

*“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, March 11, 2014 at 12:00 noon in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. *(Please silence cell phones and pagers.)*

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
 - ❖ Proclamation – National Problem Gambling Awareness Month (Traci Kent)
 - ❖ Presentation and Proclamation – National Engineering Competition (Marie Chamberlin, Elisabeth Jasper, Elise Williams, Shannon Haas and Gary Bishop)
 - ❖ Presentation – Recognition of Small Business Flood Recovery Group (Ann Poe)

PUBLIC HEARINGS

1. A public hearing will be held to consider a request by Acme Electric Company, Inc. for an Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE.
 - a. Resolution authorizing an Urban Revitalization Area designation for relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels at 1024 2nd Street SE and 208 11th Avenue SE and the construction of five new row houses for sale at 1008 2nd Street SE and 1012 2nd Street SE. CIP/DID #865223
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Acme Electric Company, Inc. Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE and 208 11th Avenue SE. CIP/DID #865223

2. A public hearing will be held to consider a request by Armar Ventures, LC for an Urban Revitalization Area designation for new construction to be located adjacent and to the east of 4850 Armar Drive SE. (Jennifer Pratt)
 - a. Resolution authorizing an Urban Revitalization Area designation for new construction adjacent and to the east of 4850 Armar Drive SE; CIP/DID #1040575
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Armar Ventures, LC Urban Revitalization Area designation adjacent and to the east of 4850 Armar Drive SE. CIP/DID #1040575
3. A public hearing will be held to consider a request by Auxiant for an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE. (Jennifer Pratt)
 - a. Resolution authorizing an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE; CIP/DID #1040577
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Auxiant Urban Revitalization Area designation at 424 1st Avenue NE. CIP/DID #1040577
4. A public hearing will be held to consider a request by Fleck Sales Company for an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW. (Jennifer Pratt)
 - a. Resolution authorizing an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW; CIP/DID #1040572
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Fleck Sales Company Urban Revitalization Area designation at 11125 High Life Court SW. CIP/DID #1040572
5. A public hearing will be held to consider the Fiscal Year 2015 Annual Budget. (Casey Drew)
 - a. Resolution adopting the Fiscal Year 2015 Annual Budget. CIP/DID #1089972
6. A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates. (Steve Hershner)
 - a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates. CIP/DID #1074300
7. A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates. (Steve Hershner)
 - a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates. CIP/DID #1074304
8. A public hearing will be held to consider amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates. (Steve Hershner)
 - a. First Reading: Ordinance amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates. CIP/DID #1074305

9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project (estimated cost is \$140,000). (Doug Carper)
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project. CIP/DID #635127-20

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.**

10. Motion to approve minutes.

11. Motions setting public hearing dates for:

- a. March 25, 2014 – to consider the vacation and disposition of public ways and grounds described as a portion of 2nd Street NW right-of-way located between A Avenue NW and 1st Avenue West; a 20-foot wide strip of alley right-of-way located between A Avenue NW and 1st Avenue West, and between 1st Street NW and 2nd Street NW; a 20-foot wide strip of alley right-of-way located between 1st Avenue West and 2nd Avenue SW, and between 1st Street SW and 2nd Street SW; a 20-foot wide strip of alley right-of-way located between 2nd Street SW and 3rd Street SW, and between 1st Avenue West and 2nd Avenue SW; and 2nd Street SW right-of-way located between 1st Avenue West and 2nd Avenue SW as requested by the Cedar Rapids Development Group, LLC in connection with the Cedar Crossing Casino project; CIP/DID #41-13-038
- b. March 25, 2014 – to consider renaming H Street SW to Valor Way SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW as requested by the City of Cedar Rapids Police Department; CIP/DID #STREET-007954-2014
- c. March 25, 2014 – to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Industrial and to consider a change of zone for property at 837 44th Street SE from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher; CIP/DID #FLUMA-007145-2013

- d. March 25, 2014 – to consider a change of zone for property at 127 28th Street Drive SE from R-2, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by Cornerhouse Properties, LLC; CIP/DID #RZNE-007395-2013
 - e. March 25, 2014 – to consider a change of zone for property at 4719 J Street SW from I-2, General Industrial Zone District to C-3, Regional Commercial Zone District as requested by American Baking Systems and Albert E. and Sondra K. Farrington; CIP/DID #RZNE-008132-2014
 - f. March 25, 2014 – to consider a change of zone for property at 1424 B Avenue NE from PUB, Public Zone District to RMF-2, Multiple Family Residence Zone District as requested by Coe College; CIP/DID #RZNE-008354-2014
 - g. March 25, 2014 – to consider amending Chapter 18 of the Municipal Code, Historic Preservation, extending the demolition review period to 15 business days; CIP/DID #481967
 - h. March 25, 2014 – to consider a change of use for property located at 500 and 502 F Avenue NW as required to meet requirements of the Community Development Block Grant (CDBG) Program (**FLOOD**); CIP/DID #540257
 - i. March 25, 2014 – to consider amending Chapter 22A of Municipal Code, Nuisance Property, by deleting Section 22A.03 therefrom and enacting a new section 22A.03, establishing regulations relating to nuisance activity. CIP/DID #807542
12. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the WPC Electric Metering Upgrade project and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on April 9, 2014 (estimated cost is \$826,000). CIP/DID #615225-02
 13. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Curb Repair Project – Contract 2 project and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 26, 2014 (estimated cost is \$330,000) (**Paving for Progress**). CIP/DID #301998-05
 14. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 26, 2014 (estimated cost is \$123,000). CIP/DID #3017014-01
 15. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the Sun Valley Neighborhood SE Storm Sewer Installation project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on April 2, 2014 (estimated cost is \$370,000) (**FLOOD**). CIP/DID #304224-04
 16. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the 1st Avenue East from 17th Street SE to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on April 2, 2014 (estimated cost is \$81,000). CIP/DID #3012034-02

17. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the J Avenue Water Treatment Plant 1929 Tower Renovation project and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on April 9, 2014 (estimated cost is \$172,000). CIP/DID #625028-07
18. Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the NW Water Treatment Plant Chlorine System Improvements project and authorizing the Utilities Director, or designee, to receive and open bids and publicly announce the results on April 9, 2014 (estimated cost is \$150,000). CIP/DID #625900-01
19. Motion approving the beer/liquor/wine applications of: CIP/DID #1088618
 - a. Beef O'Brady's, 5240 Edgewood Road NE;
 - b. Bricks Bar & Grill, 320 2nd Avenue SE (additional outdoor service area for an event on March 17-18, 2014);
 - c. Cedar Rapids Ball Club, 950 Rockford Road SW;
 - d. Cedar Rapids Country Club, 550 27th Street Drive SE (new – Class C Commercial license);
 - e. Cottage Grove Place, 2115 1st Avenue SE (new);
 - f. Emil's Hideaway, 222 Glenbrook Drive SE;
 - g. Gatherings, 905 3rd Street SE (transfer to St. Patrick Church, 120 5th Street NW, for an event on March 17, 2014);
 - h. Guppy's On The Go, 235 Edgewood Road NW;
 - i. Guppy's On The Go, 1532 Ellis Boulevard NW;
 - j. Home Port, 624 Center Point Road NE;
 - k. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE;
 - l. Moose McDuffy's, 834 1st Avenue NE (new – new ownership);
 - m. Mulligan's Pub, 1060 Old Marion Road NE;
 - n. Playtime Tap, 933 14th Avenue SW;
 - o. Starlite Room, 3300 1st Avenue NE.
20. Resolutions (3) approving payment of bills and payroll. CIP/DID #1089970
21. Resolutions approving appointments, reappointments and thanking the following individuals: CIP/DID #542014
 - a. Jasmine Almoayed (effective through 12/31/2015), Angie Charipar (effective through 12/31/2015), Dave Elgin (effective through 12/31/2015), Amy Stevenson (effective through 12/31/2015), Steve Hershner (effective through 12/31/2015), Maria Johnson (effective through 12/31/2016), Sven Leff (effective through 12/31/2016), Ann Poe (effective through 12/31/2016), Jeffrey Pomeranz (effective through 12/31/2016), Mo Sheronick (effective through 12/31/2017), Sandi Fowler (effective through 12/31/2017), Monica Vernon (effective through 12/31/2017) and Susie Weinacht (effective through 12/31/2017) to the Corridor Metropolitan Planning Organization; CIP/DID #542014
 - b. Ron Corbett (effective through 12/31/2014), Mark English (effective through 12/31/2015), Steve Hershner (effective through 12/31/2015), Mark Jones (effective through 12/31/2015), Ralph Russell (effective through 12/31/2016), and Justin Shields (effective through 12/31/2016) to the Cedar Rapids Linn County Solid Waste Agency Board of Directors; CIP/DID #534305
 - c. Vote of thanks to Don Karr for serving on the Corridor Metropolitan Planning Organization; CIP/DID #542014

- d. Vote of thanks to Chuck Swore for serving on the Cedar Rapids Linn County Solid Waste Agency Board of Directors. CIP/DID #534305
22. Resolutions approving the following special events: CIP/DID #SPEC-017011-2014
- a. St. Joseph's Day Parade event (includes road closures) in Czech Village – New Bohemia area on March 22, 2014; CIP/DID #SPEC-017011-2014
 - b. Bricks' St. Patrick's Day Celebration (includes alley closure) behind 320 2nd Avenue SE on March 17, 2014. CIP/DID #SPEC-017073-2014
23. Resolutions approving assessment actions:
- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 25 properties; CIP/DID #1090314
 - b. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #1037177
24. Resolutions accepting projects, approving Performance Bonds and/or authorizing issuance of final payments:
- a. 1st Avenue East from Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project, final payment in the amount of \$3,490.83 and 4-year Performance Bond submitted by Curtis Contracting Corp. (original contract amount was \$55,536.70; final contract amount is \$69,816.65); CIP/DID #301697-02
 - b. 12th Street SW From 19th Avenue to the Southwest Sanitary Sewer and Storm Sewer Improvements project, final payment in the amount of \$4,916.82 and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$94,888.79; final contract amount is \$98,336.30); CIP/DID #655996-09
 - c. 1st Street SW Outdoor Amphitheater & Festival Grounds project, final payment in the amount of \$250,932.56 and 4-year Performance Bond submitted by Knutson Construction Services Midwest (original contract amount was \$4,576,671; final contract amount is \$5,018,651.16); CIP/DID #307218-06
 - d. Library Furniture and Shelving project, final payment in the amount of \$10,987.56 and 2-Year Performance Bond submitted by Pigott, Inc. (original contract amount was \$244,680.98; final contract amount is \$219,750.93) (**FLOOD**). CIP/DID #0612-242
25. Resolution authorizing Change Order No. 12 (Final) deducting the amount of \$24,979.22, accepting project, authorizing final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by C.J. Moyna & Sons, Inc. for the 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Contract No. 1 / Grading and Drainage project (original contract amount was \$3,645,806.61; final contract amount with this amendment is \$3,733,778.62). CIP/DID #301136-02
26. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project. CIP/DID #3012001-00
27. Resolution referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisitions of temporary easements for construction from properties located at 1528 11th Street SW, owned by Chris A. Carnahan, and 930 16th Avenue SW, owned by Tony C. Upah, in connection with the SW Quad, Phase I – Water Main Replacement project. CIP/DID #625884-00

28. Resolution authorizing execution of the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance for one property in connection with the HUD Community Development Block Grant (CDBG) (**FLOOD**). CIP/DID #3302500001
29. Resolution authorizing the Utilities Process & Facilities Engineering Manager to attend the American Water Works Association Annual Conference & Exposition 2014 in Boston, MA for an estimated amount of \$3,485. CIP/DID #1090320
30. Resolution authorizing Police Department bomb squad officers to attend an Advanced Ordnance Recognition for Law Enforcement course, to be paid for by the Iowa Bomb Squad Task Force. CIP/DID #1090671
31. Resolution authorizing two Police Captains to attend the Police Executive Research Forum Senior Management Institute for Police school, for a total cost of \$19,781.50, to be paid for with Federal Asset Forfeiture funds. CIP/DID #1090673
32. Resolutions approving actions regarding Purchases/Contracts/Agreements:
- a. Amendment No. 2 to renew Contract for Right of Way Acquisition Support Services with Stanley Consultants, Inc. for the Public Works Department – Engineering Division for an estimated annual amount of \$235,040 (original contract amount was \$235,040; renewal contract amount is \$235,040); CIP/DID #0112-142
 - b. Amendment No. 2 to renew contract for Avaya Network Equipment and Maintenance with Pomeroy IT Solutions for the Information Technology Department for an estimated annual amount of \$250,000 (original contract amount was \$306,111.46; renewal contract amount is \$250,000); CIP/DID #0113-152
 - c. Amendment No. 1 to the Contract for City Hall Basement Repairs – Floor Cracks, Sump Pits & Pumps project with Hanna Plumbing & Heating to reflect the additional cost of concrete cutting for an amount not to exceed \$3,485 (original contract amount was \$26,665; total contract amount with this amendment is \$30,150) (**FLOOD**); CIP/DID #1113-085
 - d. Amendment No. 2 to contract for Archaeological Services for City Building projects with Wapsi Valley Archaeology, Inc. to extend the term of the contract and to reflect an increase in scope of services for an amount not to exceed \$50,000 (original contract amount was \$50,000; total amount with this amendment is \$100,000) (**FLOOD**); CIP/DID #0112-132
 - e. Rescinding Resolution No. 1759-11-13 and confirming the approval and the authorization of the execution of a Corrective Special Warranty Deed with Premiere Developers, Inc. for property at 520 8th Street NW participating in the third round of the Single Family New Construction Program (**FLOOD**); CIP/DID# 540257
 - f. Change Order No. 19 (Final Revised) deducting the amount of \$12,177.40 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction And Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount was \$2,533,421.50; total contract amount with this amendment is \$2,724,561.79); CIP/DID #301182-06
 - g. Change Order No. 4 in the amount of \$11,926 with Garling Construction, Inc. for the Cedar Rapids Fire Station No. 3 project (original contract amount was \$1,899,000; total contract amount with this amendment is \$1,964,679); CIP/DID #308141-20
 - h. Change Order No. 9 in the amount of \$43,973.66 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,687,322); CIP/DID #301696-01

- i. Change Order No. 13 (Final) deducting the amount of \$34,522.76 with Peterson Contractors, Inc. for the East Post Road Over Indian Creek Bridge Replacement project (original contract amount was \$2,294,712.11; total contract amount with this amendment is \$2,399,636.27); CIP/DID #305023-02
- j. Change Order No. 4 in the amount of \$26,011 and release of partial final payment in the amount of \$193,986.45 to Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project (original contract amount was \$3,815,500; total contract amount with this amendment is \$3,911,793) **(FLOOD)**; CIP/DID #PDE001-20
- k. Change Order No. 10 in the amount of \$37,277.13, plus an additional 10 calendar days, with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; total contract amount with this amendment is \$3,951,309.62) **(FLOOD)**; CIP/DID #PLE001-21
- l. Change Order No. 6 in the amount of \$117,324 with Miron Construction Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,372,243) **(FLOOD)**; CIP/DID #PWE006-21
- m. Change Order No. 1 deducting the amount of \$327 with Blackhawk Automatic Sprinklers, Inc. for the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project (original contract amount was \$128,670; total contract amount with this amendment is \$128,343) **(FLOOD)**; CIP/DID #VME001-06
- n. Change Order No. 2 in the amount of \$1,826 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project (original contract amount was \$88,500; total contract amount with this amendment is \$95,326) **(FLOOD)**; CIP/DID #VME001-06
- o. Change Order No. 7 in the amount of \$26,981.24 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project (original contract amount was \$913,800; total contract amount with this amendment is \$974,683.21) **(FLOOD)**; CIP/DID #VME001-06
- p. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for Affordable Housing Network, Inc. for construction of five new single-family homes in the Wellington Heights neighborhood; CIP/DID #565513
- q. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for HF Investments, LLC for an affordable housing project at 211 and 213 1st Avenue NE; CIP/DID #1089967
- r. Conveying properties and terminating Development Agreement with Cedar Ridge Homes, Inc. for properties located at 500 and 502 F Avenue NW **(FLOOD)**; CIP/DID #540257
- s. Accepting substantial completion of a contract completion milestone under a Professional Services Agreement and payment of milestone retainage in the amount of \$47,585.05 to Novak Design Group, PLC for the Cedar Rapids Convention Complex Parking Ramp project (original contract amount was \$835,663, total contract amount is \$951,701); CIP/DID #535103-10
- t. 28E Agreement with Linn County to participate in the cost of repairs and a hot mix asphalt (HMA) overlay in connection with the Blairs Ferry Road from West of Miller Road Westerly 7,850 Feet to Pavement Change West of Wayside Circle Drive project **(Paving for Progress)**; CIP/DID #3012093-00
- u. Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$37,393 for design services in connection with the Edgewood Rd SW and Wiley Blvd SW from Williams Blvd to 16th Ave project **(Paving for Progress)**; CIP/DID #3012084-01

- v. Professional Services Agreement with Hall and Hall Engineers, Inc. for an amount not to exceed \$55,710 for design services in connection with the Boyson Road NE Improvements from C Avenue to East Corporate Limits project **(Paving for Progress)**; CIP/DID #3012085-01
- w. Rescinding Resolution No. 0089-01-14, which authorized execution of an agreement for caulking and painting Noelridge Pool with A1A Sandblasting; CIP/DID #0913-053
- x. Contract for caulking and painting of Noelridge Pool with Van Nevel Coatings and Restoration, Inc. for the Parks and Recreation Department for an amount not to exceed \$68,500; CIP/DID #0913-053
- y. Agreement for the purchase of Sewer Castings for the Public Works – Sewer Division with Schimberg Co. for an annual amount not to exceed \$70,000; CIP/DID #0114-126A
- z. Agreement for the purchase of Sewer Adjusting Rings for the Public Works – Sewer Division with Utility Equipment Company for an annual amount not to exceed \$35,000; CIP/DID #0114-126B
- aa. Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$154,975 for design services in connection with the Glass Road NE Improvements from Edgewood Road to Wenig Road project **(Paving for Progress)**; CIP/DID #3012086-01
- bb. Agreement for Agenda Management Implementation with Hyland Software, Inc. for an amount not to exceed \$44,300; CIP/DID #1089975
- cc. Renewal of VMWare Maintenance with Insight Public Sector (original contract amount was \$38,886.29; renewal contract amount is \$36,974.70); CIP/DID #0310-229
- dd. Extending the 28E Agreement with the City of Marion for another 3 years whereby the City of Cedar Rapids Animal Care and Control will provide animal sheltering services to the City of Marion for an annual amount of \$40,000; CIP/DID #669719
- ee. Purchase of eight IDEAL T3 Pan Disruptors from IDEAL Supply, Inc. at a cost of \$50,100.60; and eight F6B Overhaul Kits from Remotec, Inc. at a cost of \$125,040; for a total cost of \$174,140.60; to be paid for with Homeland Security Grant funds. CIP/DID #1090662

REGULAR AGENDA

- 33. Report on bids for the US Highway 30/151 South to Ely Road (Along Cedar Trail) – Sanitary Sewer Improvements project (estimated cost is \$220,000). (Dave Wallace) CIP/DID #655149-04

ORDINANCES

(Second and possible Third Readings)

- 34. Ordinance vacating public ways and grounds described as a 20-foot wide strip of excess alley right-of-way located between 222 and 230 10th Street NW as requested by Olivet Presbyterian Church.
 - a. Resolution authorizing the disposition of property described as a 20-foot wide strip of excess alley right-of-way located between 222 and 230 10th Street NW as requested by Olivet Presbyterian Church. CIP/DID #41-13-027

35. Ordinance amending Chapter 9 of the Municipal Code, Streets, Alleys and Sidewalks, to update definitions for Sidewalk Cafes. CIP/DID #817382

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*



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

A public hearing will be held to consider a request by Acme Electric Company, Inc. for an Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE.

- a. Resolution authorizing an Urban Revitalization Area designation for relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels at 1024 2nd Street SE and 208 11th Avenue SE and the construction of five new row houses for sale at 1008 2nd Street SE and 1012 2nd Street SE. CIP/DID #865223
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Acme Electric Company, Inc. Urban Revitalization Area designation at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE and 208 11th Avenue SE. CIP/DID #865223

Background:

City Council selected Acme Electric as part of a competitive proposal for the disposition and redevelopment of property at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE. The proposal approved by City Council on August 13, 2013 included a request for an Urban Revitalization Property Tax Exemption designation. The proposed project includes: 1) relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels at 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale on the remaining vacant parcels. The proposed project would commence by April 1, 2014 and be completed within 240 days.

Project Details:

- Project cost – Approximately \$1,400,000
- Estimated assessed value – \$980,000

Benefits to the Community:

- Restoration of a historic structure
- Additional new construction in the Czech Village/New Bohemia District
- Provide housing options to attract new families or individuals to live in the District

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per

year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$980,000. This would generate an additional \$37,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$370,000 collected in tax revenues and \$165,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends holding the public hearing, approval of a resolution and possible First Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$980,000 generated by the new construction, the estimated total over the ten-year period is an additional \$370,000 collected in tax revenues and \$165,000 deferred as tax exempt.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
ACME ELECTRIC COMPANY, INC. URBAN
REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the 1) relocation of a historic structure located at 1018 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale at 1008 and 1012 2nd Street SE, provides infill redevelopment in the Czech Village/New Bohemia District for residential uses as provided under State Law; and

WHEREAS, on March 11, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 11th day of March, 2014.

ACME ELECTRIC COMPANY, INC. Urban Revitalization Plan

Public Hearing: March 11, 2014

Acme Electric Company, Inc. Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the redevelopment of property at 1008 2nd Street SE, 1012 2nd Street SE, 1024 2nd Street SE, and 208 11th Avenue SE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 0.6 acres in size and includes:

1018 2nd Street SE

Lot 4, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1024 2nd Street SE

SW-ly 62 Feet of Lot 5, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

208 11th Avenue SE

The NE-ly 78 Feet of Lot 5, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1008 2nd Street SE

Northwesterly ½ of Lot 3, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

1012 2nd Street SE

Southeasterly ½ of Lot 3, Block 21, Carpenters Third Addition to the Town of Cedar Rapids, Linn County, Iowa

Said parcel is subject to easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is comprised of four parcels which are currently vacant and owned by Acme Electric Company, Inc. The 2013 total assessed valuation for the vacant land was \$0.

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed 1) relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) construction of five new row houses for sale on the remaining vacant parcels is consistent with the current RMF-2 Residential Multi-Family zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as COMMERCIAL/RESIDENTIAL.

4.2 City Services

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

4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to 1) relocation of a historic structure at 1018 2nd Street SE to the adjacent parcels as 1024 2nd Street SE and 208 11th Avenue SE, and 2) the construction of five new row houses for sale on the remaining vacant parcels. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

A property owner may submit a proposal for a revitalization improvement project to the

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

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

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

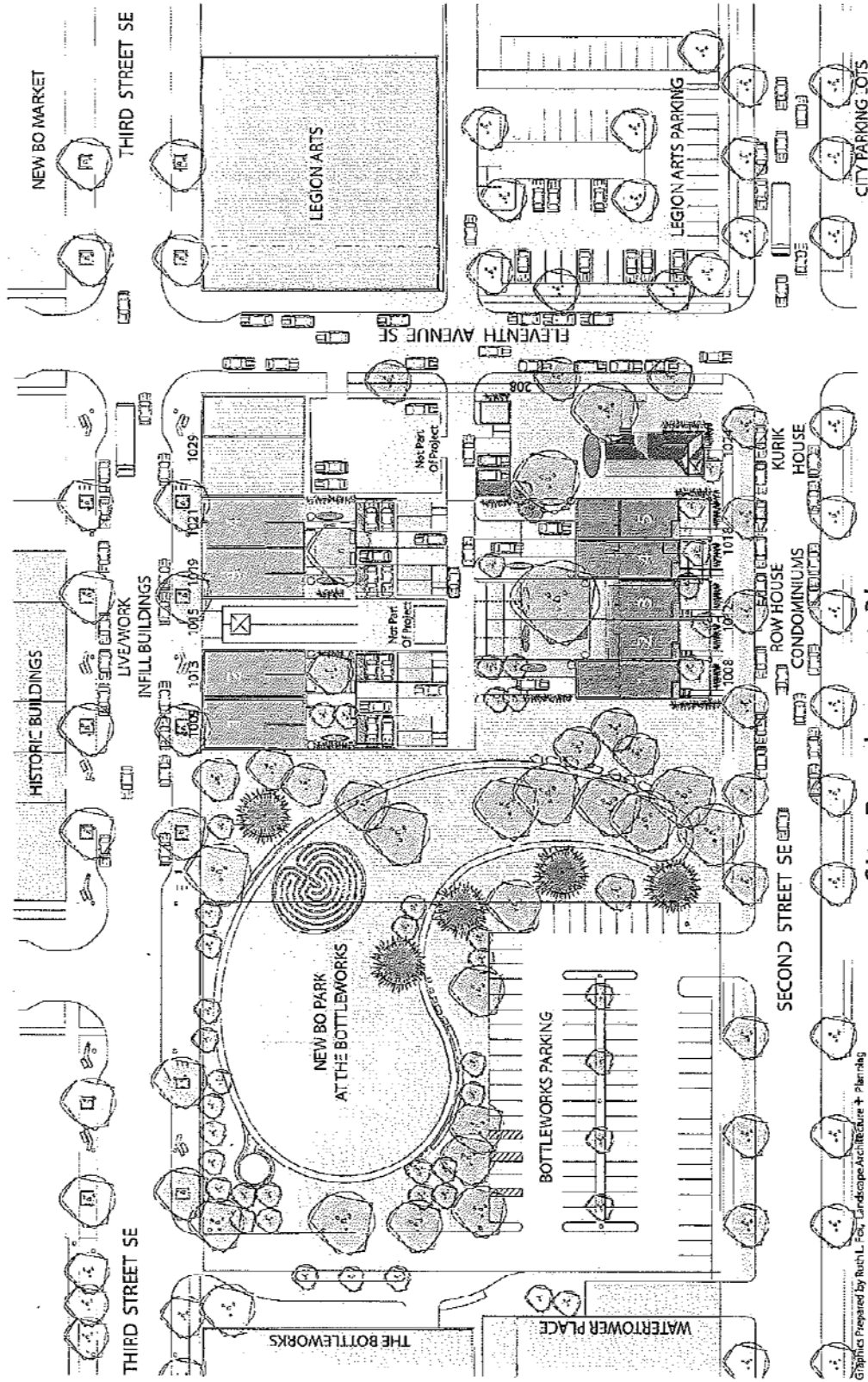
8.3 Definitions

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

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

9.0 RELOCATION

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



Site Development Plan
 For A Coordinated Infill Redevelopment Project In New Bohemia
Acme Electric Company, Inc.
 Cedar Rapids, Iowa

ORDINANCE NO.

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

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

“Division 77. Acme Electric Company, Inc.” March 11, 2014 Resolution No. ____-03-14

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

“Division 78. (Reserved)”

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

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

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

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

Introduced this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

A public hearing will be held to consider a request by Armar Ventures, LC for an Urban Revitalization Area designation for new construction to be located adjacent and to the east of 4850 Armar Drive SE.

- a. Resolution authorizing an Urban Revitalization Area designation for new construction adjacent and to the east of 4850 Armar Drive SE. CIP/DID #1040575
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Armar Ventures, LC Urban Revitalization Area designation adjacent and to the east of 4850 Armar Drive SE. CIP/DID #1040575

Background:

A request has been submitted by Jon Dusek, on behalf of Armar Ventures, LC, for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a single-story building to be located adjacent and to the east of 4850 Armar Drive SE. The proposed project would commence in April of 2014. This would be the site of a local performing arts studio.

Project Details:

- Building – 9,030 square feet
- Project cost – Approximately \$800,000
- Estimated assessed value – \$560,000

Benefits to the Community:

- Infill development represents the final piece of a larger master plan.
- The larger mixed-use master plan includes residential, office, and service uses, as well as trail connectivity.
- Provides opportunity for local performing arts studio to grow within the City of Cedar Rapids.

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$560,000. This would generate an additional \$21,500 in property tax revenue annually. Over a

ten-year period, this would be an additional \$215,000 collected in tax revenues and \$95,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends holding the public hearing, approval of the resolution and possible First Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$560,000 generated by the new construction, the estimated total over the ten-year period is an additional \$215,000 collected in tax revenues and \$95,000 deferred as tax exempt.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
ARMAR VENTURES, LC URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the construction of a single-story building adjacent and to the east of 4850 Armar Drive SE, provides new commercial infill development as provided under State Law; and

WHEREAS, on March 11, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 11th day of March, 2014.

Armar Ventures, LC Urban Revitalization Plan

Public Hearing: March 11, 2014

Armar Ventures, LC Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the construction of a new building adjacent and to the east of 4850 Armarm Drive SE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 4.5 acres in size and includes:

PARCEL B, PLAT OF SURVEY NO. 66 AS RECORDED IN VOL. 2124, PAGE 235 OF THE RECORDS OF THE LINN COUNTY, IOWA RECORDER ON FEBRUARY 5, 1992, BEING A PART OF LOT 3, IRREGULAR SURVEY NW1/4 SW ¼ SECTION 1-83-7, LINN COUNTY, IOWA LYING E OF ARMAR DRIVE SE; AND LOT 6, ARMAR SUBDIVISION, MARION, LINN COUNTY, IOWA

Said parcel is subject to easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is a single parcel which is currently developed and owned by Armarm Ventures, LC. The 2013 land value was \$522,800 and the total assessed valuation was \$1,303,580

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed construction of a new commercial building is consistent with the current C-2 Community Commercial zoning and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as COMMERCIAL.

4.2 City Services

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

4.3 Applicable Property

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

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

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

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

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

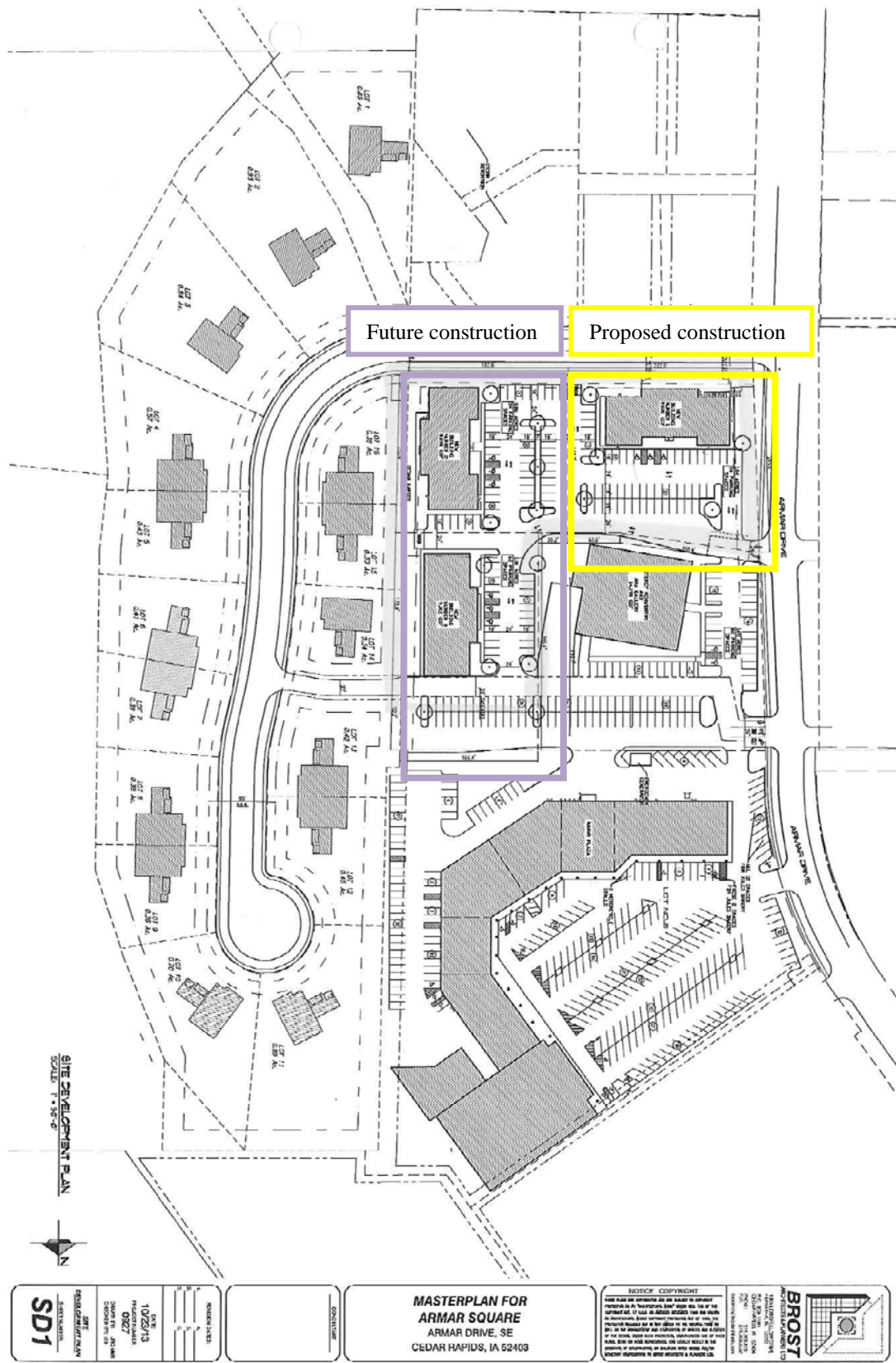
8.3 Definitions

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

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

9.0 RELOCATION

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



ORDINANCE NO.

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 79 and the addition of a new Division 79 as follows:

“Division 79. Armar Ventures, LC” March 11, 2014 Resolution No. ____-03-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 80 as follows:

“Division 80. (Reserved)”

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

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

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

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

Introduced this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

A public hearing will be held to consider a request by Auxiant for an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE.

- a. Resolution authorizing an Urban Revitalization Area designation for the expansion of an existing building at 424 1st Avenue NE. CIP/DID #1040577
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Auxiant Urban Revitalization Area designation at 424 1st Avenue NE. CIP/DID #1040577

Background:

A request has been submitted by Auxiant for an Urban Revitalization Property Tax Exemption designation for the proposed renovation and expansion of an office building located at 424 1st Avenue NE. Specifically, the proposed project would include renovation of the former Chamber of Commerce building with construction of a new 2nd floor addition.

Project Details:

- Project cost –\$1,825,000
- Estimated assessed value - \$1,300,000

Benefits to the Community:

- Facilitates potential growth of an existing downtown business.
- Infill reinvestment that utilizes existing roads, parking, and amenities.

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,300,000. This would generate an additional \$50,000 in property tax revenue annually. Over a ten-year period, this would be an additional \$500,000 collected in tax revenues and \$220,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends holding the public hearing, approval of a resolution and possible First Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$1,300,000 generated by the new construction, the estimated total over the ten-year period is an additional \$500,000 collected in tax revenues and \$220,000 deferred as tax exempt.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
AUXIANT URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the expansion of an office building located at 424 1st Avenue NE, provides infill reinvestment that utilizes existing roads, parking, and amenities as provided under State Law; and

WHEREAS, on March 11, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 11th day of March, 2014.

