Environmental Remediation and  
Demolition Services for Flood Damaged Structures and Parcels  
Bid # 1113-089

Dear City Council:

Bids were received on December 18, 2013 to provide all-inclusive environmental remediation and demolition services for 10 flood damaged parcels consisting of 7 main structures and 7 accessory structures. Funding is through the Community Development Block Grant (CDBG) Program.

Five bids were received. The bids have been reviewed by city staff and it is recommended the bid be awarded to BWC Excavating, LC for the amount not to exceed \$77,470.

Vendor	City, State	Bid Amount
BWC Excavating, LC	Solon, IA	\$ 77,470
D.W. Zinser Company	Walford, IA	\$ 87,400
Kelly Demolition	Mt. Vernon, IA	\$ 90,791
Ricklefs Excavating	Anamosa, IA	\$ 116,460
Active Thermal Concepts	Hiawatha, IA	\$ 128,021

*Sincerely,*

*Judy Lehman*

CITY OF CEDAR RAPIDS PURCHASING SERVICES DIVISION  
Judy Lehman, CPPB  
Manager, Purchasing Services

cc: John Riggs

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on December 3, 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 specifications, form of contract and cost estimate for the Environmental Remediation and Demolition Services for Flood Damaged Structures and Parcels public improvement project (Contract No. 1113-089) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on December 7, 2013 pursuant to which a public hearing was held on December 17, 2013, and

WHEREAS, the following bids were received, opened and announced on December 18, 2013 by the City Purchasing Manager, 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 January 14, 2014:

BWC Excavating, LC, Solon, IA	\$77,470
D.W. Zinser Company, Walford, IA	\$87,400
Kelly Demolition, Mt. Vernon, IA	\$90,791
Ricklefs Excavating, Anamosa, IA	\$116,460
Active Thermal Concepts, Hiawatha, IA	\$128,021

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$77,470, Structures in the Greenway Area: 3306200001, Structures in the Construction Study Area: 3306200002 and Structures in the Neighborhood Revitalization Area: 3306200003; 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 Purchasing Manager, or 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 Purchasing Manager, or designee, has recommended that the City accept its Bid and award the contract to it;

3. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of BWC Excavating, LC is hereby accepted, and the contract for this public improvement is hereby awarded to BWC Excavating, LC;

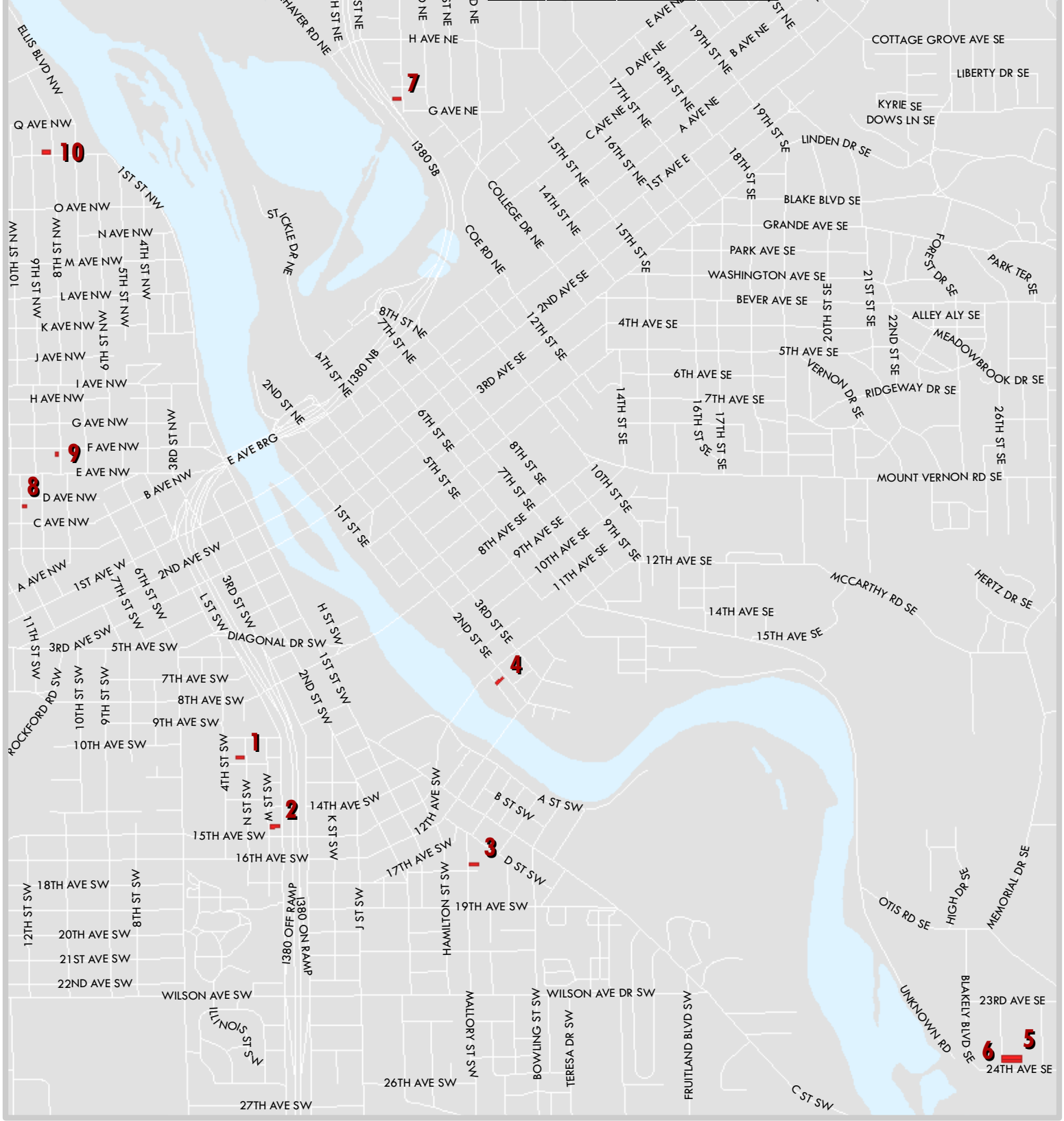
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders have been 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 14th day of January, 2014.

