

*“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, June 10, 2014 at 12:00 noon in the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence cell phones and pagers.*)

## **A G E N D A**

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations:
  - ❖ Proclamation – St. George Orthodox Christian Church centennial recognition (Nicolas Abou-Assaly)
  - ❖ Proclamation – Horizons Summer Meals Kick-off (Dianna Young, Dave Loy and Amanda Benedict)

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider a change of zone for property at 1023 and 1027 6<sup>th</sup> Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. (Joe Mailander).
  - a. First Reading: Ordinance granting a change of zone for property at 1023 and 1027 6<sup>th</sup> Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. CIP/DID #RZNE-008869-2014

2. A public hearing will be held to consider a change of zone for property at 1140 C Street SW and 1223 1<sup>st</sup> Street SW from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. and the City of Cedar Rapids (Joe Mailander).
  - a. First Reading: Ordinance granting a change of zone for property at 1140 C Street SW and 1223 1<sup>st</sup> Street SW from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. and the City of Cedar Rapids. CIP/DID #RZNE-008870-2014
3. A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee (Joe Mailander).
  - a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, to clarify the intent and implementation of the water connection fee. CIP/DID #OB1214393
4. A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee (Joe Mailander).
  - a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee. CIP/DID #OB1214394
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$330,000) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (**Paving for Progress**). CIP/DID #301998-06
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project (estimated cost is \$1,766,000) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project. CIP/DID #305121-02
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project (estimated cost is \$334,000) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project. CIP/DID #306204-02

8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project (estimated cost is \$1,428,000) **(Paving for Progress)** (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project. CIP/DID #3012081-02
9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project (estimated cost is \$133,000) (Doug Wilson).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017015-01
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project (estimated cost is \$690,000) (Rob Davis).
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project. CIP/DID #310333-10

### **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.**

11. Motion to approve minutes.

12. Motions setting public hearing dates for:

- a. June 24, 2014 – to consider a change of zone for property at 821 and 825 Shaver Road NE from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District as requested by Noleshawk Investments, LLC and the City of Cedar Rapids; CIP/DID #RZNE-009245-2014
- b. June 24, 2014 – to consider a change of zone for 12 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-2, Multiple Family Residence Zone District and C-2, Community Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by the City of Cedar Rapids; CIP/DID #RZNE-010381-2014
- c. June 24, 2014 – to consider the vacation of a 10-foot wide utility easement located at 4825 Johnson Avenue NW as requested by Hy-Vee, Inc.; CIP/DID #41-14-008
- d. June 24, 2014 – to consider the disposition of excess City-owned property acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of the Single Family New Construction Program (**FLOOD**); CIP/DID #OB540257
- e. June 24, 2014 – to consider the disposition of City-owned commercial property at 400 12<sup>th</sup> Avenue SE (former Iowa Iron Works site) and inviting redevelopment proposals (**FLOOD**); CIP/DID #OB675513
- f. June 24, 2014 – to consider the disposition of City-owned vacant property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW (commonly called Chipping Green site) and inviting redevelopment proposals (**FLOOD**); CIP/DID #OB1241850
- g. June 24, 2014 – to consider the disposition of City-owned commercial property at 1919, 1915, 1895 and 1871 Ellis Boulevard NW and inviting redevelopment proposals (**FLOOD**); CIP/DID #OB1241851

13. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716

- a. Bata's Restaurant, 1006 3<sup>rd</sup> Street SE;
- b. Benz Beverage Depot, 501 7<sup>th</sup> Avenue SE;
- c. Brewhemia (CSPS), 1101-1103 3<sup>rd</sup> Street SE (new – formerly Brewed Cafe at CSPS);
- d. Brewhemia (TCR), 102 3<sup>rd</sup> Street SE (formerly Brewed Cafe at TCR);
- e. Casey's General Store #2762, 20 Miller Avenue SW;
- f. Casey's General Store #2763, 641 Edgewood Road NW;
- g. Casey's General Store #2766, 380 33<sup>rd</sup> Avenue SW;
- h. Casey's General Store #2772, 3349 Mount Vernon Road SE;
- i. Casey's General Store #2773, 3625 Edgewood Road SW;
- j. Casey's General Store #2787, 1661 32<sup>nd</sup> Street NE;
- k. Casey's General Store #2850, 5655 C Street SW;
- l. Cedar Rapids Residence Inn, 1900 Dodge Road NE;
- m. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on July 18-20, 2014);
- n. Flamingo, 1211 Ellis Boulevard NW (outdoor service for an event on June 21-22, 2014);
- o. Hazzard County Saloon, 322 2<sup>nd</sup> Avenue SE (5-day permit for an event at Veterans Memorial Building, 50 2<sup>nd</sup> Avenue, Auditorium, on June 21, 2014);
- p. Juke Joint, 1736 16<sup>th</sup> Avenue SW (outdoor service for an event on June 14-16, 2014);
- q. Kazoku Asian Cuisine, 221 2<sup>nd</sup> Avenue SE (outdoor service for the sidewalk cafe);
- r. Lion Bridge Brewing Company, 59 16<sup>th</sup> Avenue SW (outdoor service for beer garden);
- s. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 4, 2014);
- t. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 10, 2014);
- u. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW;



- v. Pho Vietnamese Restaurant, 2315 Edgewood Road SW (new – formerly CiCi Pizza);
- w. Ruby's Pizzeria, 223 2<sup>nd</sup> Street SE (new – formerly Teeghan's Ice Bar);
- x. Rumors, 400 F Avenue NW (outdoor service for an event on June 27-29, 2014);
- y. Rumors, 400 F Avenue NW (outdoor service for an event on July 25-27, 2014);
- z. Rumors, 400 F Avenue NW (outdoor service for an event on July 11-13, 2014);
- aa. Tobacco Outlet Plus #520, 124 Collins Road NE;
- bb. Walgreens #03875, 2821 1<sup>st</sup> Avenue SE;
- cc. Walgreens #05042, 3325 16<sup>th</sup> Avenue SW;
- dd. Wal-Mart #2716, 3601 29<sup>th</sup> Avenue SW;
- ee. Williams Boulevard Amoco, 2601 Williams Boulevard SW (switching to class E liquor).

14. Resolutions (3) approving payment of bills and payroll. CIP/DID #OB1143566

15. Resolutions approving assessment actions:

- a. Intent to assess – Solid Waste & Recycling – clean-up costs – two properties; CIP/DID #OB1241410
- b. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 26 properties. CIP/DID #OB1241416

16. Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 3 to the Urban Renewal Plan for the Amended and Restated Southwest Urban Renewal Area. CIP/DID #OB669673

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

- a. Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, final payment in the amount of \$4,766.30 and 2-Year Performance Bond submitted by J Wood Sports Flooring, LLC (original contract amount was \$88,500; final contract amount is \$95,326) **(FLOOD)**; CIP/DID #VME001-06
- b. E Avenue NW-Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project, final payment in the amount of \$146,795.82 and 4-year Performance Bond submitted by Zinser Grading & Excavating, LLC (original contract amount was \$2,987,467.35; final contract amount is \$2,935,916.38); CIP/DID #304037-06
- c. Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project, final payment in the amount of \$164,958.19 and 4-year Performance Bond submitted by S.J. Louis Construction, Inc. (original contract amount was \$3,578,000; final contract amount is \$3,299,163.89); CIP/DID #655625-03
- d. 8<sup>th</sup> Street SE Rehabilitation from 1<sup>st</sup> Avenue E to 3<sup>rd</sup> Avenue SE, final payment in the amount of \$20,839.22 and 4-year Performance Bond submitted by L.L. Pelling Company, Inc. (original contract amount was \$377,390.75; final contract amount is \$416,784.49); CIP/DID #3012057-02
- e. 2012 Raising West Well Field Vertical Wells project, final retainage payment in the amount of \$12,982.01 and 2-Year Performance Bond submitted by the Northway Corporation (original contract amount was \$240,378; final contract amount is \$259,640.15) **(FLOOD)**. CIP/DID #3303200014-09

18. Resolutions authorizing execution of Development Agreements for properties participating in the third and fourth rounds of the Single Family New Construction Program **(FLOOD)**; CIP/DID #OB540257
  - a. AHNI Holdings for property at 1402 4<sup>th</sup> Avenue SE;
  - b. AHNI Holdings for property at 1447 4<sup>th</sup> Avenue SE;
  - c. AHNI Holdings for property at 1508 6<sup>th</sup> Avenue SE.
19. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program **(FLOOD)**; CIP/DID #OB540257
  - a. Premiere Developers, Inc. for property at 1019 11<sup>th</sup> St NW;
  - b. Thomas Dostal Developers, Inc. for property at 503 6<sup>th</sup> Avenue SW;
  - c. AHNI Holdings for property at 1419 5<sup>th</sup> Avenue SE.
20. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the fourth round of the Single Family New Construction Program **(FLOOD)**; CIP/DID #OB540257
  - a. S&J Homes, LLC for property at 613 A Avenue NW;
  - b. Cedar Ridge Homes, Inc. for property at 726 L Avenue NW;
  - c. Premiere Developers, Inc. for property at 709 3<sup>rd</sup> Avenue SW.
21. Resolution approving the final plat of Airport Commerce Park Tenth Addition, located at Capital Drive SW extension, west of Atlantic Drive SW. CIP/DID #FLPT-008827-2014
22. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00
23. Resolution establishing an easement for sanitary sewer service on City-owned property located at 1319 Ellis Boulevard NW in connection with the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project **(FLOOD)**; CIP/DID #SSD101-00
24. Resolution authorizing an extension of the Public Works Department Flood Recovery Construction Contract Specialist position until December 31, 2014. CIP/DID 49-14-006
25. 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
26. Resolution authorizing submittal of the amended Annual Urban Renewal Area Report to the Iowa Department of Management for the City's 16 Urban Renewal Areas. CIP/DID #OB163407
27. Resolution authorizing the final payment of the city share for the Cedar River Feasibility Study. CIP/DID #304290-00
28. Resolution approving reimbursement in the amount of \$10,147.29 to Turnberry 1, LLC for oversized water main installed in Ushers Ridge 8<sup>th</sup> Addition. CIP/DID #2010034-01
29. Resolution authorizing Venuworks to direct food and beverage sales at the Ice Arena per terms outlined in the Ice Arena Management Agreement. CIP/DID #OB563496