Auxiant Urban Revitalization Plan

Public Hearing: March 11, 2014

Auxiant Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Urban Revitalization Tax Exemption Area and Plan is to encourage the renovation and expansion of an office building located at 424 1st Avenue NE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 0.3 acres in size and includes:

LOT 6 AND THE NE-LY 15 FEET OF LOT 7, BLOCK 33, ORIGINAL TOWN, NOW CITY, OF CEDAR RAPIDS, LINN COUNTY, IOWA

AND

SE-LY 17.5 FEET OF VACATED ALLEY IN BLOCK 33 AS SOWN AND DESIGNATED ON THE RECORDED PLAT OF ORIGINAL TOWN, NOW CITY, OF CEDAR RAPIDS, LINN COUNTY, IOWA LYING IMMEDIATELY ADJACENT TO LOT 6 AND THE NE-LY 15 FEET OF LOT 7, BLOCK 33, ORIGINAL TOWN, NOW CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, SAID PORTION BEGINNING AT THE SW-LY RIGHT-OF-WAY OF 5TH STREET NORTHEAST AND EXTENDING SW-LY 75 FEET.

Said parcel is subject to easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is a single parcel which is currently developed and owned by Auxiant. The 2013 land value was \$124,200 and total assessed valuation was \$490,402.

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed renovation and expansion of the office building is consistent with the current C-4 Central Business and the Future Land Use Map in the City's Comprehensive Plan that designates the project area as CENTRAL BUSINESS DISTRICT.

4.2 City Services

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

4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to the renovation and expansion of building, including construction of a new 2nd floor addition. Additional development within the property described in Section 2.0 of this Plan may be eligible for

the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

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

An application must be filed for each new exemption claimed. In order to qualify for a tax exemption under this Plan, an Application for Revitalization Tax Exemption (the "Application") must be filed with the City Clerk between January 1 and February 1 in the year after the improvements requested for exemption have been completed. The

Application is then reviewed by appropriate City departments and a determination made that the improvements located in and are in conformance with this Plan, and that the improvements made increased the actual assessed valuation of the property by at least the minimum percentage required under the Urban Revitalization Act, and the improvements were made during the time the area was designated as a Revitalization Area. If approved, the City Assessor shall continue to grant the tax exemption for the time period specified in the tax exemption schedule elected by the property owner.

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

8.3 Definitions

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

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

9.0 RELOCATION

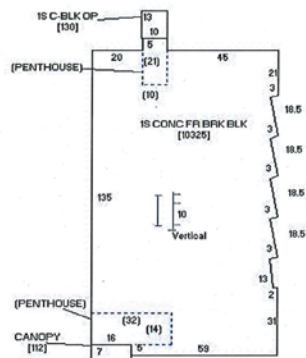
The proposed activity is to occur on a developed property; relocation is not anticipated.

MAP 1



424 1st Ave NE

Print Date: 02/28/2014
Image Date: 11/29/2012
Level: Neighborhood



[Additional Sketches...](#)

[Tax History](#) [Pay Taxes](#)

Disclaimer: The information in this web site represents current data from a working file which is updated continuously. Information is believed reliable, but its accuracy cannot be guaranteed. The maps and data provided by this web site, represent data from the Cedar Rapids City Assessor's Office, as used for assessment purposes. No warranty, expressed or implied, is provided for the data herein or its use.

Property photos or data incorrect? [Click Here](#)

ORDINANCE NO.

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 81 and the addition of a new Division 81 as follows:

“Division 81. Auxiant” March 11, 2014 Resolution No. ____-03-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 82 as follows:

“Division 82. (Reserved)”

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

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

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

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

Introduced this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Kirsty Sanchez

Phone Number/Ext: 319 286-5428

Email: k.sanchez@cedar-rapids.org

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

A public hearing will be held to consider a request by Fleck Sales Company for an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW.

- a. Resolution authorizing an Urban Revitalization Area designation for the construction of an addition to the Fleck Sales Company facility at 11125 High Life Court SW. CIP/DID #1040572
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Fleck Company Sales Urban Revitalization Area designation at 11125 High Life Court SW. CIP/DID #1040572

Background:

A request has been submitted by Fleck Sales Company for an Urban Revitalization Property Tax Exemption designation for the proposed construction of an addition to be located at 11125 High Life Court SW. The purpose of this facility would be to consolidate some of the West Burlington operation into the Cedar Rapids operation.

Project Details:

- Office Building – 30,000 square feet
- Project cost –\$2,000,000
- Estimated assessed value - \$1,400,000

Benefits to the Community:

- Facilitates growth of local business
- Addition of up to 20 new jobs in Cedar Rapids

The partial tax exemption would be a ten-year, declining scale exemption, averaging 44% per year, applied only to the increased property valuation generated by the new additions. Based on the scope of the proposed addition, the increased assessed value for the facility is estimated at \$1,400,000. This would generate an additional \$53,500 in property tax revenue annually. Over a ten-year period, this would be an additional \$535,000 collected in tax revenues and \$235,000 deferred as tax exempt.

Action / Recommendation:

City staff recommends holding the public hearing, approval of the resolution and possible First Reading.

Alternative Recommendation:

City Council may table and request additional information.

Time Sensitivity:

N/A

Resolution Date: N/A

Estimated Presentation Time: 5 minutes

Budget Information (if applicable):

Based on a projected increased taxable value of \$1,400,000 generated by the new construction, the estimated total over the ten-year period is an additional \$535,000 collected in tax revenues and \$235,000 deferred as tax exempt.

Local Preference Policy Applies ☐ Exempt ☐ N/A ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

A RESOLUTION TO APPROVE THE
FLECK COMPANY SALES URBAN REVITALIZATION PLAN

WHEREAS, the proposed Urban Revitalization Plan for the addition to the Fleck Sales Company facility located at 11125 High Life Court SW, facilitates the growth of local business as provided under State Law; and

WHEREAS, on March 11, 2014 the City Council held the required Public Hearing in connection with the said proposed Project; and

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

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

Passed this 11th day of March, 2014.

Fleck Sales Company Urban Revitalization Plan

Public Hearing: March 11, 2014

Fleck Sales Company Urban Revitalization Plan

1.0 INTRODUCTION

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

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 10 acres in size and includes:

Lot 1, West Side Corporate Park First Addition in the City of Cedar Rapids, Linn County, Iowa; together with servient easements and estates and subject to covenants, easements and restrictions of record.

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, is a single parcel which is currently developed and owned by Fleck Family Limited Partnership. The 2013 land value was \$923,980, building valuation was \$3,872,773, and total assessed valuation was \$4,796,753.

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

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

4.2 City Services

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

4.3 Applicable Property

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

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

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

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

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

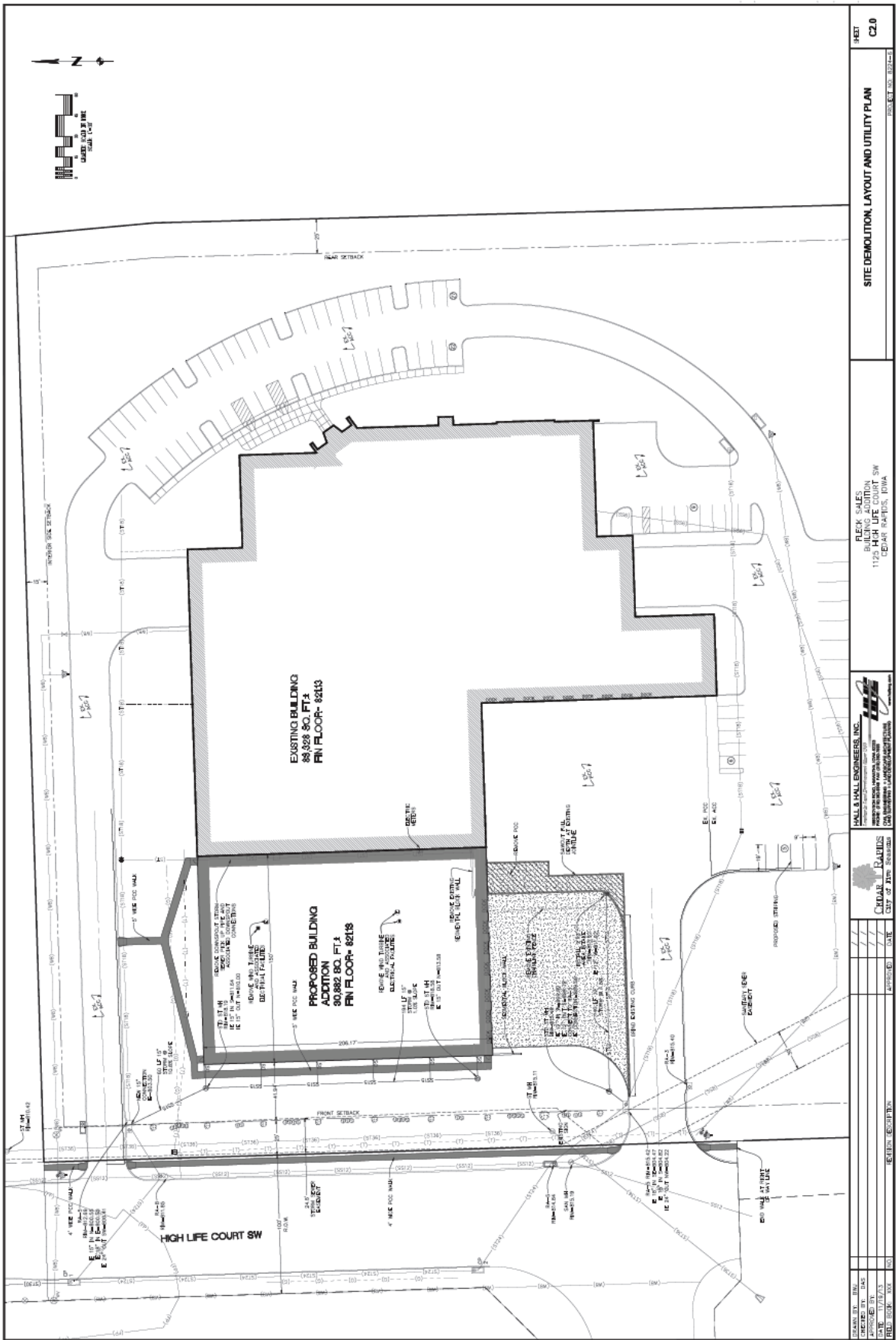
8.3 Definitions

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

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

9.0 RELOCATION

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



ORDINANCE NO.

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 78 and the addition of a new Division 78 as follows:

“Division 78. Fleck Family Company Sales” March 11, 2014 Resolution No. ____-03-14

Section 2. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the addition of a new Division 79 as follows:

“Division 79. (Reserved)”

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

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

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

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

Introduced this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Finance Department

Presenter at meeting: Casey Drew
Email: c.drew@cedar-rapids.org

Phone Number/Ext: 286-5097

Alternate Contact person:
Email:

Phone Number/Ext:

Description of Agenda Item:

A public hearing will be held to consider the Fiscal Year 2015 Annual Budget. (Casey Drew)

- a. Resolution to formally adopt the Fiscal Year 2015 Annual Budget.

Background:

The City published the Fiscal Year 2015 Annual Budget Notice on February 24, 2014. Before the Fiscal Year 2015 Annual Budget can be certified to Linn County Auditor a public hearing must be held for public comment. Resolution will formally adopt the Fiscal Year 2015 Budget.

Action / Recommendation:

City Council to approve resolution adopting the Fiscal Year 2015 Budget.

Alternative Recommendation:

Time Sensitivity:

Adopt Fiscal Year 2015 Budget prior to March 15, 2014.

Resolution Date: March 11, 2014

Estimated Presentation Time: 10 Minutes

Budget Information (if applicable): N/A

Local Preference Policy: Applies ☐ Exempt ☐

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Annual Budget for the Fiscal Year ending June 30, 2015, as set forth in the Notice of the Public Hearing – Budget Estimate and in the Detailed Budget in support thereof showing the revenue estimates and appropriation expenditures and allocation to programs and activities for the said Fiscal Year be adopted, and the Finance Director is directed to make the filings required by law to include the Adopted Budget Summary and the Adoption of Budget and Certification of Taxes and to set up the books in accordance with the summary and details as adopted.

Passed this 11th day of March, 2014.

Public Hearing and First Reading of Ordinances

Council Meeting Date: March 11, 2014

Submitting Department: Utilities Department

Primary Contact: Steve Hershner **Phone:** 5281 **E-mail Address:** s.hershner@cedar-rapids.org

Alternate Contact: Kevin Kirchner **Phone:** 5902 **E-mail Address:** k.kirchner@cedar-rapids.org

Description of Agenda Item:

A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service; Chapter 13 of the Municipal Code, Wastewater Facilities; and Chapter 24 of the Municipal Code, Solid Waste and Recycling; by repealing existing rates and establishing new rates. (Steve Hershner)

- a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates. CIP/DID #1074300
- b. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates. CIP/DID #1074304
- c. First Reading: Ordinance amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates. CIP/DID #1074305

Municipal Code	Municipal Utility Services
Chapter 12 – Water Service	Water
Chapter 13 – Wastewater Facilities	Water Pollution Control/ Sanitary Sewer Service and Storm Sewer
Chapter 24 – Solid Waste	Solid Waste Collection and Recycling

Background:

Rate schedules for the municipal utility services are evaluated and amended as needed each year in parallel with the adoption of the City's Budget. The utility rate schedules are stipulated in their respective Chapters of the Municipal Code.

The Ordinances approve repealing certain sections of Chapters 12, 13 and 24 of the Municipal Code and new sections are enacted, as a substitute in lieu, by repealing existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2014.

The timeline for adoption of the ordinances will be as follows:

March 11, 2014 – Public Hearing and First Reading of the Ordinances
March 25, 2014 – Second Reading (Third Reading may be combined with Second Reading)
April 8, 2014 – Third Reading (if not adopted at the March 25, 2014 council meeting)

Action / Recommendation: The Utilities Department recommends holding the Public Hearing and approval of the first reading of these Ordinances.

Alternative Recommendation (if applicable): N/A

Time Sensitivity: N/A

Council Meeting Date: 3/11/14

Estimated Presentation Time: 5 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

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THEREOF ESTABLISHING WATER SERVICE RATES AND CONNECTION CHARGES

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

Section 1. That Section 12.26 of Chapter 12 of the Municipal Code, City of Cedar Rapids, Iowa, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof:

“[12.26 WATER RATES.]

- (a) The rates assessed for the provision of water service shall be comprised of a daily service charge in accordance with the size of the water service meter and a volumetric charge for the water furnished. The volumetric charge for consumption July 1, 2014 or after shall be at the following rates:

First	25,000 Cu. Ft. per Month	\$ 1.8574	Per 100 Cu. Ft.
Next	75,000 Cu. Ft. per Month	\$ 1.7591	Per 100 Cu. Ft.
Next	900,000 Cu. Ft. per Month	\$ 1.5843	Per 100 Cu. Ft.
All Over	1,000,000 Cu. Ft. per Month	\$ 0.9793	Per 100 Cu. Ft.

Accounts will be assessed a daily service charge for each water service meter based on the size of the water service meter in accordance with the following schedule. Minimum volumetric and total minimum charges shall also apply when volumetric charges at the above rates do not equal or exceed amounts as follows:

SIZE OF METER	DAILY SERVICE CHARGE	MINIMUM DAILY VOLUMETRIC CHARGE	TOTAL MINIMUM DAILY CHARGE	TOTAL MINIMUM CHARGE ON A MONTHLY BASIS
5/8 Inch	\$0.3559	\$ 0.0000	\$ 0.3559	\$ 10.83
3/4 Inch	\$0.5622	\$ 0.0000	\$ 0.5622	\$ 17.10
1 Inch	\$0.6654	\$ 0.0000	\$ 0.6654	\$ 20.24
1½ Inch	\$0.7343	\$ 0.9770	\$ 1.7113	\$ 52.05
2 Inches	\$0.8030	\$ 1.4656	\$ 2.2686	\$ 69.00
3 Inches	\$1.1932	\$ 3.4807	\$ 4.6739	\$ 142.16
4 Inches	\$4.0498	\$ 6.7782	\$ 10.8280	\$ 329.35
6 Inches	\$5.1053	\$ 15.0831	\$ 20.1884	\$ 614.07
8 Inches	\$7.5719	\$ 29.8982	\$ 37.4701	\$ 1,139.71
10 Inches	\$10.3941	\$ 49.1567	\$ 59.5508	\$ 1,811.33
12 Inches	\$14.2718	\$ 72.8089	\$ 87.0807	\$ 2,648.70

The daily service charge does not apply to the separate lawn or irrigation meter. No sanitary sewer charges shall be charged to the lawn or irrigation meter registering water usage that does not enter the sanitary sewer system.

Fire lines will be assessed a daily service charge for each water service line based on the service line size in accordance with the following schedule. Minimum volumetric and total minimum charges shall also apply when volumetric charges at the above rates do not equal or exceed amounts as follows:

SIZE OF SERVICE LINE	DAILY SERVICE CHARGE	MINIMUM DAILY VOLUMETRIC CHARGE	TOTAL MINIMUM DAILY CHARGE	TOTAL MINIMUM CHARGE ON A MONTHLY BASIS
5/8 Inch	\$0.0438	\$ 0.00	\$ 0.0438	\$ 1.33
3/4 Inch	\$0.0438	\$ 0.00	\$ 0.0438	\$ 1.33
1 Inch	\$0.0656	\$ 0.00	\$ 0.0656	\$ 2.00
1½ Inch	\$0.1421	\$ 0.00	\$ 0.1421	\$ 4.32
2 Inches	\$0.2295	\$ 0.00	\$ 0.2295	\$ 6.98
3 Inches	\$0.4589	\$ 0.00	\$ 0.4589	\$ 13.96
4 Inches	\$0.9178	\$ 0.00	\$ 0.9178	\$ 27.92
6 Inches	\$1.8465	\$ 0.00	\$ 1.8465	\$ 56.16
8 Inches	\$2.7643	\$ 0.00	\$ 2.7643	\$ 84.08
10 Inches	\$4.6109	\$ 0.00	\$ 4.6109	\$ 140.25
12 Inches	\$7.6920	\$ 0.00	\$ 7.6920	\$ 233.97

- (b) The above rates shall be applied separately on the consumption through each meter, or on the total set of meters if placed on one service pipe in parallel so as to discharge into a common supply pipe.
- (c) The above rates shall apply only to properties located within the city or as set out in contractual agreements with other cities and entities. All properties located outside of the corporate limits and served by city water shall pay a volumetric rate schedule 50 percent higher than the rates indicated.

All customers not located within the City of Cedar Rapids or one of the cities with a contractual agreement for water service shall, at the option of the City, be required to annex into the City if the property is contiguous or to voluntarily do so at such time that it becomes contiguous.

- (d) The City Council by resolution may establish fees for other materials and services furnished by the Water Division.
- (e) Failure to pay water service and other municipal utility service charges, resulting in delinquent bills, shall be subject to a four percent (4.5%) penalty calculated on the basis of the unpaid balance.

In addition to other penalties and the shutoff of service for delinquencies, the City may impose a lien upon the property served for any and all delinquent water service and other municipal utility service charges in accordance with Section 384.84 of the Code of Iowa."

Section 2. That if any provision, paragraph, word, section or article of this Ordinance is held unconstitutional or invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 3. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 4. That the changes set forth in Section 1. of this Ordinance shall be in full force and effect on July 1, 2014, after passage and publication as required by law.

Introduced this _____ day of _____, 2014.

Passed this _____ day of _____, 2014.

_____, Mayor
Ron J. Corbett

Attest:

_____, City Clerk
Amy Stevenson

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13 OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THEREOF ESTABLISHING CERTAIN SERVICE CHARGES.

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

Section 1. That Subsection (a), (b), (c), and (d), of Section 13.17 of Chapter 13 of the Municipal Code, City of Cedar Rapids, be and the same is hereby repealed, and the following new subsection enacted as a substitute in lieu thereof.

"[13.17 SERVICE CHARGES]

(a) **Group I.** The total periodic billing for sewer charges on or after July 1, 2014 shall be the sum of all usage:

1. O & M - A flat charge of \$0.3993 per day during the billing period, which will also provide for two (2) ccf of metered usage per month. A fee of \$1.6364 per ccf will be charged for all water used in excess of two (2) ccf per month.
2. Residences that have two meters, one measuring inside usage and the other outside usage, will be charged year round for the sewer charges for all water used through the inside meter but will not be charged sewer charges for any usage through the outside meter.

(b) **Group II.** The total periodic billing for Group II sewer charges shall be the following, the rate effective on or after July 1, 2014, multiplied if necessary, by a Permit Surcharge Factor (PSF). The PSF shall be determined by the Director and noted on the Discharge Permit. The PSF shall be calculated by dividing the total O & M charges as set forth in Group III O & M by the O & M charges established in Group I. The PSF shall never be less than 1.0. Minimum monthly invoice charge for any Group II permit user subject to EPA regulation under 40 CFR Part 403 shall be \$25 per month per service agreement. Group II or III Industrial Facility Flat Rate for sanitary sewer service shall be calculated using the following formula: # of employees * 25 gallons per day * 30.4 days per month / 748 * \$1.9426/ccf.

1. O & M Group I O&M flat charge + all water
usage > 2 units or 4 units (depending on
billing cycle) *PSF* \$1.9426/ccf

(c) **Group III.** The total periodic billing for sewer service charges after July 1, 2014, shall be the sum of the items listed in following subsections - 1, 2, 3 (when applicable. Debt service is only applicable to those industries still paying for reserved capacity as approved by resolution of the City Council.

1. O & M - Each month, an O & M charge will be calculated on the daily average values for the month, obtained from in-situ measurements and samples, multiplied by the monthly rate and multiplied by 60%.

<u>AVERAGE DAILY VALUE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd multiplied by	\$19.29
BOD in lbs. multiplied by	\$4.46
SS in lbs. multiplied by	\$3.80
TKN in lbs. multiplied by	\$18.06

2. Demand Charge - Each month a three-day average for the daily Flow, BOD, Suspended Solids and TKN quantities shall be calculated for each complete three-day period starting with the first day of the month. For all months that have a day or days that exceed either of nine or ten possible three-day periods, all remaining days will be incorporated into the final three-day averaging period of the month. A demand charge will be calculated on the highest three-day average for the month for each parameter, multiplied by the monthly rate and multiplied by 40%.

<u>HIGHEST THREE-DAY AVERAGE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd multiplied by	\$19.29
BOD in lbs. multiplied by	\$4.46
SS in lbs. multiplied by	\$3.80
TKN in lbs. multiplied by	\$18.06

3. Basic Service Charges - Cities with contractual treatment agreements shall be calculated based upon the following rates as set out in (d) 4.:

<u>AVERAGE DAILY VALUE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd	\$10.39
BOD in lbs.	\$4.46
SS in lbs.	\$3.80
TKN in lbs.	\$18.06

- (d) **Group IV - Special Rates.** When the Director determines, based on applicable standards, that special conditions surround the use of city water to the extent that the application of the basic charges provided herein would be inequitable or unfair to either the city or contributor, a special rate may be established by resolution of the Council. Such rates may include, among others, the following cases:

1. Where the nature of the use of city water is such that the resulting sewage or industrial waste has characteristics making it more difficult to process than ordinary domestic waste.
2. Where a major proportion of the city water is not discharged into or does not reach the sanitary sewer. Filling of residential swimming pools will not qualify because of the cost to verify the quantity used and to make the billing adjustment.

3. Where privately produced water supplies are discharged directly or indirectly into the sanitary sewer. Such rates shall be on an equal basis as nearly as may be with the rates, which would apply to an equal quantity and character of waste originating through the use of city water. It shall be the duty of every person responsible for the production of such private water supply to report forthwith to the Director and further, to cooperate with the Director in the determination of the quantity and character of the waste originating from each such respective private water supply. The Director shall designate in writing any necessary means of measurement of such private water supply or resulting sewage flow. The meter or other means of measurement shall be installed by and maintained at the expense of the contributor.
4. For cities with contractual treatment agreements with Cedar Rapids, the basic rates for O & M shall be as determined by Section 13.15(a)(1-4).
5. All users of the sanitary sewer system and wastewater treatment facilities, who are not located in the City of Cedar Rapids or one of the cities with a contractual agreement, shall at the option of the city, be required to annex into the city if the property is contiguous or agree to voluntarily do so at such time that it becomes contiguous. While the property remains outside of the City of Cedar Rapids or a contracting city, the user shall pay 50% more than the charges established by Ordinance. Any wastewater discharged to the sanitary sewer system that originates from a permitted stormwater or groundwater source is subject to a 50% surcharge."

Section 4. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. That if any provision, paragraph, word, section or article of this Ordinance is held unconstitutional or invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue to be in full force and effect.

Section 6. That the changes set forth in Section 1. of this Ordinance shall be in full force and effect after passage and publication as required by law.

Introduced this ____ day of _____, 2014.

Passed this ____ day of _____, 2014.

_____, Mayor
Ron J. Corbett

Attest:

_____, City Clerk
Amy Stevenson

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 24 OF THE CEDAR RAPIDS MUNICIPAL CODE, SOLID WASTE, BY REPEALING EXISTING RATES AND ESTABLISHING NEW SOLID WASTE AND RECYCLING COLLECTION RATES BEGINNING JULY 1, 2014

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

Section 1. Section 24.13 Cedar Rapids Municipal Code, Solid Waste, is hereby amended by deletion thereof, and in its place enacted in lieu thereof the following:

24.13 MANDATORY HOUSEHOLD COLLECTION.

- b) The rate for solid waste and yard waste collection and disposal for each dwelling unit (household) is established per dwelling unit (household). Such rate shall be \$0.5089 per day or \$15.48 per month for all billings beginning July 1, 2014, to include all collections for that billing period. The rate for each unit shall be reduced by one-half for the elderly or disabled as defined in Section 12.37 of the Municipal Code and such persons shall comply with the same procedure therein to obtain the reduced rate.
- e) The rate for recycling collection and processing for each dwelling unit (household) is established per dwelling unit (household). Such rate shall be \$0.1364 per day or \$4.15 per month for all billings beginning July 1, 2014, to include all collections for that billing period. The rate for each unit shall be reduced by one-half for the elderly or disabled as defined in Section 12.37 of the Municipal Code and such persons shall comply with the same procedure provided therein to obtain the reduced rate.

Section 2. SEPARABILITY OF PROVISIONS.

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

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

Section 4. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 6. PENALTY.

That any person, firm or corporation violating any provision, section or paragraph of this ordinance shall be guilty of not more than \$100.00 or be imprisoned for not more than 30 days. That each day a violation occurs shall constitute a separate offense.

That likewise as part of the penalty, provision of this Ordinance, Section 1.06 of the Municipal Code, City of Cedar Rapids, Iowa, is adopted, and shall apply to this Ordinance, and supersede the penalty clause as above provided when this Ordinance is incorporated into and made a part of the Municipal Code, City of Cedar Rapids, Iowa, and such penalty clause is herewith adopted and made applicable to all violations of this Ordinance.

Introduced this _____ day of _____, 2014.

Passed this _____ day of _____, 2014.

_____, Mayor
Ron J. Corbett

Attest:

_____, City Clerk
Amy Stevenson



Council Agenda Cover Sheet Public Hearing and Resolution

Submitting Department: Public Works Department

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

Phone Number/Extension: 5258

Alternate Contact Person: Jon Rouse
E-mail Address: jrouse@parkcedarrapids.com

Phone Number/Extension: 319-365-7275

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project (estimated cost is \$140,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project. CIP/DID #635127-20

Background:

A Parking Structure Condition Appraisal was prepared in 2005 for the City of Cedar Rapids and Five Season Transportation and Parking. In 2011 an updated report outlining a five-year maintenance and repair program was prepared, including a summary of additional anticipated expenditures over a ten-year timeline. Shive-Hattery prepared both of these reports.

This is the first of six packages that are being prepared for bidding and award. Work to be performed under this contract includes replacing and upgrading the electrical distribution panels throughout the structure, bringing them into compliance with the current codes.

Subject to receipt of acceptable bids, construction is scheduled to begin by May 12, 2014 and be completed by July 31, 2014.

Action / Recommendation:

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

Alternative to the Recommendation: Defer the project and request more information.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 1 Minute(s)

Budget Information (if applicable)

635127-20 \$162,100

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Does not meet criteria.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, on February 25, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Park Cedar Rapids Five Seasons Parkade Electrical Upgrades project (Contract No. 635127-20) 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 11th day of March, 2014.



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** ☒ **Map**

Motion to set a public hearing for March 25, 2014 to consider the vacation and disposition of public ways and grounds described as a portion of 2nd Street NW right-of-way located between A Avenue NW and 1st Avenue West; a 20-foot wide strip of alley right-of-way located between A Avenue NW and 1st Avenue West, and between 1st Street NW and 2nd Street NW; a 20-foot wide strip of alley right-of-way located between 1st Avenue West and 2nd Avenue SW, and between 1st Street SW and 2nd Street SW; a 20-foot wide strip of alley right-of-way located between 2nd Street SW and 3rd Street SW, and between 1st Avenue West and 2nd Avenue SW; and 2nd Street SW right-of-way located between 1st Avenue West and 2nd Avenue SW as requested by the Cedar Rapids Development Group, LLC in connection with the Cedar Crossing Casino project. CIP/DID #41-13-038

Background:

Cedar Rapids Development Group, LLC has requested the vacation and disposition of these parcels of right-of-way (also known as Plat of Survey #1877 Parcel "A", Plat of Survey #1878 Parcel "A", Plat of Survey #1879 Parcel "A" and Plat of Survey #1880 Parcel "A" & "B") in connection with the Cedar Crossing Casino project. The petitioner is paying a sum of \$732,730 to the City for this right-of-way, and easements will be granted to the City to accommodate the utilities located on the proposed casino site.

Action / Recommendation:

The Public Works Department recommends approving the vacation of said right-of-way.

Alternative to the Recommendation:

Require the Cedar Rapids Development Group to revise their plans for the proposed casino at this location.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: March 25, 2014

2nd reading of Ordinance: April 8, 2014

3rd reading and possible resolution passing: April 29, 2014

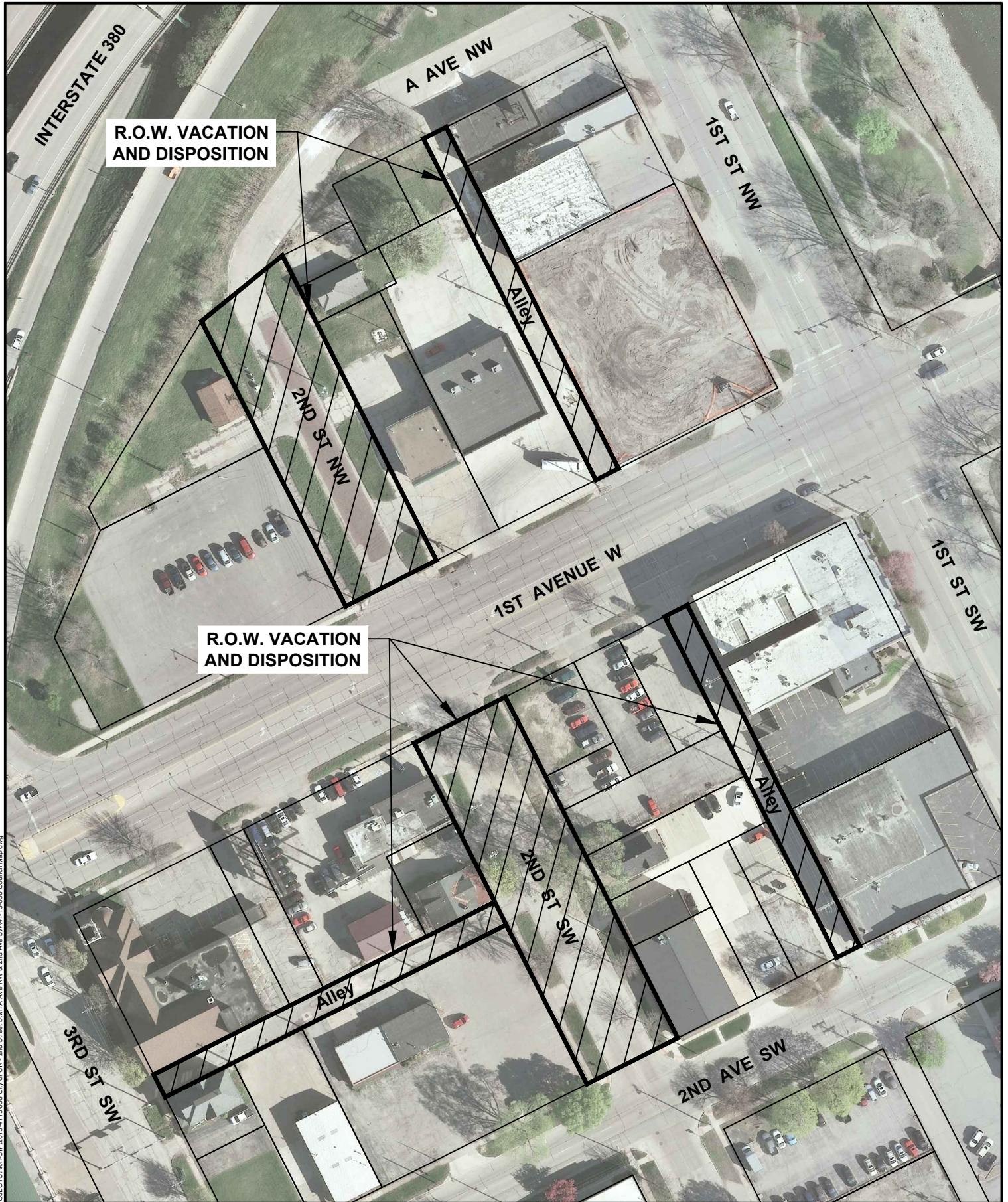
Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☒

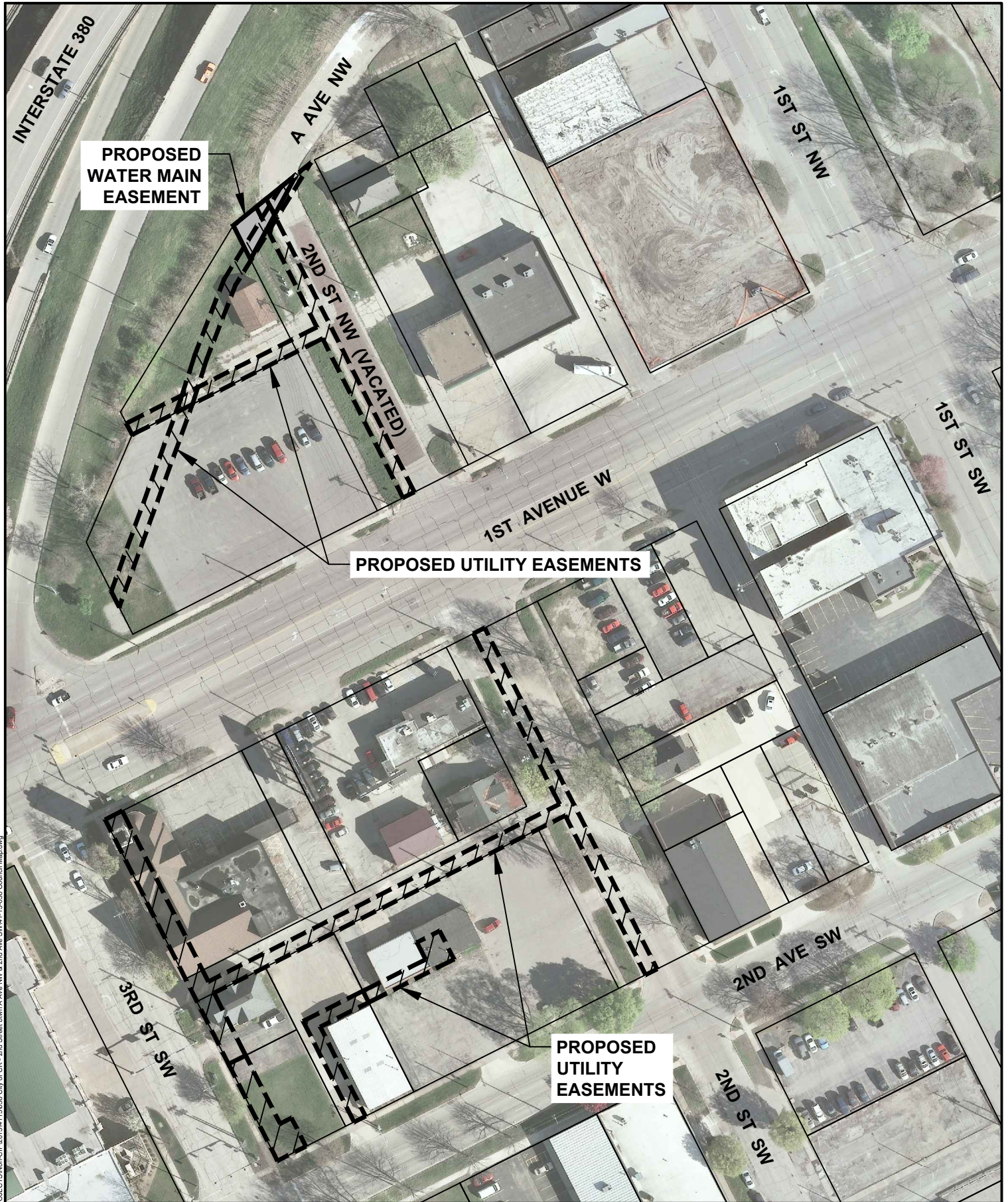
Explanation: This does not fit the criteria outlined in the policy and therefore, does not apply.