Demolition Contract #1113-089 - Address, GPN and Management Area							
	GPN	Address	MGMT Area	CDBG Coding	Structure - Resd. / Comm.	Accessory Structure(s)	Other Information / Formerly Known As;
1	142835201200000	948 N St SW	NR	3306200003		1	Fence
2	143320300200000	1424 L St SW	NR	3306200003	2	1	Misc. Debris, Driveway - House #2 aka 1433 M St SW
3	143310701000000	1791 Mallory St SW	NR	3306200003	1	1	Walk, Deck & Driveway
4	142840601500000	1215 2nd St SE	CA	3306200002	1		Misc. Concrete
5	143530202400000	2386 Rompot St SE	GA	3306200001		1	Misc. Concrete & Debris
6	143530202500000	0 Vacant Land SE	GA	3306200001	0	0	Fence & Misc. Debris - Adjacent to 2386 Rompot St SE
7	141645700300000	815 12th St NE	NR	3306200003	1	1	Driveway, Misc. Concrete & Debris
8	142913200600000	425 10th St NW	NR	3306200003	1		Misc. Concrete
9	142046400100000	803 F Ave NW	NR	3306200003	1	1	Misc. Concrete
10	142012700800000	1700 8th St NW	NR	3306200003		1	White Fence, Misc. concrete & Debris
Totals					7	7	



Contract #1113-089

■ Parcels

1:24,000



Cedar Rapids IT-GIS  
3601 42nd St NE  
Cedar Rapids, IA 52402  
Date: 11/19/2013



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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2013

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Seth Gunnerson

**Phone Number/Ext:** 319 286-5129

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

**Alternate Contact Person:** Thomas Smith

**Phone Number/Ext:** 319 286-5161

**Email:** [t.smith@cedar-rapids.org](mailto:t.smith@cedar-rapids.org)

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

Second and possible Third Reading amending Chapter 32 of the Municipal Code, the Zoning Ordinance to create a Kingston Village Overlay District with design standard and guidelines applicable to new multi-family and commercial development applications and building permits within the overlay district, and to clarify requirements for review of proposed signage and establishing a timeline for review by all Design Review Technical Advisory Committees. CIP/DID #865258

### **Background:**

At the November 21, 2013 City Planning Commission Meeting, staff presented a recommended ordinance to update Section 32.03.010.C of the City Code to establish a new Design Review Overlay District and make two modifications that would apply to all Design Review Overlay Districts. City Planning Commission unanimously recommended approval of the ordinance.

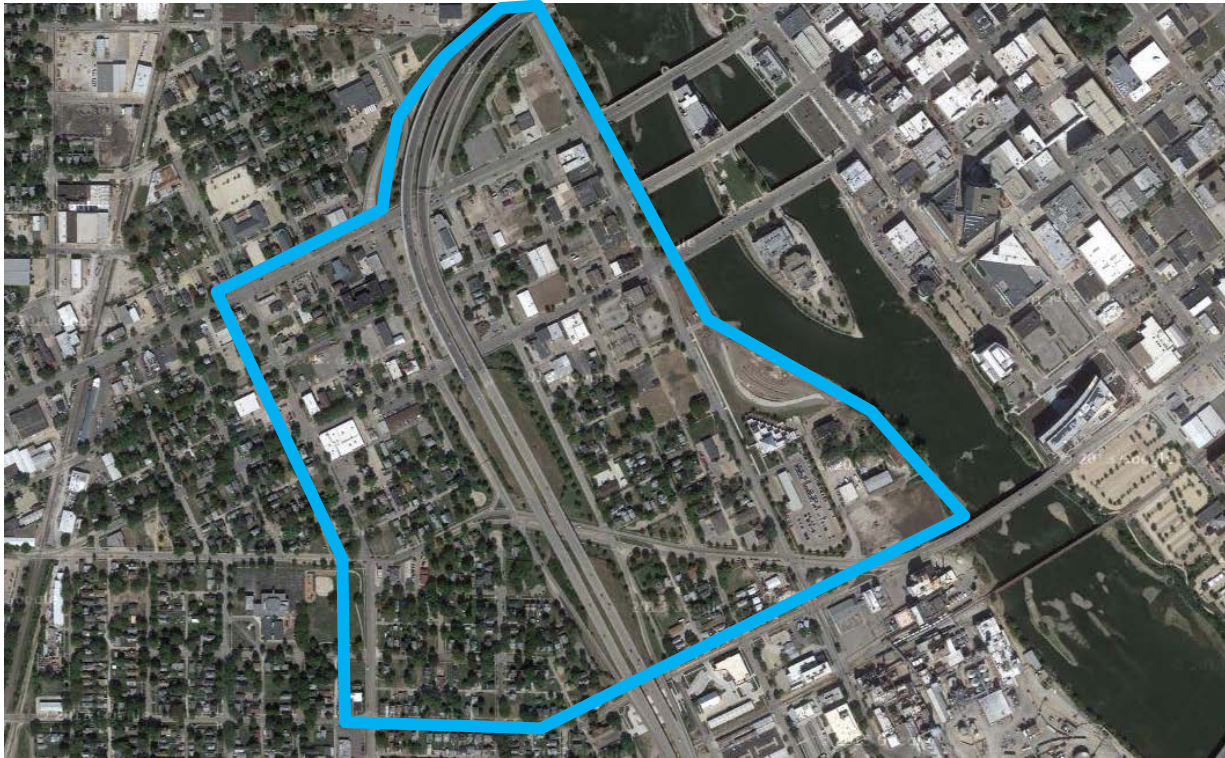
The recommendations were presented to the City Council's Development Committee on October 23, 2013 and recommended for review by the City Planning Commission. Input on the recommendations has been gathered from stakeholders in the Kingston Village planning area, the Developer's Council and from representatives from sign companies in Cedar Rapids.