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

- a. Amendment No. 2 to the Professional Services Agreement with Brain Engineering, Inc. specifying an increased amount not to exceed \$49,600 for professional services in connection with the B Avenue NW Improvements from Highland Drive to 8<sup>th</sup> Street project (original contract amount was \$55,697; total contract amount with this amendment is \$105,297) **(Paving for Progress)**; CIP/DID #3012091-01
- b. Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. for professional services in connection with the 19<sup>th</sup> Street SE, Bever Avenue SE, and Garden Drive SE Improvements project (original contract amount was \$106,000; total contract amount with this amendment is \$200,764) **(Paving for Progress)**; CIP/DID #3012081-01
- c. Amendment No. 3 to renew Contract for Appraisal Services with Cook Appraisal LLC for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$50,000; renewal contract amount is \$50,000); CIP/DID #0610-290
- d. Amendment No. 3 to renew Contract for Appraisal Services with Commercial Appraisers of Iowa, Inc. for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$50,000; renewal contract amount is \$50,000); CIP/DID #0610-290
- e. Amendment No. 2 to renew Contract for Appraisal Review Services with Oakwood Appraisal Company for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000); CIP/DID #0510-276
- f. Amendment No. 2 to renew Contract for Appraisal Review Services with Hattery Real Estate Appraisals, LLC for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000); CIP/DID #0510-276
- g. Amendment No. 3 to renew Contract for Title Report Services with Iowa Title Services for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$15,000; renewal contract amount is \$50,000); CIP/DID #0610-295
- h. Amendment No. 1 to renew Agreement for the purchase of Residential Water Meters with Ferguson Waterworks for the Utilities Department for a total annual amount not to exceed \$225,000 (original contract amount was \$134,000; renewal contract amount is \$225,000); CIP/DID #0413-224
- i. Amendment No. 3 to renew Agreement for Commercial Water Meters & Accessories with Ferguson Waterworks for the Water Service Division for a total annual amount not to exceed \$200,000 (original contract amount was \$80,000; renewal contract amount is \$200,000); CIP/DID #0511-242
- j. Amendment No. 1 to add items to Agreement for Exterior Signage for City Services Center with Frankensigns LLC for a total additional amount of \$4,704 (original contract amount was \$22,853.43; total contract amount with this amendment is \$27,557.43); CIP/DID #0513-264-EXT
- k. Amendment of the contract between Iowa Economic Development Authority (IEDA), Raining Rose, Inc., and the City of Cedar Rapids to transfer investment tax credits over to research and development tax credits; CIP/DID #OB451419
- l. Amendment No. 1 to the Development Agreement with New Leaf Historic Properties for the redevelopment of property at 213 13<sup>th</sup> Avenue SE, authorizing a 120-day time extension for completion of construction; CIP/DID #OB811372

- m. Change Order No. 1 in the amount of \$31,968.10 with Ricklefs Excavating, Ltd. for the SW Quadrant Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,846,532.30) **(FLOOD)**; CIP/DID #SSD103-11
- n. Change Order No. 1 in the amount of \$96,000 with B. G. Brecke, Inc. for the Repair of Water Service Lines FY14 project (original contract amount was \$238,140; total contract amount with this amendment is \$336,140); CIP/DID #521108-14
- o. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$160,000 for the J Avenue Water Plant Generator Addition project; CIP/DID #6250016-01
- p. Professional Services Agreement with Hall & Hall Engineers for an amount not to exceed \$52,400 for design services in connection with the 2015 Sidewalk Infill project; CIP/DID #3012074-01
- q. Professional Services Agreement with Ament Design for an amount not to exceed \$60,610 for design services in connection with the Edgewood Road SW Roadway Rehabilitation Improvements from Johnson Avenue to E Avenue project **(Paving for Progress)**; CIP/DID #3012098-01
- r. Professional Services Agreement with Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$215,282 for design services in connection with the 7<sup>th</sup> and 8<sup>th</sup> Street SE Roadway Rehabilitation Improvements from A Avenue to 8<sup>th</sup> Avenue Approach project **(Paving for Progress)**; CIP/DID #3012111-01
- s. Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$179,975 for professional services in connection with the Northwood Drive NE Roadway Rehabilitation Improvements from Glass Road to 42<sup>nd</sup> Street project **(Paving for Progress)**; CIP/DID #3012115-01
- t. Easement for Storm Sewer and Temporary Grading Easement for Construction from the Cedar Rapids Country Club land located at 550 27<sup>th</sup> Street Drive SE in connection with the Valley Brook Drive SE Channel Restoration Improvements project; CIP/DID #304141-00
- u. Purchase Agreement in the amount of \$7,665 and accepting a Warranty Deed from Interstate Power and Light Company from vacant land located south of K Avenue NE, west of Prairie Drive NE in connection with Northeast Side School Routes Sidewalk Improvements project; CIP/DID #325012-00
- v. Purchase Agreement in the amount of \$184,900 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Rockwell Collins, Inc. for land located at 350 and 400 Collins Road NE in connection with the C Avenue NE from Collins Road to Blairs Ferry Road Pavement Widening project; CIP/DID #301612
- w. Agreement for Primary Highway Improvement project for reimbursement of eligible project costs in the amount of \$973,834 with the Iowa Department of Transportation (IDOT) in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project; CIP/DID #301446-00
- x. Awarding and approving contract in the amount of \$2,123,449.02 plus incentive up to \$136,500, bond and insurance of Rathje Construction Company for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project (estimated cost is \$2,275,000); CIP/DID #301240-04
- y. Fleet Services Division purchase of equipment from E.H. Wachs to upfit two Utilities Department – Water Distribution Division service trucks, in the amount of \$35,330; CIP/DID #OB1241536
- z. Contract for Motor Repair Services with Janda Motor Services for various City departments for a total annual amount not to exceed \$100,000; CIP/DID #0414-175

- aa. Agreement for purchase of Trimble Survey Equipment for the Public Works Department with Precision Midwest LLC for an amount not to exceed \$42,644; CIP/DID #0513-183
- bb. Doubletree Management Services, LLC to execute an Agreement extension of five years with Audio Visual Services Group, Inc. to provide Audio Visual Services, High Speed Internet Access/Rigging Services/Power Supply Setup services in connection with the Cedar Rapids Convention Complex Hotel project; CIP/DID #OB1241837
- cc. Agreement for Televising of Sanitary Service Lines for the Engineering Division with Mi-Tech Services, Inc. for a total annual amount not to exceed \$75,000; CIP/DID #0514-188
- dd. Rescinding Resolution No. 0527-04-14, which authorized the previous Agreement with Larry's Landscape, for Mowing Services for Public Works Maintenance with Quality Care for an annual amount not to exceed \$30,000; CIP/DID #0114-114R
- ee. Contract for Financial Advisor Services with Public Financial Management, Inc. for the Finance Department – Treasury Operations for an estimated three year contract in the amount of \$508,590; CIP/DID #0314-157
- ff. Contract for Public Works Operations Performance Review project with Matrix Consulting Group, Ltd for the Human Resources Department for an amount not to exceed \$49,900; CIP/DID #0214-137
- gg. Transit Department purchase of eight passenger shelters from Creative Outdoor Advertising for a cost of \$60,000; CIP/DID #1110-101
- hh. 28E Agreement with the College Community School District establishing a School Resource Officer Program for the term of July 1, 2014 through June 30, 2016; CIP/DID #OB641224
- ii. 28E Agreement with the Cedar Rapids Community School District to renew the School Resource Officer Program for the term of July 1, 2014 through June 30, 2016; CIP/DID #OB641224
- jj. Reimbursement of \$15,800 to Wex, Inc. for sanitary sewer lift station engineering and design costs in connection with the Wexford Heights First Addition; CIP/DID #OB655990
- kk. Payment for an amount not to exceed \$80,000 to be made to Cedar Rapids Metro Economic Alliance for professional services work related to the Medical SSMID; CIP/DID #OB720222
- ll. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for Skogman Construction of Iowa for construction of ten new single-family homes within the Cedar Rapids EZ-2 Enterprise Zone; CIP/DID #OB763745
- mm. Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority for 3<sup>rd</sup> Ward Development, LLC for construction of five new single-family row houses within the Cedar Rapids EZ-2 Enterprise Zone; CIP/DID #OB1241909
- nn. Special Warranty Deed with Rowell Hardware Development, LLC conveying City-owned property at 120 3<sup>rd</sup> Avenue SW acquired through the Voluntary Property Acquisition Program (**FLOOD**); CIP/DID #OB803706
- oo. Amending the Cedar Rapids Business Assistance Revolving Loan Fund to correct eligibility options for funding. CIP/DID #OB1002098
- pp. Payment to Interstate Power and Light Company in the amount of \$28,610.40 for electric utility relocation adjacent to the Cedar Rapids Central Fire Station project site. CIP/DID #61-12-042

## **REGULAR AGENDA**

31. Report on bids for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (estimated cost is \$470,000) (Doug Wilson).
  - a. Resolution awarding and approving contract in the amount of \$682,034.30 plus incentive up to \$21,800, bond and insurance of L.L. Pelling Company, Inc. for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project. CIP/DID #3012085-02
32. Report on bids for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner).
  - a. Resolution awarding and approving contract in the amount of \$348,924.00, bond and insurance of Ricklefs Excavating Ltd., Anamosa, IA for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project. CIP/DID #625542-2014058-02
33. Report on bids for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner). CIP/DID #2011061-02
34. Discussion and Resolution authorizing execution of an Agreement for Private Redevelopment and Special Warranty Deed with Cedar Real Estate Group III, LLC for construction of corporate headquarters at 1<sup>st</sup> Street SE between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SE (former 1<sup>st</sup> Street Parkade). CIP/DID #OB838345

## **ORDINANCES**

### **(Third Reading)**

35. Ordinance amending Chapter 72 of the Municipal Code, Storm Water Management Ordinance, increasing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions. CIP/DID #43-10-007

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

36. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets SW. CIP/DID #OB959319
37. Ordinance granting a change of zone for property at 1408 4<sup>th</sup> Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-008539-2014

38. Ordinance granting a change of zone for properties at 1008, 1012, 1018 and 1024 2<sup>nd</sup> Street SE, 208 11<sup>th</sup> Avenue SE; 1009, 1013, 1019 and 1021 3<sup>rd</sup> Street SE from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3<sup>rd</sup> Ward Development, LLC and the City of Cedar Rapids. CIP/DID #RZNE-008553-2014
39. Ordinance amending the Municipal Code of the City of Cedar Rapids, Iowa, by: repealing sections 6.05 and 6.14 of the Cedar Rapids Municipal Code concerning City Administration; adopting a new section 6.05 of the Cedar Rapids Municipal Code concerning City Administration; repealing sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations; and adopting new sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations. CIP/DID #OB1187380

### **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:

**The City Council will recess and reconvene in the Chambers Conference Room, and may meet in closed session to discuss strategy with legal counsel in a matter where litigation is pending because its disclosure would likely prejudice or disadvantage the position of the City Council in that litigation. Closed session is authorized by Iowa Code Sections 21.5(1)(c) (2012).**

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

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





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

**Alternate Contact Person:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

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

A public hearing will be held to consider a change of zone for property at 1023 and 1027 6<sup>th</sup> Street SE from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. CIP/DID #RZNE-008869-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on May 8, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The proposed Oakhill Villages is an infill redevelopment of property located at 1023 and 1027 6<sup>th</sup> Street SE. This area was impacted by the 2008 floods and is being redeveloped through the ROOTS program.