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

Explanation (if necessary):



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113038 City of CR - 2nd Street Urban A Ave NW & 2nd Ave SW\41-13-038 Council Map.dwg



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113038 City of CR - 2nd Street Urban A Ave NW & 2nd Ave SW\4113-038 Council Map.dwg



Council Agenda Item Cover Sheet

Motion Setting **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: John Reasoner

Phone Number/Extension: 5806

E-mail Address: j.reasoner@cedar-rapids.org

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

Motion to set a public hearing for March 25, 2014 to consider renaming H Street SW to Valor Way SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW as requested by the City of Cedar Rapids Police Department. CIP/DID #STREET-007954-2014

Background:

On February 4, 2014, the Cedar Rapids Police Department submitted to the Public Works Department an application for a street name change for the above-described portion of H Street SW for a distance of approximately 730 feet. Per the requirements of City Ordinance No. 073-02, Section 33D.07 3. (c) of the Municipal Code (Procedures for Renaming Existing Streets), a public hearing will be held at City Council after receipt of the petition to rename a street. Per Section 33D.07 3. (d), the application, including public comment from the public hearing, will then be forwarded to the City Staff Review Committee (now known as the City Development Services Department) for review and comment.

The proposed name of Valor Way SW was chosen due to the location of the Bret Sunner Memorial Park, located in the northeasterly corner of H Street SW and Diagonal Drive SW. This park is scheduled to be dedicated on Thursday, May 15, 2014. The Police Department, Fire Department, and Parks and Recreation Department staff support the name change to Valor Way SW as a fitting descriptor and means of paying homage to fallen police officers and firefighters in Cedar Rapids.

Action / Recommendation:

Pass a motion to set a public hearing for March 25, 2014, to consider the request by the Cedar Rapids Police Department to rename H Street SW to Valor Way SW, from Diagonal Drive SW northwesterly to the northwesterly end of H Street SW.

Alternative Recommendation:

Defer passing a motion to set the Public Hearing until additional information is provided to address City Council questions or requests.

Time Sensitivity: Normal

Ordinance Date: Proposed timeline as follows:

Public Hearing Date: March 25, 2014

City Development Services Department for review by March 27, 2014

Possible 1st reading of Ordinance: April 8, 2014

Possible 2nd reading of Ordinance and possible 3rd reading: April 22, 2014

Estimated Presentation Time: 0 Minute(s)

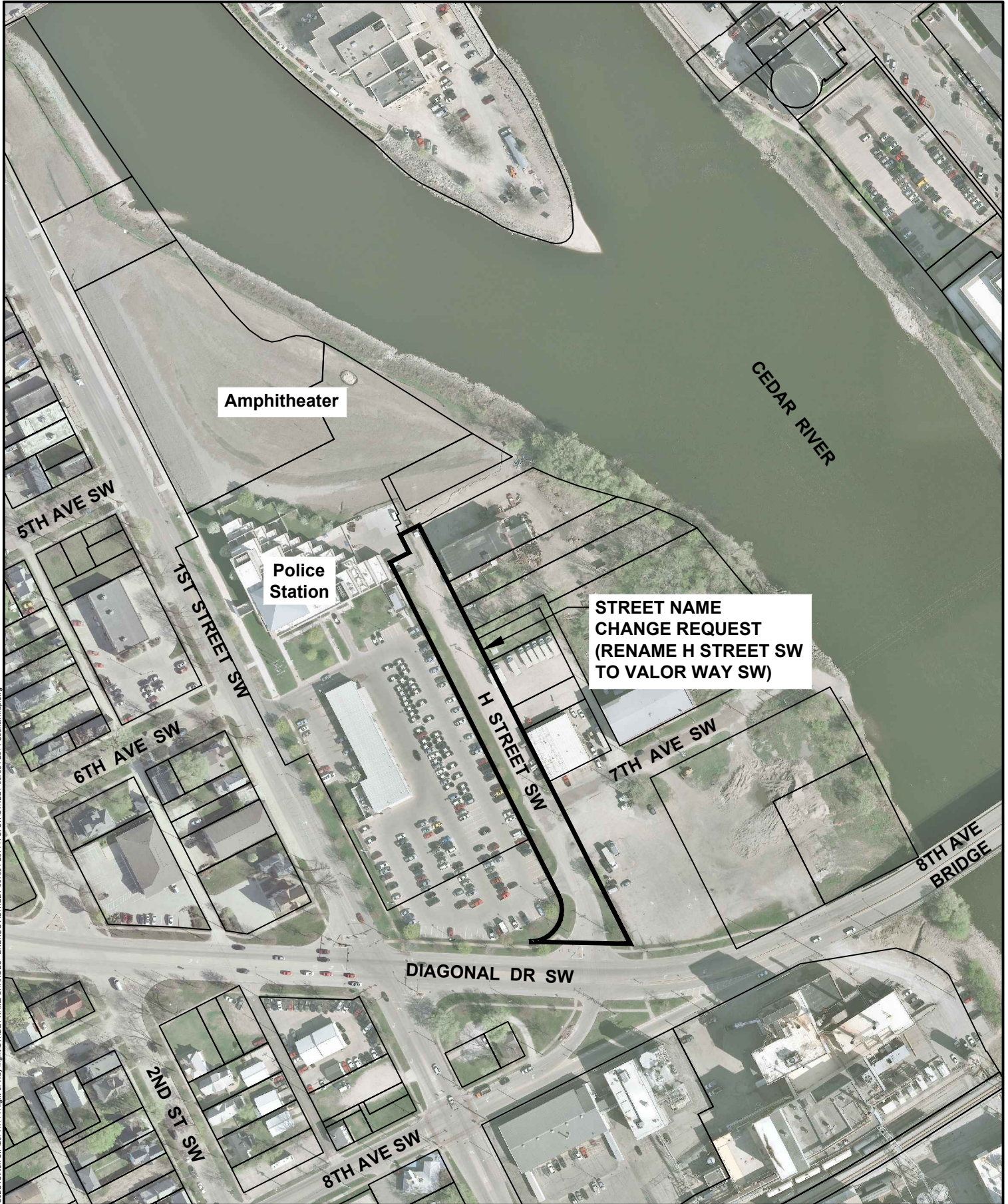
Budget Information (if applicable): NA

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): Police Chief Wayne Jerman, Fire Chief Mark English, and Sven Leff, Parks and Recreation Director presented the proposal to the Development Services City Council subcommittee at their meeting on Wednesday, February 26, 2014. The Development Services Committee unanimously supported the street name change as proposed.



Cadd File Name: W:\PROJECTS\Non-CIP\2014\114 Right-of-Way Mgmt\STREET NAME CHANGES - ENRGV\STREET-007954-2014 H St SW\STREET-007954-2014 Council Map.dwg



STREET NAME CHANGE REQUEST
H STREET SW FROM DIAGONAL DRIVE SW TO DEAD END
REQUESTED STREET NAME: VALOR WAY SW



0 FEET 200

STREET-007954-2014



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5822

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

Phone Number/Ext: 319 286-5043

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

Motion setting public hearings for March 25, 2014 to consider amending the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Industrial and to consider a change of zone for property at 837 44th Street SE from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher. CIP/DID #FLUMA-007145-2013 and #RZNE-007144-2013

Background:

The property is currently undeveloped and the applicant is requesting an amendment to the Future Land Use Map in the City's Comprehensive Plan and rezoning to allow development of the property for a truck/equipment storage facility for Roto Rooter. The applicant held a neighborhood meeting on January 27, 2014, with 5 neighboring property owners attending. The only concern expressed was one neighbor wanted to know more about the type of landscaping and buffering that would be provided along the property line adjacent to residential properties. The Preliminary Site Development Plan, which accompanies the rezoning request, includes the following improvements:

- Total site area-77,411 s. f. (1.78 acres).
- Total area of proposed commercial 81' x 180' building-14,580 s. f.
- Total proposed hard surface area-including parking, sidewalks & drives-23,169 s. f.
- Total proposed parking-36 spaces including 2-handicap spaces-required-10 spaces.
- Total open/green spaces- 39,662 s. f. (51.2% of total site area).
- Access from will be from 44th Street SE.
- A combination of screen fencing and landscaping buffering are proposed along all property lines adjoining residential uses.
- Storm water management is proposed at several locations on the site.

City Planning Commission FLUMA Findings:

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

- If developed as indicated by the applicant the proposed use will provide adequate buffering and screening and light control so as to not be a negative impact on the general area.
- Provides a transition use from the non-residential development to the south and east of the single-family residential in the areas to the north and west.

- Provides a better use from how the property is currently used.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed both applications on February 13, 2014 and recommended approval of the FLUMA on a 6 to 1 vote and on 7 to 0 vote for the rezoning. A portion of the minutes are included as Attachment A. There were no objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> A public hearing, a vote on the FLUMA Resolution and First Reading of the Ordinance are scheduled for March 25, 2014 and allow for public input. Approval of the Future Land Use Map Amendment would require a majority City Council vote on a resolution. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends setting the public hearings.

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

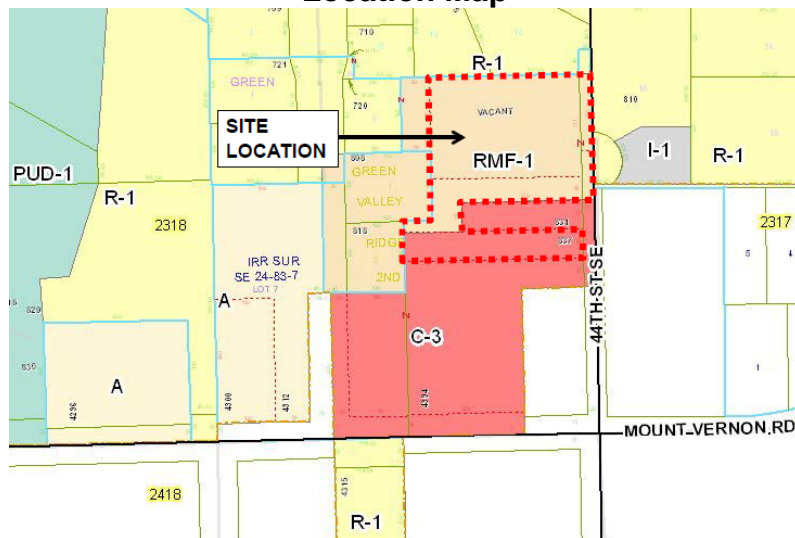
Local Preference Policy Applies ☐ Exempt ☐

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 REGULAR MEETING,
Thursday, February 13, 2014 @ 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
Allan Thoms – Via Phone
Virginia Wilts
Kim King

Members Absent: Richard Pankey
Mike Tertinger

DSD Staff: Joe Mailander, Manager
CD Staff: Seth Gunnerson, Planner
Jeff Hintz, Planner

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 seven (7) Commissioners present.

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the January 2, 2014 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: 837 44th Street SE (FLUMA and Rezoning)

- a) Request for an amendment to the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Industrial as requested by Randall J. and Christine C. Maher (Applicants/Titleholders).

Case No: FLUMA-007145-2013 Case Manager: Vern Zakostelecky

- b) Recommendation for approval of a rezoning from RMF-1, Multiple Family Residence Zone District to I-1, Light Industrial Zone District as requested by Randall J. and Christine C. Maher (Applicants/Titleholders).

Case No: RZNE-007144-2013 Case Manager: Vern Zakostelecky

Joe Mailander presented background memo on the property. It is currently a Roto-Rooter establishment and it was believed to have existed prior to annexation. Mr. Mailander used photos and maps to orient the commission with the property and the surrounding area. The site plan with some details of the development was shown and some general access and stormwater details were discussed. The site will have approximately 50% free space. Landscaping, screening and berming are all proposed at this time. There will be full screening from the residential area; a neighborhood meeting was held but no objections were received at this time. Mr. Mailander offered to answer any questions

Commissioner Halverson asked about a berm on the western end of the site and if a berm planting combination would be used for screening. Mr. Mailander conformed this was the case.

Commissioner Thoms asked about the current use of the property and some parking on the site for approximately 36 vehicles, there seemed to be some excess. The building appears to be 14,000 square feet and there is a lot of other free space. Commissioner Thoms asked about a provision protecting single-family residential neighborhoods from industrial type uses and had some general questions about hours of operation and stated the impacts on environment for surrounding neighborhoods.

Mr. Mailander answered the building would improve the current situation and deferred parking questions and site layout questions to the applicant. Commissioner Thoms asked about the light industry against the R-1 zoning. There were no objections from the neighbors.

Loren Hoffman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha represent the applicant and stated there were no objections from neighbors at the neighborhood meeting. One neighbor had some concern about leaving some of the property as green space. The neighbor was satisfied that the storm water area would be better than a parking lot. There are no loading docks and the shop and garage has doors facing away from the neighborhood. There are occasional night calls, but with screening and setbacks being met, the neighbors appeared satisfied. There are more parking spots planned now for proposed business growth at this location and hopefully the trucks would be parked inside. The immediately adjacent neighbor to this property was satisfied.

Nathan Maher, 852 44th Street SE, the owner of the property came forward to discuss the parking arrangements and equipment on the site. The extra spaces are mainly for maneuvering and other temporary uses as opposed to a parking lot.

Commissioner King asked about other noises. The owner clarified that the noises were just from vehicles coming and going.

Commissioner Knox-Seymour asked about the hours. The owner stated it is a 24 hour business for occasional emergency calls.

Commissioner Overland stated the building would block the light pollution from the neighborhood

Commissioner Thoms asked about security lights. The owner clarified the security lights would be used to light the lot. Commissioner Thoms also asked if the neighbors were aware of this. Mr. Maher stated that the neighbors were aware.

Commissioner Halverson asked about the lights being focused on the property. They will be, confirmed the owner.

Commissioner Overland called for members of the public who wished to speak. None wished to speak.

Commissioner Overland called for a motion to approve the future land use. Commissioner Halverson made a motion to approve the Future Land Use Map in the City's Comprehensive Plan from Low Density Residential to Industrial. Commissioner Wilts seconded the motion.

Commissioner Overland called for discussion on the motion.

Commissioner Thoms asked about future uses down the road and what could possibly go into the property in the future.

Commissioner Overland echoed Commissioner Thom's concern and stated he had visited the site. This appears to be a stretch but appears to work in this case.

Commissioner Wilts agreed with Commissioner Overland that this project would enhance the area.

Commissioner Halverson asked about properties near the project and if they were in the city limits. Mr. Mailander stated that they are in the city limits. Commissioner Halverson stated the applicant has done a good job screening the property.

Commissioner Overland called for a vote on the motion. The motion passed unanimously with one opposed.

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the rezoning from RMF-2, Multiple Family Residence Zone District to I-1, Light Industrial Zone District. Commissioner Wilts seconded the motion.

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

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

The meeting adjourned at 3:21 PM.

Respectfully Submitted,
Jeff Hintz, Planner
Community Development and Planning



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5822

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

Phone Number/Ext: 319 286-5043

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

Motion setting a public hearing for March 25, 2014 to consider a change of zone for property at 127 28th Street Drive SE from R-2, Single Family Residence Zone District to O-S, Office/Service Zone District as requested by Cornerhouse Properties, LLC. CIP/DID #RZNE-007395-2013

Background:

The City Planning Commission reviewed this rezoning request on March 6, 2014 and their recommendation will be provided in the City Council cover sheet for the March 25, 2014 Public Hearing. The property is currently developed with a single-family home built in 1910. At some point the home was converted to a two-family duplex. The applicant is requesting rezoning to allow the property to be added to an overall development site that is between 1st Avenue and 2nd Avenue SE for a multi-story office building. This application has been submitted without a site development plan. The applicant has received site development plan approval for the overall development, but will be resubmitting an application for revised site development plan approval, which will include the subject property. It should be noted the applicant has submitted for informal review by the City's Historic Preservation Commission and will be working to document the property and salvage re-useable components from the structure prior to demolition.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission will review this application on March 6, 2014 and their recommendation will be provided on the City Council cover sheet for the March 25, 2014 Public Hearing.. There were no objectors and this is not a flood related item.
City Council consideration	<ul style="list-style-type: none"> A public hearing and First Reading of the Ordinance are scheduled for March 25, 2014 and allow for public input. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.

Action / Recommendation:

City staff recommends 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

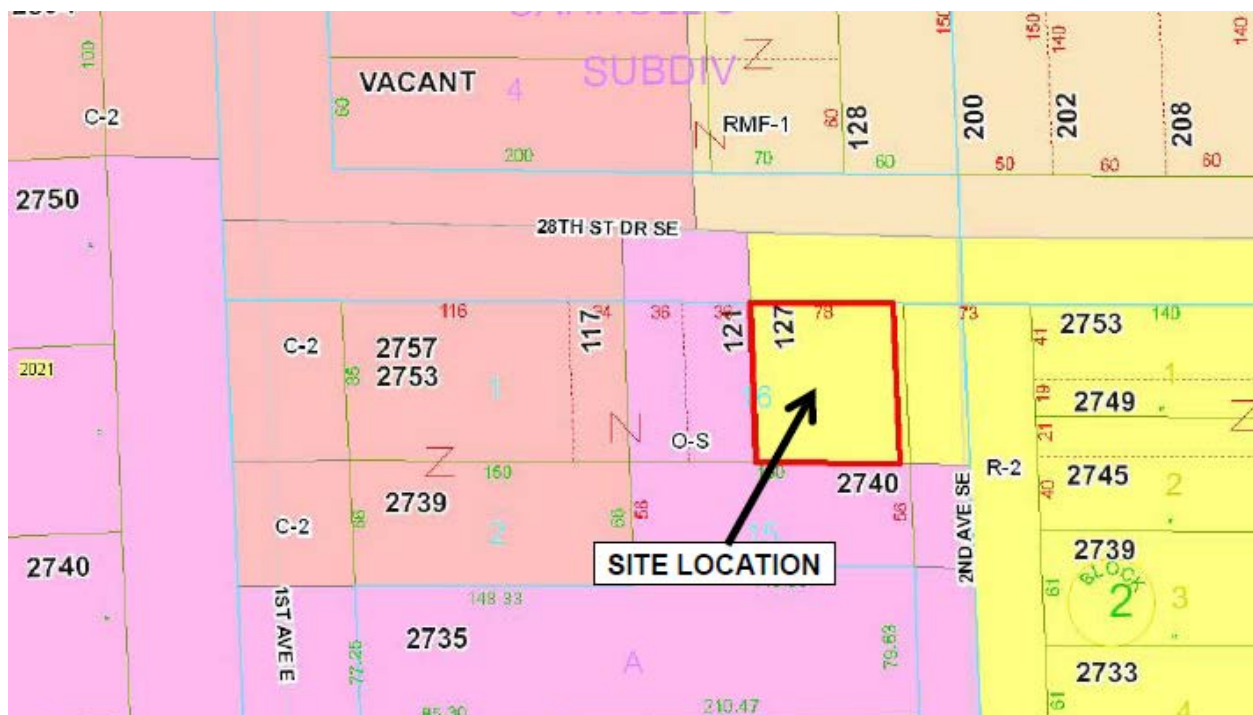
Local Preference Policy Applies ☐ Exempt ☐

Explanation:

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

Explanation (if necessary):

Location Map





Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5822

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

Phone Number/Ext: 319 286-5043

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

Motion setting public hearings for March 25, 2014 to consider a change of zone for property at 4719 J Street SW from I-2, General Industrial Zone District to C-3, Regional Commercial Zone District as requested by American Baking Systems and Albert E. and Sonda K. Farrington. CIP/DID #RZNE-008132-2014

Background:

The City Planning Commission reviewed this rezoning request on March 6, 2014 and their recommendation will be provided in the City Council cover sheet for the March 25, 2014 Public Hearing. The property is currently developed with an existing commercial building that was formerly occupied as a lodge, which was a legal non-conforming use in the I-2 Zoning District. As such, the property should already be zoned C-3. The applicant is applying for rezoning in order to use the building for multiple commercial uses including a restaurant, general retail and a bakery. The Preliminary Site Development Plan submitted includes the following proposed improvements:

- Total site area-30,600 s. f.
- Total existing & proposed building area-6,000 s. f.
 - Restaurant-1,092 s. f.
 - General retail-698 s. f.
 - Bakery-3,000 s. f.
- Total parking-28 spaces including 3 handicap spaces/required 28.
- Single access drive from J St. SW.
- No change to existing exterior site features.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission will review this application on March 6, 2014 and their recommended will be provided on the City Council cover sheet for the March 25, 2014 Public Hearing. There were no objectors and this is not a flood related item.

City Council consideration	<ul style="list-style-type: none"> • A public hearing and First Reading of the Ordinance are scheduled for March 25, 2014 and allow for public input. • Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. • Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.
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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):

Location Map





Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Development Services

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

Phone Number/Ext: 319 286-5822

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

Phone Number/Ext: 319 286-5043

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

Motion setting public hearings for March 25, 2014 to consider a change of zone for property at 1424 B Avenue NE from PUB, Public Zone District to RMF-2, Multiple Family Residence Zone District as requested by Coe College. CIP/DID #RZNE-008354-2014

Background:

The City Planning Commission reviewed this rezoning request on March 6, 2014 and their recommendation will be provided in the City Council cover sheet for the March 25, 2014 public hearing. The property is currently developed with a former fire station, which the applicant purchased from the City. The fire station was decommissioned due to the construction of the new central fire station in close proximity. The applicant, Coe College wishes to reuse the facility for student housing in the RMF-2 Zoning District. The Preliminary Site Development Plan as submitted includes the following:

- Total site area-14,000 s. f.
- Total existing building area-6,878 s. f.
 - 1st Floor-4,956 s. f.
 - 2nd Floor-1,922 s. f.
- Total parking-9 spaces including 1 handicap space.
- Maximum of 26 students to be housed at facility.
- Access from B Ave. NE and public alley.
- No significant changes to existing exterior site features.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommended revisions, which were made.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission will review this application on March 6, 2014 and their recommended will be provided on the City Council cover sheet for the March 25, 2014 Public Hearing. There were no objectors and this is not a flood related item.
City Council	<ul style="list-style-type: none"> A public hearing and First Reading of the Ordinance are scheduled for

consideration	<p>March 25, 2014 and allow for public input.</p> <ul style="list-style-type: none"> Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.
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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):

Location Map





Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Thomas Smith

Phone Number/Ext: 319 286-5161

Email: t.smith@cedar-rapids.org

Alternate Contact Person: Jeff Hintz

Phone Number/Ext: 319 286-5781

Email: j.hintz@cedar-rapids.org

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

Motion setting a public hearing for March 25, 2014 to consider amending Chapter 18 of the Municipal Code, Historic Preservation, to consider amending Chapter 18 of the Municipal Code, Historic Preservation extending the demolition review period to 15 business days. CIP/DID #481967

Background:

Over the past few months, the Historic Preservation Commission (HPC) has discussed potential updates to the City's Chapter 18 Historic Preservation ordinance that may improve the demolition review process and better protect the City's historic assets. One of the items discussed concerns the amount of time currently permitted to review demolition applications, especially those that are submitted to the City less than 48 hours before a meeting.

The City's Chapter 18 Historic Preservation ordinance currently requires the HPC to review demolition applications within a "ten (10) business day wait period" after a demo application is received by City staff. Because of the current twice-monthly meeting schedule of the HPC, staff must add demolition applications received up to the day of an HPC meeting. If the application is not reviewed at that day's meeting, the ten business day wait period expires prior to the next HPC meeting, and the demolition application must be released without any review for historic significance.

The HPC recommends extending the 10 business day review period to a 15 business day review period. By adding five additional business days to the review period, the following goals can be accomplished:

- Demolition applications not received the Friday prior to an HPC meeting will be scheduled for the next available HPC meeting afterward. This gives HPC members at least 32 hours' notice to review demolition applications before a meeting.
- Staff can publish a notice in the Gazette for all demolition applications to be reviewed at an upcoming HPC meeting.
- Agenda packets may be sent the Monday prior to a meeting instead of 24 hours in advance.
- The HPC can continue on a regular bimonthly schedule, which is easier for the public

and applicants to anticipate, instead of scheduling special meetings on short notice with little time for review or notice of demolition applications.

City Council's Development Committee recommended the ordinance update at its February 25, 2014 meeting.

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 February 26, 2014 meeting.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Motion setting a public hearing for March 25, 2014 to consider a change of use for property located at 500 and 502 F Avenue NW as required to meet requirements of the Community Development Block Grant (CDBG) Program. (**FLOOD**). CIP/DID #540257

Background:

Public hearings were held on August 27, 2013 and November 19, 2013, respectively, to consider disposition of 500 F Avenue NW and 502 F Avenue NW for the Single Family New Construction Program, locally known as the ROOTs Program. Lots were allocated to Cedar Ridge Homes, Inc. as a result of a competitive disposition process. The City Council approved a Development Agreement with Cedar Ridge Homes, Inc. on December 3, 2013. However, it subsequently became clear that due to incompatible adjacent uses, which include commercial, industrial, and urban agricultural uses, these parcels are not suitable for the development of single family homes and less marketable to buyers. This action is not a re-zoning action but simply fulfills a CDBG requirement to hold a public hearing if the lots are being considered for a different end use.

Cedar Ridge Homes, Inc. has agreed to return the properties to the City so that they can be made available for a redevelopment with a more compatible use. Matthew 25 Ministry Hub has expressed interest to add these properties to their existing Development Agreement with the City for redevelopment as part of its Ellis Urban Village project, which is located adjacent to these parcels and operates primarily as an urban farm with interpretive programming.

The parcels were originally acquired by the City through the Voluntary Acquisition Program using CDBG funds and as such, continue to have a CDBG identity. Based on the funding source for acquisition, parcels must meet a CDBG National Objective or be disposed of for their fair market value. In addition, regardless of ownership, a public hearing must be conducted prior to approving a change of use. Matthew 25 proposes to meet a National Objective by selling produce from the Ellis Urban Village farm at below market rate to low and moderate income citizens, with an emphasis on residents of the neighborhood.

Following the public hearing on the change of use, and subject to conveyance of title from Cedar Ridge Homes, Inc. to the City of Cedar Rapids, staff anticipates bringing forward for City

Council consideration an amendment to the Development Agreement with Matthew 25 to include these parcels in the Ellis Urban Village project.

Action / Recommendation:

City staff recommends setting the public hearing.

Alternative Recommendation:

N/A

Time Sensitivity:

Matthew 25 anticipates availability of volunteer labor in March to prepare lots for urban agricultural use and has requested that the change of use process be expedited.

Resolution Date: March 25, 2014

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): Matthew 25's Ellis Urban Village Project was reviewed and recommended by the Development Committee on July 25, 2011. This action is consistent with the Committee's recommendation.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11th, 2014

Submitting Department: Police Department

Presenter at meeting: SAFE-CR NPAC Grieder **Phone Number/Ext:** 5714
E-mail Address: a.grieder@cedar-rapids.org

Alternate Contact Person: Capt. Hembera **Phone Number/Ext:** 5480
E-mail Address: j.hembera@cedar-rapids.org

Description of Agenda Item:

Motion setting a public hearing date for March 25, 2014 to consider amending Chapter 22A of Municipal Code, Nuisance Property, by deleting Section 22A.03 therefrom and enacting a new section 22A.03 in its place, establishing regulations relating to nuisance activity. CIP/DID #807542

Background:

The City of Cedar Rapids has an interest in residential neighborhoods which are peaceful and safe, with properties that are well maintained. Such neighborhoods ensure a higher quality of life for the City's residents, the preservation of property values, and reduced costs for police, fire, and property code enforcement. The City recognizes that nuisances detract from the enjoyment and livability of a neighborhood, infringe on individual property rights, and drive up the costs incurred by the City, and thus, the taxpayers.

Beginning on August 1, 2013, staff collected data on possible additions to Chapter 22A.03. Staff has met with the SAFE-CR advisory team, a stakeholder group consisting of two representatives from each neighborhood group, landlords, and realtors, to discuss recommended changes to Chapter 22A.03. Since October 1, 2013, staff has attended neighborhood meetings regularly and discussed revisions of Chapter 22A.03. On November 20, 2013, the City Council Development Committee requested staff present research on proposed additions to Chapter 22A.03.

On February 4, 2014, staff presented their research and provided recommendations to the City Council Public Safety and Youth Services Committee. Staff has provided updates to the City Council through the SAFE-CR newsletter and by attending City Council Public Safety and Youth Services Committee meetings regularly.

Action / Recommendation:

The Police Department recommends the City Council approve the motion setting a public hearing for March 25, 2014.

Alternative Recommendation:

Failure to set a Public Hearing reduces the ability to effectively control taxpayer funded services.

Time Sensitivity

Adoption in a timely manner is necessary to ensure effectiveness of Chapter 22A, Nuisance Properties.

Resolution Date: March 11, 2014

Estimated Presentation Time: 0

Recommended by Council Committee

Yes ☒

No ☐

N/A ☐

Explanation:

03-11-2014 Matrix showing the proposed Chapter 22A Amendments

Proposed Amendments to Chapter 22A Nuisance Properties	Why the Amendment changes are needed
<p>22A.03.c.6</p> <p>Disturbing the peace in violation of Cedar Rapids Municipal Code 62.01</p>	<p>Currently, staff is unable to address issues related to noise. The Wellington Heights Neighborhood Association asked for this to be added to Chapter 22A based on their neighborhood issues they would like to be addressed through SAFE-CR. Staff the researched Calls for Service throughout the city related to noise and found this would be beneficial to add to 22A.</p>
<p>22A.03.c.7</p> <p>Consumption or intoxication in public places in violation of Iowa Code Section 123.46</p>	<p>Staff found through research that many Calls for Service are related to subjects being intoxicated in public. This would specifically relate to rental properties with common areas accessible to the majority of tenants or properties where someone is intoxicated within 1000 feet of their property.</p>
<p>22A.03.c.8</p> <p>Disorderly conduct in violation of Iowa Code Section 723.4</p>	<p>Calls for Service showed there were several incidents where subjects were fighting, physically or verbally, with another causing distress to neighbors or other community members.</p>
<p>22A.03.c.9</p> <p>Persons under legal age in violation of Iowa Code Section 123.47</p>	<p>Persons under legal age would address issues of underage consumption and/or underage possession of alcohol. This would also include businesses which sell alcohol to someone who is under the legal age.</p>
<p>22A.03.c.10</p> <p>Violation of Cedar Rapids Municipal Code Section 56.02 regarding Noise Prohibitions and Limited Sound Sources</p>	<p>Currently, staff is unable to address issues related to noise. The Wellington Heights Neighborhood association asked for this to be added to Chapter 22A based on neighborhood issues. Staff researched Calls for Service throughout the city related to noise and found this would be beneficial to add to 22A.</p>
<p>22A.03.d.1</p> <p>The property is placarded pursuant to Chapter 29 Housing Code of the Cedar Rapids Municipal Code, except when such placard is due solely to utility discontinuance for nonpayment of utility bill(s) by a tenant. When a property has been declared a Nuisance Property based on this paragraph, any call for service to that Nuisance Property which is deemed founded for Prohibited Occupancy, as defined in Municipal Code Chapter 29 and the International Property Maintenance Code, shall be deemed a Founded Call for Service, and all costs associated with the call shall be charged to the Property Owner pursuant to §22A.08.</p>	<p>Staff was advised to add Prohibited Occupancy into 22A.03.d.1. This would address calls for service where a subject has entered a placarded property when they are not given a permission to enter by Building Services. This has specifically been an issue in the Kenwood Neighborhood. Adding this to Chapter 22A would provide for additional resources staff could use in addressing this type of neighborhood complaint.</p>

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 22A OF THE CEDAR RAPIDS MUNICIPAL CODE BY DELETING SECTION 22A.03 THEREFROM AND ENACTING A NEW SECTION 22A.03 IN ITS PLACE ESTABLISHING ADDITIONAL REGULATIONS RELATING TO THE DETERMINATION BY THE NUISANCE PROPERTY ABATEMENT COORDINATOR THAT A PROPERTY IS A NUISANCE PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Chapter 22A of the Cedar Rapids Municipal Code is amended as follows:

Section 1. Section 22A.03 of the Cedar Rapids Municipal Code is hereby deleted and the following new Section 22A.03 is enacted in lieu thereof as follows:

22A.03 Nuisance Property. Property shall be deemed Nuisance Property upon a determination by the NPAC that any one or more of the following subsections is true with respect to the Property:

a. One or more of the following Founded Nuisance Activities have occurred upon the Property or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party

1. Manufacture or delivery of a controlled substance in violation of Iowa Code Chapter 124;
2. Kidnapping as defined in Iowa Code Chapter 710;
3. Arson as defined in Iowa Code Chapter 712;
4. Burglary as defined in Iowa Code Chapter 713;
5. Robbery as defined in Iowa Code Chapter 711;
6. Sex abuse as defined in Iowa Code Chapter 709;
7. Intimidation with a Dangerous Weapon as defined in Iowa Code Section 708.6;
8. Willful injury as defined in Iowa Code Section 708.4;
9. Sexual exploitation of a minor in violation of Iowa Code Section 728.12;
10. Felony gambling in violation of Iowa Code Chapter 725;
11. Felony criminal mischief as defined in Iowa Code Chapter 716;
12. Animal contests in violation of Iowa Code Chapter 717D;

13. Violation of Cedar Rapids Municipal Code section 22.01(a)(2), concerning certain nuisances;

14. Violation of Cedar Rapids Municipal Code section 23.21 concerning Dangerous Animals;

b. Two or more of the following Founded Nuisance Activities have occurred upon the Property or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party:

1. Possession of a controlled substance in violation of Iowa Code Chapter 124;
2. Possessing or carrying a dangerous weapon as defined in Iowa Code Section 724;
3. Riot as defined in Iowa Code Section 723.1;
4. Serious or aggravated misdemeanor criminal mischief as defined in Iowa Code Chapter 716;
5. Prostitution as defined in Iowa Code Section 725.1;
6. Serious or aggravated misdemeanor assault as defined in Iowa Code Chapter 708;
7. Serious or aggravated misdemeanor theft as defined in Iowa Code Chapter 714;
8. Misdemeanor gambling as defined in Iowa Code Chapter 725;
9. False imprisonment as defined in Iowa Code Section 710.7;
10. Failing to secure or keep secure a structure in accordance with Chapter 29 of the Cedar Rapids Municipal Code and this code;
11. An unpermitted or illegal use under Chapter 32 of the Cedar Rapids Municipal Code;
12. Unlawful discharge of any device in violation of Section 63.10A (c) of the Cedar Rapids Municipal Code;
13. A violation of Section 62.33 of the Cedar Rapids Municipal Code concerning Disorderly Houses;
14. Failure to disperse from an unlawful assembly as defined in Iowa Code Section 723.3;

c. Three or more of the following Founded Nuisance Activities have occurred upon the Property or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party:

1. A Health, Environmental, or Solid Waste violation as defined herein;
2. Unlawful assembly in violation of Iowa Code Section 723.2;
3. Defacing City Property and Graffiti as prohibited by Section 64.01, and/or Section 64.14, and/or Chapter 29 of the Cedar Rapids Municipal Code;
4. Simple misdemeanor assault in violation of Iowa Code Chapter 708;
5. Violation of Section 23.06 of the Cedar Rapids Municipal Code regarding Animal Noise;
6. Disturbing the peace in violation of Cedar Rapids Municipal Code 62.01;
7. Consumption or intoxication in public places in violation of Iowa Code Section 123.46;
8. Disorderly conduct in violation of Iowa Code Section 723.4;
10. Persons under legal age in violation of Iowa Code Section 123.47;
11. Violation of Cedar Rapids Municipal Code Section 56.02 regarding Noise Prohibitions and Limited Sound Sources.

d. When any of the following occur upon the Property or within one thousand feet of the Property within a period of twelve consecutive months, except as otherwise specified, whether caused by an Interested Party or Permittee(s) of an Interested Party:

1. The property is placarded pursuant to Chapter 29 Housing Code of the Cedar Rapids Municipal Code, except when such placard is due solely to utility discontinuance for nonpayment of utility bill(s) by a tenant. When a property has been declared a Nuisance Property based on this paragraph, any call for service to that Nuisance Property which is deemed founded for Prohibited Occupancy, as defined in Municipal Code Chapter 29 and the International Property Maintenance Code, shall be deemed a Founded Call for Service, and all costs associated with the call shall be charged to the Property Owner pursuant to §22A.08.
2. A second “no show” trip charge has been imposed in accordance with Chapter 29 Housing Code of the Cedar Rapids Municipal Code;
3. The City mows the property two or more times in a calendar year for an owner in violation of Chapter 21 and / or Chapter 29 of the Cedar Rapids Municipal Code;
4. The City removes snow from the sidewalk two or more times in a six month period for an owner in violation of Chapter 9 of the Cedar Rapids Municipal Code.;

5. The City removes junk, debris, and/or solid waste from the property two or more times in a twelve month period for an owner in violation of Chapter 22 and/or Chapter 29 of the Cedar Rapids Municipal Code;
6. A violation of Chapter 29 of the Cedar Rapids Municipal Code(s) is prosecuted in Court and the Court rules in favor of the City;
7. A violation of Cedar Rapids Municipal Code Chapter 22 is prosecuted in Court and the Court rules in favor of the City.