The establishment of a design review overlay district to provide stakeholders with input on future development projects within the neighborhood was a key recommendation of the 2013 Kingston Village Plan.

The proposed ordinance makes the following modifications to Chapter 32 of the Municipal Code (the Zoning Ordinance)

1. Establishment of a Kingston Village Overlay (KV-O) District to guide future development of the Kingston Village District. This District will have similar guidelines and requirements as the existing Czech Bohemia Overlay District (CB-O)
2. Establishment of a Design Review Technical Advisory Committee (DRTAC) to review requests within the KV-O District.
3. Allow Sign Permits to be reviewed by the DRTAC in all overlay districts.
4. Establish timeline for review of cases by the DRTAC

The boundaries for the proposed Kingston Village Overlay District are the same as the study area for the Kingston Village Plan, and are shown on the map below.



*Proposed KV-O Boundaries*

**Action / Recommendation:**

City staff recommends approval of the 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):**

N/A

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

**Explanation:**

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

**Explanation (if necessary):**

The Development Committee recommended approval of the proposed ordinance at its October 23, 2013 meeting. The City Planning Commission reviewed the proposed ordinance on November 21, 2013 and recommended approval.

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING ORDINANCE TO CREATE A KINGSTON VILLAGE OVERLAY DISTRICT WITH DESIGN STANDARD AND GUIDELINES APPLICABLE TO NEW MULTI-FAMILY AND COMMERCIAL DEVELOPMENT APPLICATIONS AND BUILDING PERMITS WITHIN THE OVERLAY DISTRICT, AND TO CLARIFY REQUIREMENTS FOR REVIEW OF PROPOSED SIGNAGE AND ESTABLISHING A TIMELINE FOR REVIEW BY ALL DESIGN REVIEW TECHNICAL ADVISORY COMMITTEES.

WHEREAS, Ordinance No. 006-12, dated and approved February 14, 2012, established a Czech Bohemia Overlay District to guide future development in the Czech Village and New Bohemia areas of Cedar Rapids, and

WHEREAS, Ordinance 052-12, dated and approved August 18, 2012, established an Ellis Boulevard Overlay district to guide future development along Ellis Boulevard NW, and

WHEREAS, the 2013 Kingston Village Plan, adopted by Council Resolution 0810-05-13, called for the establishment of a Design Review Overlay District to guide future development in the Kingston Village area of Cedar Rapids, and

WHEREAS, the proposed amendment to Chapter 32 of the Municipal Code combines duplicative text between existing and proposed overlay districts and clarifies the roles and responsibilities of the Design Review Technical Advisory Committee within each overlay district, and

WHEREAS, the City Planning Commission reviewed the proposed amendment on November 21, 2013 and recommended it for approval;

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

**Section 1.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.03.010.C.6 – Czech Bohemia Overlay District, and the following Section 32.03.010.C.6 here is hereby adopted in lieu of:

6. Design Review Overlay Districts
  - a. Intent and Overview

The City Council finds that certain areas of the community contain unique architecture and development patterns which are not found elsewhere in Cedar Rapids. In order facilitate development and reconstruction in a consistent, compatibly scaled format and intensity with respect to the surrounding area, the following regulations are established.

The purpose of the below established overlay districts is to ensure that future development and reconstruction within an established district is compatible with the unique character of each district. Each of the Design Review Overlay Districts created by this section is created in order to:

- Create uniform zoning requirements ensuring new construction and rehabilitation of existing properties is consistent with existing or intended development for each district.
- Establish a Design Review Technical Advisory Committee (DRTAC) for each overlay district which shall review proposed projects and provide comments and recommendations on applicable standards and guidelines to improve the quality of development.

**TABLE 32.03-2: REFERENCE OF DESIGN REVIEW OVERLAY DISTRICT REQUIREMENTS**

Section	Description
32.03.010.C.6.a	Describes intent and purpose of Design Review Overlay Districts
32.03.010.C.6.b	Describes the role and procedures for each Design Review Technical Advisory Committee (DRTAC) for each overlay district
32.03.010.C.6.c	Lists the development requirements within each established Design Review Overlay District

b. Development Review Technical Advisory Committee

For each established Design Review Overlay District, a Design Review Technical Advisory Committee (DRTAC) is hereby created.

i. Membership and duties

Each DRTAC shall consist of 5 or 7 members to be appointed by the Mayor upon the advice and consent of the City Council. Members shall serve for terms of up to 3 years. The intent of the DRTAC is to establish a diverse committee for each district, such as land owners, residents, business owners, developers, architects, and others from similar related professional fields.

ii. Scope

The DRTAC Standards and Guidelines shall apply to new construction, additions to existing buildings and/or the exterior rehabilitation of buildings located within the boundaries of each Design Review Overlay District that are submitted after January 24, 2012.

Design Review Overlay District Standards and Guidelines shall not apply to single or two-family dwellings.

iii. Role and Duties

Each DRTAC shall examine applications for:

- (A) Rezoning
- (B) Preliminary Site Development Plans
- (C) Conditional Uses
- (D) Variances
- (E) Building Permits which involve either: new construction, the expansion of an existing building, or the alteration of the exterior of a building.

- (F) Sign Permits which establish a new sign, alter the size, materials, or type of an existing sign, or convert an existing sign to a digital display.

- iv. Meeting Schedule

In order to facilitate the timely review of applications, each district DRTAC shall establish a regular meeting schedule which shall be made available to the public.