Total land area:	11,200 SF
Total Dwelling Units:	4 Single Family Condos
Total Building Coverage:	4,102 SF
Parking Area:	8 Stalls, 3,283 SF
Open Space:	3,815 SF (36%)

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

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on May 8, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were objectors and this is a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance will be held on June 10, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> </ul>

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li></ul> |
|--|---|

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

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

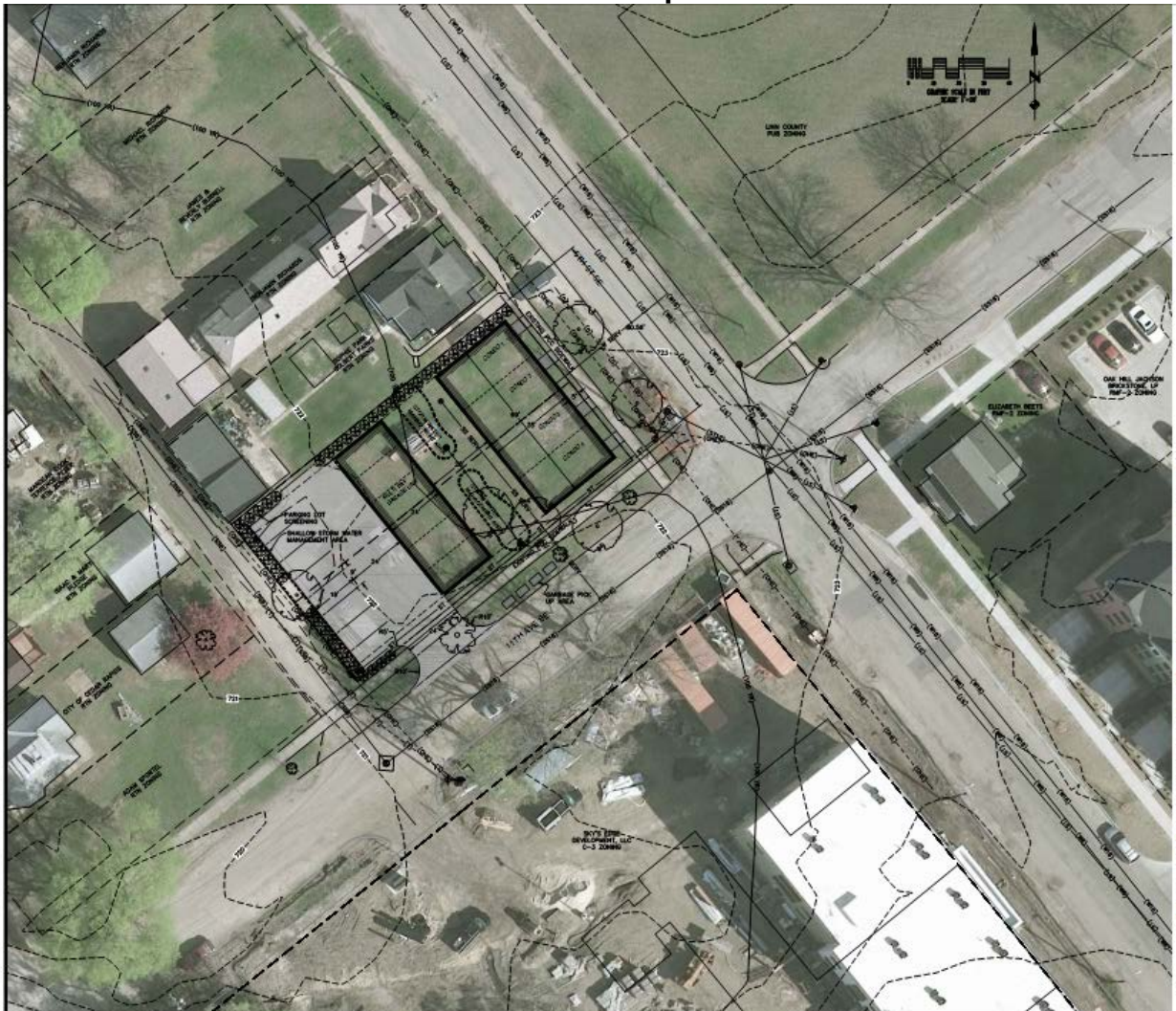
**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

**Explanation (if necessary):**

**Location Map**





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, May 8, 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  
                               Richard Pankey  
                               Allan Thoms  
                               Virginia Wilts

Member Absent:     Kim King

DSD Staff:             Joe Mailander, Manager  
                               Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff:               Seth Gunnerson, Planner  
                               Jeff Hintz, Planner  
                               Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the April 17, 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.

***Case Name: 1023 and 1027 6<sup>th</sup> Street SE (Rezoning)***

Consideration of a Rezoning from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. (Applicant/Titleholder)

***Case No: RZNE-008869-2014; Case Manager: Vern Zakostelecky***

Mr. Mailander stated this project was called Oak Hill Villages, a development of 4 townhomes along 6<sup>th</sup> Street SE. The developer is Sky's Edge Development and is currently zoned R-TN to be rezoned to a PUD-2. Mr. Mailander showed the site development plan, location/zoning map

and renderings of the project. A Home Owners Association (HOA) will be established to manage the townhome property. This rezoning will go to City Council for a motion to set the public hearing on May 27, 2014 with the public hearing to be held on June 10, 2014.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Thoms asked if this was in the 100 year flood plain and will the project maintain a low finish elevation? Mr. Mailander stated that yes; the lowest opening in the building will be 2 feet above the base flood plain elevation.

Commissioner Thoms asked if there are parking spaces in the rear of the property. Do you include that area in your open space (green space of 3800 square feet)? Mr. Mailander stated no, the open space is yard located around and between the buildings.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers, 1860 Boyson Road, Hiawatha, IA stated he would be happy to answer any questions regarding the site or engineering the Commission had of him or the developer.

Commissioner Overland called for questions of the applicant.

Commissioner Wilts stated that in the narrative said that residential development will be in the character of the surrounding community, however, the renderings shown look pretty stark compared to the surrounding community. Mr. Mailander stated that to the south this looked similar to others in the Oak Hill Jackson community.

Commissioner Overland asked if this was what the garages will look like. Mr. Jackman stated yes.

Commissioner Overland stated that looking at the narrative, exceeding the City standard was attractive and he thought this looked like an attractive development and thanked the developer.

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

Commissioner Overland called for a motion to approve the rezoning. Commissioner Halverson made a motion to approve the Rezoning from R-TN, Traditional Neighborhood Residence Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Wilts seconded the motion.

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

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

The meeting was adjourned at 4:00 pm

Respectfully Submitted, Betty Sheets, Administrative Assistant, Community Development

ORDINANCE NO.

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

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

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

The NW-ly 20 feet of Lot 6, and the SE-ly 20 feet of Lot 7, Block 18, Carpenter's  
Third Addition to the Town of Cedar Rapids, Linn County, Iowa

And

The SE-ly 40 feet of Lot 6, Block 18, Carpenter's Third Addition to the Town of  
Cedar Rapids, Linn County, Iowa

and located at 1023 and 1027 6th Street SE, now zoned R-TN, Traditional Neighborhood  
Residence Zone District, and as shown on the "District Map," be rezoned and changed to PUD-  
2, Planed Unit Development Two Zone District, and that the property be used for such purposes  
as outlined in the PUD-2, Planed Unit Development Two Zone District, as defined in Chapter 32  
of the Municipal Code of Cedar Rapids, Iowa.

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

1. This site shall be developed in compliance with the provisions of the Flood Plain  
Management Ordinance.
2. Review of this proposal is required by the Czech Bohemia Overlay District Design  
Review Technical Advisory Committee.
3. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
4. Effective screening shall be provided and maintained so as to screen more than 4 open  
parking spaces and the drive thereto where adjacent to a residential use.
5. All lighting shall be of a type, design and placement, and also be shielded in a manner to  
minimize impact on residential properties or uses adjacent to or immediately across the  
street.
6. Only tenants of the lot's principal structure shall utilize the proposed garage.

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

Introduced this 10<sup>th</sup> day of June, 2014.





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

**Alternate Contact Person:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

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

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

A public hearing will be held to consider a change of zone for property at 1140 C Street SW and 1223 1<sup>st</sup> Street SW from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C. and City of Cedar Rapids. CIP/DID #RZNE-008870-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on May 8, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The proposed development will consist of 7 detached single-family homes occupying one lot and sold as condominiums. The proposed homes will range in size from 1,186 SF to 1,212 SF and will be made available as part of the City's ROOTS project for reinvesting in areas impacted by the 2008 Flood.

Total land area:	25,142 SF
Total Dwelling Units:	7 Single-Family Detached Homes
Total Building Coverage:	10,230 SF
Parking Area:	16 Stalls, 3,283 SF
Open Space:	11,200 SF (44%)

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

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"><li>City staff reviewed the application and recommended revisions, which were made.</li></ul>
City Planning Commission review	<ul style="list-style-type: none"><li>The City Planning Commission reviewed the application on May 8, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li><li>There were objectors and this is a flood related item.</li></ul>
City Council consideration	<ul style="list-style-type: none"><li>A Public Hearing and First Reading of the Ordinance will be held on June 10, 2014 to allow for public input.</li><li>Two additional readings of the Ordinance by City Council are required by</li></ul>





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, May 8, 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  
                               Richard Pankey  
                               Allan Thoms  
                               Virginia Wilts

Member Absent:       Kim King

DSD Staff:             Joe Mailander, Manager  
                               Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff:               Seth Gunnerson, Planner  
                               Jeff Hintz, Planner  
                               Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the April 17, 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.

***Case Name: 1140 C Street SW and 1223 1<sup>st</sup> Street SW (Rezoning)***

Consideration of a Rezoning from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Sky's Edge Development, L.C.

***Case No: RZNE-008870-2014; Case Manager: Vern Zakostelecky***

Mr. Mailander stated this project is called Sedona Villages and the developer is Sky's Edge Development. It is located off of C Street SW and includes 7 single-family detached homes. Mr. Mailander showed an aerial photo, location/zoning map and preliminary site plan with



renderings of the project. PUD rezoning is also requested for this project in the Kingston Village area. This project is owner-occupied with an HOA for common area maintenance.

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Knox-Seymour asked if this was an affordable housing project. Mr. Mailander stated that this is part of the City's ROOTs program and considered work-force housing with income limits.

Commissioner Overland called for a representative of the applicant.

Brent Jackman, Hall & Hall Engineers stated he would be happy to answer any questions.