Except where otherwise specified, the references in this section 22A.03 to provisions of the Iowa Code or the Cedar Rapids Municipal Code shall not be construed to mean that prosecution of the specific charge is required to proceed under this Chapter, nor shall it be construed to mean the Nuisance Activity must be proven beyond a reasonable doubt. Rather, in determining whether a Property is a Nuisance Property, the Nuisance Property Abatement Coordinator shall apply the criteria of this section using a preponderance of evidence as the standard of proof. Any determination pursuant to this section shall be subject to administrative appeal and judicial review as set forth in this Chapter.

Section 2. Separability of Provisions. It is the intention of the Council that each section, paragraph, sentence, clause, and provision of the Ordinance is separable, and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. All ordinances or parts of ordinances in conflict with any provision of this Ordinance are hereby repealed.

Section 4. The changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this _____ day of March, 2014

Passed this _____ day of March, 2014

MOTION Item Cover Sheet

☒ **Consent Agenda**

☐ **Regular Agenda**

Council Meeting Date: March 11, 2014

Submitting Department: Utilities – Water Pollution Control Facility

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

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

Description of Agenda Item:

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the WPC Electric Metering Upgrade project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on April 9, 2014 (estimated cost is \$826,000). CIP/DID #615225-02

Background:

The City of Cedar Rapids owns and maintains a 12.47 kV electrical distribution system within the grounds of the Water Pollution Control Facility to supply power to the various buildings and processes therein. The facility has previously installed electric meters to track the usage of electricity within the facility. However, these meters have been installed across a variety of times and projects, and as such, the meters are a mix of technologies and brands that are difficult to maintain. There are also portions of the plant process that currently have no electrical metering, making it impossible for the plant staff to attempt to maximize the energy efficiency of the processes.

The intent of the project is to construct an electrical metering system that will monitor all electrical usage throughout the facility, giving the plant staff the information needed to optimize energy usage at the plant and improve individual process efficiency. The construction of the system was preceded by a study to identify the optimum location for the installation of the meters. The study researched available types of electrical meters and achieved the goal of recommending several different metering technologies to ensure competitive bidding during the project construction. A Pre-Bid meeting will be held on March 24, 2014.

Action / Recommendation:

The Utilities Department – WPC Division staff recommends that the plans and specifications be filed with the City Clerk's Office on March 11, 2014 and a Notice of Hearing and Letting be published on March 15, 2014. A Public Hearing is scheduled for March 25, 2014 and bids will be opened on April 9, 2014.

Alternative Recommendation: None

Time Sensitivity: Action needed 3-11-14

Motion Date: 3-11-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 and FY2015 WPC Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$500,000 budgeted in the FY2014 CIP budget and \$500,000 in the projected FY2015 Capital Improvement Projects budget for WPC for the construction of the WPC Electric Metering Upgrade project. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615225.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy

Applies ☐

Exempt ☒

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

Recommend by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):



Council Agenda 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 March 25, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Curb Repair Project – Contract 2 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 26, 2014 (estimated cost is \$330,000) **(Paving for Progress)**. CIP/DID #301998-05

Background:

This public hearing is for the second of three curb repair projects planned for the 2014 construction season. In the recent past the program was limited to one curb repair bid package, but with the Paving for Progress revenue now available, the program is being expanded to three projects and nearly four times the number of curb repairs will be completed this year than in past years. The curb repairs to be completed this year will address numerous locations that have been deferred in the past. In subsequent years, a proactive program for curb repairs will continue, reducing deterioration of municipal streets. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring or summer of 2014 and be completed within 40 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 March 25, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation:

If the resolution is not adopted the project would be delayed, resulting in further deterioration to the affected streets, or the funds from this project could be applied to another project.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301998 Street LOST 7970

Local Preference Policy: Applies ☐ Exempt ☒

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

Program objectives reviewed with the committee

Explanation (if necessary):



Council Agenda Cover Sheet

Motion Setting Public Hearing, filing plans and advertising for bids

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

Alternate contact person: Kevin Vrchoticky, EI
E-mail Address: k.vrchoticky@cedar-rapids.org

Phone Number/Extension: 5896

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 March 25, 2014 and advertising for bids by publishing notice to bidders for the FY 2014 Sidewalk and Ramp Repair Program - Contract No.1 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 26, 2013 (estimated cost is \$123,000). CIP/DID #3017014-01

Background: The approved FY 2014 Capital Improvements Program includes funding for sidewalk repair and installation of pedestrian ramps for the City, including detectable warning systems. The purpose of the program is to repair existing sidewalk and install pedestrian ramps at various locations throughout the City. The available funding for this activity is \$204,290. This project is titled "FY 2014 Sidewalk and Ramp Repair Program – Contract No. 1". Subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2014 and be completed within 60 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 March 25, 2014 and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation: If the resolution is not approved on March 25, 2014, work would be deferred and considered as part of a future sidewalk repair program.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: March 25, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3017014

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):



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

Submitting Department: Public Works Department

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

Phone Number/Extension: 5808

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**

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 25, 2014, and advertising for bids by publishing notice to bidders for the Sun Valley Neighborhood SE Storm Sewer Installation project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on April 2, 2014 (estimated cost is \$370,000). CIP/DID #304224-04

Background:

This project is part of the Sun Valley Neighborhood Flood Risk Reduction project. It is one of four Flood Local Option Sales Tax projects approved for funding by City Council in May 2013. The other three were the Amphitheater Levee project (complete), the Vinton Ditch project (under construction), and the Q Avenue and Ellis Blvd NW Berm and Storm Sewer Backflow Prevention project (under construction).

Phase 1 of the Sun Valley Neighborhood Flood Risk Reduction project was completed in September 2013, with a storm sewer extension completion along Cottage Grove Parkway and draining a rear yard sump condition.

This proposed contract is Phase 2 of the flood risk reduction project and consists of extending storm sewer on Sunland Court, Sunland Drive and Cottage Grove Parkway. This storm sewer will accommodate the berming along Indian Creek, which was recommended by Council Infrastructure Committee on November 12, 2013. The design contract authorizing the berming and storm sewer extension was approved by City Council on November 19, 2013. This project scope was re-affirmed at a public information meeting on February 18, 2014 and at the Council Infrastructure Committee meeting on February 24, 2014.

The construction schedule includes an early start date of May 26, 2014, and a late start date of June 16, 2014. Completion is expected in 36 working days. The estimated construction cost is \$370,000.

The third phase is the berm itself on City property along Cottage Grove Parkway. The top of berm will be at the record flood level of 2002, and, as recommended by Dr. Odgaard (University of Iowa), who was hired by the neighborhood. This is approximately one foot above the 500-year flood level. However, because of lower areas along Sunland Drive, the protection level will be at the 100-year event, until Phase 4 is complete. Phase 3 bid is scheduled for summer 2014, with completion before the end of the calendar year.

Phase 4 will be berming and ditching on private property, going north from Indian Creek. It has not been designed yet, but is included in the design contract authorized by Council in November 2013. It will serve to reduce the risk of flood waters entering Sun Valley Neighborhood from the Cottage Grove Avenue area to the north. It is scheduled for construction in 2015, pending acquisition of easements from private property.

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 March 25, 2014, and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation: None, compliant Council authorization and neighborhood expectation.

Time Sensitivity: Normal.

Resolution Date Adopting Plans and Specs: March 25, 2014

Estimated Presentation Time: 0 Minute(s)

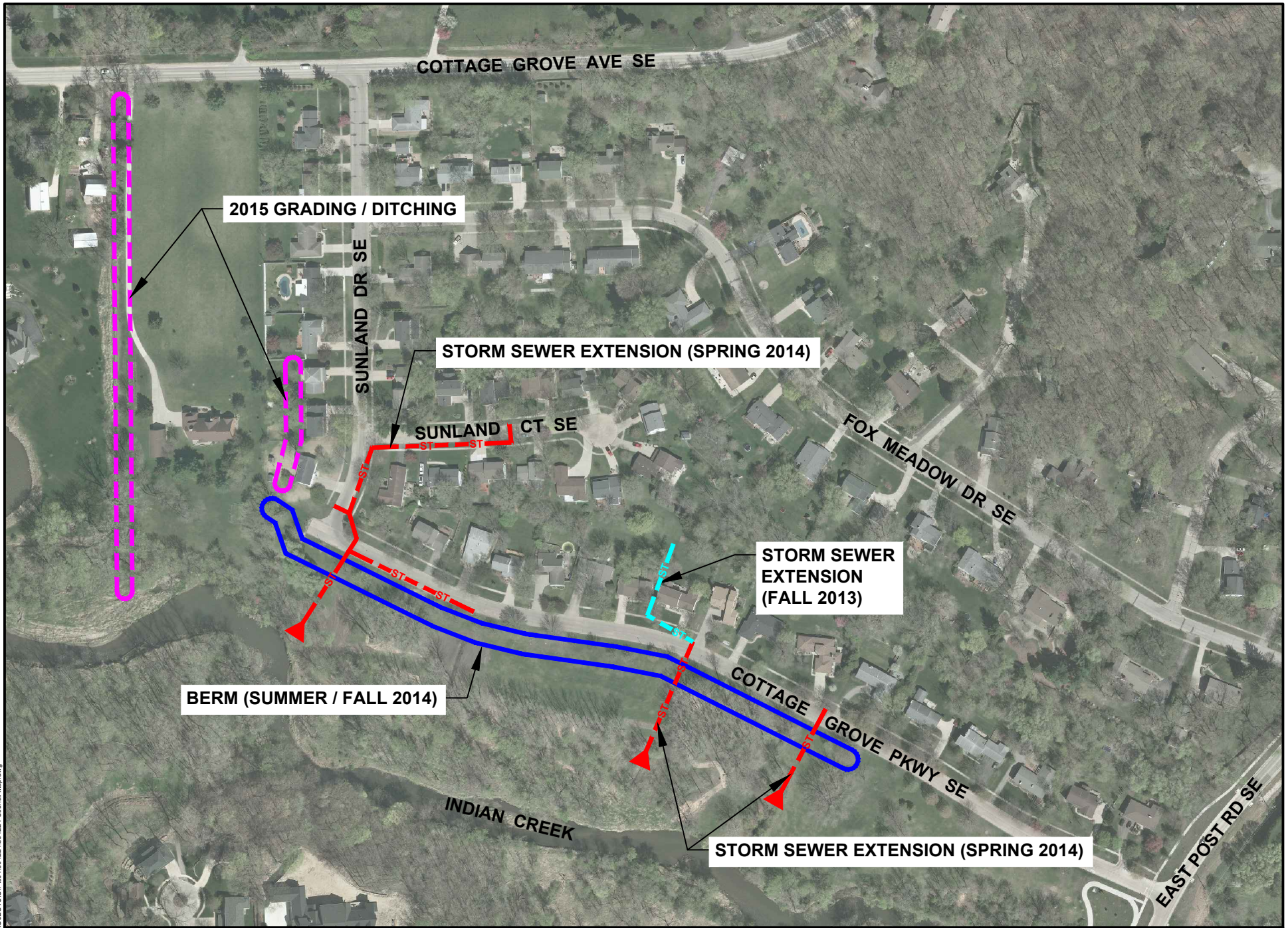
Budget Information (if applicable): Local Option Sales Tax (FLOOD)

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):



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COTTAGE GROVE PARKWAY
FLOOD RISK REDUCTION PROJECT



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

Submitting Department: Public Works Department

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

Phone Number/Extension: 5808

Alternate Contact Person: Lee Tippe, PE
E-mail Address: l.tippe@cedar-rapids.org

Phone Number/Extension: 5816

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

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the 1st Avenue East from 17th Street SE to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on April 2, 2014 (estimated cost is \$81,000). CIP/DID #3012034-02

Background:

On January 28, 2014, Cedar Rapids City Council approved execution of a Supplemental Agreement to the current Agreement for Maintenance and Repair of Primary Roads in Municipalities between the City and the Iowa Department of Transportation (IDOT). The Supplemental Agreement obligates the City to prepare contract documents and administer a construction contract for crack and joint sealing on 1st Avenue East within the above-described limits. The Supplemental Agreement obligates IDOT to reimburse the City for its portion of construction costs.

Proposed project schedule is as follows:

- Public hearing on plans, specifications, form of contract and estimated costs: March 25, 2014.
- Receive bids at City Clerk's Office: April 2, 2014.
- Report on bids to City Council: April 8, 2014.
- Award contract on April 22, 2014 if acceptable bids received and IDOT concurs in contract award.
- Construction start dates: Early start on June 2, 2014. Late start on July 7, 2014.
- Working Days: 30
- Construction completed by September 26, 2014

Action / Recommendation:

The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for 1st Avenue East from 17th Street SE to 27th Street SE and 40th Street NE to Collins Road NE Crack and Joint Cleaning and Sealing project and advertising for bids by publishing notice to bidders for the project.

Alternative to the Recommendation:

Defer action on resolution to adopt plans, specifications, form of contract and estimated cost or abandon project.

Time Sensitivity: Normal

Resolution Date Adopting Plans and Specs: March 25, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

CIP 3012034, FY 2014 GOB:	\$100,000
Estimated Iowa DOT reimbursement:	\$ 74,000
Total of above:	\$174,000

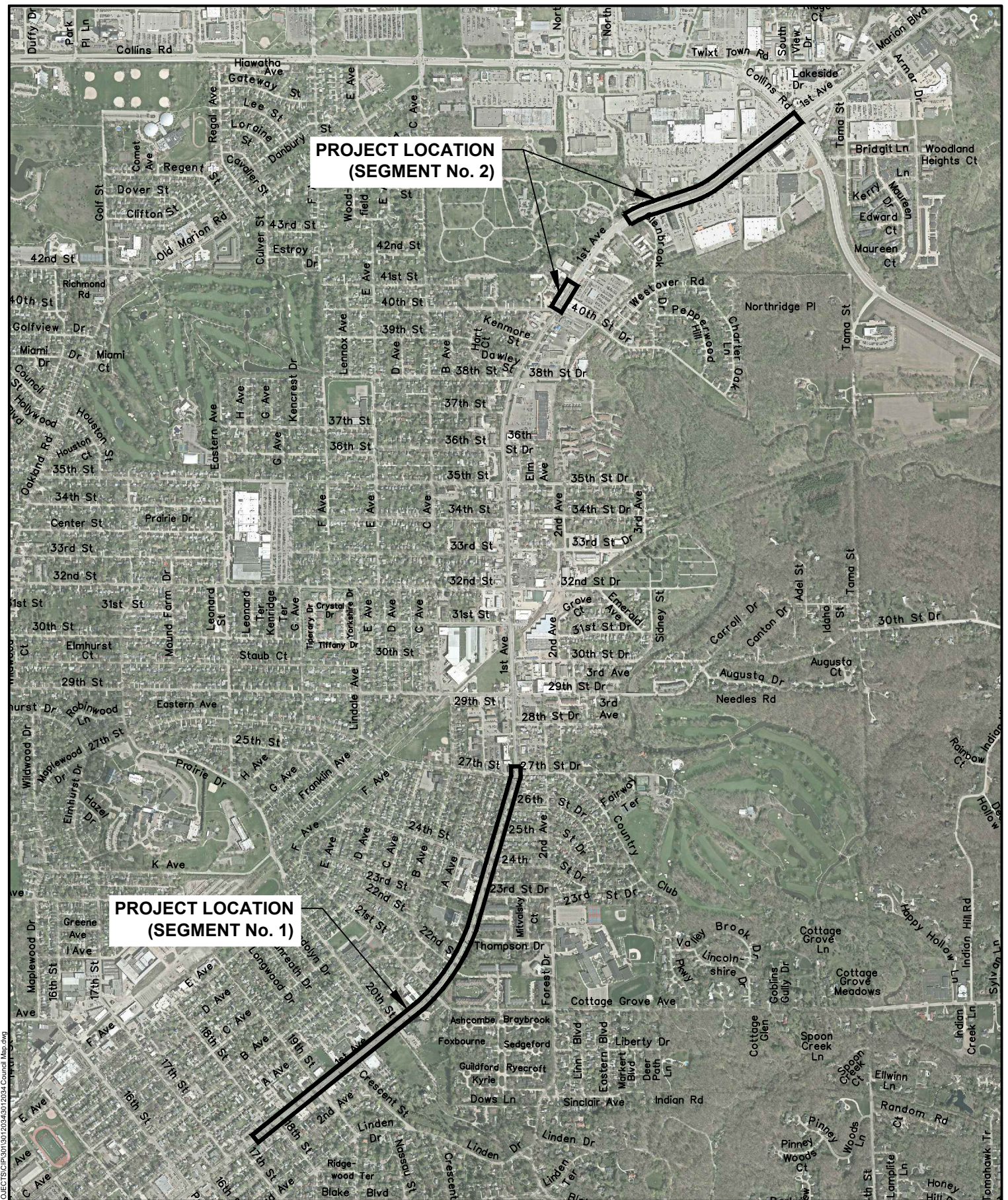
Note: Estimated City portion of project costs, including design, construction management and administration is approximately \$29,000

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Project is a roadway project. Per Code of Iowa, contract must be awarded to lowest responsible, responsive bidder or all bids must be rejected.

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

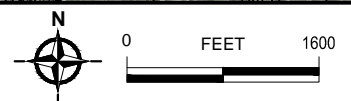
Explanation: Proposed work is routine maintenance.



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1ST AVENUE EAST FROM 17TH STREET SE TO 27TH STREET SE AND 40TH STREET NE TO COLLINS ROAD NE
CRACK AND JOINT CLEANING AND SEALING



3012034



Motion Item Cover Sheet

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

Council Meeting Date: March 11, 2014

Submitting Department: Utilities - Water

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

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

Description of Agenda Item:

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the J Avenue Water Treatment Plant 1929 Tower Renovation project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on April 9, 2014 (estimated cost is \$172,000). CIP/DID #625028-07

Background:

In order to properly maintain all of the buildings at the water treatment plants, a comprehensive long-term roof maintenance plan has been developed as well as a masonry waterproofing plan. The waterproofing plan requires re-sealing the masonry buildings with a water repellent coating approximately every 10 years. When preparing for our most recent waterproofing project in 2012 we determined that the J Avenue Water Treatment Plant 1929 Tower masonry had many cracks and voids that made the surface unsuitable for a water repellent coating. The waterproofing proceeded on the remaining masonry, but the 1929 Tower was excluded from the project. HR Green, Inc. conducted a study in 2013 to fully investigate the condition of the masonry exterior and make recommendations for repairs to the 1929 Tower. HR Green, Inc. completed a report with detailed recommendations for repair and rehabilitation of the 1929 Tower. Following the completion of the report, HR Green then designed the recommended improvements.

This project generally consists of restoration and waterproofing of the 1929 Tower exterior masonry. Work includes installing control joints, replacing cracked concrete brick, removing loose brick face material, replacing deteriorated caulk joints, replacing and repairing deteriorated cast stone, and applying water repellent to the entire exterior Tower masonry surfaces. Alternates are also included for replacing deteriorated caulk joints on the adjacent filter building parapet caps and replacement of the roof membrane over the main north entrance. A pre-bid meeting will be held on March 24, 2014.

Action / Recommendation:

The Utilities Department – Water staff recommend that the plans and specifications be filed with the City Clerk on March 11, 2014 and a Notice of Hearing and Letting be published on March 15, 2014. A Public Hearing is scheduled for March 25, 2014 and bids will be opened on April 9, 2014.

Alternative Recommendation: None

Time Sensitivity: Action needed on 3-11-14

Motion Date: 3-11-14

Estimated Presentation Time: 0 minutes

Budget and Purchase Process Information:

1. **Included in Current Budget Year.** Yes, funding for these improvements has been included in the CIP budget for FY14. Project costs will be coded to 553000-625-625000-625028.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The total capital cost budgeted for this work in the Water Capital Budget for FY14 is \$250,000. The anticipated completion date for these improvements is November 2014.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy Applies ☐ Exempt ☒

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

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

Explanation (if necessary):

MOTION Item Cover Sheet

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

Council Meeting Date: March 11, 2014

Submitting Department: Utilities – Water Division

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

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

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

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for March 25, 2014 and advertising for bids by publishing notice to bidders for the NW Water Treatment Plant Chlorine System Improvements and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on April 9, 2014 (estimated cost is \$150,000). CIP/DID #625900-01

Background:

The City of Cedar Rapids recently completed a project to upgrade the chlorine system at the J Avenue Water Treatment plant. The project at the J Avenue Water Treatment Plant converted the existing pressurized chlorine gas system to a vacuum system, thereby reducing the chance of chlorine leaks and improving the overall safety of the water treatment process. The goal of the NW Water Treatment Plant Chlorine System Improvements is to modify the existing chlorine system at the NW Water Treatment Plant to be a mirror of the system at the J Avenue Water Treatment Plant.

In addition to the conversion of the chlorine system from a pressurized to vacuum system, the NW Water Treatment Plant Chlorine System Improvements will also include modifications to the HVAC ductwork for the emergency chlorine scrubber. Although the emergency chlorine scrubber at the NW Plant is identical to the scrubber at the J Avenue Plant, field testing shows that the NW Plant scrubber is considerably less effective at clearing the chlorine container room in the event of a leak. Changes to the ductwork, modifications to the HVAC controls, and moving of the supply air intake are all included in the project to upgrade the capabilities of the emergency chlorine scrubber at the NW Plant. These modifications will improve the performance of the scrubber so that it matches that of the J Avenue Plant scrubber. A Pre-Bid meeting will be held on March 24, 2014.

Action / Recommendation:

The Utilities Department – Water Division staff recommends that the plans and specifications be filed with the City Clerk's Office on March 11, 2014 and a Notice of Hearing and Letting be published on March 15, 2014. A Public Hearing is scheduled for March 25, 2014 and bids will be opened on April 9, 2014.

Alternative Recommendation: None

Time Sensitivity: Action needed 3-11-14

Motion Date: 3-11-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2014 Water Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$125,000 budgeted in the FY2014 CIP budget and \$125,000 in the FY 2015 CIP budget for the construction of the NW Water Treatment Plant Chlorine System Improvements. The project will be coded to the following CIP fund: 553000-625-625000-x-x-625900.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy

Applies ☐ Exempt ☒

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

Recommend by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):



COUNCIL AGENDA ITEM COVER SHEET

Meeting Date: 3/11/2014

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. Beef O'Brady's, 5240 EDGEWOOD RD NE;
2. Bricks Bar & Grill, 320 2ND AVE SE (additional outdoor service area for an event in March 17-18, 2014);
3. Cedar Rapids Ball Club, 950 ROCKFORD RD SW;
4. Cedar Rapids Country Club, 550 27TH ST DR SE (new- class c commercial license);
5. Cottage Grove Place, 2115 1ST AVE SE (new);
6. Emil's Hideaway, 222 GLENBROOK DR SE;
7. Gatherings, 905 3RD ST SE (transfer to St. Patrick Church, 120 Fifth Street NW, for an event on March 17, 2014);
8. Guppys On The Go, 235 EDGEWOOD RD NW;
9. Guppy's On The Go, 1532 ELLIS BLVD NW;
10. Home Port, 624 CENTER POINT RD NE;
11. Hy-Vee Gas #7, 3935 BLAIRS FERRY RD NE;
12. Moose McDuffy's, 834 1ST AVE NE (new-new ownership);
13. Mulligan's Pub, 1060 OLD MARION RD NE;
14. Playtime Tap, 933 14TH AVE SW;
15. Starlite Room, 3300 1ST AVE NE;

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: 3/11/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Beef O'Brady's 5240 EDGEWOOD RD NE	1	0	0	0
Bricks Bar & Grill 320 2ND AVE SE	68	1	1	5
Cedar Rapids Ball Club 950 ROCKFORD RD SW	21	2	0	1
Cedar Rapids Country Club 550 27TH ST DR SE	28	0	0	0
Cottage Grove Place 2115 1ST AVE SE	0	0	0	0
Emil's Hideaway 222 GLENBROOK DR SE	3	0	0	0
Gatherings 905 3RD ST SE	0	0	0	0
Guppys On The Go 235 EDGEWOOD RD NW	106	5	1	9
Guppy's On The Go 1532 ELLIS BLVD NW	208	0	0	4
Home Port 624 CENTER POINT RD NE	7	0	0	0
Hy-Vee Gas #7 3935 BLAIRS FERRY RD NE	42	0	0	1
Moose McDuffy's 834 1ST AVE NE	0	0	0	0
Mulligan's Pub 1060 OLD MARION RD NE	38	2	0	4

Playtime Tap	42	0	1	4
933 14TH AVE SW				
Starlite Room	20	0	1	3
3300 1ST AVE NE				

RESOLUTION NO.

WHEREAS, the attached listing of bills dated March 11, 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 11th day of March, 2014.

REC
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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 and City of Cedar Rapids Finance Director is hereby authorized and directed to transfer funds
as per the attached listing.

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: City Clerk

Presenter at meeting: Amy Stevenson

Phone Number/Ext: 319-286-5061

Email: a.stevenson@cedar-rapids.org

Alternate Contact Person: Diane Weimer

Phone Number/Ext: 319-286-5272

Email: d.weimer@cedar-rapids.org

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

Resolutions approving the appointments, reappointments and thanking the following individuals: CIP/DID #542014

- a. Jasmine Almoayed (effective through 12/31/2015), Angie Charipar (effective through 12/31/2015), Dave Elgin (effective through 12/31/2015), Amy Stevenson (effective through 12/31/2015), Steve Hershner (effective through 12/31/2015), Maria Johnson (effective through 12/31/2016), Sven Leff (effective through 12/31/2016), Ann Poe (effective through 12/31/2016), Jeffrey Pomeranz (effective through 12/31/2016), Mo Sheronick (effective through 12/31/2017), Sandi Fowler (effective through 12/31/2017), Monica Vernon (effective through 12/31/2017) and Susie Weinacht (effective through 12/31/2017) to the Corridor Metropolitan Planning Organization; CIP/DID #542014
- b. Ron Corbett (effective through 12/31/2014), Mark English (effective through 12/31/2015), Steve Hershner (effective through 12/31/2015), Mark Jones (effective through 12/31/2015), Ralph Russell (effective through 12/31/2016), and Justin Shields (effective through 12/31/2016) to the Cedar Rapids Linn County Solid Waste Agency Board of Directors; CIP/DID #534305
- c. Vote of thanks to Don Karr for serving on the Corridor Metropolitan Planning Organization; CIP/DID #542014
- d. Vote of thanks to Chuck Swore for serving on the Cedar Rapids Linn County Solid Waste Agency Board of Directors. CIP/DID #534305

Background:

The resolutions for the Corridor Metropolitan Planning Organization and the Cedar Rapids Linn County Solid Waste Agency Board of Directors list dates of expiration for better tracking of service.

Action / Recommendation:

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 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):

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint and reappoint the following individuals to serve on the Corridor Metropolitan Planning Organization's Policy Board of Directors to serve until the expiration of their terms as indicated, or until a successor is appointed and qualified:

<u>Director</u>	<u>Term Expiration</u>
Jasmine Almoayed	12/31/2015
Angie Charipar	12/31/2015
Dave Elgin	12/31/2015
Amy Stevenson	12/31/2015
Steve Hershner	12/31/2015
Maria Johnson , Mayor's representative	12/31/2016
Sven Leff	12/31/2016
Ann Poe	12/31/2016
Jeffrey Pomeranz	12/31/2016
Mo Sheronick	12/31/2017
Sandi Fowler	12/31/2017
Monica Vernon	12/31/2017
Susie Weinacht	12/31/2017

RESOLUTION NO.

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

1. The City of Cedar Rapids ("the City") is a member of the Corridor Metropolitan Planning Organization ("CMPO").
2. The CMPO is governed a Policy Board of Directors. The Board is comprised of representatives appointed by the CMPO's member organizations.
3. The number of directors that a member organization is allowed is determined by the member's population. Currently, the City is allocated 13 representatives of the Policy Board of Directors.
4. As a result of Director turnover, from time to time it becomes necessary to appoint new Directors and adjust the terms of the Directors currently serving.
5. Mayor Corbett has made the appointments set forth above, and the City Council

hereby ratifies, and gives its advice and consent to the Mayor's appointment of the above listed Director's to the CMPO's Policy Board of Directors and for the terms indicated above.

6. The CMPO's Bylaws allow member governing bodies to designate alternate representatives, or proxies, and authorize such proxies to be recognized at the Policy Board of Director's meetings, and vote on all matters. The City Council authorizes the Mayor of the City of Cedar Rapids to appoint such proxies for those purposes. Individuals who are appointed as proxies shall be City elected or appointed officials. Proxies may attend meetings of the Policy Board as necessary and have their attendance as proxies noted in the Policy Board's minutes.

Passed this 11th day of March, 2014.

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint and reappoint the following individuals to serve on the Cedar Rapids Linn County Solid Waste Agency Board of Directors for the terms as indicated or until a successor is appointed and qualified:

<u>Member</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Ron Corbett	01/01/2012	12/31/2014
Mark English	01/01/2013	12/31/2015
Steve Hershner	01/22/2013	12/31/2015
Mark Jones	01/01/2013	12/31/2015
Ralph Russell	01/01/2014	12/31/2016
Justin Shields	01/01/2014	12/31/2016

RESOLUTION NO.

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

1. The City of Cedar Rapids ("the City") is a member of the Cedar Rapids Linn County Solid Waste Agency ("the Agency").
2. The Agency is governed by a nine-member board of directors. Six members are appointed by the City. Linn County appoints two members and one is appointed by the City of Marion. Members of the board of directors are to be elected or appointed officials of the member of the Agency that appoints them.
3. Except for the initial terms served when the Agency was created, members of the board of directors are to serve three year terms. Members of the board cease to be members when they are no longer elected or appointed officials.
4. As a result of member turnover, from time to time it becomes necessary to appoint new members to the board, and adjust the terms of the members of the board currently serving.
5. Mayor Corbett has made the appointments set forth above, and the City Council hereby ratifies, and gives its advice and consent to the Mayor's appointment of the above listed members of the Agency's board of directors, and for the terms indicated above.

Passed this 11th day of March, 2014.

RESOLUTION NO.

WHEREAS, Don Karr has devoted considerable time and effort as a member of the Corridor Metropolitan Planning Organization,

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 Don Karr for serving as a member of the Corridor Metropolitan Planning Organization.

Passed this 11th day of March, 2014.

RESOLUTION NO.

WHEREAS, Chuck Swore has devoted considerable time and effort as a member of the Cedar Rapids Linn County Solid Waste Agency Board of Directors,

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 Chuck Swore for serving as a member of the Cedar Rapids Linn County Solid Waste Agency Board of Directors.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: City Manager's Office

Presenter at meeting: Angie Charipar
Email: a.charipar@cedar-rapids.org

Phone Number/Ext: 319-286-5090

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

Phone Number/Ext: 319-286-5083

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

Resolution approving the following special events:

1. St. Joseph's Day parade event (includes road closures) in Czech Village – New Bohemia area on March 22, 2014. CIP/DID #SPEC-017011-2014
2. Brick's St. Patrick's Day Celebration (includes alley closure) behind 320 2nd Avenue SE on March 17, 2014. CIP/DID #SPEC-017073-2014

Background:

Referencing the Special Event applications received for the above special events which are requesting permission to hold activities with street closures, approval is recommended subject to the conditions stated on the attached resolutions.

Action / Recommendation:

Approve motion for this event.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: N/A

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt X

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Pam Imerman, on behalf of the Czech Village Association, has requested approval to hold the annual St. Joseph's Day parade on city streets in the Czech Village and New Bohemia area with a parade start time of 1:00 PM on Saturday, March 22, 2014, with parade staging for participants on 3rd Street SE starting at Noon, and

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

1. Staging area: 3rd Street SE – 900 and 1000 block. (Street closure beginning at Noon)
2. Parade route: Start at the intersection of 3rd Street SE and 11th Avenue SE, proceed south on 3rd Street SE crossing 12th Avenue, turn west on 14th Avenue SE, continue west on 14th Avenue SE across the 16th Avenue Bridge, continue west on 16th Avenue SW, turn south on C Street SW, turn east on 17th Avenue SW and disband. (Street closures from 1:00 PM to 2:00 PM)
3. Applicant shall provide written notification to all property owners adjacent to the staging area and parade route. Written notification shall include the location of the staging area and parade route, event date, time required for staging area and parade use, and the name and telephone number of the applicant's contact person. A copy of the notification shall be provided to the City Manager's Office.
4. Applicant shall be responsible for contacting the CRANDIC Railway and Union Pacific Railroad Company to assure no conflicts will occur during the parade and event staging at any of the area railroad grade crossings.
5. Parade traffic control:
 - Applicant's insured traffic control contractor shall provide all barricades and traffic controls required by the City to conduct the parade on the east side of the Cedar River.
 - All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices.
 - Applicant shall provide the name and phone number of the traffic control contractor providing the barricades, to the Police Department and Traffic Engineering Division.
 - The Public Works Maintenance Division will provide all barricades and traffic controls deemed necessary by the City on the west side of the Cedar River.
6. Applicant shall contact the Sgt. Mark Andries of the Police Department (319.286.5438) at least 30 days before the event, to hire off duty police officers to attend barricades at street closures and to assist with traffic control at designated intersections.