- v. Application Procedure

- (A) Application Requirements

Applications shall be submitted in accordance with the procedures established in Section 32.02 of this Ordinance. The Site Development Plan shall meet any requirements established for the Design Review Overlay District in which it is located in addition to the application requirements of Section 32.02. Incomplete applications may not be reviewed

- (B) Staff Review

Staff shall identify applications which are located within a Design Review Overlay District as established in Section 32.03.C.6.c of this code. Applications shall be reviewed by staff to ensure compliance with the Standards and Guidelines for the district in which it is located. Applications requiring review by a DRTAC shall be forwarded to the Committee and reviewed within the timeline established in Section 32.03.C.6.b.v.(C) of this Ordinance.

- (C) Timeline for Review

- (1) Administratively Reviewed Applications

For applications which are approved by staff and do not require a public hearing, the DRTAC shall complete a review and then provide comments to the applicant within 10 business days of an application being forwarded to the Committee.

- (2) Applications Requiring a Public Hearing

For applications which require a hearing in front of the Board of Adjustment, City Planning Commission or the City Council, the DRTAC shall complete a review of the project and then provide comments to the approving or recommending body prior to the public meeting.

- (3) Lack of Review

Applications which are deemed complete and not reviewed by a DRTAC within the timeframe established above shall be forwarded to the appropriate recommending or approving body without comment.

- c. Design Review Overlay Districts Created

The following Design Review Overlay Districts are hereby created:



i. Czech-Bohemia (CB-O) Overlay District

The Czech Bohemia Overlay ("CB-O") District is hereby created. The City Council finds that the CB-O District contains unique architecture that illustrates the history of urban development in the core of Cedar Rapids. The CB-O District contains a wide variety of architectural styles which reflect the first Czech settlements in Cedar Rapids, the Third Street commercial area, Czech Village, and the historic residential areas of the Oak Hill Jackson and the Czech Village neighborhoods. The purposes of the CB-O District are to ensure that the future development and reconstruction of commercial and multi-family buildings is compatible with the unique character of the CB-O District and to preserve its economic viability.

(A) *District Boundaries*

The CB-O District shall be an overlay for the entire area designated in Figure 32.03-1

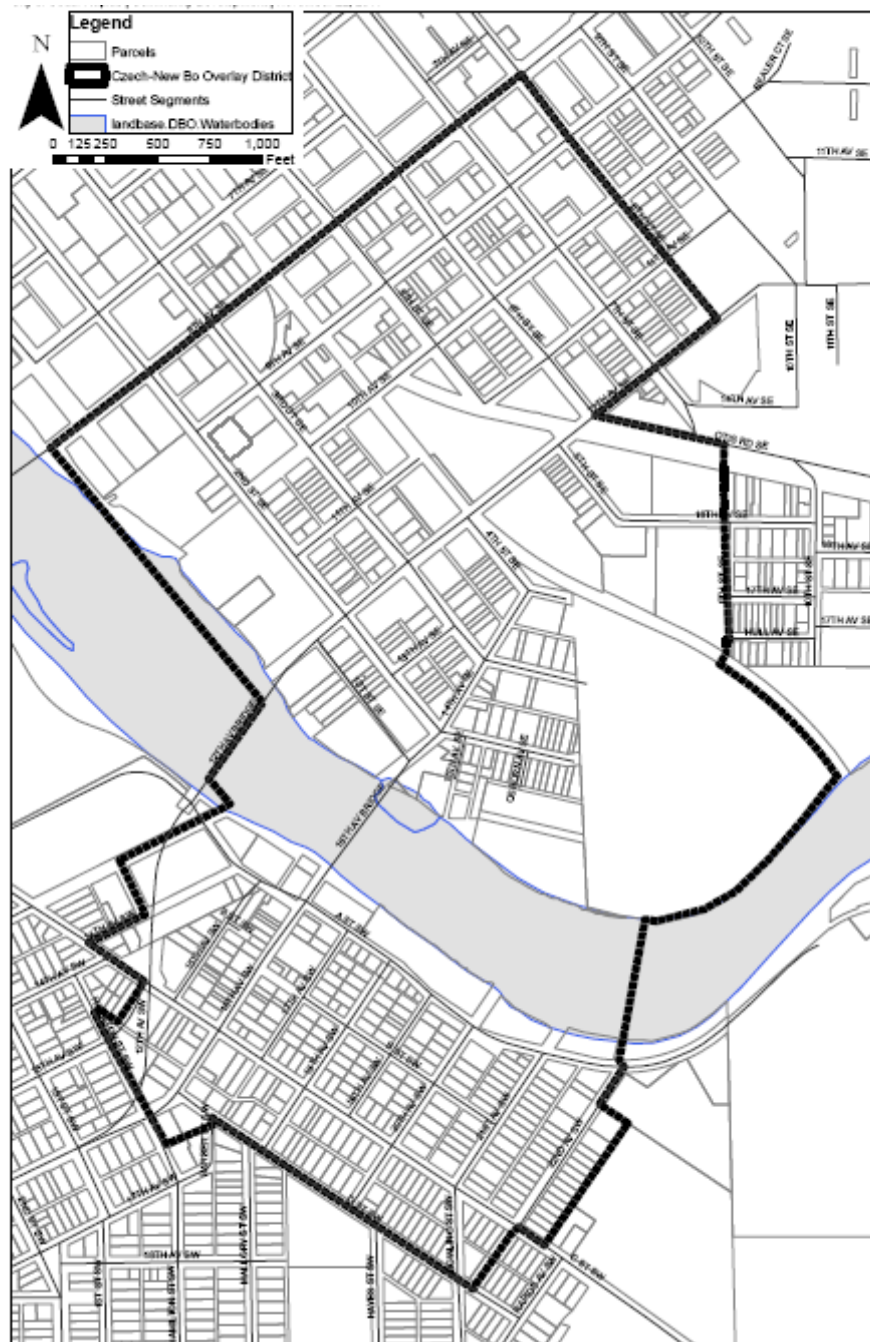


Figure 32.03-1 – Czech Bohemia Overlay District Boundaries

(B) *CB-O District Standards and Guidelines*

All new construction, additions to existing buildings and/or the exterior rehabilitation of buildings located within the boundaries of the CB-O District shall meet the following Standards and Guidelines:

(1) *Site Development Plan*

A site development plan and building elevations shall be required as part of the approval of a development project within the CB-O District. The

site development plan shall comply with all provisions of this Ordinance.