Commissioner Wilts stated she preferred these renderings.

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

Wes Pudil, 1207 1<sup>st</sup> Street SW asked what they would do for parking.

Mr. Jackman stated that required parking based on occupant load was 13 spaces. Six (6) available spaces on street parking and ten (10) garages onsite would give them 16 available parking when only 13 were required.

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Thoms made a motion to approve the Rezoning from O-S, Office/Service Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Knox-Seymour seconded the motion.

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

The meeting was adjourned at 4:00 pm

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

ORDINANCE NO.

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

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

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

Lots 1, 2 and 3, Block 3, John M. Mays Second Addition to West Cedar Rapids to  
wit: West Cedar Rapids by the Act of the Fifth General Assembly of the State of  
Iowa, Approved January 25, 1855, except the Public Highway

and located at 1140 C Street SW and 1223 1st Street SW, now zoned O-S, Office/Service Zone  
District, and as shown on the "District Map," be rezoned and changed to PUD-2, Planed Unit  
Development Two Zone District, and that the property be used for such purposes as outlined in  
the PUD-2, Planed Unit Development Two Zone District, as defined in Chapter 32 of the  
Municipal Code of Cedar Rapids, Iowa.

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

1. Lighting fixtures shall be shielded in a manner that shall not direct illumination on  
adjacent residential properties, or on any public right-of-way as per Subsection  
32.05.030.B. of the Zoning Ordinance.
2. Landscaping and buffering/screening shall be provided per the Zoning Ordinance,  
Subsection 32.05.030.A.
3. Design guidelines and standards as specified in Subsection 32.05.030.C. shall be met or  
a modification must be granted by City Council.
4. Sites will need to comply with off-street parking requirement per Chapter 32, Subsection  
32.05.020.A.

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

Introduced this                      day of                      , 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services Department

**Presenter at meeting:** Joseph Mailander

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

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

**Alternate Contact Person:** Dave Wallace

**Phone Number/Ext:** 319 286-5814

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

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

A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service to clarify the intent and implementation of the water connection fee. CIP/DID #OB1214393

**Background:**

City staff has been working with local developers and property owners to revise the current utility connection fee process in order to standardize implementation and make the fee equitable for all users. This proposal has been reviewed through the Greater Cedar Rapids Area Home Builders Association and the City Infrastructure Committee.

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may deny the motion and return the ordinance revision to the Infrastructure Committee for further review.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):** n/a

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

**Explanation:**

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

**Explanation (if necessary):** Recommended by the City's Infrastructure Committee

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 12 OF THE MUNICIPAL CODE  
OF THE CITY OF CEDAR RAPIDS, IOWA, WATER SERVICE, WATER  
SERVICE CONNECTIONS

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

Section 1. Chapter 12 of the Municipal Code entitled, "Water Service" is hereby amended by deleting Section 12.05 – Water Service Connections therefrom and enacting in lieu thereof a new Section 12.05 – Water Service Connections as follows:

12.05 WATER SERVICE CONNECTIONS.

- (a) Applications. Applications for water service connection(s) shall be made with the Utilities Department-Water Division by the owner or agent of the property to be served. Such application shall state the street address of the premises to be served, the size of pipe required and the approximate location where such service will enter the premises. If an application is approved, all taps or connections to the water mains will then be made by the Utilities Department-Water Division and provided to the plumber or pipe layer engaged by the applicant. The costs for taps and meters will be charged for at the rates established in Section 12.26 for tapping, meter and service charges. No taps or connections to the water mains shall be made by anyone except the authorized employees of the Utilities Department-Water Division.
- (b) Water Connection Fee. The Water Connection Fee is intended to recoup a portion of the value of the existing rate payers' investment in the water supply source that makes possible the availability of water to a property. This is investment represented by the existing water supply infrastructure of well fields, water treatment plants, storage facilities, and transmission system. The Water Connection Fee described below does not include tapping costs or meter charges described elsewhere in this ordinance. The fee described below does not include the cost of water main extended by the City to serve properties not currently served.
  - 1) For those properties where adjacent water mains have previously been constructed at no expense to the owners of these properties, and where neither a property assessment for water service nor a connection fee has previously been paid as set forth in paragraph 12.05(b)2 below, the following Connection Fee shall apply:
  - 2) The charge for all other uses shall be the product of eight-hundred dollars (\$800) per acre of land to be served by the water system connection, provided the minimum charge shall be eight-hundred dollars (\$800).

- 3) The area of the property used in the calculation shall be the area of the property outside the public right of way.
  - 4) Payment shall be made prior to the start of construction. Payment of this fee shall be made to the City of Cedar Rapids at the time service is requested. The connection shall not be made until the payment has been made to the City of Cedar Rapids.
  - 5) Costs in addition to the connection fee may be owed to the City for water main extended past a property but not currently connected to the water system. See section 12.05 (d) below for discussion of other costs that may be owed for water main extended by the City in areas not previously served, and that will apply to properties in areas from which costs for water main extensions are to be recovered by the City.
  - 6) In areas of the City where a private developer is connecting to an existing public water main and extending public water main to serve property through the Subdivision Ordinance process, no connection fee will be charged to the developer except as provided in paragraph 12.05(d) below.
- (c) Private Developer Installed Water Main. Developers shall pay the total cost of engineering and construction of water mains from the existing main to their point of connection and sufficiently beyond to allow for future extensions without disruption of service. This shall include all costs of acquiring easements or licenses. Plans for water main extensions must be approved by authorized representatives of the City.
- 1) Water mains must be sized to meet requirements for domestic plus fire flow water demands and in accordance with the Cedar Rapids Metropolitan Area Design Standards. The City may require the design and construction of water mains with the ability to service lands other than the immediately adjoining land, and may require installation of water mains sized larger than the minimum required to provide domestic and fire flow needs for the development. In this circumstance, the City shall reimburse the developer for the incremental difference in material cost above that of the cost for water main materials needed to provide domestic and fire flow needs. The City will not reimburse the developer for water mains above 8-inch if larger diameter water main is needed to provide domestic plus fire flow water demands in the development.
  - 2) Only mains sized larger than an 8-inch main may be considered eligible for reimbursement purposes. The reimbursement will be based on the difference in pipe and fitting costs only, and no allowance will be made for the difference in installation costs. The most current Water Division purchase price list will be used in the determination of the incremental cost payment. The need for the upsizing, the size of pipe to be installed, and the cost the City will reimburse shall be documented in the Development Agreement between the City and the developer.
  - 3) The minimum pipe size required shall be 8-inch water main, with larger main diameter being considered the minimum if needed to provide domestic and fire flow requirements. 6-inch main may be used for short dead-end mains serving fire hydrants if adequate fire flows are provided, and with the approval of the Utilities Department – Water Division.
  - 4) In areas where water main may be extended by a developer past properties owned by others outside of the final plat so as to serve the area of the final plat, such extension shall be at no expense to the City. The City shall not be obligated to collect any portion of this cost for reimbursement to the developer. Existing agreements to reimburse related to projects that pre-date the enactment of this ordinance update will be honored until their expiration date.
- (d) Water Main Extended by the City to Areas Not Previously Served. Water main may be extended by the City to serve areas not previously served if the water main

extension is consistent with City Council policy, and if agreed to by the City. The cost of water main extensions to the land owners shall be called an Extension Fee and is separate from the Connection Fee described above. Costs to be recovered by the City may be recorded in an Extension of Service Area Agreement or other Agreement. A Water and Sewer Extension Area defining the properties served may be established by ordinance. Any previous written arrangements or contracts for water main extensions that pre-date this ordinance update shall remain in effect until expired.

- (e) Repair and Installations. The city may make repairs and installations at any time deemed necessary by appropriate officials of the Utilities Department-Water Division and charge the owner of the property served for their work at prices and terms to be established from time to time by the Council. When no prices have been established, charges shall be made at the actual cost of labor, material and overhead.
- (f) Installment Payments. Owners with an existing single family residence on the property to be served may elect to pay water main connection charges, service line repair charges, or service line installation charges due to the Utilities Department in monthly installments over a period of 5 years (60 months). The monthly installment shall include interest at the rate of 7 percent per annum on the unpaid balance. The right of the account holder to receive water service is for only as long as the installments are kept current. Installments are due 21 days after the date of the bill and are considered delinquent if not paid on or before the due date. Failure to pay delinquent installment(s) may result in the water service termination (shutoff) for this property. A notice of delinquency will be mailed no less than 7 days prior to the termination (shutoff). When termination (shutoff) occurs, service will not be turned on again until installments and all other charges due for services to the account holder including delinquency penalties and charges for turning water on/off have been paid. In addition, the city may impose a lien upon the property served for any and all delinquent and other municipal utility charges in accordance with Section 384.84 of the Iowa Code.
- (g) Notice. A notice of delinquency shall be mailed to the account holder no less than 7 calendar days prior to shutoff. The notice will inform the account holder of the nature of the delinquency and provide an opportunity for a hearing prior to discontinuation of service. The account holder may call or appear at the Utilities Department-Water Division business office before a designated staff person to resolve the matter prior to the discontinuation date on the notice of delinquency. The hearing may be continued by the designated staff person to attempt to resolve the matter, and if so continued, the service will not be shut off until the account holder is informed the hearing is terminated without satisfactory resolution.

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 10th day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services Department

**Presenter at meeting:** Joseph Mailander

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

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

**Alternate Contact Person:** Dave Wallace

**Phone Number/Ext:** 319 286-5814

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

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

A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, to clarify the intent and implementation of the sanitary sewer connection fee. CID/DID #OB1214394

**Background:**

City staff has been working with local developers and property owners to revise the current utility connection fee process in order to standardize implementation and make the fee equitable for all users. This proposal has been reviewed through the Greater Cedar Rapids Area Home Builders Association and the City Infrastructure Committee.

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may deny the motion and return the ordinance revision to the Infrastructure Committee for further review.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 5 minutes

**Budget Information (if applicable):** n/a

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

**Explanation:**

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

**Explanation (if necessary):** Recommended by the City's Infrastructure Committee

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 13 OF THE MUNICIPAL CODE  
OF THE CITY OF CEDAR RAPIDS, IOWA, WASTEWATER FACILITIES,  
SEWER USE REQUIREMENTS

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

Section 1. Chapter 13 of the Municipal Code entitled, "Wastewater Facilities" is hereby amended by deleting Section 13.04 (c) – Sewer Connection Charge therefrom and enacting in lieu thereof a new Section 13.04 (c) – Sewer Connection Charge as follows:

13.04 SEWER USE REQUIREMENTS.

(c) Sewer Connection Charge.