Applicant will be required to hire 11 off duty officers and 1 commander as follows (estimated):

Eleven (11) officers = \$1,617

One (1) commander = \$162

Estimated cost of off duty officers is \$1,779 (however is dependent upon final determination at event time).

7. Applicant shall provide adequate adult volunteers at all intersections and other locations as required by the Police Department to assist with event instructions and event participant safety.
8. Applicant agrees that any pavement marking required for this event will be done with prior approval of the City Traffic Engineering Division and no permanent markings of any type will be permitted.
9. Applicant agrees there will be no throwing of candy or other items from the parade units. Any items intended to be distributed to parade attendees must be handed out.
10. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
11. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 11th day of March, 2014.

RESOLUTION NO.

WHEREAS, Tim Kindl, on behalf of Brick's, has requested approval to hold the Brick's St. Patrick's Day Celebration in the alley behind Brick's, 320 2nd Avenue SE, starting at 8:00 AM on Monday, March 17, 2014 and ending at 2:00 AM on Tuesday, March 18, 2014, and

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

1. Applicant has requested to close the alley behind Brick's, east of the bank's garage door to the end of the alley from 8:00 AM on 3/17/2014 until 2:00 AM on 3/18/2014.
2. Applicant will contact Fire Marshal Vance McKinnon at 319-286-5862 to acquire an Outdoor Place of Assembly permit as required for the outdoor service area and request the appropriate inspections prior to the event taking place.
3. Food, including beverages and ice, may not be prepared or dispensed outside without prior approval of the Linn County Public Health Department.
4. Applicant must comply with the Fire Codes in force in the City.
5. If food is served and/or sold at the event, the applicant (or vendors) shall meet all applicable requirements of the Linn County Health Department and the City Code.
6. Applicant shall install and maintain fence as required by the Police Department. No alcoholic beverages shall be carried beyond the fenced areas. Any event fencing must be placed a minimum of two feet behind the public sidewalk or alley edge for safety reasons.
7. Minors Prohibited in Alcohol Area.
8. Applicant will ensure proper exiting is in place from the fenced area, patrons cannot reenter the building to exit the fenced area.
9. Applicant is aware of the existence and requirements of the Municipal Noise Ordinance (Chapter 56 of the Cedar Rapids City Code) as relates to the intent to provide amplified music at the event.
10. Applicant shall make themselves aware of the state and city codes pertaining to disorderly conduct and disturbing the peace. The Police Department will reserve the right to terminate the event if complaints are received.
11. Applicant shall provide cleanup of the area prior to it being opened to traffic and reimburse the City for damage to any portion of public property.
12. Applicant shall contact and hire an insured traffic control contractor prior to the event date.
 - Applicant's insured traffic control contractor shall provide all barricades and traffic controls required by the City.
 - All barricades and traffic control shall conform to the requirements of the Manual on Uniform Traffic Control Devices.

- Applicant shall provide the name and phone number of the traffic control contractor providing the barricades, and a traffic control plan to the Traffic Engineering Division.
13. The City reserves the right to revoke approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
 14. Applicant agrees to defend, indemnify and save the City of Cedar Rapids harmless from all liability and place on file a liability insurance policy in limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

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

Council Meeting Date: March 11, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 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: 3/11/14

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 22nd day of April, 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., April 22, 2014.

Passed this 11th day of March, 2014.

LIEN INTENTS (SPECIAL ASSESSMENTS) 3-11-14

		LIEN INTENTS 3/11/14	
#		Balance Due	Premise Address
1		\$ 153.45	118 18TH AVE SW
2		\$ 215.50	216 JOHNSON AVE NW
3		\$ 59.22	348 7TH AVE SW
4		\$ 190.53	413 37TH ST NE
5		\$ 169.66	434 32ND ST NE
6		\$ 198.61	626 28TH ST CT SE
7		\$ 198.39	834 1ST AVE NE
8		\$ 414.14	947 ROCKFORD RD SW
9		\$ 126.61	995 EASTERN DR SE
10		\$ 296.87	1006 SIOUX DR NW
11		\$ 344.86	1020 OLD MARION RD NE
12		\$ 182.10	1029 11TH AVE SE
13		\$ 416.40	1228 6TH AVE SE
14		\$ 182.29	1509 B AVE NE
15		\$ 435.09	1624 C AVE NE
16		\$ 84.65	1820 HIGLEY AVE SE
17		\$ 285.06	2021 GRANDE AVE SE
18		\$ 615.83	2520 ELLIS VIEW CT NW
19		\$ 71.03	2739 12TH ST SW
20		\$ 89.79	2806 SOUTHLAD ST SW
21		\$ 122.92	3918 LAKEVIEW DR SW
22		\$ 237.74	3011 PIONEER AVE SE
23		\$ 101.20	3125 12TH AVE SW - LOWER
24		\$ 1,074.21	5449 J ST SW
25		\$ 105.74	5751 MICHAEL DR NE
		\$ 6,371.89	Grand Total
		25	Number of Properties
		\$ 59.22	Balance Due - Low
		\$ 1,074.21	Balance Due - High

Council Agenda Item Cover Sheet

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

Council Meeting Date: March 11, 2014

Submitting Department: Utilities – Water Division

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

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

Description of Agenda Item:

Resolutions approving assessment actions:

- a. Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 23 properties. CIP/DID #1037177

The property address listing is included with the resolution. [**Note:** The Intent to Assess Resolution was approved at the January 28th 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. 0101-01-14 on January 28, 2014.

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: 3/11/14

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 11th day of March, 2014.

SPECIAL ASSESSMENTS (TO BE LIENED) 3-11-14

			SPECIAL ASSESSMENTS 3-11-14
			LIEN INTENTS 1-28-14
#		Balance Due	Premise Address
1		\$ 211.71	107 KENMORE ST NE
2		\$ 201.98	205 SOUTH TROY RD, ROBINS
3		\$ 231.95	385 22ND ST SE
4		\$ 210.88	414 18TH ST SE
5		\$ 213.37	524 12TH ST SE
6		\$ 443.02	528 15TH ST SE
7		\$ 189.09	610 I AVE NW (LOWER)
8		\$ 346.57	727 DOWS RD SE
9		\$ 142.05	805 19TH ST SE
10		\$ 231.05	816 H AVE NW
11		\$ 233.57	900 ELLIS BLVD NW
12		\$ 323.81	995 EASTERN DRIVE SE
13		\$ 239.15	1100 WESTWOOD DR NW
14		\$ 261.08	1111 10TH ST NW
15		\$ 188.20	1118 HAROLD DR SE
16		\$ 204.25	1210 MEMORIAL DR SE
17		\$ 164.49	1224 ROSE ST SE
18		\$ 195.22	1815 8TH AVE SW
19		\$ 99.91	2520 ELLIS VIEW CT NW
20		\$ 540.70	2905 BEVER AVE SE
21		\$ 220.03	2916 IOWA AVE SE
22		\$ 149.55	4408 WENIG RD NE
23		\$ 137.62	6701 IDLEBROOK LN NE
		\$ 5,379.25	Grand Total
		23	Number of Properties
		\$ 99.91	Balance Due - Low
		\$ 540.70	Balance Due - High



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**

Resolution accepting project, authorizing final payment in the amount of \$3,490.83 and approving the 4-year Performance Bond submitted by Curtis Contracting Corp. for the 1st Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project (original contract amount was \$55,536.70; final contract amount is \$69,816.65). CIP/DID #301697-02

Background:

Construction has been substantially completed by Curtis Contracting Corp. for the 1st Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project. This is an approved Capital Improvements Project (CIP No. 301697-02) with a final construction contract amount of \$69,816.65. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$3,490.83.

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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301697

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 is consistent with City Council desire to provide sidewalk connectivity along major City streets.

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 1st Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project (Contract No. 301697-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 25, 2013 in the amount of \$52,536.70 covering said work filed by Curtis Contractor Corp. and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$52,536.70
Incentive Up To	3,000.00
Change Order No. 1	11,591.85
Change Order No. 2	<u>2,688.10</u>
Amended Contract Amount	\$69,816.65

, now therefore

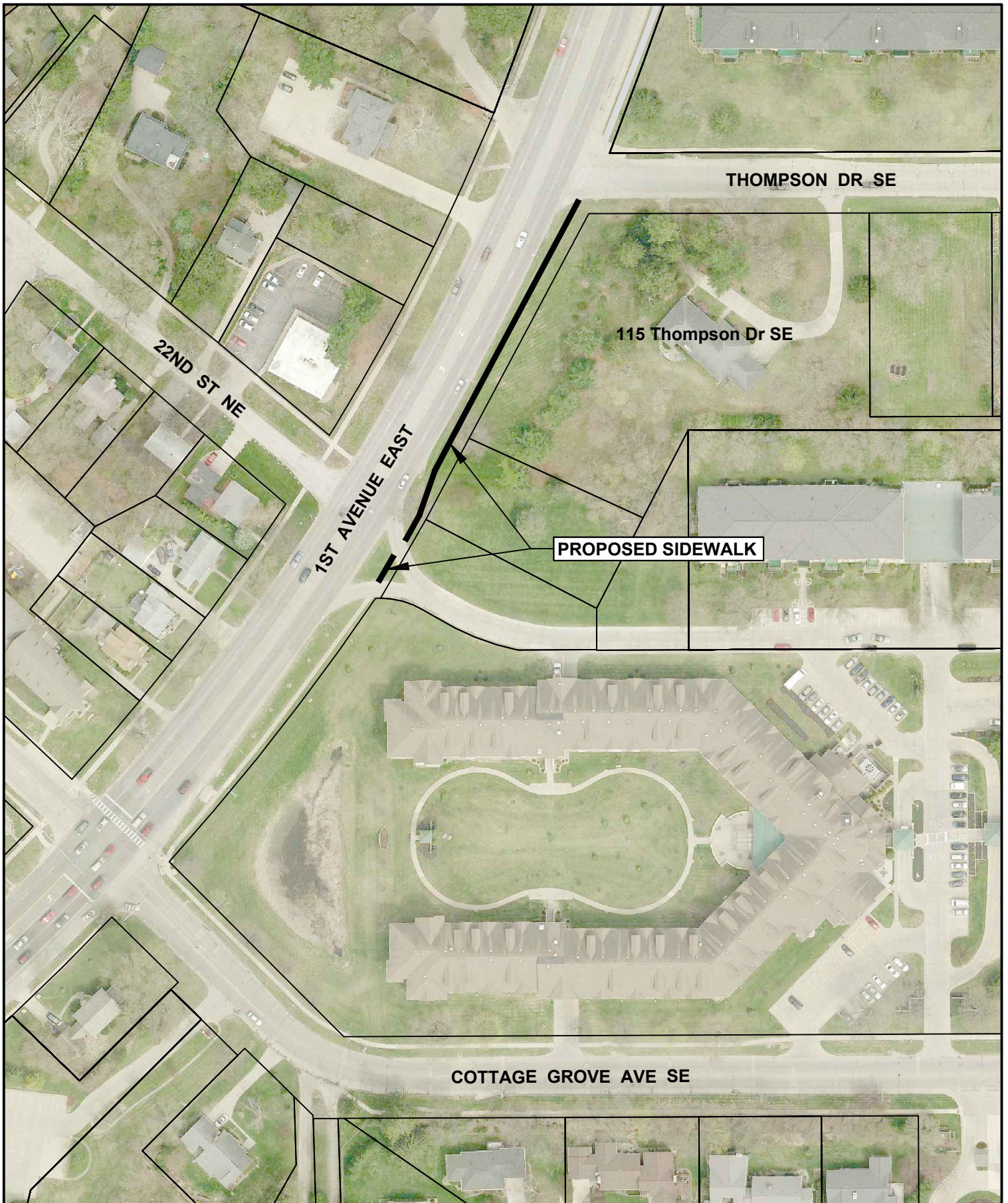
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the four-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 1st Avenue East from the Cottage Grove Place Entrance to Thompson Drive SE Sidewalk Extension project, (Contract No. 301697-02) 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 \$3,490.83 to Curtis Contracting Corp. as final payment.

The final contract price is \$69,816.65 distributed as follows: \$69,816.65 301-301000-301697, 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 11th day of March, 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 \$4,916.82 and approving the 4-year Performance Bond submitted by BWC Excavating, LC for the 12th Street SW From 19th Avenue to the Southwest Sanitary Sewer and Storm Sewer Improvements project (original contract amount was \$94,888.79; final contract amount is \$98,336.30). CIP/DID #655996-09

Background:

Construction has been substantially completed by BWC Excavating, LC for the 12th Street SW From 19th Avenue to the Southwest Sanitary Sewer and Storm Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 655996-09) with a final construction contract amount of \$98,336.30. 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 \$4,916.82.

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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 655996: \$140,965 (cash on hand), 304379: \$30,000 (cash on hand)

Local Preference Policy: Applies ☒ Exempt ☐

Explanation: State Code Section 26.9 allows contracts relating to public utilities to be awarded by a city as it deems to be in the best interest of the city.

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 12th Street SW From 19th Avenue to the Southwest Sanitary Sewer and Storm Sewer Improvements project (Contract No. 655996-09), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated March 12, 2013 in the amount of \$89,388.79 covering said work filed by BWC Excavating, LC and executed by North American Specialty Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$89,388.79
Possible Incentive	5,500.00
Change Order No. 1	5,577.32
Change Order No. 2	2,411.86
Change Order No. 3	(3,041.67)
Removal of Original Incentive	<u>(1,500.00)</u>
Amended Contract Amount	\$98,336.30

, 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 12th Street SW From 19th Avenue to the Southwest Sanitary Sewer and Storm Sewer Improvements project (Contract 655996-09), 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 \$4,916.82 to BWC Excavating, LC as final payment.

The final contract price is \$98,336.30 distributed as follows:

\$18,644.65	304-304000-304379
\$79,691.65	655-655000-655996

, 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 11th day of March, 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 \$250,932.56 and approving the 4-year Performance Bond submitted by Knutson Construction Services Midwest for the 1st Street SW Outdoor Amphitheater & Festival Grounds project (original contract amount was \$4,576,671; final contract amount is \$5,018,651.16). CIP/DID #307218-06

Background:

Construction has been substantially completed by Knutson Construction Services Midwest for the 1st Street SW Outdoor Amphitheater & Festival Grounds project. This is an approved Capital Improvements Project (CIP No. 307218-06) with a final construction contract amount of \$5,018,651.16. 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 \$250,932.56.

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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): CIP 307218

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Does not fit the criteria.

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

Explanation (if necessary): Reviewed by the Infrastructure Committee on August 16, 2011

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 1st Street SW Outdoor Amphitheater & Festival Grounds project (Contract No. 307218-06), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated July 10, 2012 in the amount of \$4,546,671 covering said work filed by Knutson Construction Services Midwest and executed by Travelers Casualty and Surety Company of America 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	\$4,546,671.00
Possible Incentive	30,000.00
Change Order No. 1	66,965.16
Change Order No. 2	43,687.00
Change Order No. 3	8,699.00
Change Order No. 4	224,084.00
Change Order No. 5	74,639.00
Change Order No. 6 (Final)	<u>23,906.00</u>
Amended Contract Amount	\$5,018,651.16

, 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 June 28, 2013, and

BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the 1st Street SW Outdoor Amphitheater & Festival Grounds project, (Contract No. 307218-06) 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 \$250,932.56 to Knutson Construction Services Midwest, Inc. as final payment.

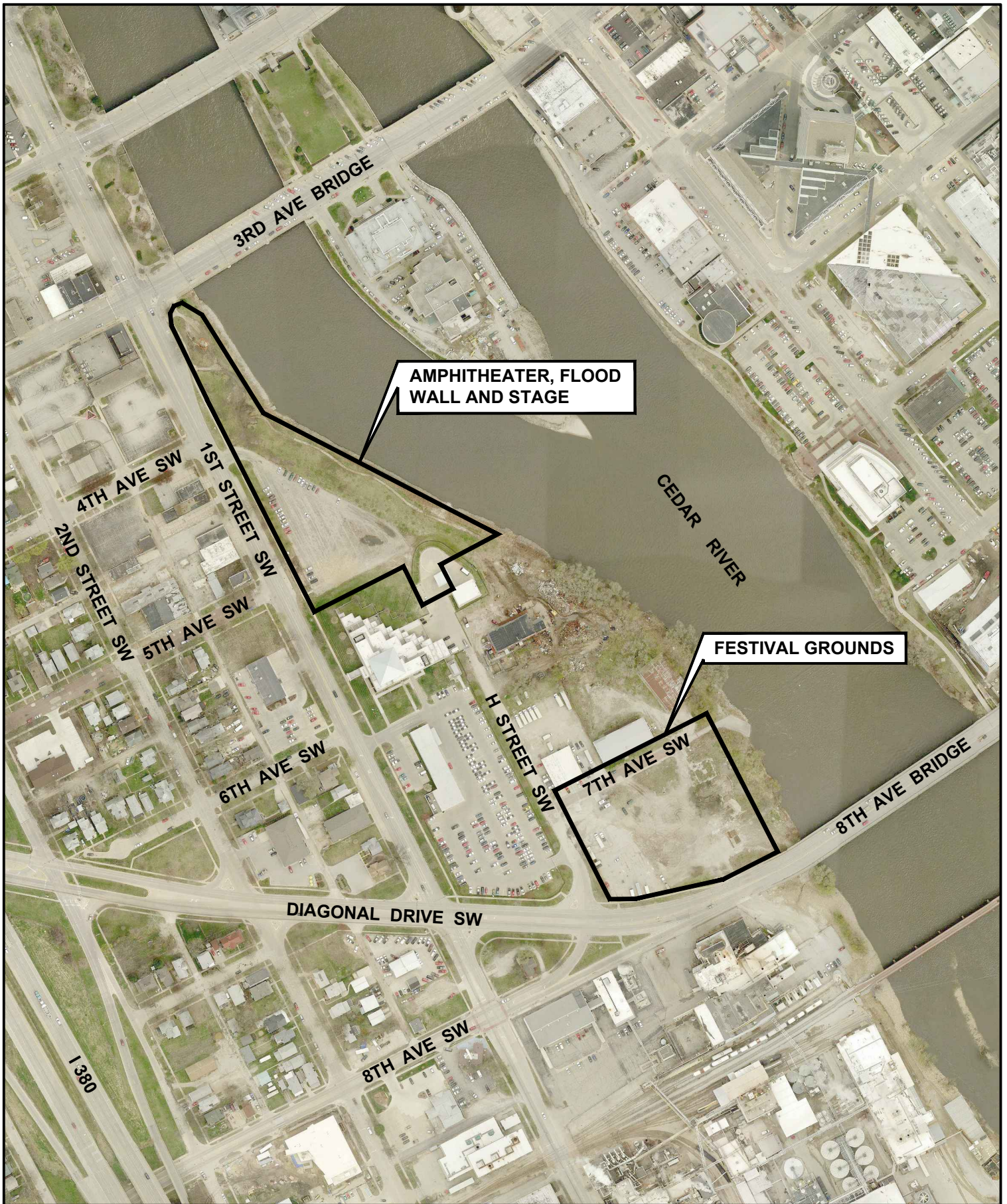
The final contract price is \$5,018,651.16 distributed as follows:

\$5,013,231.16	307-307000-307218
\$ 5,420.00	655-655000-655998

, 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 11th day of March, 2014.



**Council Agenda Item Cover Sheet****Council Meeting Date:** March 11, 2014**Submitting Department:** Finance – Purchasing Services**Presenter at meeting:** Consent Agenda**Phone Number/Ext:****Alternate Contact Person:** Bob Pasicznyuk**Phone Number/Ext:** 739-0401**Email:** pasicznyukb@crlibrary.org**Alternate Contact Person:** Diane Rodenkirk**Phone Number/Ext:** 5023**Email:** d.rodenkirk@cedar-rapids.org**Description of Agenda Item:**

Resolution accepting project and Performance Bond and authorizing issuance of final payment in the amount of \$10,987.56 and approving the 2-Year Performance Bond submitted by Pigott, Inc. for the Library Furniture and Shelving project. (original contract amount was \$244,680.98; final contract amount is \$219,750.93) (**FLOOD**). CIP/DID #0612-242

Background:

This project is for furniture and shelving at the Downtown library. The contract with Pigott, Inc. was awarded through Council Resolution No. 1436-09-12. The Cedar Rapids Public Library has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated September 26, 2012 in the amount of \$253,863.98 covering said work, filed by Pigott, Inc. and executed by Merchants Bonding Company provides a two-year correction period for defects in materials and workmanship.

This resolution is to release final payment to Pigott, Inc. of \$10,987.56.

Action / Recommendation: Recommend Council approve the Resolution**Alternative Recommendation:****Time Sensitivity:****Resolution Date:** March 11, 2014**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** 531109-330-330010-15812-PLE002**Local Preference Policy** Applies ☐ Exempt ☒**Explanation:** FEMA funded project

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and Pigott, Inc. are parties to a Contract for Library Furniture and Shelving for the new Downtown Library, approved through City Council by Resolution No. 1436-09-12; and

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

WHEREAS, a Performance Bond dated September 26, 2012 in the amount of \$253,863.98 covering said work filed by Pigott, Inc. and executed by Merchants Bonding Company provides a two-year correction period for defects in materials and workmanship; now therefore

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

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

Original Agreement, Resolution No. 1436-09-12	\$244,680.98
Amendment No. 1, signed by the City Manager on January 25, 2013	(\$12,354.57)
Amendment No. 2, signed by the City Manager on January 17, 2014	(\$12,575.48)
Contract Total	\$219,750.93

AND BE IT FURTHER RESOLVED that based on the recommendation by the Cedar Rapids Public Library that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$10,987.56 to Pigott, Inc.; and

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

Passed this 11th day of March, 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. 12 (Final) deducting the amount of \$24,979.22 and accepting project, authorizing final payment in the amount of \$30,000 and approving the 4-year Performance Bond submitted by C.J. Moyna & Sons, Inc. for the 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Phase 1 Grading project (original contract amount was \$3,645,806.61; total contract amount with this amendment is \$3,733,778.62). CIP/DID #301136-02

Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The sanitary sewer manhole repairs at Sta. 31+00 RT were required due to damage by farming activities along the south side of the roadway. The manhole lid and cone were damaged and replaced. Additional grading and hydroseeding along the Eganhouse Warehouse at Sta 41+00 to 42+50 RT was required due to minor erosion after the project was essentially complete. This work was done at the request of the property owner to minimize erosion potential and establish final seeding for his property.

Construction has been substantially completed by C.J. Moyna & Sons, Inc. for the 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Phase 1 Grading project. This is an approved Capital Improvements Project (CIP No. 301136-02) with a final construction contract amount of \$3,733,778.62. 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 approve Change Order No. 12 (Final), accept project and performance bond, and issue final payment to the contractor in the amount of \$30,000.

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. If the project is not accepted, the project cannot be closed out (retainage cannot be released to Contractors, 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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 301136-02

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
FIN
AUD FILE
CLK
CJ MOYNA
SNYDER
301136-02

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies that the work on 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Phase 1 Grading project (Contract No. 301136-02) (IDOT No. STP-U-1187(658) - - 70-57), has been substantially completed in accordance with the plans and specifications, and

WHEREAS, a Performance Bond, dated April 19, 2006 in the amount of \$3,645,806.61 covering said work filed by C.J. Moyna & Sons, Inc. and executed by United Fire & Casualty Company provides a four-year correction period for defects in materials and workmanship, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 12 (Final) deducting the amount of \$24,979.22 with C.J. Moyna & Sons, Inc. for the 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Phase 1 Grading project, Contract No. 301136-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,645,806.61
Change Order No. 1	4,847.78
Change Order No. 2	6,510.00
Change Order No. 3	4,685.44
Change Order No. 4	19,760.86
Change Order No. 5	38,095.87
Change Order No. 6	5,438.25
Change Order No. 7	31,234.16
Change Order No. 8	5,996.70
Change Order No. 9	(32,063.96)
Change Order No. 10	25,496.13
Change Order No. 11	2,950.00
Change Order No. 12 (Final)	<u>(24,979.22)</u>
Amended Contract Amount	3,733,778.62

General ledger coding for this Change Order to be as follows: (\$14,212.90) 301-301000-301136, (\$1,169.70) 301-301000-301714, (\$9,596.62) 625-625000-625542-6252002072

BE IT FURTHER RESOLVED that 33rd Avenue SW, from 10th Street to 18th Street SW, Extension – Phase 1 Grading project, (Contract No. 301136-02) be and the same is hereby accepted by the City Public Works Department, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$30,000 to C.J. Moyna & Sons, Inc. as final payment.

The final contract price is \$3,733,778.62 distributed as follows: \$2,768,045.90 301-30100-301136, \$66,492.83 301-301000-301714, \$463,588.29 625-625000-625542-6252002072, \$436,651.60 304-304000-304183, and

BE IT FURTHER RESOLVED, that the four-year correction period as provided by the Performance Bond commences on this date, 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 11th day of March, 2014.



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: Doug Wilson, PE

Phone Number/Extension: 5141

E-mail Address: d.wilson@cedar-rapids.org

Description of Agenda Item: ☒ **Consent Agenda** ☐ **Regular Agenda** ☒ **Yes** ☐ **No** **MAP**
 Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th 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 37th Avenue SW. This improvement is the last phase of the multi-phase Edgewood Road SW improvements from Highway 30 to 60th 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.

This action continues the proposed improvement project and the related special assessment process. A public hearing was held on February 25, 2014 and a resolution to adopt the preliminary assessment was approved.

Action / Recommendation:

Public Works Department recommends adoption of the resolution directing preparation of detailed plans and specifications on or after March 11, 2014.

Alternative to the Recommendation:

Do not approve the subject resolution. However, this action would conflict with the intent to proceed with the project as evidenced by adopting the preliminary assessment.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

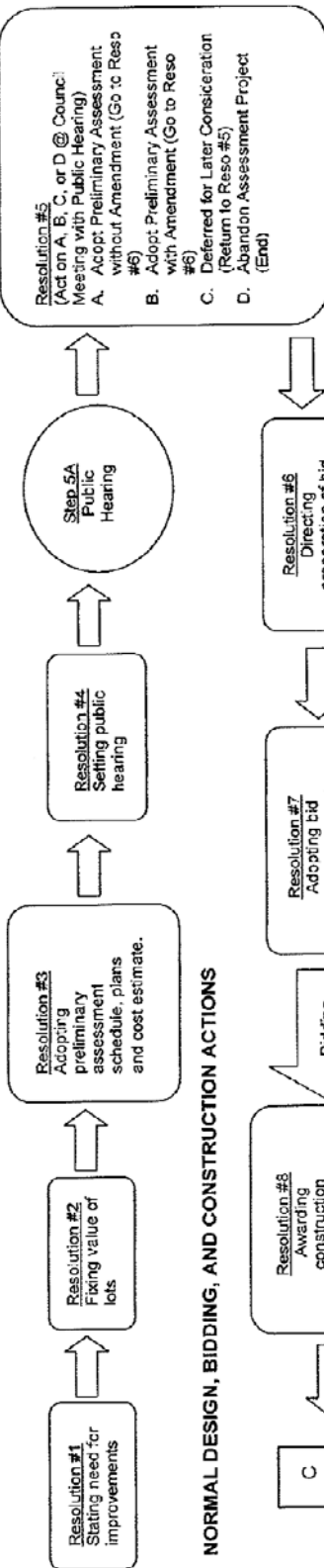
Explanation: Non applicable. No procurement action is occurring with this resolution.

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

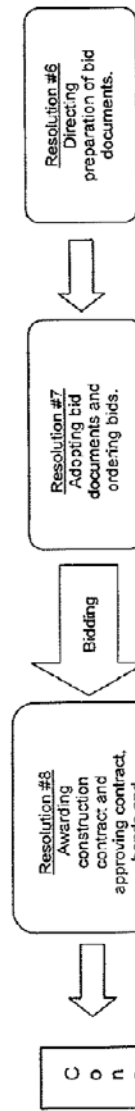
Explanation (if necessary):

FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS* SUMMARY

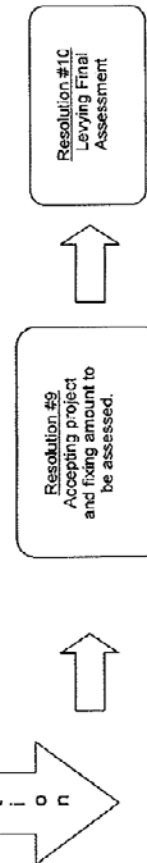
PRELIMINARY ASSESSMENT ACTIONS



NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



FINAL ASSESSMENT ACTIONS



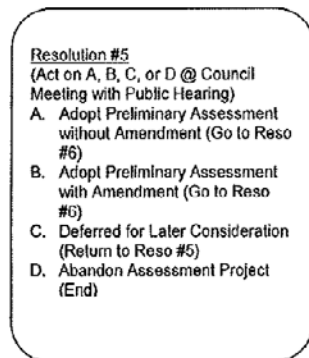
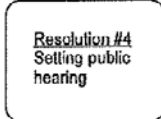
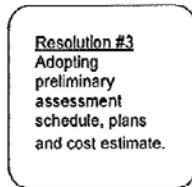
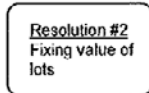
* Sidewalk repair assessments may skip Resolution #4, Step 5A, Resolution #5, and Resolution #6.

UPDATED 8/23/07

Page 1 of 2

Resolution #1
Stating need for
improvements

This step initiates the special assessment process.



Passage of the Resolution of Necessity is required by 75% of ALL Council members, whether present or not. If property owners representing 75% of the amount proposed to be assessed object, the Council passage vote must be unanimous by ALL Council members.

RESOLUTION NO.

RESOLUTION DIRECTING PREPARATION OF DETAILED
PLANS AND SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS FOR
THE SHARED USE PATH ON EDGEWOOD ROAD SW FROM PRAIRIE VALLEY COURT SW
TO 37TH AVENUE SW PROJECT

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

That AECOM is hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW from 37th Avenue SW project (CIP No.3012001-00).

PASSED AND APPROVED, this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Amy Schirm
E-mail Address a.schirm@cedar-rapids.org

Phone Number/Extension: 5883

Alternate Contact Person: Rita Rasmussen
E-mail Address: r.rasmussen@cedar-rapids.org

Phone Number/Extension: 5807

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

Resolution referring to the Linn County Compensation Commission (in accordance with eminent domain proceedings) the partial acquisitions of temporary easements for construction from properties located at 1528 11th Street SW, owned by Chris A. Carnahan, and 930 16th Avenue SW, owned by Tony C. Upah, in connection with the SW Quad, Phase I – Water Main Replacement project. CIP/DID #625884-00

Background:

These temporary easements are required to accommodate the proposed SW Quad, Phase I – Water Main Replacement project. Negotiations for both properties were unsuccessful due to a non-responsive owner and a property with no legal-living owner; therefore the necessary easements could not be acquired. In order to protect the City's project letting, the City will file an application for eminent domain proceedings. Until the compensation commission hearing, the City will continue to try to establish contact with Chris Carnahan to reach a mutually-agreeable settlement to conclude this transaction.

Referring this matter to the Linn County Compensation Commission is in accordance with the eminent domain proceedings to allow the City to obtain title to the required properties. This action is an expediency to maintain the construction schedule. The City will offer mediation to the property owners if the City and the property owners come to an impasse with negotiations.

Action / Recommendation:

The Public Works Department recommends that the City Council approve the referral to the Linn County Compensation Commission to obtain the required partial acquisition from 1528 11th Street SW owned by Chris A. Carnahan and 930 16th Avenue SW owned by Tony C. Upah.

Alternative to the Recommendation:

Not proceed with acquiring the proposed easements under the eminent domain proceedings and direct the City staff to redesign the project to avoid the private properties. This redesign will impact project schedule.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 625/625000/625884

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Local Preference Policy does not apply to the acquisition of land.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined temporary easements for construction are necessary for the SW Quad, Phase I – Water Main Replacement project, (CIP No. 625884), and

WHEREAS, the additional temporary easements for construction that are required are located at 1528 11th Street SW, owned by Chris A. Carnahan, and at 930 16th Avenue SW, owned by Tony C. Upah, and

WHEREAS, the City has attempted to initiate negotiations with property owner, Chris A. Carnahan, but was unable to make a good faith effort to acquire the required temporary easement for construction from the property, as he has been non-responsive. In addition, the City has been unable to make a good faith effort to acquire the required temporary easement for construction from the property owned by Tony C. Upah, due to a non-living-legal owner, and

WHEREAS, the Public Works Director / City Engineer has determined it is in the best interest of the City to refer this matter to the Linn County Compensation Commission to establish the fair value for the City to acquire title to the temporary easements for construction, and

WHEREAS, the City Council has allocated Capital Improvement funds for the SW Quad, Phase I – Water Main Replacement project (Fund 625, Dept ID 625000, Project 625884), now therefore,

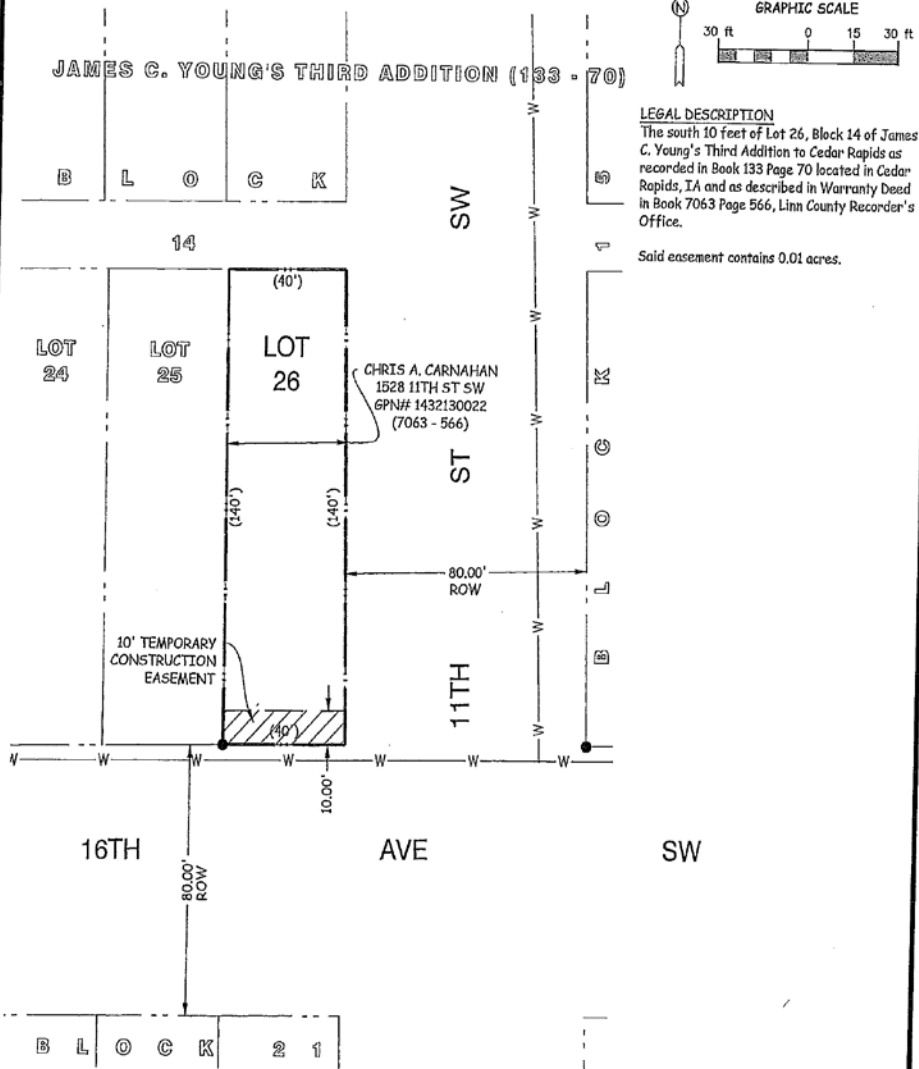
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Attorney is hereby authorized and directed to refer the properties owned by Chris A. Carnahan and Tony C. Upah for the partial acquisitions of temporary easements for construction matter to the Linn County Compensation Commission to determine the fair compensation value and allow the property to be acquired with the following description:

See attached Temporary Construction Easements

BE IT FURTHER RESOLVED, the City of Cedar Rapids Finance Director is hereby authorized and directed to issue payment in accord with the Compensation Commission award.