(2) *Size, Form and Volume*

- (a) Facade heights for new buildings and additions must fall within the height range of the surrounding block.
- (b) Floor-to-floor heights for new buildings and additions shall appear similar to those within the range of the surrounding block.
- (c) Proposed facades wider than the established historic range of the block upon which the proposed development is to be located may be permitted, but design features shall be included to mimic traditional building widths of 50 feet or less. Changes in facade material, building height, window style or architectural detail are examples of techniques that may be permitted to break up a facade.

(3) *Building Orientation and Parking*

- (a) Commercial buildings shall be constructed to the edge of the sidewalk with zero setbacks.
- (b) Multi-family buildings shall be constructed with setbacks that lie within the established setback range of the block.
- (c) Principal building entrances shall be a prominent feature of the building's facade and should face the primary street serving the development.
- (d) Parking should be located behind buildings when feasible. Parking lots adjacent to sidewalks are discouraged.

(4) *Architectural Details*

All new construction shall include architectural facade elements and composition as follows:

- (a) The facade should have a vertical orientation and maintain the traditional proportions of height and width found in existing historic buildings in the CB-O District.
- (b) The top edge of the building shall be defined by a cornice line or similar articulation.
- (c) Windows and doors shall be located, spaced and aligned on the building facade in a manner consistent with the established context of the block.
- (d) The sizes of windows and doors shall be consistent with the proportions of historic buildings in the District.
- (e) Highly reflective, opaque or darkly tinted glass shall not be used for windows or doors.

(5) *Building Materials*

- (a) All new construction shall use compatible and traditional building materials such as brick, limestone and metalwork. A creative mix of materials consistent with the historic character of the area may be considered.
- (b) Materials shall be used in a manner that incorporates architectural details, complementary textures and small scale elements, especially on the first floor of the primary facade.

(6) *Signage*

- (a) New signage shall respect the size, scale and design of the building to which it is attached, and the buildings of the surrounding District.
- (b) New signage shall not obscure significant architectural details of a historic structure.
- (c) Acceptable forms of signage include signs integrated into or affixed flat against a building facade, wall signs, projecting signs and monument signs. Other types of signage may be considered if compatible with the unique character of the District.

ii. Ellis Area Overlay District (EA-O)

The Ellis Area Overlay ("EA-O") District is hereby created. The City Council finds that the EA-O District represents a unique neighborhood boulevard containing a mix of uses including single-family homes, multi-family dwellings, commercial and public uses. The District's character illustrates the development of a traditional near-downtown neighborhood that evolved from the turn of the last century through the 1960s and beyond with a range of styles of worker housing and neighborhood-oriented commercial uses. The purposes of the EA-O District are to ensure that the future development and reconstruction of commercial, mixed use and multi-family buildings is compatible with the unique character of the EA-O District and to preserve its economic viability.

(A) *District Boundaries*

The EA-O District shall be an overlay for the entire area designated in Figure 32.03-2



Figure 32.03-2 Ellis Boulevard Overlay District

(B) *EA-O District Standards and Guidelines*

All new construction, additions to existing buildings and/or the exterior rehabilitation of buildings located within the boundaries of the EA-O District shall meet the following Standards and Guidelines:

(1) *Site Development Plan*

A site development plan and building elevations shall be required as part of the approval of a development project within the EA-O District. The site development



plan shall comply with all provisions of this Ordinance.

(2) *Size, Form and Volume*

- (a) Facade heights for new buildings and additions must fall within the height range of the surrounding block, and shall not exceed three stories.
- (b) Floor-to-floor heights for new buildings and additions shall appear similar to those within the range of the surrounding block.
- (c) Proposed facades wider than the established historic range of the block upon which the proposed development is to be located may be permitted, but design features shall be included to mimic traditional building widths of 50 feet or less. Changes in facade material, building height, window style or architectural detail are examples of techniques that may be permitted to break up a facade.

(3) *Building Orientation and Parking*

- (a) The street frontage setback for commercial buildings shall be a maximum of five (5) feet, and sidewalk connections to front entrances shall be provided.
- (b) The street frontage setback for multi-family buildings shall fall between a minimum of zero (0) feet and a maximum consistent with the established setback range of the block.
- (c) Principal building entrances shall be a prominent feature of the building's facade and should face the primary street serving the development.
- (d) Off-street parking shall be located behind buildings. New parking lots shall not be located at the street frontage adjacent to sidewalks. Parking access shall be from adjoining secondary streets or from an alley. New driveways accessing Ellis Boulevard shall not be permitted.

(4) *Architectural Details*

All new construction shall include architectural facade elements and composition as follows:

- (a) The facade should reference elements of mid-20th century design and architecture, such as the use of flat roofs; large windows; and simple, geometric architectural details.
- (b) The use of low fencing for residential lots, such as pickets, is encouraged in order to provide a neighborhood character reflective of the traditional mid-20th century.
- (c) Windows and doors shall be located, spaced and aligned on the building facade

in a manner consistent with the established context of the block.

- (d) The sizes of windows and doors shall be consistent with the proportions of historic buildings in the District.