A sanitary sewer connection charge will be due in areas of the City where sanitary sewer was previously constructed by the City at no expense to the abutting property owners. Applications for sanitary sewer connections shall be made with the Public Works Engineering Division by the owner or agent of the property to be served. Such application shall state the street address to be served, the size of pipe required and approximate location where the proposed service line will enter the building. If an application is approved, all connections to the sanitary sewer main will be made in the presence of Public Works Construction Engineering Staff. The applicant shall pay to the City Treasurer a sewer connection charge as described below prior to issuance of a sewer permit.

1. Connection charge for a one-family or two-family residence, regardless of area of the lot or tract upon which the dwelling is located shall be two thousand dollars (\$2,000).
2. Connection charge for all other uses shall be the product of one thousand dollars (\$1,000) per acre of land to be served by the sewer connection, with a minimum charge of two thousand dollars (\$2,000).
3. The City Engineer or his approved representative is authorized and directed to determine the acreage of land to be served. In areas of the City where a private developer is connecting to an existing sewer and extending public sewer to serve property through the Subdivision Ordinance process, no connection charge will be due, except as provided in Section 4 below.
4. Sanitary sewer may be extended by the City to serve areas not previously served if the sewer extension is consistent with City Council policy, and if agreed to by the City. The cost of sanitary sewer extensions to the land owners shall be



called an Extension Charge and is separate from the Connection Charge described above. Costs to be recovered by the City may be recorded in an Extension of Service Area Agreement or other Agreement, and a Water and Sewer Extension Area defining the properties served may be established by ordinance. Any previous written arrangements or contracts for sanitary sewer extensions that pre-date this ordinance update shall remain in effect until expired.

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 10th day of June, 2014.



## **Council Agenda Cover Sheet**

### **Public Hearing and Resolution**

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5814

**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 ☒ Map

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (estimated cost is \$330,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (**Paving for Progress**). CIP/DID #301998-06

#### **Background:**

This is the third 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 per year, 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 summer of 2014 and be completed within 45 working days.

#### **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:**

If the resolution is not adopted, the project would be delayed or could be cancelled and funds reassigned to another project.

**Time Sensitivity:** Must be acted upon June 10, 2014 to maintain the project schedule ahead of the June 18, 2014 bid opening.

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 301998, Streets LOST 7970

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

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

**Explanation (if necessary):** Program objectives reviewed with the Infrastructure Committee

RESOLUTION NO.

WHEREAS, on May 27, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the FY 2015 Curb Repair Project – Contract 1 project (Contract No. 301998-06) 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 10th day of June, 2014.



## **Council Agenda Cover Sheet**

### **Public Hearing and Resolution**

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project (estimated cost is \$1,766,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Bridge Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project. CIP/DID #305121-02

#### **Background:**

The Corridor Metropolitan Planning Organization (CMPO) has approved \$834,000 of federal aid funding for this project, and the City Council approved Agreement No. 6-13-STPU-27, Federal-Aid Agreement for a Surface Transportation Program Project, for this project on December 17, 2013.

This project proposes to construct a Shared Use Path on the east side of Edgewood Road SW from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW (IDOT No. STP-U-1187(775)—70-57). This improvement is the last phase of the multi-phase Edgewood Road SW improvements from Highway 30 to 60<sup>th</sup> Avenue SW, and provides an extension of the existing Shared Use Path that currently stops at Prairie Valley Court SW. The improvements include a bridge over Highway 30, an underpass structure for the westbound Highway 30 off ramp, and using the existing undercrossing of the eastbound Highway 30 on ramp.

Bid opening is scheduled for June 17, 2014 at the Iowa Department of Transportation, and subject to receipt of acceptable bids, construction is scheduled to start in July 2014 and to be completed in late spring 2015.

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

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

**Alternative to the Recommendation:** The Council could abandon the project and cancel the agreement with the Iowa DOT. This action would be inconsistent with the complete streets goal of the City Council.

**Time Sensitivity:** Must be acted upon June 10, 2014 to maintain the project schedule, and which must occur ahead of the project's June 17, 2014 bid opening.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 3 Minute(s)

**Budget Information (if applicable):**

CIP No. 3012001 (streets/sidewalks):	\$968,000
CIP No. 305121 (bridges):	<u>\$974,600</u>
Total Construction Budget	\$1,942,600

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

**Explanation:** Project funding is through the federal-aid Surface Transportation Program (STP)

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

**Explanation** (if necessary): Project updates provided to the Council Infrastructure Committee

RESOLUTION NO.

WHEREAS, on May 27, 2014 there was filed in the office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Edgewood Road Pedestrian Overpass Bridge and Shared Use Path from Prairie Valley Court SW to 37<sup>th</sup> Avenue SW project (Contract No. 305121-02) (IDOT No. STP-U-1187(775)—70-57) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no 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 improvements be and the same are hereby adopted.

Passed this 10th day of June, 2014.





Cadd File Name: W:\PROJECTS\CI\306\306121\306121\_Council Map.dwg





## **Council Agenda Item Cover Sheet**

### **PUBLIC HEARING AND RESOLUTION**

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

A public hearing will be held to consider the proposed plans, specifications, form of contract, and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project (estimated cost is \$334,000). CIP/DID #306204-02

Resolution adopting plans, specifications, form of contract, and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project. CIP/DID #306204-02

#### **Background:**

Resolution No. 1336-11-10, dated November 10, 2010, approved Agreement No. 2010-TS-012 in the amount of \$85,000 for Traffic Safety Improvement Program (TSIP) funding for upgrading of the traffic signals at the 29<sup>th</sup> Street and Oakland Road NE intersection. Resolution No. 0956-07-11, dated July 26, 2011, approved Agreement No. 2012-TS-021 in the amount of \$112,000 for Traffic Safety Improvement Program (TSIP) funding for installation of traffic signals at the 29<sup>th</sup> Street and Prairie Drive NE.

Project improvements at the 29<sup>th</sup> Street and Oakland Road NE intersection include upgrading of the traffic signal indications from post-mounted to overhead-mounted signals, upgrading of vehicle actuation, installation of pedestrian countdown signal indications for all directions, pedestrian push buttons, and extending the sidewalk from the southwest corner to the northeast corner of the intersection.

Project improvements at the 29<sup>th</sup> Street and Prairie Drive NE intersection include installation of a new fully-actuated traffic signal, pedestrian countdown indications, pedestrian push buttons, and underground fiber-optic interconnect to the 29<sup>th</sup> Street and Oakland Road NE intersection. Pedestrian sidewalk ramps are under contract with the Prairie Drive NE from 29<sup>th</sup> Street to Franklin Avenue Sidewalk project (Contract No. 301385-01).

#### **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 Recommendation:** Repackage bid documents to provide different improvements as directed by Council. The Iowa DOT has provided grant extensions for the TSIP grants for the project, and is requiring project letting by August 2014. Selection of the Alternative Recommendation may endanger retaining the TSIP grants for the proposed improvements.

**Time Sensitivity:** Critical to utilize approved TSIP grant funding.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 3 Minute(s)

**Budget Information (if applicable):**

CIP No. 3012071(sidewalk)-	\$ 13,640
CIP No. 306204 (signals) -	\$146,300
CIP No. 306255 (signals) -	\$193,160
CIP No. 625884-2014014(water) -	\$ 14,410
Total Construction Budget	\$367,510

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

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

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

**Explanation** (if necessary):

RESOLUTION NO.

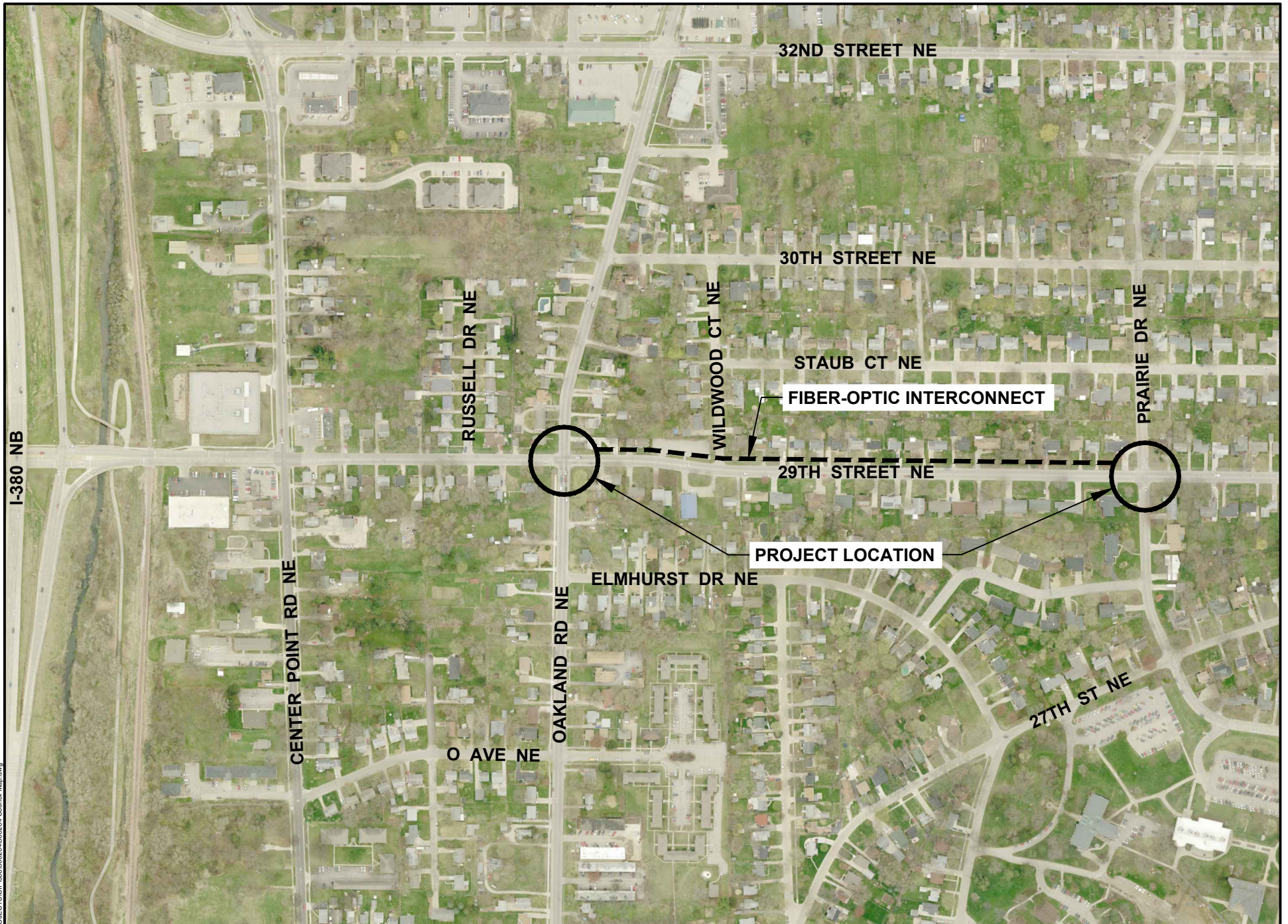
WHEREAS, on May 27, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 29<sup>th</sup> Street NE from Oakland Road NE to Prairie Drive NE Traffic Signal Improvements project (Contract No. 306204-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

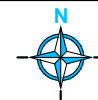
WHEREAS, no comments or objections to the plans, specifications, form of contract and estimated cost have been heard, now therefore

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 10th day of June, 2014.