Passed this 11th day of March, 2014.

EXHIBIT A page 1 of 2



SURVEY PLAT LEGEND
 FOUND SURVEY MARKER
 RECORDED DIMENSION or BK-PG
 DESIGNED WATER MAIN LOCATION

AREA TABLE		
DESCRIPTION	SF	ACRES
TEMP. EASEMENT	400	0.01

Shoemaker & Haaland
 Engineering & Land Surveying
 3343 Southgate Ct. SW
 Suite 109
 Cedar Rapids, Iowa 52404
 Phone: 319.266.8888

EXHIBIT A
TEMPORARY CONSTRUCTION EASEMENT
GRANTOR: CHRIS A. CARNAHAN
WATER MAIN REPLACEMENT
SW QUAD, PHASE 1
CITY OF CEDAR RAPIDS

DWN: CAL SURVEY DATE(S): 5-27 & 6-01, 2011
 CHK: TJA PLAT DATE: 10-14-2011
 SCALE: 1" = 30' REV. DATE: -
 SHEET NO. 1 OF 1

EXHIBIT A page 2 of 2

JAMES C. YOUNG'S THIRD ADDITION (133 - 70)

B L O C K

15
(40')

LOT
21

LOT
22

LOT
23

LOT
24

LOT
25

TONY C. UPAH
930 16TH AVE SW
GPN# 1432129013
(1860 - 684)

(140')

(140')

(40')

7.00'




16TH

AVE

SW

80.00'
ROW

B L O C K 2 0

SURVEY PLAT LEGEND
 FOUND SURVEY MARKER
 RECORDED DIMENSION or BK-PG
 DESIGNED WATER MAIN LOCATION

AREA TABLE		
DESCRIPTION	SF	ACRES
TEMP. EASEMENT	280	0.01



Shoemaker & Haaland
 Engineering • Landscape Architecture • Surveying
 3343 Southgate Ct SW
 Suite 109
 Cedar Rapids, Iowa 52404
 Phone: 319.298.8888

EXHIBIT A
 TEMPORARY CONSTRUCTION EASEMENT
 GRANTOR: TONY C. UPAH
 WATER MAIN REPLACEMENT
 SW QUAD, PHASE 1
 CITY OF CEDAR RAPIDS

DWN: CAL SURVEY DATE(S): 5-27 & 6-01, 2011
 CHK: TJA PLAT DATE: 10-14-2011
 SCALE: 1" = 30' REV. DATE: 6-14-2013

SHE JOB # 11103

SHEET NO. 1 OF 1



GRAPHIC SCALE



LEGAL DESCRIPTION

The south 7 feet of Lot 23, Block 15 of James C. Young's Third Addition to Cedar Rapids as recorded in Book 133 Page 70 located in Cedar Rapids, IA and as described in Change of Title in Book 1860 Page 684, Linn County Recorder's Office.

Said easement contains 0.01 acres.

Cadd File Name: W:\PROJECTS\CPW6251625884\20110202\25884-2011020 Council Map.dwg



**SW QUAD, PHASE I - WATER MAIN REPLACEMENT
TEMPORARY CONSTRUCTION EASEMENT**





Council Agenda Item Cover Sheet

FLOOD

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: Sandi Fowler

Phone Number/Extension: 5077

E-mail Address: s.fowler@cedar-rapids.org

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

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

Background:

The City of Cedar Rapids received a HUD Community Development Block Grant award on November 4, 2009, to voluntarily acquire approved parcels located in the Greenway Area, Construction/Study Area and the Neighborhood Revitalization Area. To date, 227 property owners have opted to not participate in the voluntary property acquisition program.

To date, 1,288 offers were previously accepted by City Council. The total accepted offers, including the one offer within this agenda item yet to be approved by City Council, will bring the total signed offers to 1,289.

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

Action / Recommendation:

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

Alternative Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

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

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

RESOLUTION NO.

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

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

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

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Offer(s) to Buy Real Estate and Acceptance and the Addendum(s) to Offer to Buy Real Estate and Acceptance as described herein, and

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

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

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

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

Passed this 11th day of March, 2014.

EXHIBIT "A"
CDBG Community Development Block Grant Program
City of Cedar Rapids, Iowa - Offer to Buy Real Estate and Acceptance
Batch # 76

Flood ID #	Deed Holder Name(s)	Flood Address	Legal Description	Pre-Flood Value	Offer Amount - less DOB (CDBG)	Other Benefits (CDBG*)	Other Benefits (LOST**)	Estimated Total Proceeds	Property Ownership Status
CR3142 CA	Louis Gerrit Van Drie, Jr.	321 H Ave NW	Lot 6, Block 6, "Brown's Second Addition" to the City of Cedar Rapids, Linn County, Iowa.	\$ -	\$ -	\$0.00	\$300.00	\$50,300.00 Rental	

Totals \$50,000.00 \$50,000.00 \$0.00 \$300.00 \$50,300.00

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

Council Agenda Item Cover Sheet

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

Council Meeting Date: March 11, 2014

Submitting Department: Utilities – Water Division

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

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

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

Resolution approving the Business Travel Report for Andrew Lundy, Utilities Process & Facilities Engineering Manager, to attend the American Water Works Association Annual Conference & Exposition 2014 (ACE14) in Boston, Massachusetts from June 8 – 13, 2014 for an estimated amount of \$3,485. CIP/DID #

Background:

The City of Cedar Rapids travel policy requires any travel expenses with an estimated travel cost of \$3,000 or more to be approved by the City Council.

The estimated travel cost for Andrew Lundy to attend the American Water Works Association ACE14 in Boston, Massachusetts from June 8 – 13, 2014 is \$3,485.

The justification for attendance at ACE14 is that he needs to obtain up to date knowledge relating to the water industry (regulations, standards & technology) which is necessary for continuing education (PE License), and for attendance of AWWA committee meetings that he is a member of (three committees).

Action / Recommendation:

The Utilities Department – Water Division recommends that City Council approve the Business Travel Report for Andrew Lundy to attend the American Water Works Association ACE14 in Boston, Massachusetts in June 2014 for the estimated amount of \$3,485.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 3-11-14

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

To be funded from the Utilities Department – Water Division fiscal year 2014 operations and maintenance budget and coded to 542102-621-621011.

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Travel

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Utilities Department - Water Division recommends Andrew Lundy, Utilities Process & Facilities Engineering Manager, attend the American Water Works Association Annual Conference & Exposition 2014 (ACE14) in Boston, Massachusetts from June 8 – 13, 2014, and

WHEREAS, the estimated costs are \$3,485, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Andrew Lundy, Utilities Process & Facilities Engineering Manager, be hereby approved to attend the American Water Works Association Annual Conference & Exposition 2014 (ACE14) in Boston, Massachusetts from June 8 – 13, 2014 for an estimated amount of \$3,485. The trip cost will be funded from the Utilities Department – Water Division fiscal year 2014 operations and maintenance budget and coded to 542102-621-621011.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Officer Henderson **Phone Number/Ext:** 5483
E-mail Address: m.henderson@cedar-rapids.org

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

Description of Agenda Item:

Resolution authorizing police department bomb squad officers to attend an Advanced Ordnance Recognition for Law Enforcement course, to be paid for by the Iowa Bomb Squad Task Force.

Background:

The 80 hour Advanced Ordnance Recognition for Law Enforcement course is available through The Texas A&M Engineering Extension Service (TEEX), who will provide the Iowa Bomb Squad Task Force one delivery of the course for a fixed-fee price of \$40,500. The course is designed for Hazardous Device School certified Bomb Technicians, or equivalent, providing specialized training in the identification, use and proper handling of military ordnance. The course will be held October 6th to October 17th, 2014 at the Cedar Rapids Police Department.

Action / Recommendation:

The police department recommends the City Council approve the resolution authorizing police department members of the Iowa Bomb Squad Task Force to attend the advanced ordnance training.

Alternative Recommendation:

Without this enhanced training, the Iowa Bomb Squad Task Force will miss an opportunity to increase their expertise in safety techniques when handling explosives.

Time Sensitivity: NA

Resolution Date: March 11, 2014

Estimated Presentation Time: 0

Budget Information (if applicable):

Total cost for this training is paid for by the Iowa Bomb Squad Task Force in the amount of \$40,500.

Local Preference Policy: Applies ☐ Exempt X☐

Explanation: NA

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

Explanation:

RESOLUTION NO.

WHEREAS, the Iowa Bomb Squad Task Force includes members of the Cedar Rapids Police Department Hazardous Devices team (bomb squad), and

WHEREAS, the Iowa Bomb Squad Task Force would like to purchase an 80 hour Advanced Ordnance Recognition for Law Enforcement training from the Texas A&M Engineering Extension Service, and

WHEREAS, the total advanced ordnance training cost of \$40,500 for up to 28 members of the Iowa Bomb Squad Task Force will be paid for by the Iowa Bomb Squad Task Force,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Police Department is herewith authorized to allow police department bomb squad members to attend the 80 hour Advanced Ordnance Recognition for Law Enforcement training, at a date to be determined.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Officer Henderson **Phone Number/Ext:** 5483
E-mail Address: m.henderson@cedar-rapids.org

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

Description of Agenda Item:

Resolution authorizing Captain O'Konek and Captain Hembera to attend Police Executive Research Forum Senior Management Institute for Police school, for a total cost of \$19,781.50, to be paid for with Federal Asset Forfeiture funds.

Background:

Senior Management Institute for Police (SMIP) is a Police Executive Research Forum (PERF) program that provides senior police executives intensive training in the latest management concepts and practices used in business and government. It is a demanding 3-week course designed for mid-to-upper level police executives. SMIP's curriculum addresses those issues that demand the attention of today's forward-thinking law enforcement leaders. PERF conducts the SMIP, providing comprehensive management and executive development education to police chiefs and other law enforcement executives. Chief Jerman supports this opportunity to provide a substantial benefit for police department senior management, for the police department, and the citizens of Cedar Rapids. The costs for attending the institute will be paid for with Federal Asset Forfeiture funds – no taxpayer dollars will be spent.

Action / Recommendation:

The police department recommends that City Council approve the resolution authorizing Captain O'Konek and Captain Hembera to attend the Senior Management Institute for Police.

Alternative Recommendation: NA

Time Sensitivity: NA

Resolution Date: March 11, 2014
Estimated Presentation Time: 0

Budget Information (if applicable):

The police department will use Federal Asset Forfeiture funds to pay for this training. 55400-7822-782200

Local Preference Policy: Applies ☐ Exempt ☐
Explanation: NA

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

RESOLUTION NO.

WHEREAS, the Police Executive Research Forum (PERF) sponsors the Senior Management Institute for Police (SMIP), providing an intensive three week course designed for upper level police executives, providing comprehensive management and executive development education to police chiefs and other law enforcement executives, and

WHEREAS, Federal Asset Forfeiture funds are available to send Captain Steve O'Konek and Captain Jeffrey Hembera to attend the Institute from July 13, 2014 to July 31, 2014, at a cost of \$9,890.75 each, for a total expenditure of \$19,781.50,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Police Department herewith authorizes Captain Steve O'Konek and Captain Jeffrey Hembera to attend the Senior Management Institute at a total cost of \$19,781.50 to be paid for with Federal Asset Forfeiture funds (FUND #55400-7822-78220).

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Rita Rasmussen

Phone Number/Ext: 5807

Email: r.rasmussen@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 2 to renew Contract for Right of Way Acquisition Support Services with Stanley Consultants, Inc. for the Public Works Department – Engineering Division for an estimated annual amount of \$235,040 (original contract amount was \$235,040; renewal contract amount is \$235,040). CIP/DID #0112-142

Background:

Stanley Consultants, Inc. was awarded the contract for as-needed right of way acquisition support services through Resolution No. 0361-03-12. This resolution is to renew the contract for the period April 1, 2014 through March 31, 2016. This contract allows for one additional two-year renewal option. Stanley will work closely with the City's real estate staff. These services will be for the City's routine capital improvement projects and do not involve any flood work.

The all-inclusive hourly rate for one acquisition agent is \$125. The estimated annual cost is \$235,040.

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity: Contract begins April 1, 2014

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 301 and 655 – charged to various CIP projects

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Stanley Consultants is a certified local vendor

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department – Engineering Division and Stanley Consultants, Inc. are parties to a Contract for as-needed right of way acquisition support services; and

WHEREAS, the City desires to renew the Contract with Stanley Consultants, Inc. for the contract period April 1, 2014 through March 31, 2016; and

WHEREAS, this renewal is for years three and four of the Contract; one additional two-year renewal option remains; and

WHEREAS, the all-inclusive hourly rate for one acquisition agent is \$125; and

WHEREAS, the estimated annual cost of this Contract is \$235,040.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 2 with Stanley Consultants, Inc. as described herein.

Passed this 11th day of March, 2014.

**Council Agenda Item Cover Sheet**

Council Meeting Date: March 11, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda
Email:

Phone Number/Ext:

Alternate Contact Person: Keith Nuehring
Email: k.nuehring@cedar-rapids.org

Phone Number/Ext: 5622

Alternate Contact Person: Heather Mell
Email: h.mell@cedar-rapids.org

Phone Number/Ext: 5117

Description of Agenda Item:

Amendment No. 2 to renew contract for Avaya Network Equipment and Maintenance with Pomeroy IT Solutions for the Information Technology Department for an estimated annual amount of \$250,000 (original contract amount was \$306,111.46; renewal contract amount is \$250,000). CIP/DID #0113-152

Background:

The Information Technology Department entered into a contract with Pomeroy IT Solutions to provide Avaya Network Equipment and Maintenance. The contract was approved by Resolution No. 0480-03-13 for \$306,111.46, and was later amended by Resolution No. 0852-05-13 to an estimated annual expenditure of \$551,116.48.

This contract is the first renewal period of April 1, 2014 through March 31, 2015 with three (3) additional one-year renewal options remaining. Annual expenditure shall not exceed \$250,000.

Action / Recommendation:

Resolution approving Amendment No. 2 to Contract for Avaya Network Equipment and Maintenance.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): FEMA, CDBG, City Funds

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Local preference did not apply to the project due to federal funding.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Information Technology Department and Pomeroy IT Solutions are parties to a Contract for Avaya network Equipment and Maintenance; and

WHEREAS, the City desires to renew the Contract with Pomeroy IT Solutions for the contract period April 1, 2014 through March 31, 2015; and

WHEREAS, this renewal is year two (2) of the Contract; three (3) additional one-year renewal options remain; and

WHEREAS, vendor has agreed to hold the pricing firm for the one-year renewal period; and

WHEREAS, this project is budgeted in multiple funding sources: FEMA, CDBG, City funds and the estimated annual cost of this Contract is \$250,000.

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 Amendment No. 2 with Pomeroy IT Solutions as described herein.

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda

Phone Number/Ext:

Alternate Contact Person: Pat McDonald

Phone Number/Ext: 5892

Email: p.mcdonald@cedar-rapids.org

Alternate Contact Person: Diane Rodenkirk

Phone Number/Ext: 5023

Email: d.rodenkirk@cedar-rapids.org

Description of Agenda Item:

Amendment No. 1 to the Contract for City Hall Basement Repairs – Floor Cracks, Sump Pits & Pumps project with Hanna Plumbing & Heating to reflect the additional cost of concrete cutting for an amount not to exceed \$3,485 (original contract amount was \$26,665; total contract amount with this amendment is \$30,150 **(FLOOD)**). CIP/DID #1113-085

Background:

City Council awarded the contract to Hanna Plumbing & Heating, Inc. for City Hall basement repairs – floor cracks, sump pits & pumps project through Resolution No. 2008-12-13. During work on this project, the floor thickness was thicker than specified resulting in additional costs for concrete cutting. Amendment No. 1 adds \$3,485 to the contract for this additional expense.

Contract summary:

Original Contract Amount	\$26,665	Resolution No. 2008-12-13
Amendment No. 1	<u>\$ 3,485</u>	Not-to-exceed
Amended Contract Amount	\$30,150	

Action / Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): 360-360005 – class code 18519

Local Preference Policy Applies ☐ Exempt ☒

Explanation: FEMA funded project

Recommended by Council Committee

Yes ☐

No ☐

N/A ☒

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Facilities Maintenance Services and Hanna Plumbing & Heating, Inc. are parties to a Contract for City Hall Basement Repairs – Floor Cracks, Sump Pits & Pumps, authorized by Resolution No. 2008-12-13; and

WHEREAS, the Contract will be Amended to include additional concrete cutting due to greater floor thickness than specified for \$3,485; and

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

Original Contract Amount	\$26,665	Resolution No. 2008-12-13
Amendment No. 1	<u>\$ 3,485</u>	Not-to-exceed
Amended Contract Amount	\$30,150	

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute Amendment No. 1 with Hanna Plumbing & Heating, Inc. as described herein.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: 03-11-14

Submitting Department: Finance – Purchasing Services

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

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

Description of Agenda Item:

Amendment No. 2 to contract for Archaeological Services for City Building Projects with Wapsi Valley Archaeology, Inc. to extend the term of the contract and to reflect an increase in scope of services for an amount not to exceed \$50,000 (original contract amount was \$50,000; total amount with this amendment is \$100,000) (**FLOOD**). CIP/DID #01112-132

Background:

The services provided involve fieldwork which includes archaeological monitoring, documentation and recordation of archaeological remains, collection of artifacts for analysis and work with the construction crew to avoid remains when applicable for the following five construction projects:

- a. Cedar Rapids Public Library
- b. New Central Fire Station
- c. City Services Center
- d. Convention Center Parking Ramp
- e. Federal Courthouse Parking Ramp Site

Following the fieldwork, artifacts are analyzed, historic research is undertaken to determine the historic context of the archaeological remains, and a detailed report is prepared which outlines the findings and significance of the archaeological sites as well as determines their eligibility for the National Register of Historic Places as required by FEMA and the State Historic Preservation Office.

Amendment No. 2 is to:

1. Reflect increased services that were necessary to provide due to the complexity of the work and discoveries encountered during excavation activities.
2. Identify the position of a Professional Historian
3. Clarify the services provided the Professional Archaeologist and Technical Assistant
4. Extend the term through December 31, 2014

Original Contract	\$ 50,000	Resolution #0536-04-12
Amendment No. 1	0	To extend term of contract
Amendment No. 2	\$ 50,000	To extend term of contract, clarify services provided and to reflect the increase in scope of services due to the complexity of the projects and discoveries.
Total, Not to Exceed	\$ 100,000	

Action / Recommendation:

That the City Manager and the City Clerk be authorized to sign Amendment No. 2 as described above.

Alternative Recommendation: None

Time Sensitivity: Time Sensitive.

Resolution Date: 03-11-14

Estimated Presentation Time: 2 minutes

Budget Information (if applicable): Federally Funded - FEMA

Local Preference Policy Applies ☐ Exempt ☒

Explanation: Federally Funded Project - FEMA

Recommended by Council Committee	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Explanation (if necessary):			

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids, Iowa and Wapsi Valley Archaeology, Inc. are parties to a Contract whereby Wapsi Valley Archaeology provides Archaeological Services for City Building Projects; and

WHEREAS, the services were solicited in February 2012 by a Request for Proposal process (RFP #0112-132); and

WHEREAS, the City and Wapsi Valley Archaeology are desirous of amending the Contract, authorized by Resolution No. 0536-04-12 on April 10, 2012; and

WHEREAS, the term of the contract shall be extended from December 31, 2013 through December 31, 2014; and

WHEREAS, the hourly rates as stated in the original Agreement remain unchanged and an Architectural Historian job classification has been added as follows:

Hourly rate for Professional Archaeologist <ul style="list-style-type: none">• Directs work in field• Works with construction crews• Make decisions regarding continuation of fieldwork	\$65/hour
Hourly rate for a Technical Assistant <ul style="list-style-type: none">• Uncovering, photographing and documenting archaeological remains in the field• Processing and completing preliminary analysis of artifacts in the lab• Creating detailed maps and other figures for the report• Writing specific portions of the report• Report printing and production	\$38/hour
Hourly rate for Professional Historian <ul style="list-style-type: none">• Assists with archival research and historic research which provides background information through which the archaeological remains could be evaluated	\$65/hour

AND WHEREAS, due to the complexity of the projects and discovery items encountered during excavation activities, increased services were required and the contract amount has increased in the amount of \$50,000; and

WHEREAS, a summary of the contract to date is as follows:

Original Contract	\$ 50,000	Resolution #0536-04-12
Amendment No. 1	0	To extend term of contract
Amendment No. 2	\$ 50,000	To extend term of contract, clarify services provided and to reflect the increase in scope of services due to the complexity of the projects and discoveries.
Total, Not to Exceed	\$ 100,000	

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 the City Clerk are hereby authorized to execute Amendment No. 2 in the amount of \$50,000 as described herein.

Passed this 11th day of March 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development & Planning

Presenter at meeting: Tony Lerud

Phone Number/Ext: 319 286-5817

Email: a.lerud@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolution rescinding Resolution No. 1759-11-13 and confirming the approval and the authorization of the execution of a Corrective Special Warranty Deed with Premiere Developers, Inc. for property at 520 8th Street NW participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID# 540257

Background:

The resolution is to correct previous resolutions related to the transfer of title to Premiere Developers in connection with the third round of the Single Family New Construction Program, as well as authorizes a Corrective Special Warranty deed to effectively convey property. A scrivener's error provided an inaccurate legal description of the property, requiring a corrective special warranty deed to be authorized and recorded.

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: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): N/A

Local Preference Policy Applies ☐ Exempt ☐ N/A ☐

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION RESCINDING RESOLUTION NO. 1759-11-13 AND CONFIRMING THE
APPROVAL AND AUTHORIZATION OF THE EXECUTION OF A CORRECTIVE
SPECIAL WARRANTY DEED WITH PREMIERE DEVELOPERS, INC. FOR PROPERTY
AT 520 8TH STREET NW PARTICIPATING IN THE THIRD ROUND OF SINGLE FAMILY
NEW CONSTRUCTION PROGRAM

WHEREAS, on December 18, 2012 the Cedar Rapids City Council adopted Resolution No. 1738-12-12 which authorized the execution of a Development Agreement with Premiere Developers, Inc. for the conveyance and redevelopment of City-owned property at 520 8th Street NW for the third round of the City of Cedar Rapids' Single Family New Construction Program (SFNC); and

WHEREAS, Resolution No. 1738-12-12 also authorized the execution of a Special Warranty Deed to the property located at 520 8th Street NW; and

WHEREAS, said Special Warranty Deed was executed and delivered to the Linn County Auditor at which time scrivener's errors were found in the legal description of the Special Warranty Deed; and

WHEREAS, on January 22, 2013 the City Council adopted Resolution No. 0122-01-13 authorizing the execution of a Corrective Special Warranty Deed to correct the scrivener's errors in the original deed; and

WHEREAS, although the Corrective Special Warranty Deed was prepared and made ready for execution of behalf of the City to correct the legal description of the property to be conveyed to Premiere Developers, Inc. in accordance with the Development Agreement, said deed was never delivered nor recorded and that should now be done; and

WHEREAS, on November 5, 2013 the City Council adopted Resolution No. 1759-11-13 which purported to rescind Resolution No. 1738-12-12 and which mistakenly authorized the execution of another Corrective Special Warranty Deed.

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

1. Resolution No. 1759-11-13 is hereby rescinded and the Development Agreement with Premiere Developers Inc. regarding the property located at 520 8th Street NW is declared to be in full force and effect and any previous attempt to rescind the Development Agreement is declared null, void and of no force or effect.

2. The Corrective Special Warranty Deed authorized by Resolution No. 0122-01-13 is hereby re-approved and the City Manager and City Clerk are hereby authorized to execute the Corrective Special Warranty Deed conveying the property at 520 8th Street NW to Premiere Developers, Inc. in accordance with the Development Agreement.

3. The City Clerk shall record this resolution, Resolution Nos. 1736-12-12 and 0122-01-13, and the Corrective Special Warranty Deed in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 11th Day of March, 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. 19 (Final Revised) deducting the amount of \$12,177.40 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction And Turn Lane Improvements From Coyote Road to Remington Street project (original contract amount was \$2,553,421.50; total contract amount with this amendment is \$2,724,561.79). CIP/DID #301182-06

Background:

This is a contract change order to adjust the contract price based on the final 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. 19 (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: March 11, 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 ☒

ENG
AUD FILE
FIN
CLK
HORSFIELD
SNYDER
301182-06

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. 19 (Final Revised) deducting the amount of \$12,177.40 with Horsfield Construction, Inc. for the 33rd Avenue SW Reconstruction And Turn Lane Improvements From Coyote Road to Remington Street project, Contract No. 301182-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,458,421.50
Possible Incentive	95,000.00
Change Order No. 1	29,144.00
Change Order No. 2	8,522.43
Change Order No. 3	9,601.76
Change Order No. 4	454.44
Change Order No. 5	4,128.55
Change Order No. 6	16,669.56
Change Order No. 7	41,615.91
Change Order No. 8	9,529.54
Change Order No. 9	38,662.43
Change Order No. 10	16,084.44
Change Order No. 11	16,190.82
Change Order No. 12	9,929.00
Change Order No. 13	30,522.63
Change Order No. 14	3,612.00
Change Order No. 15	(32,201.22)
Change Order No. 16	17,854.46
Change Order No. 17	2,953.50
Change Order No. 18	(32,756.56)
Change Order No. 19 (Final Revised)	(12,177.40)
Removal of Original Incentive	<u>(7,200.00)</u>
Amended Contract Amount	\$2,724,561.79

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

(\$7,578.34)	301-301000-301182
(\$4,599.06)	301-301000-301627

Passed this 11th day of March, 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: Doug Carper
E-mail Address: d.carper@cedar-rapids.org

Phone Number/Extension: 5258

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

Authorizing Change Order No. 4 in the amount of \$11,926 with Garling Construction, Inc. for the Cedar Rapids Fire Station No. 3 project (original contract amount was \$1,899,000; total contract amount with this amendment is \$1,964,679). CIP/DID #308141-20

Background:

WCD #4	Landscaping Revisions – revised the landscaping for easier maintenance and added landscaping around the boulder monument sign.	\$5,240
	Plymovent Revisions – modified the Plymovent layout and disconnected locations per the Plymovent Installer's direction.	\$1,496
	Monument Sign – provided the form and content of the monument sign plaque.	\$3,457
	Electrical Revision, Momentary push-button – revised the electrical connection for the air compressor to meet code requirements. Change continuous push-button for the traffic preemption signal to be momentary type.	\$305
	Winter Heat – The project start date was delayed 86 calendar days due to wetland mitigation as required by the Army Corp. of Engineers. The delay pushed the project back into winter, and additional charges were incurred for heating the building, changing the HVAC filters, and snow removal.	\$1,428
	<ul style="list-style-type: none"> • Milestone #1 – October 2, 2013 • Milestone #2 – December 9, 2013 (CCO #3) • Milestone #3 – December 27, 2013 (CCO #3) 	No Change

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 submitted by Garling 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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): Fund 330 Dept ID 330610 Project 308141

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Does not fit the criteria.

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

ENG
AUD FILE
FIN
CLK
GARLING
SOLUM LANG
308141-20

RESOLUTION NO.

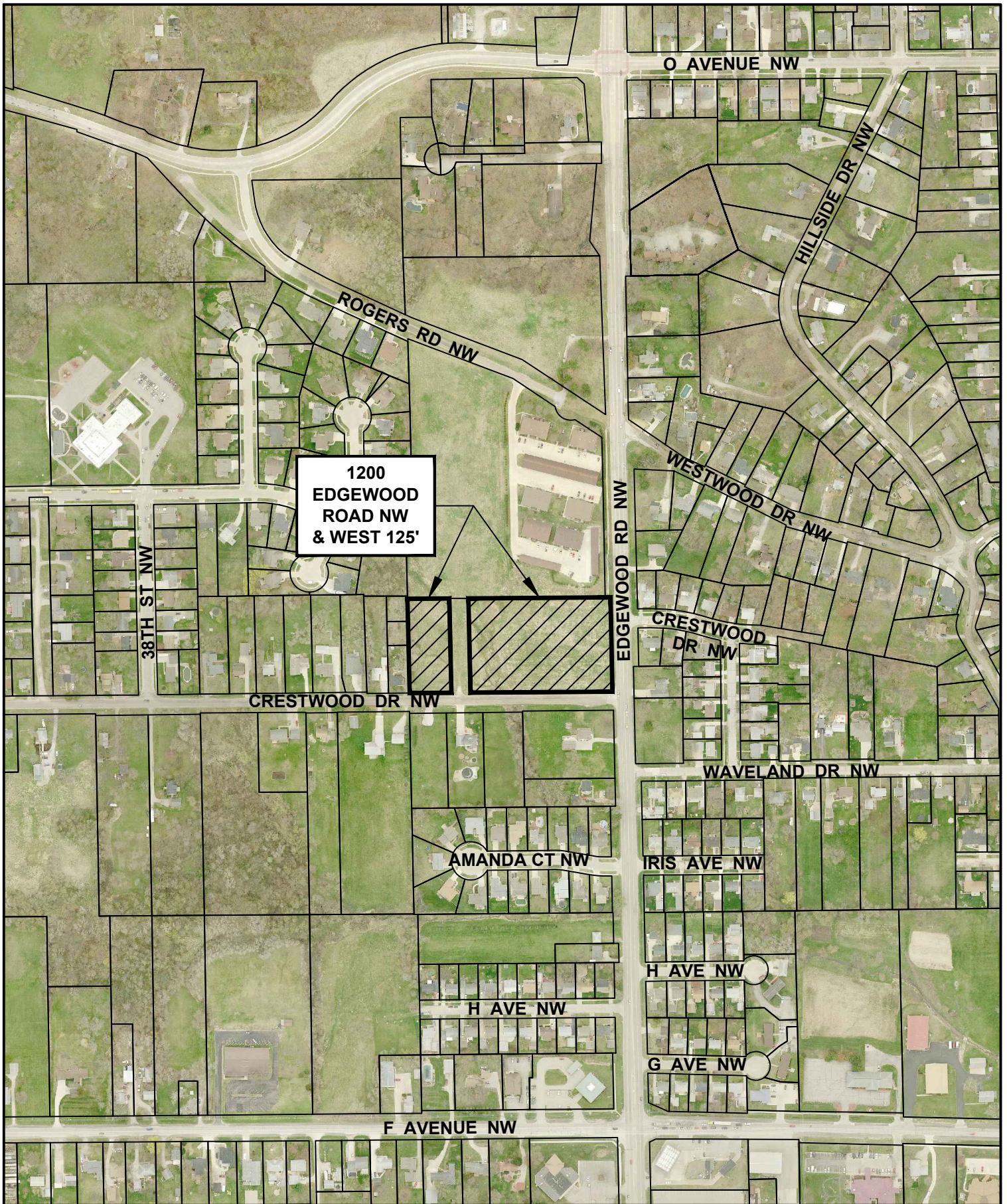
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 4 in the amount of \$11,926 with Garling Construction, Inc. for the Cedar Rapids Fire Station No. 3, Contract No. 308141-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,899,000
Change Order No. 1	9,950
Change Order No. 2	18,816
Change Order No. 3	24,987
Change Order No. 4	<u>11,926</u>
Amended Contract Amount	\$1,964,679

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

\$11,926 552000-308-308000-308141

Passed this 11th day of March, 2014.



FIRE STATION NUMBER 3
1200 EDGEWOOD ROAD AND WEST 125'



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. 9 in the amount of \$43,973.66 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE project (original contract amount was \$1,529,777.11; total contract amount with this amendment is \$1,687,322). 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. Additional subgrade stabilization was required due to soft subgrade in several areas of the project. The 1" water services were installed as per plan, however, the contract bid quantity was in error. All services were completed as indicated in the plans. Additional water main fittings were necessary due to lowering of the water main through intersections and under service lines.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 9 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: March 11, 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.

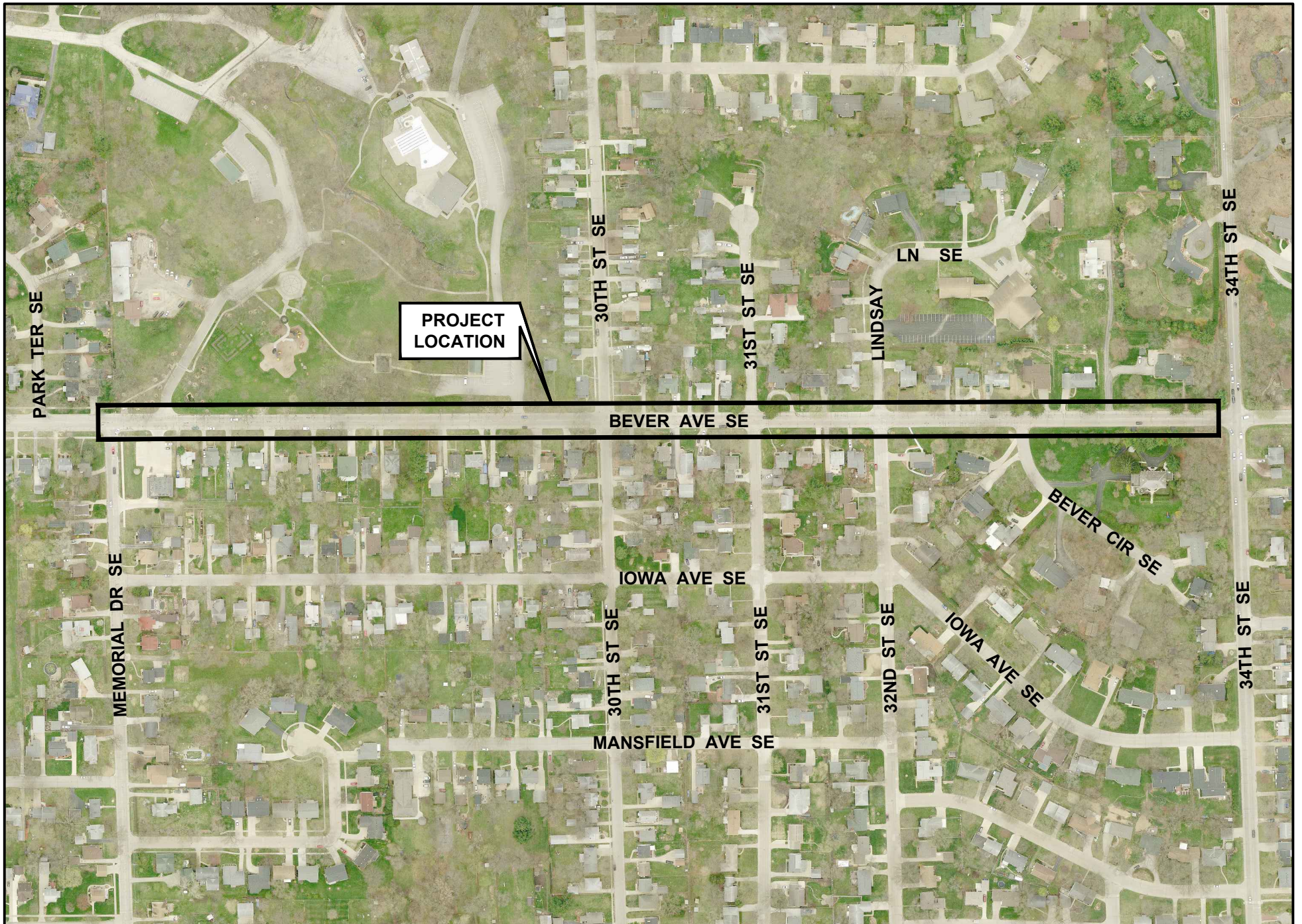
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 9 in the amount of \$43,973.66 with Rathje Construction Company for the Bever Avenue SE Rehabilitation From Memorial Drive SE to 34th Street SE, Contract No. 301696-01. A 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	20,842.98
Change Order No. 7	19,191.55
Change Order No. 8	27,526.90
Change Order No. 9	<u>43,973.66</u>
Amended Contract Amount	\$1,687,322.00

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

\$19,986.16	301-301000-301696
\$23,492.50	625-625000-625884-6252013027
\$ 495.00	655-655000-655990

Passed this 11th day of March, 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. 13 (Final) deducting the amount of \$34,522.76 with Peterson Contractors, Inc. for the East Post Road Over Indian Creek Bridge Replacement project (original contract amount was \$2,294,712.11; total contract amount with this amendment is \$2,399,636.27). CIP/DID #305023-02

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.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 13 (Final) submitted by Peterson Contractors, 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: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable):

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Project was awarded prior to policy implementation.