(5) *Building Materials*

- (a) All new construction shall use compatible and traditional building materials such as brick, wood siding, concrete block and glass block. A creative mix of materials consistent with the character of the area may be considered.
- (b) Materials shall be used in a manner that incorporates architectural details, complementary textures and small scale elements, especially on the first floor of the primary facade.

(6) *Signage*

- (a) New signage shall respect the size; scale and design of the building to which it is attached, and the buildings of the surrounding District.
- (b) New signage shall not obscure significant architectural details of a historic structure.
- (c) Acceptable forms of signage include signs integrated into or affixed flat against a building facade, wall signs, projecting signs and monument signs. Other types of signage may be considered if compatible with the unique character of the District.

iii. Kingston Village Overlay District (KV-O)

The Kingston Village Overlay ("KV-O") District is hereby created. The City Council finds that the Kingston Village represents a unique and historic district in Cedar Rapids transitioning into a mixed use community. The KV-O District contains a mix of architectural styles and building types representing development from the early 20th century to modern architectural styles. Particular care should be taken to preserve the Historic 3rd Avenue SW corridor with infill construction which compliments the existing historic structures. Development elsewhere within the KV-O may be more eclectic in style, but shall meet the design requirements set forth in this section. The 2013 Kingston Village Plan shall serve as a reference to help guide future land use decisions in the area.

The purpose of the KV-O is to ensure that future development and reconstruction of commercial, multi-family, and mixed use buildings is compatible with the unique character of the Kingston Village District and to preserve the Kingston Village as a viable commercial corridor.

(A) *District Boundaries*

The KV-O District shall be an overlay for the entire area designated in Figure 32.03-3

# Kingston Village Overlay District



Figure 32.03-3 Kingston Village Overlay District

(B) *KV-O District Standards and Guidelines*

All new construction, additions to existing buildings and/or the exterior rehabilitation of buildings located within the boundaries of the KV-O District shall meet the following Standards and Guidelines:

(1) *Site Development Plan*

A site development plan and building elevations shall be required as part of the approval of a development project within the CB-O District. The site development plan shall comply with all provisions of this Ordinance.

(2) *Size, Form and Volume*

- (a) Facade heights for new buildings and additions must fall within the height range of the surrounding block.
- (b) Floor-to-floor heights for new buildings and additions shall appear similar to those within the range of the surrounding block.
- (c) Proposed facades wider than the established historic range of the block upon which the proposed development is to be located may be permitted, but design features shall be included to mimic traditional building widths of 50 feet or less. Changes in facade material, building height, window style or architectural detail are examples of techniques that may be permitted to break up a facade.

(3) *Building Orientation and Parking*

- (a) Commercial buildings shall be constructed to the edge of the sidewalk with zero setbacks.
- (b) Multi-family buildings shall be constructed with setbacks that lie within the established setback range of the block.
- (c) Principal building entrances shall be a prominent feature of the building's facade and should face the primary street serving the development.
- (d) Parking should be located behind buildings when feasible. Parking lots adjacent to sidewalks are discouraged.

(4) *Architectural Details*

All new construction shall include architectural facade elements and composition as follows:

- (a) The facade should have a vertical orientation and maintain the traditional proportions of height and width found in existing historic buildings in the CB-O District.
- (b) The top edge of the building shall be defined by a cornice line or similar articulation.

- (c) Windows and doors shall be located, spaced and aligned on the building facade in a manner consistent with the established context of the block.
- (d) The sizes of windows and doors shall be consistent with the proportions of historic buildings in the District.
- (e) Highly reflective, opaque or darkly tinted glass shall not be used for windows or doors.

(5) *Building Materials*

- (a) All new construction shall use compatible and traditional building materials such as brick, limestone and metalwork. A creative mix of materials consistent with the historic character of the area may be considered.
- (b) Materials shall be used in a manner that incorporates architectural details, complementary textures and small scale elements, especially on the first floor of the primary facade.

(6) *Signage*

- (a) New signage shall respect the size, scale and design of the building to which it is attached, and the buildings of the surrounding Overlay District.
- (b) New signage shall not obscure significant architectural details of a historic structure.
- (c) Acceptable forms of signage include signs integrated into or affixed flat against a building facade, wall signs, projecting signs and monument signs. Other types of signage may be considered if compatible with the unique character of the District.

**Section 2.** That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.03.010.C.6 – Ellis Area Overlay District,

**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 Chapter 32 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 17<sup>th</sup> of December, 2013.





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** January 14, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5043

**Alternate Contact Person:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Phone Number/Ext:** 319 286-5822

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

Second and possible Third Reading of an Ordinance granting a change of zone for property at 4625 Tower Terrace Road NE from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District as requested by Twisters Gymnastics and HJD Investments, LLC. CIP/DID #RZNE-002991-2013

### **Background:**

The request for a Future Land Use Map Amendment (FLUMA) and rezoning of this property was reviewed by the City Planning Commission on June 27, 2013 and recommended for approval on a 6 to 2 vote. There were no objectors or concerned citizens present. City Council held public hearings for the FLUMA and rezoning on July 23, 2013. The applicant requested the City hold off on the readings of the Ordinance and voting on the Resolution for the FLUMA while issues regarding provision of water and sanitary sewer for the proposed development were worked out. The applicant has come to a resolution on these issues and now would like to complete the rezoning process.

The applicant is requesting rezoning to allow for the development of a gymnastics training and event facility. The applicant has also submitted a request to amend the Pleasant Prairie Area Neighborhood Plan Map to a Commercial designation. The request for rezoning was submitted without a Preliminary Site Development Plan. If the applications for the Plan Map amendment and rezoning are approved the applicant will need to submit for Preliminary Site Development Plan and Administrative Site Development Plan approval prior to commencing development of the site.