**29TH STREET NE FROM OAKLAND ROAD NE TO PRAIRIE DRIVE NE  
TRAFFIC SIGNAL IMPROVEMENT PROJECT**







## Council Agenda Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

A public hearing will be held on June 10, 2014 to consider the proposed plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project (estimated cost is \$1,428,000) **(Paving for Progress)**. (Doug Wilson, P.E.)

Resolution adopting plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, and Garden Drive SE Pavement Rehabilitation Improvements project. CIP/DID #3012081-02

**Background: (previous council history, brief description, purpose, construction schedule – what, why, when, project construction costs)**

Bever Avenue SE between 14<sup>th</sup> Street SE and 19<sup>th</sup> Street SE, Bever Avenue SE between 22<sup>nd</sup> Street SE and Memorial Drive SE, 19<sup>th</sup> Street SE between 5<sup>th</sup> Avenue SE and Bever Avenue SE, and Garden Drive SE between Washington Avenue and Grande Avenue SE are all in need of rehabilitation in order to extend the service life of the pavement. This project will include concrete patching, curb and gutter replacement, asphalt surface rehabilitation, storm sewer intake replacement, as well as improvements to handicap ramps in the project limits to meet current accessibility requirements. Construction schedule is roughly August 1, 2014 thru November 7, 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, abandon, repackage into phases)

**Time Sensitivity:** Must be acted upon June 10, 2014 to maintain the project schedule, and which must occur ahead of the project's June 18, 2014 bid opening.

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** CIP No.(s) (unless unusual circumstances)

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on May 27, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 19<sup>th</sup> Street SE, Bever Avenue SE, And Garden Drive SE Pavement Rehabilitation Improvements project (Contract No. 3012081-02) for the City of Cedar Rapids, Iowa, and

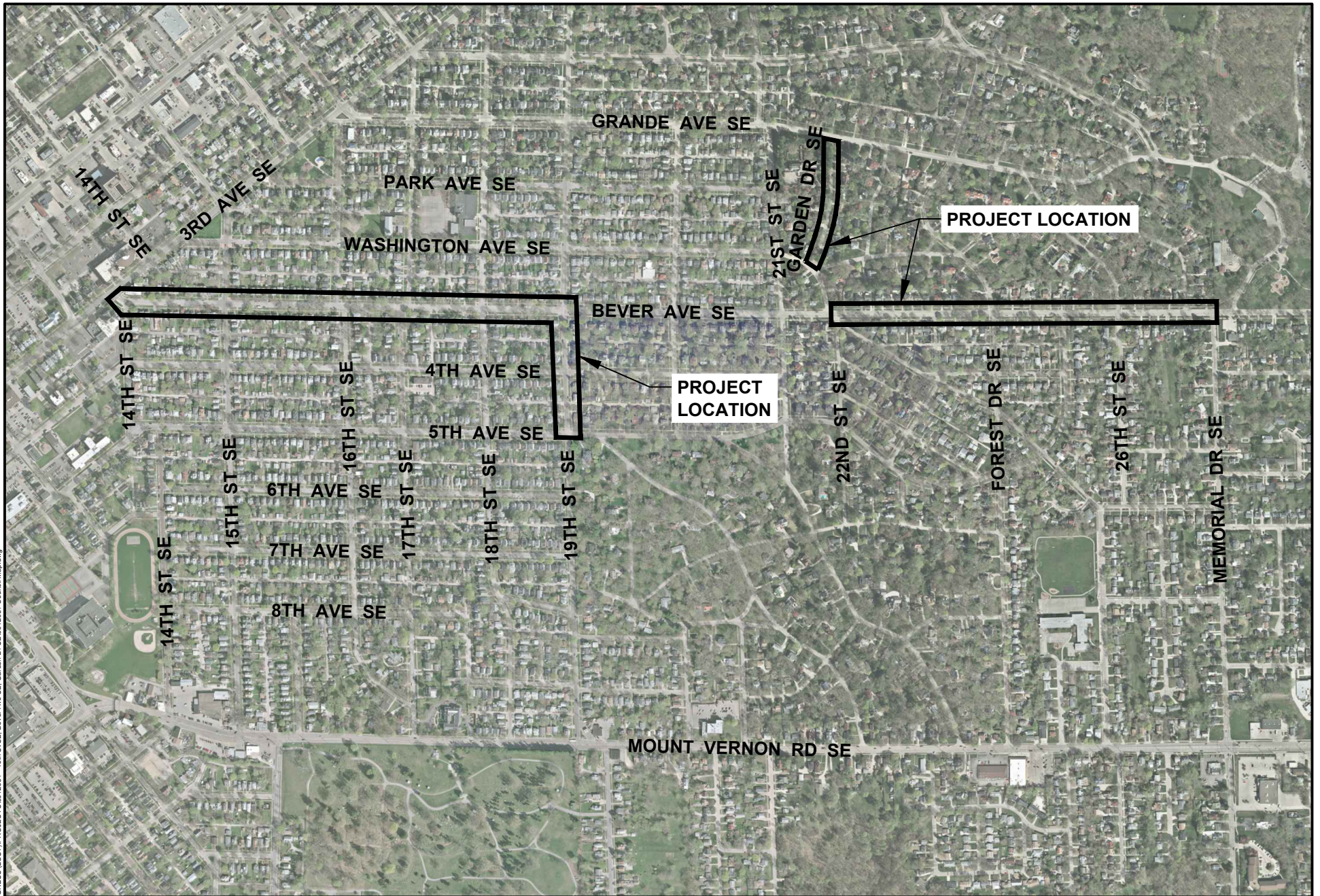
WHEREAS, a public hearing was held, and

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 10th day of June, 2014.





**BEVER AVENUE SE FROM MEMORIAL DRIVE TO 22ND STREET  
AND FROM 19TH STREET TO 14TH STREET,  
19TH STREET FROM 5TH AVENUE TO BEVER AVENUE AND  
GARDEN DRIVE SE FROM WASHINGTON AVENUE TO GRANDE AVENUE  
IMPROVEMENTS PROJECT**







## Council Agenda Cover Sheet Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5896

**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 FY 2015 Sidewalk and Ramp Repair Program - Contract No.1 project (estimated cost is \$133,000).

Resolution adopting plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program - Contract No. 1 project. CIP/DID #3017015-01

**Background:** The approved FY 2015 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 \$250,000. This project is titled "FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1." Subject to receipt of acceptable bids, construction is scheduled to begin in the summer of 2014 and be completed within 48 working days.

**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:** If the resolution is not approved, work would be deferred and considered as part of a future sidewalk repair program.

**Time Sensitivity:** Must be acted upon June 10, 2014 to maintain the project schedule, and which must occur ahead of the project's June 11, 2014 bid opening.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 10 Minute(s)

**Budget Information (if applicable):** 3017015

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on May 27, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project (Contract No. 3017015-01) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

Passed this 10th day of June, 2014.





## Council Agenda Cover Sheet

### Public Hearing and Resolution

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5808

**Alternate Contact Person:** Captain Bernard Walther  
**E-mail Address:** b.walther@cedar-rapids.org

**Phone Number/Extension:** 5470

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

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project (estimated cost for the base bid is \$690,000).

Resolution adopting plans, specifications, form of contract and estimated cost for Cedar Rapids Police Department Firearms Range Improvements – Phase I project. CIP/DID #310333-10

**Background:** Improvements include regarded range berms, new bullet traps and concrete sidewalls. Alternates include acoustic panels, a new observation tower, site lighting and fencing improvements. Numerous other agencies have provided funds to allow for these improvements, as stakeholders in the improved facility. The general purpose of the improvements is to enhance the safety and capacity of the range. Construction will begin late summer 2014 and end in the spring of 2015. However milestones have been incorporated into the project schedule to allow limited use of the range throughout the winter months.

**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:** Repackage the phases of the project when additional funds become available.

**Time Sensitivity:** Must be acted upon June 10, 2014 to maintain the project schedule, and which must occur ahead of the project's June 18, 2014 bid opening.

**Resolution Date:** June 10, 2014

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

**Resolution Date Adopting Plans and Specs:** June 10<sup>th</sup>, 2014

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

**Budget Information (if applicable):** CIP# 310333, with supplementary funding from FBI, University of Iowa, Johnson County SO, Coralville PD, Iowa City PD, North Liberty PD and the CRPD Asset Forfeiture fund.

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

**Explanation:** Capital Improvement Project

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

RESOLUTION NO.

WHEREAS, on May 27, 2014 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Cedar Rapids Police Department Firearms Range Improvements – Phase I project (Contract No. 310333-10) 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 10th day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

**Presenter at meeting:** Joe Mailander  
**Email:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

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

**Alternate Contact Person:** Vern Zakostelecky  
**Email:** [v.zakostelecky@cedar-rapids.org](mailto: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 June 24, 2014 to consider a change of zone for property at 821 and 825 Shaver Road NE from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District as requested by Noleshawk Investments, LLC and City of Cedar Rapids. RZNE-009245-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on May 29, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The applicant is applying for a Rezoning to allow for construction of addition parking for an existing restaurant at 827 Shaver Road NE and to also allow expansion of the outdoor service area. The applicant has also submitted for Conditional Use approval to allow the expansion of the outdoor area for patrons to eat and have Outdoor Service Area. The goal of the restaurant owner would be to cater to bicyclists who use the Cedar Lake Trail. It should be noted that the applicant is purchasing the property from the City of Cedar Rapids and there is a restriction on the two parcels that no permanent structure can be constructed due to the parcels being in the 100-year flood plain.