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

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
PETERSON
SHOEMAKER & HAALAND
305023-02

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 13 (Final) deducting the amount of \$34,522.76 with Peterson Contractors, Inc. for the East Post Road Over Indian Creek Bridge Replacement project, Contract No. 305023-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,244,712.11
Possible Incentive	50,000.00
Change Order No. 1	7,612.00
Change Order No. 2	554.32
Change Order No. 3	13,207.20
Change Order No. 4	5,878.65
Change Order No. 5	39,893.40
Change Order No. 6	3,383.01
Change Order No. 7	14,732.35
Change Order No. 8	3,575.00
Change Order No. 9	6,819.64
Change Order No. 10	4,178.26
Change Order No. 11	36,594.09
Change Order No. 12	3,019.00
Change Order No. 13 (Final)	<u>(34,522.76)</u>
Amended Contract Amount	\$2,399,636.27

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

(\$ 4,524.98)	301-301000-301724
(\$24,489.26)	305-305000-305023
(\$ 398.52)	325-325000-325032
(\$ 5,110.00)	625-625000-625884-6252010017

Passed this 11th day of March, 2014.

INDIAN CREEK

COTTAGE GROVE PKWY SE

EAST POST RD SE

KENILWORTH CT SE

EAST POST RD SE BRIDGE
@ INDIAN CREEK



SCALE: NONE



CEDAR RAPIDS
City Of Five Seasons



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: Russell Betts
E-mail Address: r.betts@cedar-rapids.org

Phone Number/Extension: 5212

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

Authorizing Change Order No. 4 in the amount of \$26,011 and release of partial final payment in the amount of \$193,986.45 to Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project (original contract amount was \$3,815,500; total contract amount with this amendment is \$3,911,793) (**FLOOD**). CIP/DID #PDE001-20

Background:

WCD=Work Change Directive

WCD #4	Gas Supply to Dryer Equipment	\$972
	Additional Fixtures in Vestibule	\$1,502
	Additional Shelf Support in Cat Rooms	\$283
	Booster Fan in Dryer Exhaust	\$1,083
	Revise Coupling Material	\$222
	Electrical Work for Dishwasher	\$1,100
	Street Signage	\$7,216
	Core in Safety Bollards	\$1,466
	Metal Guards in Door Bottoms	\$462
	Additional Interior Signage	\$156
	Install Owner's Benches and Safe	\$299
	Temporary and Permanent Dishwasher Connections	\$2,305
	Revise Faucet Goosenecks	\$1,775
	Backflow Preventer at Surgery Table	\$1,121
	Rubble Disposal at Courtyard Footings	\$2,740
	Dryer Exhaust Lint Trap	\$482
	Added Outlet in Sally Port	\$498
	Garage Wiring	\$927
	Additional Lighting at Surgery	\$1,402

Construction has been substantially completed by Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project with a final construction contract amount of \$3,911,793. Funding resources for this project were approved in FY14 and prior years and the project is completed within the approved budget.

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 4 and issuance of partial final payment to the contractor in the amount of \$193,986.45. The final release of \$6,053 in retainage will be held until additional work is completed.

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): LOST – PDE001.

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Capital Improvement Project

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

Explanation (if necessary):

ENG
AUD FILE
FIN
CLK
PORTZEN
OPN
PDE001-20
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. 4 in the amount of \$26,011 with Portzen Construction, Inc. for the Cedar Rapids Animal Care & Control Building project, Contract No. PDE001-20. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,815,500
Change Order No. 1	12,165
Change Order No. 2	28,019
Change Order No. 3	30,098
Change Order No. 4	<u>26,011</u>
Amended Contract Amount	\$3,911,793

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

\$26,011 330-330720-18515-PDE001-EN

BE IT FURTHER RESOLVED, that the Public Works Director/City Engineer certifies that the work on Cedar Rapids Animal Care & Control Building project (Contract No. PDE001-20), 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 \$193,986.45 to Portzen Construction, Inc. as a partial final payment, and

BE IT FURTHER RESOLVED that \$6,053 of the retainage will be held until additional work is completed.

Passed this 11th day of March, 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

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**

Authorizing Change Order No. 10 in the amount of \$37,277.13, plus an additional 10 calendar days, with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project (original contract amount was \$3,676,000; total contract amount with this amendment is \$3,951,309.62) (**FLOOD**). CIP/DID #PLE001-21

Background:

WCD=Work Change Directive

WCD #14	Foundation removal for Geo-Thermal pipe installation	\$3,954.52
	Remove and replace return air ductwork at Air Handling Unit -1	\$8,682.17
	Storm flow monitoring revisions	\$0
	The completion date of the Cedar Rapids Public Library project is extended 10 days due to the work lost to the Carpenter's strike.	\$0
	Change in sink size in room 268 to accommodate the opening in casework.	
	Design Engineers also added specifications to follow to facilitate starting the HVAC systems before substantial completion. Temporary filtering of mechanical system, allowing the overlap of construction, move-in and system start-up.	\$7,015.31
WCD #15	Large study room projection and window treatments, floor box additions and modifications. Young Adult meeting management. Replace 40 gallon water heater with 50 gallon water heater (code requirement)	\$17,625.13

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 10 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: March 11, 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 ☒

Explanation (if necessary):

ENG
AUD FILE
FIN
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BOWKER
OPN
PLE001-21
377545

RESOLUTION NO.

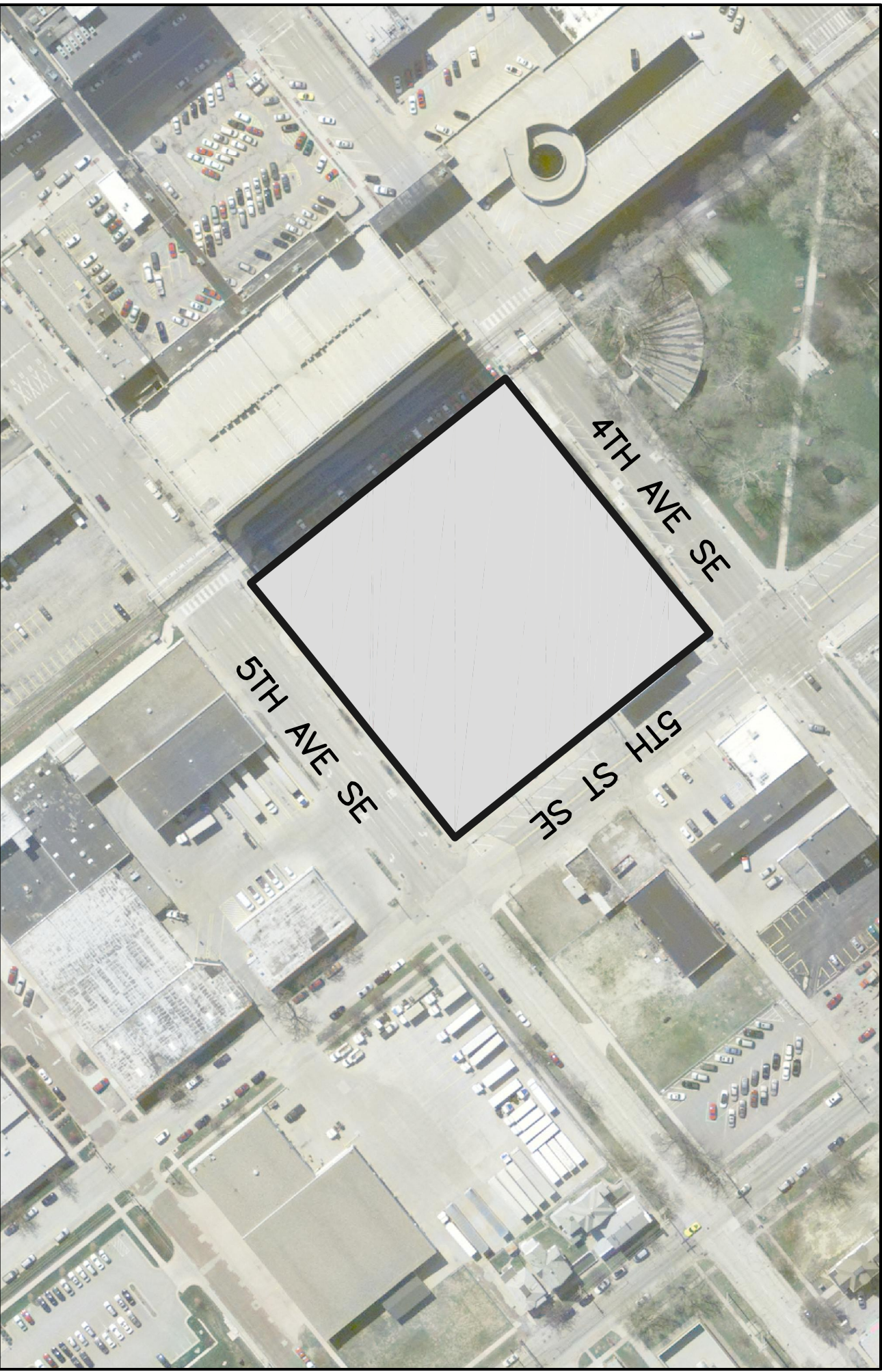
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 10 in the amount of \$37,277.13, plus an additional 10 calendar days, with Bowker Mechanical Contractors, LLC for the Cedar Rapids Public Library Project – Fire Suppression, Plumbing & HVAC project, Contract No. PLE001-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,676,000.00
Change Order No. 1	4,354.38
Change Order No. 2	890.00
Change Order No. 3	24,087.94
Change Order No. 4	93,301.96
Change Order No. 5	66,923.27
Change Order No. 6	4,797.61
Change Order No. 7	6,594.77
Change Order No. 8	591.75
Change Order No. 9	36,490.81
Change Order No. 10	<u>37,277.13</u>
Amended Contract Amount	\$3,951,309.62

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

\$37,277.13 552000-330-330010-18512-PLE001

Passed this 11th day of March, 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: Loren Snell
E-mail Address: l.snell@cedar-rapids.org

Phone Number/Extension: 5804

Alternate Contact Person: Russell F. Betts, P.E.
E-mail Address: r.betts@cedar-rapids.org

Phone Number/Extension: 5212

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

Authorizing Change Order No. 6 in the amount of \$117,324 with Miron Construction Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project (original contract amount was \$19,185,000; total contract amount with this amendment is \$19,372,243) (**FLOOD**). CIP/DID #PWE006-21

Background:

WCD = Work Change Directive

WCD #7	Building shift 6" south and revised water service	\$12,394
	Frost removal from building pad at contaminated soil area – Phase 1 site work	\$10,432
	Pipe connection at southwest parking lot	\$7,608
	Remove and replace existing curb on 14 th Avenue	\$5,102
	Sewer intake clarifications	\$13,875
	Precast change at Wash Bay, Phase 2	(\$2,361)
	Proofrolling and coreouts of unsuitable soil	\$49,957
	Credit for change to sealed concrete, provide Silane/Siloxane product or CreteDefender on exterior walls for salt dome and interior and exterior walls for Building #1, remove ceiling in Library 351, provide fire proofing at elevator equipment room 426 as per the request of the building inspector, credit for asphalt patch work inside salt dome, provide weather tight elevator push button.	\$4,244
	Storage rooms fall protection	\$2,620
	Revised trench drain layout	\$0
	Install 8" valve to isolate Building 16 from construction work	\$3,353
	Repair 8" water line in north lot	\$10,100

Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 6 submitted by Miron Construction Company, Inc.

Alternative to the Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): FEMA/I-Jobs/City – PWE006

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: Capital Improvement Project

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

Explanation (if necessary): Project update provided at June 19, 2012 Infrastructure Committee Meeting

ENG
AUD FILE
FIN
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MIRON
NEUMANN
PWE006-21
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. 6 in the amount of \$117,324 with Miron Construction Company, Inc. for the Cedar Rapids City Services Center – Bid Package 2 – Phase 2 Demolition, Sitework and New Building Construction Project – General Contractor project, Contract No. PWE006-21. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$19,185,000
Change Order No. 1 (Revised)	41,562
Change Order No. 2 (Revised)	(58,929)
Change Order No. 3	76,924
Change Order No. 4	7,479
Change Order No. 5	2,883
Change Order No. 6	<u>117,324</u>
Amended Contract Amount	\$19,372,243

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

\$117,324 330-330210-18515-PWE006-NG

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 1 deducting the amount of \$327 with Blackhawk Automatic Sprinklers, Inc. for the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project (original contract amount was \$128,670; total contract amount with this amendment is \$128,343) (**FLOOD**); CIP/DID #VME001-06

Background:

PR-3015 – Add'l components & programming for the deluge system to make it less likely that

An operator error could result in setting it off \$523.00

PR-3004.1 – Deletion of painting sprinkler piping in all mechanical & storage spaces (\$850.00)

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 1 decreasing the contract amount for Blackhawk Automatic Sprinklers, Inc.

Alternative Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time:

Budget Information (if applicable): VME001-06

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
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AUD FILE
BLACKHAWK
NEUMANN
VME001-06
FLOOD
377545

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 1 deducting the amount of \$327 with Blackhawk Automatic Sprinklers, Inc. for the Veterans Memorial Phase III – Bid Package #11 – Fire Protection project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$128,670.00
Change Order No. 1	<u>(327.00)</u>
Amended Contract Amount	\$128,343.00

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

(\$327.00) Fund 330, Dept ID 330020, Project VME001-06

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 2 in the amount of \$1,826 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project (original contract amount was \$88,500; total contract amount with this amendment is \$95,326) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC-3017 – Staining and water popping of maple & pine stage floor to make a more even appearance due to damage & replacement of portion of floor \$1,826.00

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 2 to increase the contract amount for J Wood Sports Flooring, LLC

Alternative Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time:

Budget Information (if applicable): VME001-06 This increase is non-fema

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

VET
FIN
TRS
CLK
AUD FILE
J WOOD
NEUMANN
VME001-06
FLOOD
377545

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 2 in the amount of \$1,826 with J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 - Wood Flooring project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$88,500.00
Change Order No. 1	5,000.00
Change Order No. 2	<u>1,826.00</u>
Amended Contract Amount	\$95,326.00

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

\$1,826.00 Fund 330, Dept ID 330020, Project VME001-06

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Veterans Memorial

Presenter at meeting: Mike Jager

Phone Number/Ext: 5039

Email: m.jager@cedar-rapids.org

Description of Agenda Item:

Authorizing Change Order No. 7 in the amount of \$26,981.24 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project (original contract amount was \$913,800; total contract amount with this amendment is \$974,683.21) (**FLOOD**); CIP/DID #VME001-06

Background:

TCIDC-3014 – Add'l chemicals for treating boiler water due to an extended construction Schedule	\$2,191.00
TCIDC-3008 – Modifying routing of steam & condensate pipings at all radiator risers on East side of auditorium	\$21,448.00
RFI-3060 – Clarification on radiator piping & including an add'l steam trap for an existing 3" steam riser	\$2,475.24
ODC-Steam Leak – Found a leak in an existing steam pipe; CM gave direction to the plumber To fix the leak that day on site	\$867.00

Action / Recommendation:

Veterans Memorial recommends the approval of Change Order No. 7 to increase the contract amount for Day Mechanical System, Inc.

Alternative Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time:

Budget Information (if applicable): VME001-06 (FEMA & non-fema)

Local Preference Policy Applies ☐ Exempt

Explanation: This is a FEMA funded project.

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

RESOLUTION NO.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to execute Change Order No. 7 in the amount of \$26,981.24 with Day Mechanical Systems, Inc. for the Veterans Memorial Phase III – Bid Package #12 – Mechanical, HVAC and Plumbing project, Contract No. VME001-06. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$913,800.00
Change Order No. 1	(\$1,009.00)
Change Order No. 2	8,302.00
Change Order No. 3	15,949.97
Change Order No. 4	741.00
Change Order No. 5	5,135.00
Change Order No. 6	4,783.00
Change Order No. 7	<u>26,981.24</u>

Amended Contract Amount	\$974,683.21
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General ledger coding for this Change Order to be as follows:

\$26,981.24 Fund 330, Dept ID 330020, Project VME001-06

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt
Email: j.pratt@cedar-rapids.org

Phone Number/Ext: 319 286-5047

Alternate Contact Person: Paula Mitchell
Email: p.mitchell@cedar-rapids.org

Phone Number/Ext: 319 286-5852

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

Resolution of support for a Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for Affordable Housing Network, Inc. for construction of five (5) new single-family homes in the Wellington Heights neighborhood. CIP/DID #565513

Background:

On February 20, 2014, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by Affordable Housing Network, Inc.

Affordable Housing Network, Inc. (AHNI) proposes to build five new single-family homes in the Wellington Heights neighborhood of Cedar Rapids, Iowa, for sale to moderate and low income households (below 100% of area median income). The construction of these single family homes is one of the steps in a larger plan currently being executed by AHNI to revitalize Wellington Heights, a core Cedar Rapids neighborhood with a rich history of quality housing that has been in decline over the last 30 years.

The project may be eligible for 100% sales tax refunds and total capital investment for the project is projected to be \$750,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$15,250 and \$75,000, respectively.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

No impact to City budget, as Enterprise Zone Program benefits are state sales tax refunds.

Local Preference Policy Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

RESOLUTION SUPPORTING HOUSING ENTERPRISE ZONE PROGRAM
AGREEMENTS WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY
TO PROVIDE ENTERPRISE ZONE BENEFITS FOR AFFORDABLE HOUSING
NETWORK INC

WHEREAS, the Affordable Housing Network, Inc. submitted application to the City of Cedar Rapids Enterprise Zone Commission for construction of 5 new single-family homes located within the Cedar Rapids EZ-2 Enterprise Zone; and

WHEREAS, the City of Cedar Rapids Enterprise Zone Commission approved the application by Resolution on February 20, 2014; and

WHEREAS, total capital investment for the project is projected to be \$750,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$15,250 and \$75,000, respectively; and

WHEREAS, the City Council supports the creation of high quality workforce housing in the City's core neighborhoods and leveraging of State funds to keep the homes affordable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager, or his designee, is hereby authorized to execute the Housing Enterprise Zone Program Agreement with Affordable Housing Network, Inc. and related documentation as required.

Passed this 11th Day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

Alternate Contact Person: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

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

Resolution of support for Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for HF Investments, LLC for an affordable housing project at 211 and 213 1st Avenue NE. NEW

Background:

On March 4, 2014, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by HF Investments, LLC.

Housing Enterprise Zone benefits are requested for the rehabilitation of an affordable housing project for families located at 211 & 213 1st Avenue NE in Cedar Rapids. The project, Coventry Loft, will be a three floor, nineteen (19) unit complexes featuring one bedroom, one bathroom units (the "Project"). The project will feature multiple amenities, including: spacious loft style units, exposed HVAC, high efficiency HVAC/Appliances/fixtures, high ceilings, elevator access, in unit washer and dryer, access to the downtown skywalk system, secured entrance, walk-in closets.

Of the nineteen (19) units the Project will have ten (10) units, or fifty-percent (50%), available for low to moderate income families. The ten (10) units will be offered to families with income levels at or below eighty-percent (80%) of area median gross income (AMGI). The other nine (9) of the units will be market rate units.

The total capital investment for the project is projected to be \$4,367,471 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$220,427 and \$145,873, respectively.

Action / Recommendation:

City staff recommends approval of the resolution.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

No impact to City budget, as Enterprise Zone Program benefits are state sales tax refunds.

RESOLUTION NO.

RESOLUTION SUPPORTING HOUSING ENTERPRISE ZONE PROGRAM
AGREEMENT WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY TO
PROVIDE ENTERPRISE ZONE BENEFITS FOR HF INVESTMENTS LLC

WHEREAS, the HF Investments, LLC submitted an application to the City of Cedar Rapids Enterprise Zone Commission for construction of nineteen (19) units located within the Cedar Rapids EZ-2 Enterprise Zone; and

WHEREAS, the City of Cedar Rapids Enterprise Zone Commission approved the applications by Resolution on March 4, 2014; and

WHEREAS, total capital investment for the project is projected to be \$4,367,471 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$220,427 and \$145,873, respectively; and

WHEREAS, the City Council supports the creation of high quality workforce housing in the City's core neighborhoods and leveraging of State funds to keep the homes affordable;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager, or his designee, is hereby authorized to execute the Housing Enterprise Zone Program Agreement with HF Investments, LLC and related documentation as required.

Passed this 11th Day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development

Presenter at meeting: Paula Mitchell

Phone Number/Ext: 319 286-5852

Email: p.mitchell@cedar-rapids.org

Alternate Contact Person: Caleb Mason

Phone Number/Ext: 319 286-5188

Email: c.mason@cedar-rapids.org

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

Resolution authorizing execution of an Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes, Inc. for properties located at 500 and 502 F Avenue NW (**FLOOD**). CIP/DID #540257

Background:

On December 3, 2013, City Council authorized execution of a Development Agreement and Special Warranty Deed with Cedar Ridge Homes, Inc. for city-owned properties located at 500 and 502 F Avenue NW, for new construction of single-family homes through the ROOTs Program. Subsequent to this action, it became apparent that these lots, located in an area surrounded by urban agriculture and adjacent to commercial and industrial uses, were not suitable for this type of development and less marketable to a buyer. In addition, Matthew 25 Ministry Hub has expressed interest in these two lots for their Ellis Urban Village project, for which several other lots in the area are already under a development agreement.

Cedar Ridge Homes, Inc. has agreed to return these lots to the City in exchange for other lots more suitable for single-family development. Staff recommends approval of the Agreement to Convey Properties and Terminate Development Agreement in order to make the lots available for redevelopment for more compatible uses. Staff further recommends holding a public hearing to consider a change of use as required by CDBG regulations.

According to the terms of the proposed agreement with Cedar Ridge Homes, Inc., the City will pay for the cost of updating the abstracts and title opinion, estimated at approximately \$300 per lot, to be paid from grant funding. Cedar Ridge Homes, Inc. will be responsible for providing clear title.

Action / Recommendation:

City staff recommends approval of the resolution, which will allow Cedar Ridge Homes, Inc. to convey the properties back to the City for more compatible redevelopment uses.

Alternative Recommendation:

N/A

Time Sensitivity:

The Agreement with Cedar Ridge Homes will allow the City to take actions to prepare the properties for redevelopment with more compatible uses during the Spring 2014 season.

Resolution Date: March 11, 2014.

Estimated Presentation Time: 0 minutes

Budget Information (if applicable):

The City's costs, estimated at \$300 per lot, will be paid from grant funds.

Local Preference Policy Applies ☐ Exempt ☒ N/A ☐

Explanation: Federal funding.

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

Explanation (if necessary):

RESOLUTION NO.

AUTHORIZING EXECUTION OF AN AGREEMENT TO CONVEY PROPERTIES AND
TERMINATE DEVELOPMENT AGREEMENT WITH CEDAR RIDGE HOMES, INC. FOR
PROPERTIES LOCATED AT 500 AND 502 F AVENUE NW

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 City purchased properties at 500 F Avenue NW and 502 F 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 November 9, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, public hearings were held on August 27, 2013 and November 19, 2013 on the possible disposition of these properties, respectively, in accordance with Iowa Code; and

WHEREAS, the City Council authorized a Development Agreement with Cedar Ridge Homes, Inc. on December 3, 2013, resulting in the conveyance of the subject properties; and

WHEREAS, the properties were subsequently determined to be unsuitable for Single Family New Construction based upon incompatible adjacent uses, and

WHEREAS, the City and Developer have come to mutual agreement as to the terms and conditions of an Agreement to Convey Properties and Terminate Development Agreement to return the properties to the City, 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 Agreement to Convey Properties and Terminate Development Agreement with Cedar Ridge Homes, 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 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 11th Day of March, 2014



32s

Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: John Frew
E-mail Address: jfrew@frewnations.com

Phone Number/Extension: 739-4040

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** **No Map**

Resolution accepting substantial completion of a contract completion milestone under a Professional Services Agreement and payment of milestone retainage in the amount of \$47,585.05 to Novak Design Group, PLC for the Cedar Rapids Convention Complex Parking Ramp project (original contract amount was \$835,663; total contract amount is \$951,701). CIP/DID #535103-10

Background:

The executed Professional Services Agreement states that "A request for retainage release shall be requested at the completion of PROJECT, or after mutually agreed upon phase milestones per phase completion." Professional Services for the PROJECT have been substantially completed by Novak Design Group, PLC for the Cedar Rapids Convention Complex Parking Ramp project.

Action / Recommendation:

The Public Works Department recommends adoption of the Resolution to accept substantial completion of a contract completion milestone under a Professional Services Agreement and payment of milestone retainage in the amount of \$47,585.05 to Novak Design Group, PLC for the Cedar Rapids Convention Complex Parking Ramp project.

Alternative to the Recommendation:

None

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 535 / 535000 / 535103

Local Preference Policy: Applies ☐ Exempt ☒

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the City's Project Manager confirms that a milestone has been reached for professional services on the Cedar Rapids Convention Complex Parking Ramp project (Contract No. 535103-10), and

WHEREAS, the executed Professional Services Agreement states that "A request for retainage release shall be requested at the completion of PROJECT, or after mutually agreed upon phase milestones per phase completion", and

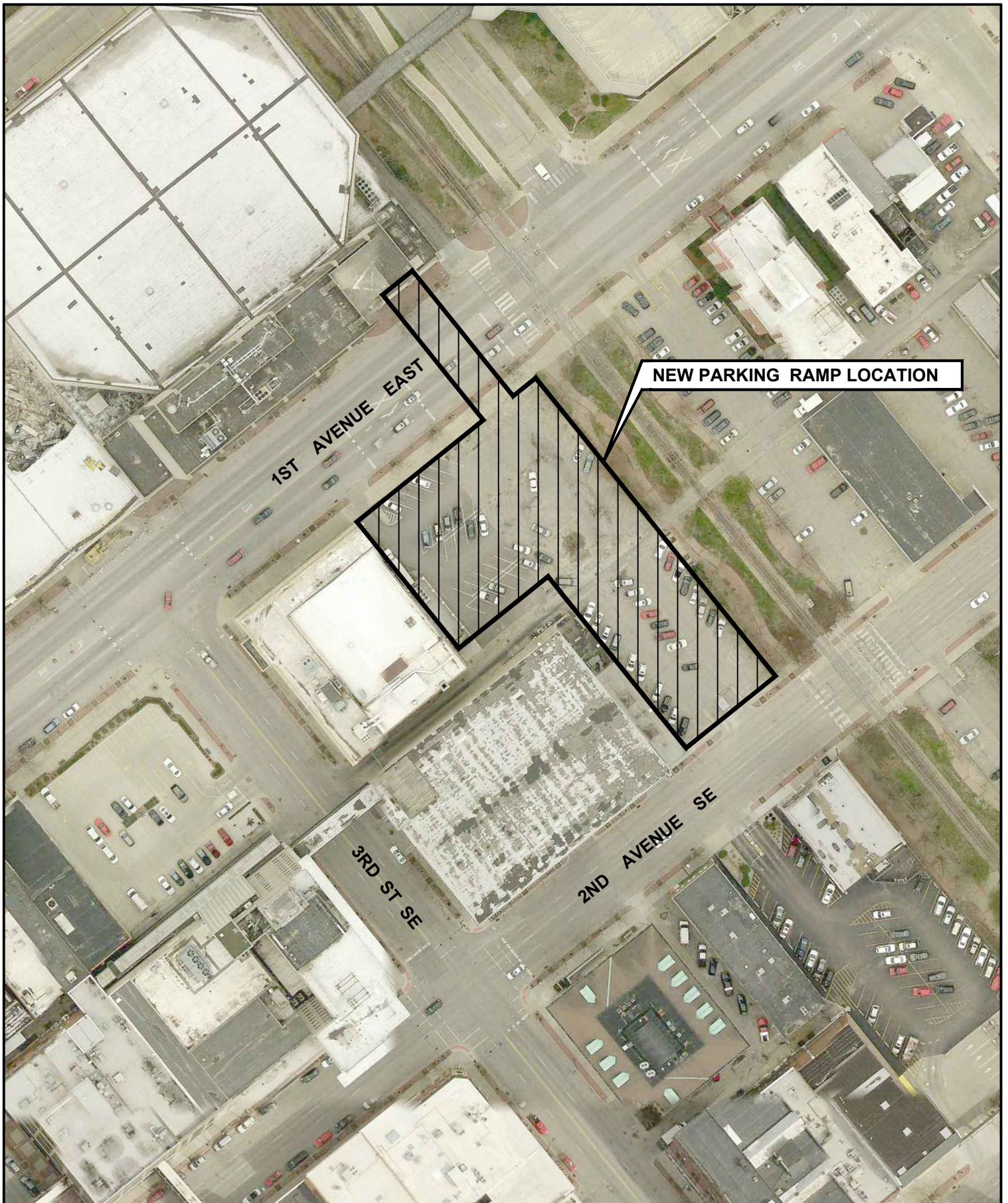
WHEREAS, the professional services agreement financial status is distributed as follows:

	Base	Contingency	TOTAL
Original Contract Amount	\$835,663	\$40,330	\$875,993
Current Contract Amount	\$951,701	\$0	\$951,701
Amount Paid to Date			\$904,115.95
In Retainage			\$0
Retainage hereby released			\$47,585.05

now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the Frew Development Group recommendation, the Cedar Rapids Convention Complex Parking Ramp project, (535103-10) milestone commonly known as contract completion is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue payment of a milestone retainage in the sum of \$47,585.05 to Novak Design Group, PLC.

Passed this 11th day of March, 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**

Resolution authorizing execution of a 28E Agreement with Linn County to participate in the cost of repairs and a hot mix asphalt (HMA) overlay in connection with the Blairs Ferry Road from West of Miller Road Westerly 7,850 Feet to Pavement Change West of Wayside Circle Drive project (**Paving for Progress**). CIP/DID #3012093-00

Background:

Linn County is proposing to improve the road surface on Blairs Ferry Road from just west of Miller Road westerly 7,850 feet to the change in pavement just west of Wayside Circle (CIP No. 3012093-00) by construction of a HMA overlay and other associated repairs during the 2014 construction season. This HMA overlay will extend the street service life, while improving pavement condition.

The City's cost will include that portion of Blairs Ferry Road within the corporate limits. This agreement will be terminated upon final acceptance of the work by the City and final settlement of the financial conditions as set forth in Paragraph 7 of the 28E Agreement. Total estimated cost of the project is \$444,495.34, with City's share estimated at \$226,044.27.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement to participate in the cost for construction of a HMA overlay with Linn County on Blairs Ferry Road NE.

Alternative to Recommendation:

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

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): CIP 3012093, LOST 7970

Local Preference Policy: Applies ☐ Exempt ☒

Explanation: State Bidding Requirements Apply

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, Linn County is proposing to improve the rideability and service life of the existing pavement on Blairs Ferry Road from just West of Miller Road westerly 7,850 Feet to the pavement change just west of Wayside Circle Drive by repairing and applying a Hot Mix Asphalt (HMA) overlay, and

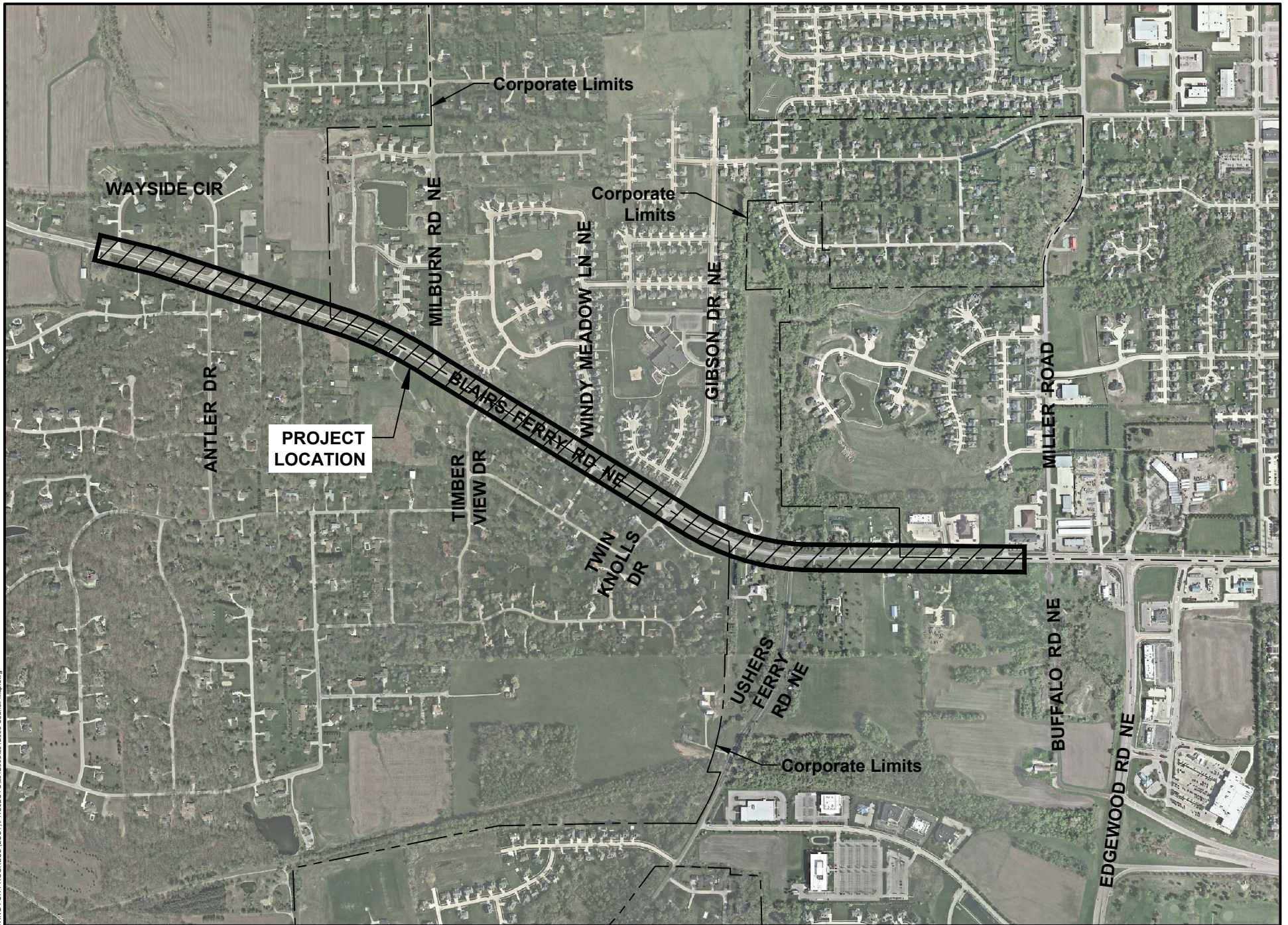
WHEREAS, a portion of this roadway is located within the corporate limits of the City of Cedar Rapids, and

WHEREAS, the Public Works Director /City Engineer recommends the City execute a 28E Agreement with Linn County providing for cooperative action pursuant to the proposed concrete resurfacing project, 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 a 28E Agreement with Linn County to participate in the construction costs in connection with the Blairs Ferry Road from West of Miller Road Westerly 7,850 Feet to Pavement Change West of Wayside Circle Drive project (CIP No. 3012093-00).