### **Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"><li>City staff reviewed the application and recommended revisions, which were made.</li></ul>
City Planning Commission review	<ul style="list-style-type: none"><li>The City Planning Commission reviewed both applications on June 27, 2013 and recommended approval of both by a 6 to 2 vote. A portion of those minutes are included as Attachment A.</li><li>There were no objectors and this is not a flood related item.</li></ul>
City Council	<ul style="list-style-type: none"><li>A Public Hearing for the rezoning application was held on July 23,</li></ul>

consideration	<p>2013 to consider this application &amp; allow for public input.</p> <ul style="list-style-type: none"> <li>• The next step in the process is for City Council to hold the first reading of the ordinance.</li> <li>• Two additional readings of the Ordinance are required by State law before approval of the rezoning is final.</li> <li>• Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>
---------------	---

**Action / Recommendation:**

City staff recommends approval of the Second and possible Reading.

**Alternative Recommendation:**

Table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

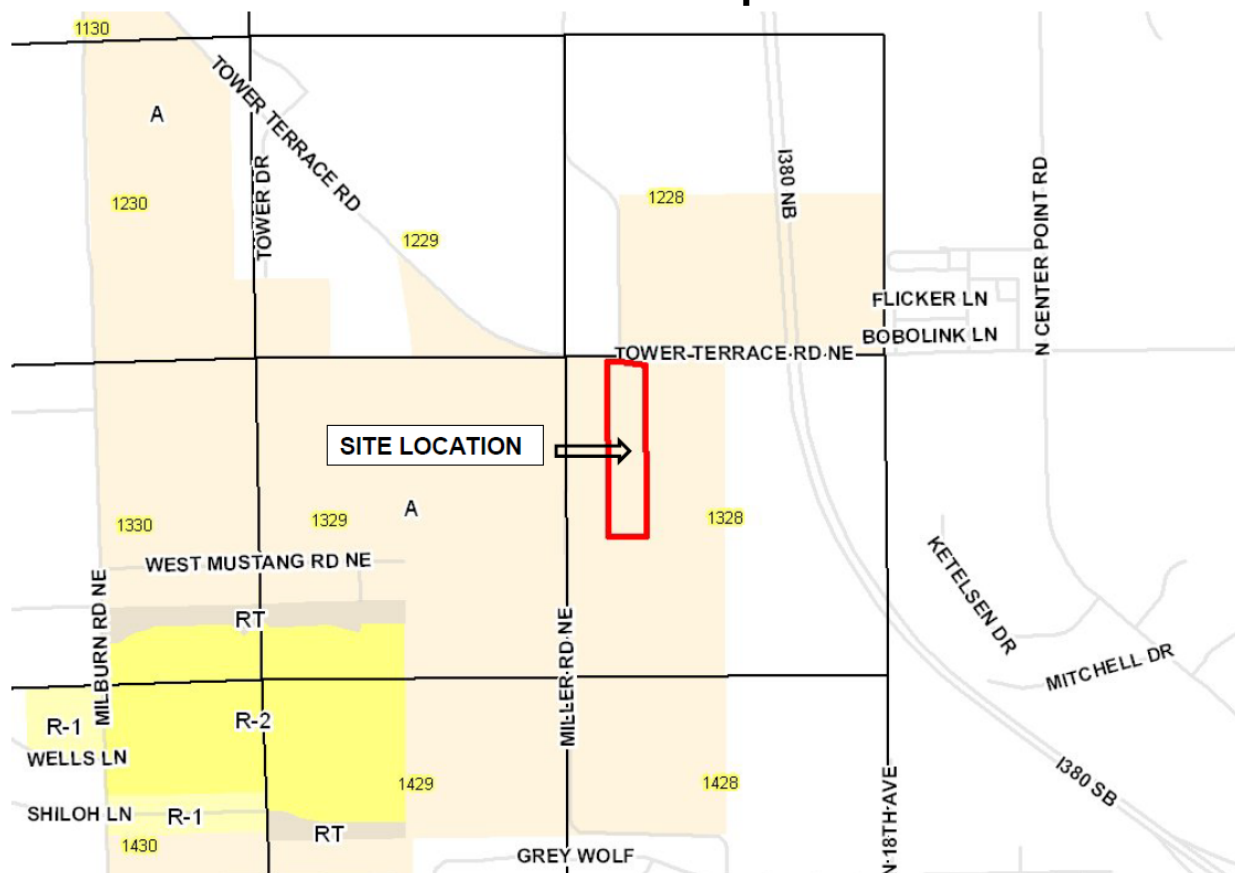
**Budget Information (if applicable):** N/A

**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

## Location Map





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

**MINUTES**  
**CITY PLANNING COMMISSION REGULAR MEETING,**  
**Thursday, June 27, 2013 @ 3:00 p.m.**  
**Cedar Rapids City Hall Council Chambers, 101 First Street SE**

Members Present:     Scott Overland, Chair  
                             Jim Halverson, Vice – Chair  
                             Scott Friauf  
                             Gloria Frost  
                             Carletta Knox-Seymour  
                             Laura Seaton  
                             Allan Thoms  
                             Virginia Wilts

Members Absent:     Mike Tertinger

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

CD Staff:               Seth Gunnerson, Planner  
                             Alicia Abernathy, Administrative Assistant

The meeting was called to order at 3:01 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 seven (7) Commissioners present and two (2) absent.

Commissioner Overland stated Commissioners have received the minutes from June 6, 2013 and called for additions or corrections. Commissioner Thoms made a motion to approve the minutes from June 6, 2013. Commissioner Wilts seconded the motion. The motion passed unanimously with none opposed.

Commissioner Overland called for a motion to approve the agenda. Commissioner Frost made a motion to approve the agenda. Commissioner Halverson seconded the motion. The motion passed unanimously with none opposed.