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

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on May 29, 2014 and recommended approval a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance will be held on June 24, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

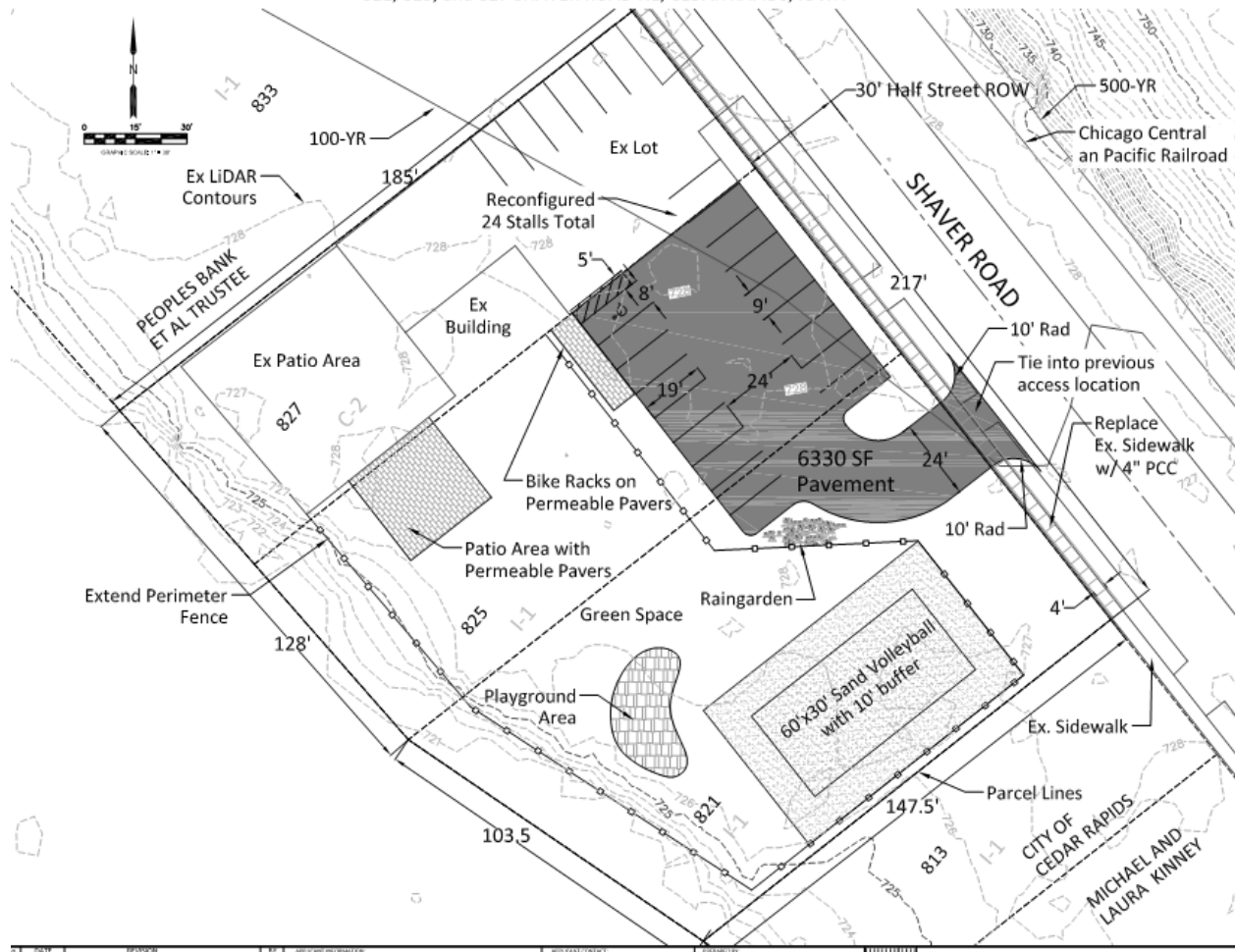
**Recommended by Council Committee** Yes ☐ No ☐ N/A ☒

**Explanation (if necessary):**

**Location Map**

## REZONING WITH PRELIMINARY SITE PLAN AND CONDITIONAL USE FOR OUTDOOR SERVICE AREA- SAG WAGON

821, 825, and 827 SHAVER ROAD NE, CEDAR RAPIDS, IOWA



**MINUTES**  
**CITY PLANNING COMMISSION REGULAR MEETING,**  
**Thursday, May 29, 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  
Richard Pankey  
Allan Thoms  
Kim King

Member Absent: Virginia Wilts

DSD Staff: Joe Mailander, Manager  
Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff: Seth Gunnerson, Planner  
Jeff Hintz, Planner  
Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the May 8, 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: 821 and 825 Shaver Road NE (Rezoning)***

Consideration of a Rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District as requested by Noleshawk Investments LLC (Applicant) and City of Cedar Rapids (Titleholder)

***Case No: RZNE-009245-2014; Case Manager: Vern Zakostelecky***

Mr. Mailander said that as stated this was both a Rezoning and Conditional Use request for property at 821 and 825 Shaver Road NE. Mr. Mailander showed a Zoning Location Map. Current use is a Sag Wagon Restaurant. The Rezoning is currently I-1, Light Industrial Zone

District and an Outdoor Service Area is not allowed in an I-1 Zone District so the request is to rezone to commercial and then asking for a Conditional Use for an Outdoor Service Area. The property is currently being purchased from the City of Cedar Rapids. There will be no permanent structures, they have adequate parking and seating for 20 people. They will expand the existing parking lot and add a sand volley ball court, green space and bike racks

Commissioner Overland called for questions of Mr. Mailander.

Commissioner Halverson asked if there was not going to be a permanent structure being built on the property. Mr. Mailander stated that was correct.

Commissioner Overland called for a representative of the applicant.

Marty Hoeger, Neighborhood Development Corporation, 225 2<sup>nd</sup> Street SE stated he would be happy to answer any questions.

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked if most of the customer drive their cars or bike to this facility. Mr. Hoeger said that there is a mix of both car and bicycle traffic, thus the reason they are extending the parking lot and there are 105 bicycle racks that are full on the weekend and an additional 50 racks will be added. The parking lot is being extended to give a better flow of traffic.

Commissioner Dahlby stated that the city has parking requirements and in this case if the applicant was adding the parking because they had to or because it was needed. Mr. Hoeger stated that because of the site they added the additional parking to avoid requesting variance.

Commissioner Knox-Seymour asked why Conditional No. 5 stated that the outdoor service area is to be inspected by the Police Department. Mr. Mailander stated that this was a standard condition for outdoor service areas so that the height of the fence is adequate so drinks are not passed outside the area.

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

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Halverson made a motion to approve the rezoning from I-1, Light Industrial Zone District to C-2, Community Commercial Zone District. Commissioner Dahlby seconded the motion.

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

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

## **2. Case Name: 821 and 825 Shaver Road NE (Conditional Use)**

Consideration of a Conditional Use for an Outdoor Service Area in a C-2, Community Commercial Zone District as requested by Noleshawk Investments LLC (Applicant) and City of Cedar Rapids (Titleholder)

***Case No: COND-009248-2014; Case Manager: David Houg***

Commissioner Overland called for a motion to approve the Conditional Use. Commissioner Pankey made a motion to approve the Conditional Use for an Outdoor Service Area in a C-2, Community Commercial Zone District. Commissioner Knox-Seymour seconded the motion.

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

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

The meeting was adjourned at 4:19 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Motion setting a public hearing for June 24, 2014 to consider a change of zone for 12 City-owned properties for the Single Family New Construction Program from R-3, Single Family Residence Zone District, RMF-2, Multiple Family Residence Zone District and C-2, Community Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by The City of Cedar Rapids. CIP/DID #RZNE-010381-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on May 29, 2014 and the Commission recommended approval unanimously on a 6 to 0 vote.

This is the eighth round of City owned properties brought before the City Planning Commission for rezoning. These properties are being requested for rezoning to R-TN, Traditional Neighborhood Residence Zone District, in order to remove technical barriers to redevelopment. The properties are at 1024 K Avenue NW, 926 N Street SW, 930 N Street SW, 430 9th Avenue SW, 1069 G Avenue NW, 508 9th Street SW, 507 7th Avenue SW, 453 9th Avenue SW, 609 3rd Avenue SW, 948 N Street SW, 709 3rd Street SW and 820 F Avenue NW.

It is anticipated that these properties will be developed as part of the City's ROOTs Program. The Administrative Plan directed by City Council limited the program to infill within the Neighborhood Revitalization Area., the area outside the Construction/Study Area and Greenway as well as the 100-year floodplain. In addition, the City would utilize lots that are being acquired through the Voluntary Acquisition Program and provide those to developers at no cost and in exchange for consideration of the reinvestment of new housing.

### **Rezoning:**

The 11 properties being brought forward by a City-initiated rezoning are in areas of residential redevelopment identified through the Neighborhood Planning Process. These properties are zoned R-3, RMF-2 and C-2. As is the case with nearly all of the lots, the current zoning classification is not an appropriate match for the size and square footage of the lots making them legal non-conforming lots. The rezoning to the R-TN Zoning District will allow new housing to blend into the neighborhood context in terms of meeting setbacks of the neighborhood. In addition, it is important that there are no issues, such as the need for variances in current zoning or

being legal non-conforming lots, which might create financing issues with lenders, future buyers or with homeowners insurance. The rezoning of the lots were established prior to the City's adoption of the R-TN Zoning District, which was used in the Oakhill/Jackson Neighborhood as part of the City's Housing and Neighborhood Development (HAND) Program. In mimicking the results that were achieved through the HAND Project, staff is initiating rezoning on all City-owned lots to the R-TN Zoning District prior to deeding of the properties to the identified developers for in-fill construction of new flood replacement housing. The attached map provided an overview of where the properties are located that are proposed for rezoning.

**Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on May 29, 2014 and recommended approval on a 6 to 0 vote. A portion of the minutes are included as Attachment A.</li> <li>There were no objectors and this is not a flood related item.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing and First Reading of the Ordinance are scheduled for June 24, 2014 to allow for public input.</li> <li>Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li> <li>Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li> </ul>

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Estimated Presentation Time:** 0 minutes