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

Passed this 11th day of March, 2014.





32u

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 authorizing execution of a Professional Services Agreement with Shive-Hattery, Inc. for an amount not to exceed \$37,393 for design services in connection with the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue project (**Paving for Progress**). CIP/DID #3012084-01

Background:

This project includes the rehabilitation and overlay of Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue. This project is funded by the Local Option Sales Tax (LOST) approved for maintenance, repair, and reconstruction of City streets.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Shive-Hattery, Inc.

Alternative Recommendation:

Identify other options to complete design and construction documents for the rehabilitation of the roadways.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012084, LOST 7970

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 Shive-Hattery, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$37,393 and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012084-01 with the firm noted herein, and

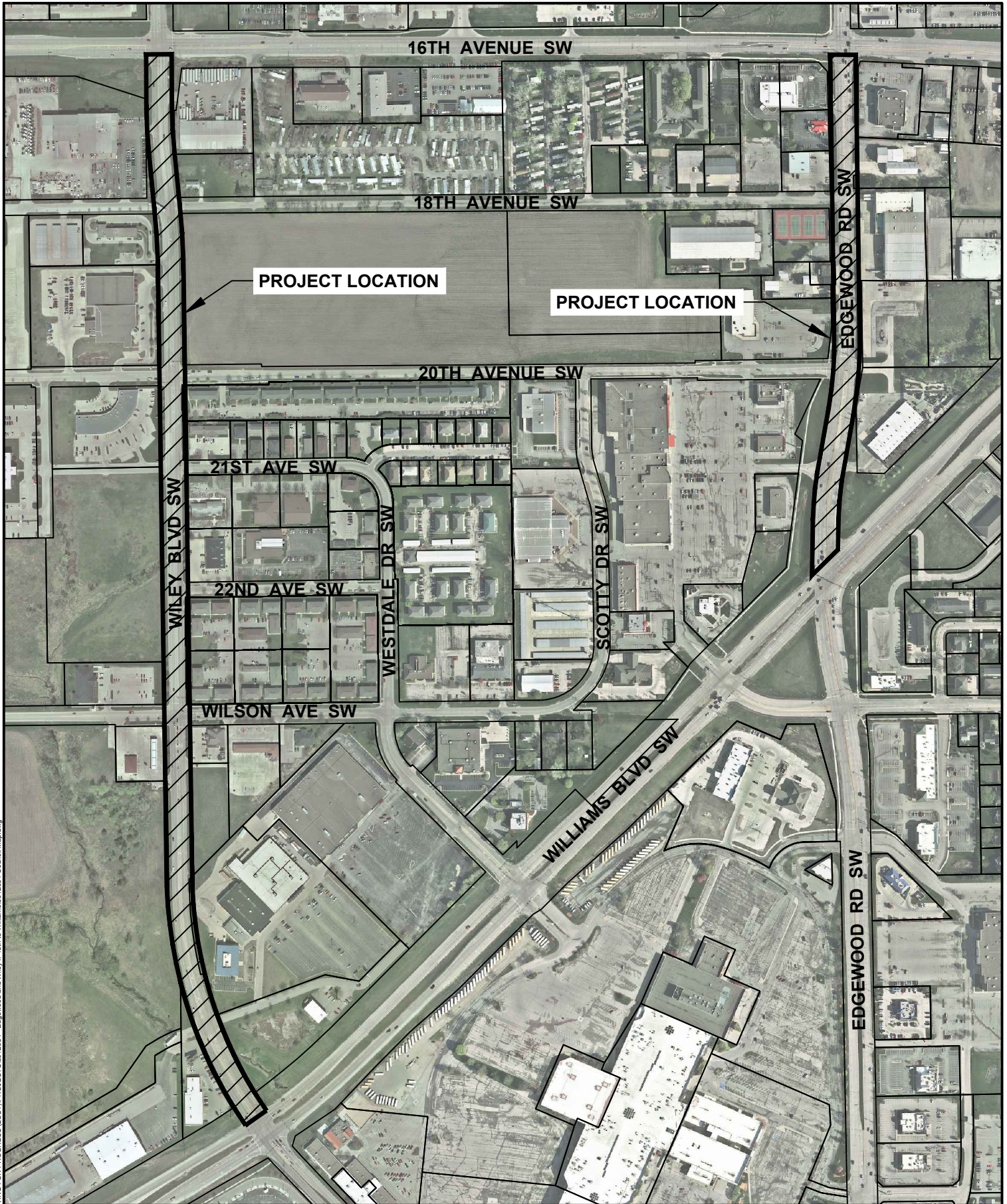
WHEREAS, the City Council has allocated funds for the Edgewood Road SW and Wiley Boulevard SW from Williams Boulevard to 16th Avenue.

General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012084	\$37,393
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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 11th day of March, 2014



Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012084 - Edgewood and Wiley fr. 16th to Williams\3012084 Council Map.dwg



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 authorizing execution of a Professional Services Agreement with Hall and Hall Engineers, Inc. for an amount not to exceed \$55,710 for design services in connection with the Boyson Road NE Improvements from C Avenue to East Corporate Limits project (**Paving for Progress**). CIP/DID #3012085-01

Background:

This project includes the rehabilitation of Boyson Road NE from C Avenue to east corporate limits of the City. The work includes pavement repair and rehabilitation. This project is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets.

Action / Recommendation:

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Hall and Hall Engineers, Inc.

Alternative Recommendation:

Identify other options to complete design and construction documents for the rehabilitation of the roadways.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012085, LOST 7970

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 Hall and Hall Engineers, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$55,710, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012085-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the Boyson Road NE Improvements from C Avenue to East Corporate Limits project.

General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012085	\$55,710
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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 11th day of March, 2014



**Council Agenda Item Cover Sheet****Council Meeting Date:** March 11, 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**Phone Number/Ext:** 5768**Alternate Contact Person:** Heather Mell
Email: h.mell@cedar-rapids.org**Phone Number/Ext:** 5117**Description of Agenda Item:**

Rescinding Resolution No. 0089-01-14 dated January 14, 2014, for caulking and painting Noelridge Pool with A1A Sandblasting. CIP/DID #0913-053

Background:

A1A Sandblasting was recommended for award to caulk and paint the Noelridge Pool. A1A Sandblasting is unable to provide the required payment and performance bonds.

The Aquatics Division will recommend award to the next low bid in another resolution.

Action / Recommendation:

Resolution rescinding Resolution No. 0089-01-14 dated January 14, 2014 be approved.

Alternative Recommendation:**Time Sensitivity:****Resolution Date:** March 11, 2014**Estimated Presentation Time:** 0 minutes**Budget Information (if applicable):** N/A**Local Preference Policy** Applies ☒ Exempt ☐**Explanation:** Local Preference did not have an effect on the bid.**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒

Explanation (if necessary):

PUR
FIN
AQT
A1A SANDBLASTING
0913-053

RESOLUTION NO.

WHEREAS, the Aquatics Division recommends that Resolution No. 0089-01-14, dated January 14, 2014, for caulking and painting of Noelridge Pool with A1A Sandblasting, be rescinded; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Resolution No. 0089-01-14, dated January 14, 2014, is hereby rescinded.

Passed this 11th day of March, 2014.

**Council Agenda Item Cover Sheet****Council Meeting Date:** March 11, 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**Phone Number/Ext:** 5768**Alternate Contact Person:** Heather Mell
Email: h.mell@cedar-rapids.org**Phone Number/Ext:** 5117**Description of Agenda Item:**

Contract for caulking and painting of Noelridge Pool with Van Nevel Coatings and Restoration, Inc for the Parks and Recreation Department for an amount not to exceed \$68,500. 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, but they were not able to provide payment and performance bonds. Award is recommended to Van Nevel Coatings and Restoration, Inc for the amount of \$68,500.

Bids were received from:

A1A Sandblasting	Cedar Rapids, IA	\$44,431
Van Nevel Coatings and Restoration, Inc	Victor, IA	\$68,500
Terry and Sons Painting Contractors, Inc	Muscatine, IA	\$68,501
D.A Bunch Co.	Cedar Rapids, IA	\$72,265

Action / Recommendation:

Recommend council approve resolution

Alternative Recommendation:**Time Sensitivity:****Resolution Date:** March 11, 2014**Estimated Presentation Time:** 0 minutes

Budget Information (if applicable): 522104-324-324000-324228

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 Van Nevel Coatings and Restoration, Inc., which was the lowest responsive and responsible bidder; and

WHEREAS, the Contract period will be March 11, 2014 through April 24, 2014; and

WHEREAS, the not-to-exceed expenditure is \$68,500.

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 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Craig Hanson

Phone Number/Ext: X5867

Email: craigh@cedar-rapids.org

Description of Agenda Item:

Agreement for the purchase of Sewer Castings for Public Works with Schimberg Co. for a total annual expenditure not to exceed \$70,000. CIP/DID #0114-126A

Background:

Bids were solicited on behalf of the Public Works Department for the purchase and delivery of Sewer Castings and Adjusting Rings with three (3) vendors responding.

In order to maximize savings the Sewer Division recommends award be split between Schimberg Co., the lowest bidder for castings, and Utility Equipment Company, the lowest bidder for adjusting rings.

This Agreement is for the purchase of Sewer Castings from Schimberg Co. The term of the initial agreement is March 14, 2014 through February 28, 2015 with four (4) one-year renewal options available. The total annual expenditure will not exceed \$70,000 budgeted in GL Account #651-651000-531121.

Bids were received from the following (Amount is for initial order quantities):

HD Supply Waterworks – Cedar Rapids, IA: \$7,062.35

Schimberg Co. – Cedar Rapids, IA: \$6,914.00

Utility Equipment Company – Bettendorf, IA: \$7,770.00

Action / Recommendation:

Resolution authorizing execution of Agreement for Sewer Castings for a total estimated annual amount not to exceed \$70,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): GL Account #651-651000-531121

Local Preference Policy Applies ☒ Exempt ☐

Explanation: Local preference applies but does not affect the outcome of the bid.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the purchase and delivery of Sewer Castings on an as-needed basis for the Public Works Department; and

WHEREAS, responses were received from three suppliers; and

WHEREAS, the Sewer Division is making the following recommendation for award to Schimberg Co., as the lowest bidder; and

WHEREAS, the term of the agreement shall be March 14, 2014 to February 28, 2015 with four (4) one-year renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$70,000, budgeted in the Sewer Operating Budget; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Schimberg Co. as described herein.

Passed this 11th day of March, 2014.



Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Finance – Purchasing Services

Presenter at meeting: Consent Agenda Item

Phone Number/Ext:

Email:

Alternate Contact Person: Craig Hanson

Phone Number/Ext: X5867

Email: craigh@cedar-rapids.org

Description of Agenda Item:

Agreement for the purchase of Sewer Adjusting Rings for Public Works with Utility Equipment Company for a total annual expenditure not to exceed \$35,000. CIP/DID #0114-126B

Background:

Bids were solicited on behalf of the Public Works Department for the purchase and delivery of Sewer Castings and Adjusting Rings with three (3) vendors responding.

In order to maximize savings the Sewer Division recommends award be split between Schimberg Co., the lowest bidder for castings, and Utility Equipment Company, the lowest bidder for adjusting rings.

This Agreement is for the purchase of sewer adjusting rings from Utility Equipment Company. The term of the initial agreement is March 14, 2014 through February 28, 2015 with four (4) one-year renewal options available. The total annual expenditure will not exceed \$35,000 budgeted in GL Account #651-651000-531121.

Bids were received from the following (Amount is for initial order quantities):

HD Supply Waterworks – Cedar Rapids, IA: \$19,334.10

Schimberg Co. – Cedar Rapids, IA: \$18,990.00

Utility Equipment Company – Bettendorf, IA: \$13,650.00

Action / Recommendation:

Resolution authorizing execution of Agreement for Sewer Adjusting Rings for a total estimated annual amount not to exceed \$35,000.

Alternative Recommendation:

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 minutes

Budget Information (if applicable): GL Account #651-651000-531121

Local Preference Policy Applies ☒ Exempt ☐

Explanation:

Local preference applies but does not affect the outcome of the bid.

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for the purchase and delivery of Sewer Adjusting Rings on an as-needed basis for the Public Works Department; and

WHEREAS, responses were received from three suppliers; and

WHEREAS, the Sewer Division is making the following recommendation for award to Utility Equipment Company, as the lowest bidder; and

WHEREAS, the term of the agreement shall be March 14, 2014 to February 28, 2015 with four (4) one-year renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$35,000, budgeted in the Sewer Operating Budget; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Utility Equipment Company as described herein.

Passed this 11th day of March, 2014.



32aa

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 authorizing execution of a Professional Services Agreement with McClure Engineering Co. for an amount not to exceed \$154,975 for design services in connection with the Glass Road NE Improvements from Edgewood Road to Wenig Road project (**Paving for Progress**). CIP/DID #3012086-01

Background:

This project includes the rehabilitation and overlay of Glass Road NE Improvements from Edgewood Road to Wenig Road. This project is funded by the Local Option Sales Tax (LOST), approved for maintenance, repair, and reconstruction of City streets.

Action / Recommendation:

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

Alternative Recommendation:

Identify other options to complete design and construction documents for the rehabilitation of the roadways.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minute(s)

Budget Information (if applicable): 3012086, LOST 7970

Local Preference Policy: Applies ☒ Exempt ☐

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

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

WHEREAS, the Public Works Director / City Engineer has determined McClure Engineering Co. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$154,975, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012086-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for the Glass Road NE Improvements from Edgewood Road to Wenig Road project.

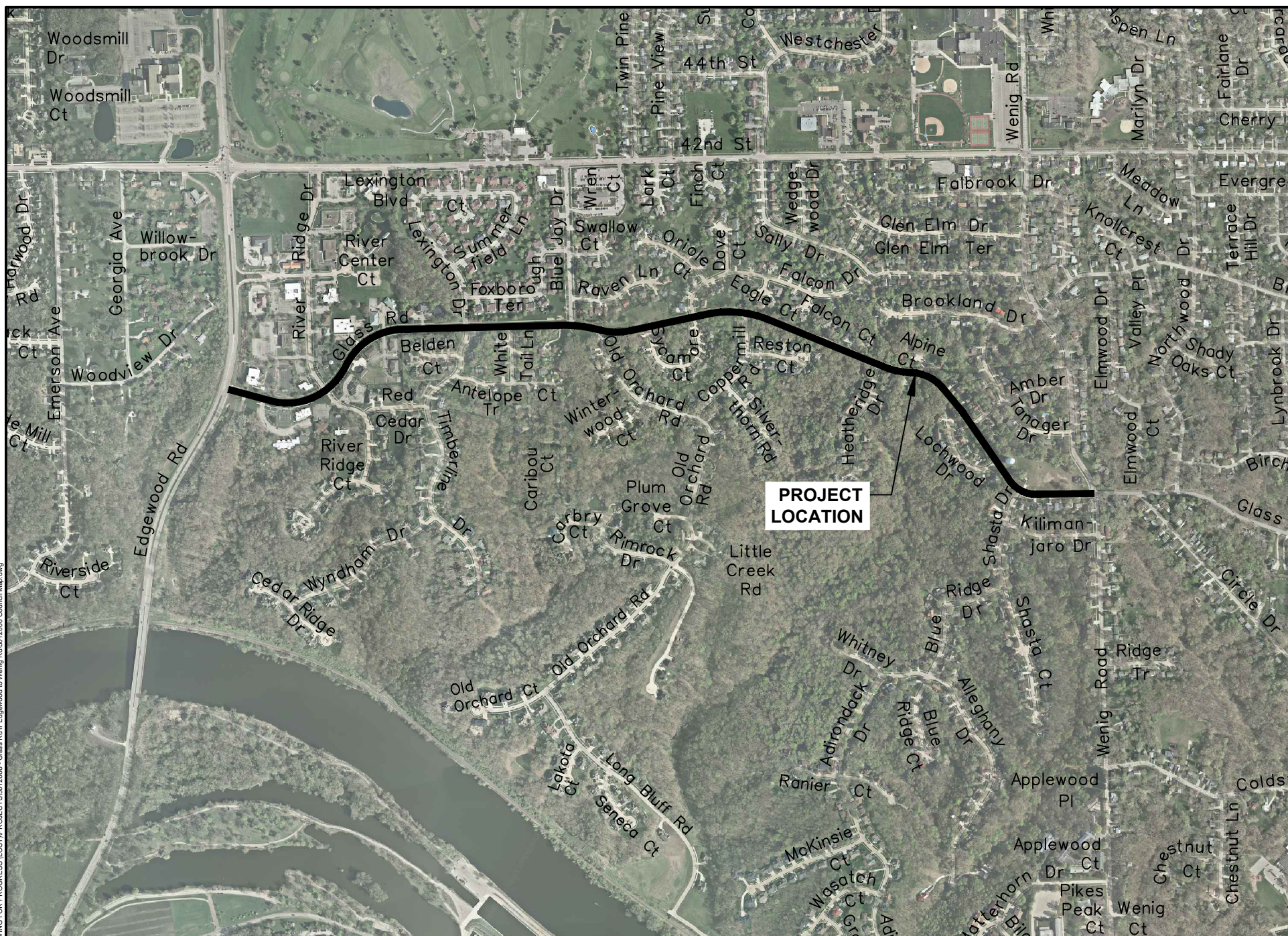
General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012086 \$154,975

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 11th day of March, 2014

Cadd File Name: W\PAVING FOR PROGRESS\LOST\PROJECTS\3012086 - Glass Rd.r Edgewood to Wenig Rd.r Council Map.dwg



**GLASS ROAD NE FROM EDGEWOOD ROAD TO WENIG ROAD NE
IMPROVEMENTS PROJECT**





32bb

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Information Technology

Presenter at meeting: Consent
Email:

Phone Number/Ext:

Alternate Contact Person: Nic Roberts
Email: n.roberts@cedar-rapids.org

Phone Number/Ext: 5088

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

Execution of an agreement for Agenda Management Implementation with Hyland Software, Inc. for an amount not to exceed \$44,300.

Background:

The City Clerk's Office has identified the need for an agenda automation system to assist in the agenda process. The Clerk's Office has requested IT to implement a system. The Purchasing Services Division sent out a Request for Proposal and Hyland Software, Inc. was selected as the vendor. The Information Technology Department has worked with Hyland Software, Inc and both parties have agreed to the proposal submitted this proposal will be initiated with this agreement.

Action / Recommendation:

Recommend Council approves the Resolution.

Alternative Recommendation:

City elects not to implement Agenda Management

Time Sensitivity:

Resolution Date: March 11, 2014

Estimated Presentation Time: 0

Budget Information (if applicable): Information Technology

Local Preference Policy Applies ☐ Exempt ☐

Explanation:

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

Explanation (if necessary):

RESOLUTION NO.

WHEREAS, the need has been identified to implement an agenda automation system and Hyland Software, Inc has been selected as the providing vendor; and

WHEREAS, the funding for this expense will come from the Information Technology Budget; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager be authorized to execute an agreement for Agenda Management Implementation Services with Hyland Software, Inc., 28500 Clemens Road, Westlake, OH 44145 in an amount not to exceed \$44,300.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Information Technology

Presenter at meeting: Consent
Email:

Phone Number/Ext:

Alternate Contact Person: Nic Roberts
Email: n.roberts@cedar-rapids.org

Phone Number/Ext: 286-5088

Description of Agenda Item: Renewal of VMWare Maintenance with Insight Public Sector (original contract amount was \$38,886.29; renewal contract amount is \$36,974.70).

Background: VMWare is the software used for the virtual server environment. This purchase is for software maintenance and support. Through the virtualization of servers the City is able to have redundancy of systems to support City technology needs. The Information Technology Department currently supports an environment of around 90 virtual servers.

Action / Recommendation: The Information Technology Department recommends approval of this purchase.

Alternative Recommendation: The City would elect not to have maintenance and receive support on technical issues.

Time Sensitivity: Normal

Resolution Date: March 11, 2014

Estimated Presentation Time: 0 Minutes

Budget Information (if applicable): 522101-101-109420

Local Preference Policy Applies ☐ Exempt ☐
Explanation:

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

RESOLUTION NO.

WHEREAS, the Information Technology Department has identified the need to use virtualization of servers; and

WHEREAS, to support the virtualization of servers, VMWare technology has been purchased and maintenance is needed to support the environment; and

WHEAREAS, Insight Public Sector can provide a lower cost for maintenance through the State of Iowa COTS Software Contract #4276-12; and

WHEREAS, the funding will come from the Information Technology's operating budget (522101-101-109420), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Information Technology Department is hereby authorized to purchase VMWare Maintenance from Insight Public Sector, 6820 S Harl Avenue, Tempe, AZ 85283-4318 in the amount of \$36,974.70.

Passed this 11th day of March, 2014



32dd

Council Agenda Item Cover Sheet

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: AC&C Manager Webber **Phone Number/Extension:** 5908
E-mail Address: d.webber@cedar-rapids.org

Alternate Contact Person: Capt. Bernard Walther **Phone Number/Extension:** 5470
E-mail Address: b.walther@cedar-rapids.org

Description of Agenda Item:

Resolution authorizing the City Manager to extend the 28E Agreement between the City of Cedar Rapids and the City of Marion whereby the City of Cedar Rapids Animal Care and Control will provide animal sheltering services to the City of Marion as provided in the 28E Agreement. CIP/DID #669719

Background:

Animal Control has been providing animal sheltering services for the City of Marion. This Agreement went into effect July 1, 2011, and ends June 30, 2014. The City of Marion would like to extend this 28E Agreement for another 3 years beginning July 1, 2014 and ending June 30, 2017. Monthly billing will be at the current rate of \$40,000/year, invoiced monthly at a rate of \$3,333.33/month.

This Agreement shall be effective July 1, 2014, after being approved and signed by the City Council of Cedar Rapids and the City Council of Marion, upon its filing with the Iowa Secretary of State, and shall be perpetual unless terminated in the manner provided in the Agreement.

Action / Recommendation:

It is Animal Care and Control's recommendation that City Council authorize execution of the 28E Agreement extension.

Alternative to the Recommendation:

Discontinue animal sheltering services to the City of Marion, or continue to provide service on a month-to-month basis at a cost-per-animal basis as done previously prior to the origination of this 28E Agreement.

Time Sensitivity: Contract is effective July 1, 2014.

Resolution Date: March 11, 2014

Estimated Presentation Time: NA

Budget Information: NA

RESOLUTION NO.

WHEREAS, Section 28E.12 of the Code of Iowa provides that public agencies may contract with one another to perform governmental services, activities or undertakings which any of the public agencies entering into the contract is authorized by law to perform; and

WHEREAS, the City of Cedar Rapids provides animal sheltering for the City of Cedar Rapids through its Animal Control Department; and

WHEREAS, pursuant to Section 28E.12 of the Code of Iowa, the City of Marion desires to extend their current 28E Agreement with the City of Cedar Rapids for its Animal Control Department to provide animal sheltering services for the City of Marion as provided herein, and

WHEREAS, this Agreement shall be effective July 1, 2014, after being approved and signed by the City Council of Cedar Rapids and the City Council of Marion, upon its filing with the Iowa Secretary of State as provided in Section 28E.8 of the Iowa Code (2010), as amended; and thereafter filed with the City of Cedar Rapids Finance Director; and shall be perpetual unless terminated in the manner provided in the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute an extension to said current 28E Agreement between the City of Cedar Rapids and the City of Marion to provide animal sheltering services for the City of Marion according to the terms and conditions of the 28E Agreement.

Passed this 11th day of March, 2014.

Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Cedar Rapids Police Department

Presenter at meeting: Sgt. Randall **Phone Number/Ext:** 5471
E-mail Address: d.randall@cedar-rapids.org

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

Description of Agenda Item:

Resolution authorizing the Police Department to purchase eight IDEAL T3 Pan Disruptors from IDEAL Supply, Inc. at a cost of \$50,100.60; and eight F6B Overhaul Kits from Remotec, Inc. at a cost of \$125,040; for a total cost of \$174,140.60; to be paid for with Homeland Security Grant funds.

Background:

The Police Department's Hazardous Device Unit is the sponsoring organization for the Iowa WMD Explosive Ordinance Disposal Task Force. The task force is staffed with 8 (eight) bomb squads that provide statewide explosive device response operations. The purchase of 8 (eight) IDEAL T3 Pan Disruptors and eight (8) F6B Overhaul Kits will provide one disruptor and one robot overhaul kit for each bomb squad. This equipment that will be purchased is compatible with the controlled detonation equipment and robots that the bomb squads currently use. The equipment will be paid for by Homeland Security Grant funds.

Action / Recommendation:

The Cedar Rapids Police Department recommends the City Council authorize approval to purchase the eight pan disruptors and eight F6B overhaul kits.

Alternative Recommendation:

If the disruptors and overhaul kits are not approved at this time, the Police Department has no other means of purchasing the equipment for the Iowa WMD Explosive Ordinance Disposal Task Force.

Time Sensitivity: N/A

Resolution Date: March 11, 2014

Estimated Presentation Time: 0

Budget Information (if applicable):

Cost of the T3 Pan Disruptors purchase is \$50,160 and cost of the F6B Overhaul Kits purchase is \$125,040; to be paid by Homeland Security Grant Funds, Account 556000-101-132204, Project # 132067.

Local Preference Policy: Applies ☐ Exempt x☒

Explanation: N/A

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

Explanation:

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RESOLUTION NO.

WHEREAS, the Police Department desires to purchase eight (8) IDEAL T3 Pan Disruptors from IDEAL Blasting Supply, PO Box 15397, Asheville, NC 28813-0397, for a cost of \$50,100.80, and

WHEREAS, the Police Department desires to purchase eight (8) F6B Overhaul Kits from Remotec, Inc., 363 J.D. Yarnell Pkwy, Clinton, TN 37716, for a cost of \$125,040,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Police Department is hereby authorized to purchase the above-described equipment for a total amount of \$175,140.80 to be paid for with Homeland Security Grant funds, Account #55600-101-132204, Project #132067,

Passed this 11th day of March, 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.sovers@cedar-rapids.org

Phone Number/Extension: 5547

Description of Agenda Item: ☐ Consent Agenda ☒ Regular Agenda ☐ Yes ☐ Map
REPORT ON BIDS:

Bids were received on February 26, 2014 for the US Highway 30/151 South to Ely Road (Along Cedar Trail) – Sanitary Sewer Improvements project (estimated cost is \$220,000). A report of bids received from the City officer conducting the bid opening is attached. CIP/DID #655149-04

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): CIP No. 655149 (\$308,835)

Local Preference Policy: Applies ☒ Exempt ☐

Explanation: State Code Section 26.9 allows contracts relating to public utilities or extensions or improvements thereof to be awarded by the city as it deems to be in the best interests of the city.

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



February 26, 2014

City Council
City of Cedar Rapids

RE: Report on bids as read for the US Highway 30/151 South to Ely Road (Along Cedar Trail) – Sanitary Sewer Improvements, Contract Number 655149-04

Dear City Council:

Bids were received on February 26, 2014 for the US Highway 30/151 South to Ely Road (Along Cedar Trail) – Sanitary Sewer Improvements project as follows:

Maxwell Construction, Inc., Iowa City, IA	\$169,501
Dave Schmitt Construction, Cedar Rapids, IA	\$174,000
Ken-Way Excavating Services, Inc., Walford, IA	\$177,130

The engineers cost opinion for this work is \$220,000. 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 purple ink that reads "Dave Wallace".

Dave Wallace, P.E.
Sewer Utility Engineering Mgr.

DDW/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, IA 52404-5836 • (319) 286-5802 • FAX (319) 286 5801





Council Agenda Cover Sheet 2nd and possible 3rd ORDINANCE READING and possible Resolution

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**
Second and possible third reading of an Ordinance vacating public ways and grounds in and to the property described as a 20-foot wide strip of excess alley right-of-way located between 222 and 230 10th Street NW as requested by Olivet Presbyterian Church.

Resolution authorizing the disposition of the property described as a 20-foot wide strip of excess alley right-of-way located between 222 and 230 10th Street NW as requested by Olivet Presbyterian Church. CIP/DID #41-13-027

Background:

A Public Hearing was held on February 25, 2014 in which no objections were heard.
February 25, 2014 - 1st reading of the Ordinance was held and passed.

Action / Recommendation:

March 11, 2014 - 2nd and possible 3rd reading of the Ordinance and would like to pass the resolution for the disposition of Plat of Survey No. 1853 Parcel A as requested by Olivet Presbyterian Church and accept an easement for access.

Time Sensitivity: Normal

Resolution Date: March 11, 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):

ORDINANCE NO. _____

**AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING PROPERTY
MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.**

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

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

A 20-foot wide strip of alley right-of-way located between 222 and 230 10th Street NW (also known as Plat of Survey No. 1853 Parcel A)

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 25th day of February, 2014.

Passed this 11th day of March, 2014.

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41-13-027

RESOLUTION NO.

WHEREAS, a notice has been given and a public hearing held as required by law, and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

A 20-foot wide strip of excess alley right-of-way located between 222 and 230 10th Street NW (also known as Plat of Survey No. 1853 Parcel A as shown in Book 8795, Page 580 and recorded on September 13, 2013 at the Office of the Linn County Recorder)

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

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Olivet Presbyterian Church, 237 10th Street NW, Cedar Rapids, Iowa 52405:

Plat of Survey No. 1853 Parcel A as shown in Book 8795, Page 580 and recorded on September 13, 2013 at the Office of the Linn County Recorder

2. The Council determines the fair consideration required for the aforescribed conveyance to be \$1,060, plus a standard 5% closing fee of \$53.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
 - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The City shall accept a Public Access Easement over a portion of the vacated right-of-way.

5. The grantee, Olivet Presbyterian Church, be required to submit a combined tax statement to the City Assessor's Office, since the square footage does not constitute a buildable lot area in and of itself.
6. The grantee, Olivet Presbyterian Church, shall pay the City Clerk all costs connected with this matter.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and accept the Public Access Easement, and that the same are hereby approved and accepted, and that they shall be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 11th day of March, 2014



Cadd File Name: W:\PROJECTS\Non-CIP\2013\4113027 Olivet Presbyterian Church - Alley\41-13-027 Council Map.dwg



ALLEY VACATION
PLAT OF SURVEY No. 1853





Council Agenda Item Cover Sheet

Council Meeting Date: March 11, 2014

Submitting Department: Community Development and Planning

Presenter at meeting: Seth Gunnerson

Phone Number/Ext: 319 286-5129

Email: s.gunnerson@cedar-rapids.org

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext: 319 286-5047

Email: j.pratt@cedar-rapids.org

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

Second and possible Third Reading amending Chapter 9 of the Municipal Code of the City of Cedar Rapids, Iowa; Streets, Alleys and Sidewalks, to update definitions for Sidewalk Cafes. CIP/DID #182569

Background:

The proposed ordinance updates the definition for a Sidewalk Café in Section 9.28 to specify that a café may be located on extensions of the sidewalk or other areas of the public right of way as deemed appropriate. The updated definition also clarifies that parklets and sidewalk cafes may be used by businesses other than restaurants, provided that the use meets the requirements of the Administrative Guide.

The recommendations for the Parklet Program in 2014 are covered in a separate resolution on the February 25, 2014 City Council Agenda. The resolution updates the Administrative Guide for Sidewalk Cafes to include standards for the parklet program.

Staff recommends adoption of the ordinance to ensure that definitions within the Municipal Code remain consistent with those in the Administrative Guide for Sidewalk Cafes.

Timeline:

Solicit applications for Parklets in 2014 to prepare for installation in early to mid-April.

Action / Recommendation:

City staff recommends approval of the Second and possible Third Reading

Alternative Recommendation:

City Council may table the resolution and request additional information

Time Sensitivity: N/A

Resolution Date: March 11, 2014

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): Recommendations made by Development Committee at its November 20, 2013 meeting

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 9 OF THE MUNICIPAL CODE OF
THE CITY OF CEDAR RAPIDS, IOWA, STREETS, ALLEYS AND SIDEWALKS,
PROVIDING FOR THE USE OF PUBLIC RIGHT OF WAY FOR SIDEWALK
CAFES

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

Section 1. Chapter 9 of the Municipal Code entitled, “Streets, Alleys and Sidewalks” is hereby amended by deleting Section 9.28 – Use for Sidewalk Cafes therefrom and enacting in lieu thereof a new Section 9.28 – Use for Sidewalk Cafes as follows:

9.28 USE FOR SIDEWALK CAFES.

(a) **Definitions.**

1. **Administrative Guide for Sidewalk Cafes.** Administrative Guide for Sidewalk Cafes means a guide adopted, and amended from time to time, by resolution of the City Council establishing rules and regulations relating to the application for a Sidewalk Café Lease Agreement, operation of a sidewalk café and a fee schedule.
2. **Parklet.** Parklet means a sidewalk café located on a temporary space constructed and installed by the City in the public right of way to provide food and beverages to the customers from the associated restaurant, as well as other amenities and public space for pedestrians. Parklets will be constructed and installed by the City as determined by the City Manager or designee using any combination of planters, barriers, removable platforms or other objects which serve to delineate a pedestrian space apart from the parking aisle and the street.
3. **Sidewalk.** Sidewalk means that portion of the street between the curb lines or the lateral lines of roadway and the adjacent property lines intended for use by pedestrians. As used in this section, sidewalk also means any parklet constructed and installed by the City.
4. **Sidewalk Café.** Sidewalk café means a designated area located within a sidewalk that is contiguous with any side of a property wherein a café or restaurant is located and where food and beverages from the associated

restaurant are served to patrons within the area. Other uses for a sidewalk café may be considered for approval provided that the request meets the provisions of the Administrative Guide for Sidewalk Café.

(b) **Lease Agreement Required.**

Use of a sidewalk for a sidewalk café is unlawful without a Sidewalk Café Lease Agreement. No person shall operate a sidewalk café without first obtaining a Sidewalk Café Lease Agreement and paying the fees therefor to the City.

(c) **Permitted Uses of Sidewalk Cafes.**

Sidewalk cafes will be permitted only in Commercial Zoning Districts, as identified in Chapter 32 of this Code. Sidewalk cafes shall be operated pursuant to the requirements and conditions, as specified in the Administrative Guide for Sidewalk Cafes and Sidewalk Café Lease Agreement.

(d) **Sidewalk Cafe Request for Lease Agreement.**

1. An applicant for a Sidewalk Café Lease Agreement shall submit a fully completed Sidewalk Cafe Request for Lease Agreement packet to the Public Works Department, Traffic Engineering Division on forms provided by the city and containing all pertinent information, as the city may require.
2. All requests shall be accompanied by a nonrefundable application fee as set forth in the Administrative Guide for Sidewalk Cafes.

(e) **Review and Approval Process.**

1. Sidewalk Cafe Requests for Lease Agreement shall be reviewed by the City Manager, or designee
2. Upon recommendation of approval by the City Manager, or designee, a Sidewalk Cafe Lease Agreement will be prepared, signed by the applicant and property owner, if a different person, and then forwarded to the City Manager for signature.

Section 2. 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 3. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 25th day of February, 2014.