**REGULAR AGENDA**

- 1. Case Name: 4625 Tower Terrace Road NE (FLUMA and Rezoning) Case No. FLUMA-003506-2013 and RZNE-002991; Case Manager: Vern Zakostelecky**

- a) Request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Office and Medium Density Residential to Commercial as requested by Twisters Gymnastics (Applicant) and HJD Investments LLC (Titleholder).
- b) Recommendation for approval of a rezoning from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District as requested by Twisters Gymnastics (Applicant) and HJD Investments LLC (Titleholder).

Vern Zakostelecky, Development Services, stated the property is south of Tower Terrace Road and west of Interstate 380. The applicant is looking to develop a gymnastics training and event facility. The applicant is Twisters Gymnastics who currently own a facility in Hiawatha and are looking to develop a new facility. A site plan was not submitted with the rezoning so the site plan will return to City Planning Commission in the future. This is an amendment to the Pleasant Prairie Neighborhood Plan as the area was being contested for annexation by Hiawatha when the Comprehensive Plan was adopted. The Comprehensive Plan shows it as a future planning area. City staff met with the neighborhood residents and developed an area plan with a future land use map associated with the plan. Mr. Zakostelecky presented a location map and aerial photo pointing out the property location and the potential Tower Terrace Road Interchange. A neighboring property owner contacted City staff and pointed out a well is located on the property and requested the well be capped to ensure no future contamination. Mr. Zakostelecky presented the Pleasant Prairie Neighborhood Area Plan pointing out future road extensions in relation to the property.

Commissioner Overland called for questions of Mr. Zakostelecky. Commissioner Thoms stated by making this change, the City is committing to making the entire area commercial. Mr. Zakostelecky stated that is correct to a certain extent. This type of use is allowed in a commercial district but is more of a service related activity. The City does not currently have public sewer or water at this location and would have to provide a lift station to allow sewer and water.

Commissioner Thoms asked what was located west of the property. Mr. Zakostelecky stated a large lot single-family home is located west of the property. An effort has been made to reach out to the neighborhood in regard to the land use and rezoning changes.

Commissioner Halverson stated for the record his daughter was employed by Twisters Gymnastics and was a gymnast there for several years but he does not feel it would require recusal from the discussion. Commissioner Halverson asked why the conditions do not list the capping of the well. Mr. Zakostelecky stated it was not included in the staff report as the well was brought to staff attention a few days prior to the meeting but the capping of the well should be included in the motion as a condition.

Commissioner Overland called for a representative of the applicant. The applicant did not wish to speak. 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 Future Land Use Map Amendment. Commissioner Halverson made a motion to approve the Future Land Use Map Amendment from Office and Medium Density Residential to Commercial with the additional condition of capping the well. Commissioner Knox-Seymour seconded the motion.

Commissioner Overland called for discussion on the motion. Commissioner Thoms stated he does not support the motion as there has not been a complete effort of determining what the use of the land is going to be overall. Commissioner Friauf stated Hiawatha, Marion and Cedar Rapids are spending a lot of money to get Tower Terrace Road to be a recognizable roadway and growth will happen rapidly once the roadway is complete. Mr. Zakostelecky stated Iowa DOT was weighed in on the development to ensure it does not interfere with the Tower Terrace Road Interchange. Commissioner Halverson stated this use is more conducive for the area rather than residential. Commissioner Thoms stated he is objecting to changing the land use to commercial.

Commissioner Overland called for a vote on the motion. The motion passed with a vote of six (6) to two (2).

Commissioner Overland called for a motion to approve the rezoning. Commissioner Friauf made a motion to approve the rezoning from A, Agriculture Zone District to C-MU, Commercial Mixed Use Zone District with the additional condition of capping the well. Commissioner Halverson seconded the motion.

Commissioner Overland called for discussion on the motion. No discussion was presented. The motion passed with a vote of six (6) to two (2).

The meeting was adjourned at 3:45 p.m.

Respectfully Submitted,

Alicia Abernathey, Administrative Assistant II  
Community Development



ORDINANCE NO.

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

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

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

Lot 1, C & H Country Acres 1<sup>st</sup> Addition to Cedar Rapids, Linn County, Iowa.

and located at 4625 Tower Terrace Road NE, now zoned A, Agriculture Zone District, and as  
shown on the "District Map," be rezoned and changed to C-MU, Commerical Mixed Use Zone  
District, and that the property be used for such purposes as outlined in the C-MU, Commerical  
Mixed Use 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 a 50' half street ROW on Tower Terrace Rd. shall be dedicated with future site plan  
submittal in accordance with ROW requirement for future Tower Terrace Road NE.
2. That future development under this rezoning action shall be subject to the RSDP review  
process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such  
Development shall meet all City development standards in effect at the time of plan  
submittal.
3. That this site shall be developed in compliance with the provisions of the Flood Plain  
Management Ordinance.
4. Required buffer-yards and effective screening will be required where adjacent to an R  
district or a variance be obtained.
5. That prior to or at the time of application for Preliminary Site Development Plan approval  
the property owner shall provide evidence that the Iowa Department of Transportation  
has review and signed off on the development plans for this site.
6. That prior to or at the time of application for Preliminary Site Development Plan approval  
the property owner shall work with the City Public Works Engineering Department to  
determine what if any right-of-way needs to be dedicated to provide for the extension of  
future Edgewood Road through this general area north to Tower Terrace Road NE.
7. That prior to or at the time of application for Preliminary Site Development Plan the  
property owner shall provide the City with a recorded agreement between the property  
owner and the City of Hiawatha for provision of Hiawatha water for the property.

8. That at the time of application for Preliminary Site Development approval the property owner shall provide evidence of Linn County Health Department approval for private waste water disposal system to serve the property.
9. That prior to issuance of a building permit the existing well on the property be capped and sealed and proof of this action be submitted to the City Development Services Department.

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 17<sup>th</sup> day of December, 2013.