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

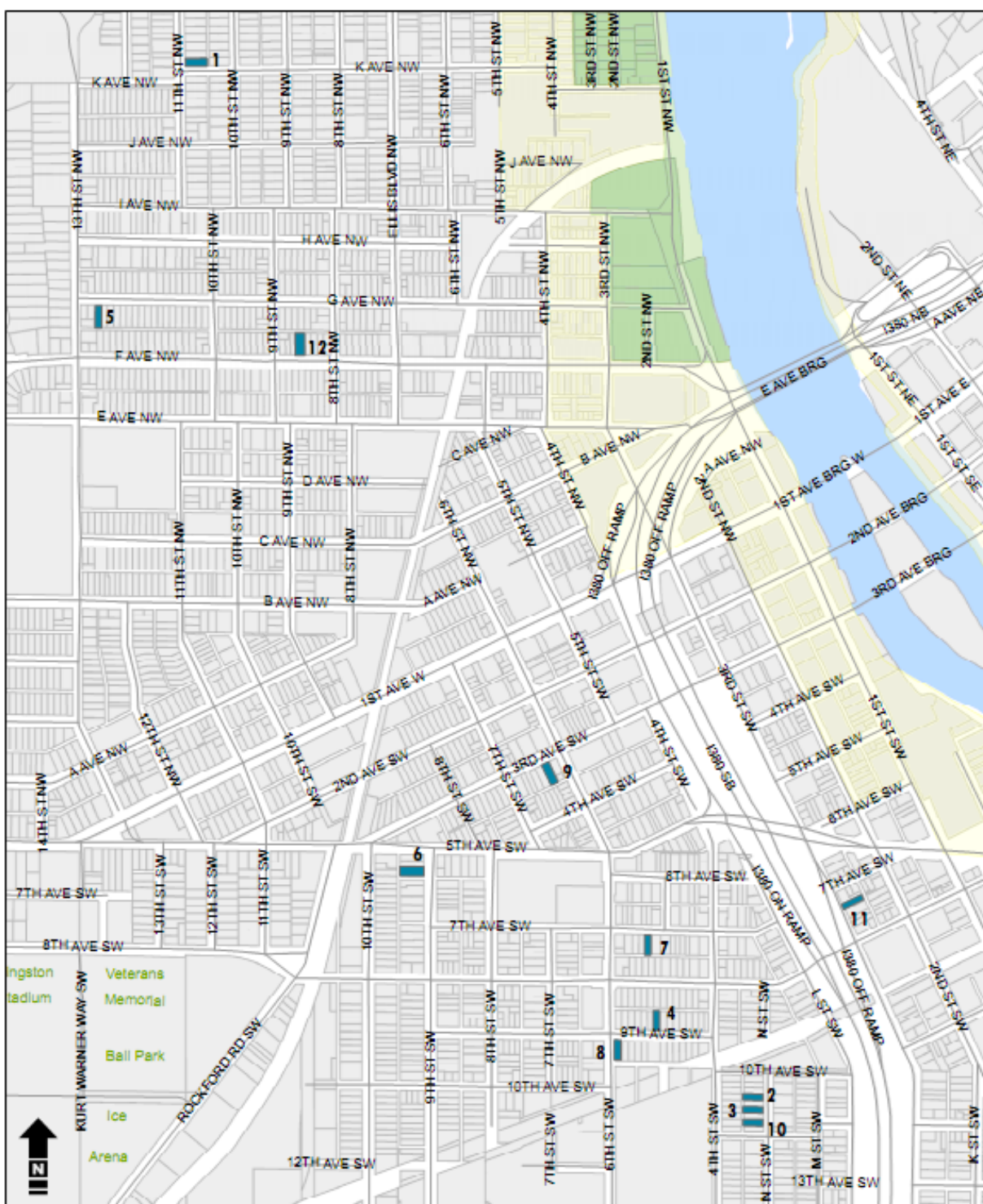
**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation:**

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

**Explanation (if necessary):**

## Location Maps



## SFNC Round 4 - Rezoning

 Parcels to be Rezoned
  Construction/Study Area
  Greenway

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



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

**MINUTES**  
**CITY PLANNING COMMISSION REGULAR MEETING,**  
**Thursday, May 29, 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  
                               Richard Pankey  
                               Allan Thoms  
                               Kim King

Member Absent:     Virginia Wilts

DSD Staff:             Joe Mailander, Manager  
                               Dave Houg, Plats & Zoning Conditions Coordinator  
CD Staff:                Seth Gunnerson, Planner  
                               Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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 May 8, 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.

**Case Name: City ROOTs Lots (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District, RMF-2, Multiple Family Residence Zone District and C-2, Community Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District for properties at 1024 K Avenue NW, 926 N Street SW, 930 N Street SW, 430 9th Avenue SW, 1069 G Avenue NW, 508 9th Street SW, 507 7th Avenue SW, 453 9th Avenue SW, 609 3rd Avenue SW, 948 N Street SW and 709 3rd Street SW as requested by the City of Cedar Rapids

**Case No: RZNE-010381-2014; Case Manager: Joe Mailander**

Mr. Mailander stated this is another round of rezoning's that are part of the City's ROOTs program. The R-TN allows for narrower lots. The 11 City-owned lots will be given to developers at no charge and then sold to a homeowner who qualifies.

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

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 and C-2, Community Commercial Zone District to R-TN, Traditional Neighborhood Residence Zone District for properties at 1024 K Avenue NW, 926 N Street SW, 930 N Street SW, 430 9th Avenue SW, 1069 G Avenue NW, 508 9th Street SW, 507 7th Avenue SW, 453 9th Avenue SW, 609 3rd Avenue SW, 948 N Street SW and 709 3rd Street SW. Commissioner Pankey seconded the motion.

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

The meeting was adjourned at 4:19 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development



## **Council Agenda Item Cover Sheet**

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

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen  
**E-mail Address:** r.rasmussen@cedar-rapids.org

**Phone Number/Extension:** 5807

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

**Phone Number/Extension:** 5092

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

Motion to set a public hearing for June 24, 2014 to consider the vacation of a 10-foot wide utility easement located at 4825 Johnson Avenue NW as requested by Hy-Vee, Inc. CIP/DID #41-14-008

**Background:**

Hy-Vee is requesting this vacation in order to accommodate the expansion of their building at this location. The only existing utility in this easement is a gas line, which will be relocated as part of Hy-Vee's expansion project.

**Action / Recommendation:**

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

**Alternative to the Recommendation:**

If the Council does not vote to vacate this easement, Hy-Vee will be required to revise their site plan for this location.

**Time Sensitivity:** Normal

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

Public Hearing – June 24, 2014

If no objections, recommend passing the resolution on same date as public hearing – June 24, 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):





4825 JOHNSON AVENUE NW  
UTILITY EASEMENT VACATION



0 FEET 100





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud  
**Email:** [a.lerud@cedar-rapids.org](mailto:a.lerud@cedar-rapids.org)

**Phone Number/Ext:** (319) 286-5817

**Alternate Contact Person:** Paula Mitchell  
**Email:** [p.mitchell@cedar-rapids.org](mailto:p.mitchell@cedar-rapids.org)

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

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

Motion setting a public hearing for June 24, 2014 to consider the disposition of excess City-owned property acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of Single Family New Construction Program (**FLOOD**). CIP/DID #540257

### **Background:**

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

430 9 <sup>th</sup> Avenue SW	926 N Street SW
930 N Street SW	948 N Street SW
378 8 <sup>th</sup> Avenue SW	619 9 <sup>th</sup> Avenue SW
621 9 <sup>th</sup> Avenue SW	1069 G Avenue NW
709 3 <sup>rd</sup> Street SW	709 G Avenue NW
708 G Avenue NW	453 9 <sup>th</sup> Avenue SW
507 7 <sup>th</sup> Avenue SW	508 9 <sup>th</sup> Street SW
1420 N Street SW	609 3 <sup>rd</sup> Avenue SW
1100 K Street SW	1104 K Street SW
1116 K Street SW	1016 2 <sup>nd</sup> Street SW
1016 K Street SW	435 8 <sup>th</sup> Avenue SW
1033 10 <sup>th</sup> Street NW	190 14 <sup>th</sup> Avenue SW
624 9 <sup>th</sup> Avenue SW	629 8 <sup>th</sup> Avenue SW

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

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites” either owned by the City or being acquired through the Voluntary Property Acquisition program. A team of City staff, Home Builders Association members, and Neighborhood Planning Process Steering Committee evaluated these proposals based on: financial and performance capacity, experience with projects of similar scope, architectural design, compatibility with the existing neighborhood, green building practices, and site marketing plan. A total of 103 properties were identified by 26 developers for the program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

Future City Council action related to these properties will include development agreements for each property/developer pairing as well as the conveyance of the property to the developer.

**Action / Recommendation:**

City staff recommends setting the public hearing.

**Alternative Recommendation:**

City Council may table the resolution and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Estimated Presentation Time:** NA

**Budget Information (if applicable):** NA – Federal Funds

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Motion setting a public hearing for June 24, 2014 to consider the disposition of City-owned commercial property at 400 12th Avenue SE (former Iowa Iron Works site) and inviting redevelopment proposals (**FLOOD**). CIP/DID #OB675513

### **Background:**

The Development Committee is recommending to initiate the Request for Proposal (RFP) process for City owned property at 400 12<sup>th</sup> Avenue SE, commonly called the Iowa Iron Works site, less an approximately 58,200 square foot portion of the site on the SW corner being leased to the NewBo Market for parking shown on the attached Location Map. The City has received formal interest in redeveloping the site.

The City acquired the property in 2001 following the participation in a Brownfields Pilot Initiative in 1998 providing funds for environmental due-dilligence to be performed on the site. The site was encolled in the State of Iowa's Land Recycling Program throught the Department of Natural Resources (DNR) to remediate contaminates identified on the site. A Letter of No Further Action was received from the DNR on May 23, 2011 certifying the remediation of site contaminates, and allowing the property to be available for redevelopment.

A portion of the site, approximately 58,200, is being leased to the NewBo Market for parking. The Market has the option to purchase the property beginning January 2016. The Market has indicated to staff a willingness to work with interested proposers on identifying a masterplan for the entire site with the possibility of parking to be integrated into a development plan. Proposers will work with the Market directly to negotiate a mutually beneficial solution for both parties and incoroporate into the redevelopment proposal.

Because of the size of the site and location of the property within the emerging New Bohemia district, the RFP will emphasize to proposers to identify the master plan for the entire site, phasing development as necessary. Proposals are also required to address the following criteria:

1. Demonstrated capacity and experience of the development team;
2. Master plan development which identifies redevelopment and use of the entire site;
3. Marketing Feasibility

- a. Marketing plan including citations of current market conditions;
  - b. Identified tenants (as applicable)
4. Financial feasibility
  - a. Financial capacity of the developer/owner;
  - b. Documentation from a lending institution of their understanding of the project and partnership in the project;
  - c. Sources and uses of funds and pro forma for on-going leasing of residential/commercial space
5. Economic impact
  - a. Estimated jobs created/retained
  - b. Total estimated project investment
  - c. Post-Development property valuation
6. Community Benefits including amenities or services provided in the project
7. Projects shall be consistent with City Council objectives and Czech Bohemia Overlay District guidelines including:
  - a. Quality exterior materials and architectural design that enhances the historic character of the neighborhood
  - b. Building setbacks that address street frontages, with parking to the rear of the site or buildings
  - c. Sustainable site and building design features
  - d. Plan to address on-site parking, as well as shared parking arrangements
  - e. Provides a mix of uses, including market rate housing options
  - f. Encourages walkability with connections within the development and to the neighborhood
  - g. Promotes social interaction with green space and public gathering areas
8. Timeline for development, including any phasing of development built-out
9. Offer Price

The following is the timeline for the next steps:

June 10	Motion Setting a Public Hearing
June 24	Public Hearing
June 27	Informational Meeting
September 5	Proposal Deadline
September 9	Stakeholder panel review of proposals
September 23	City Council consideration of preferred Developer (Resolution to pursue a Development Agreement)

**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:** N/A



Budget Information (if applicable): N/A

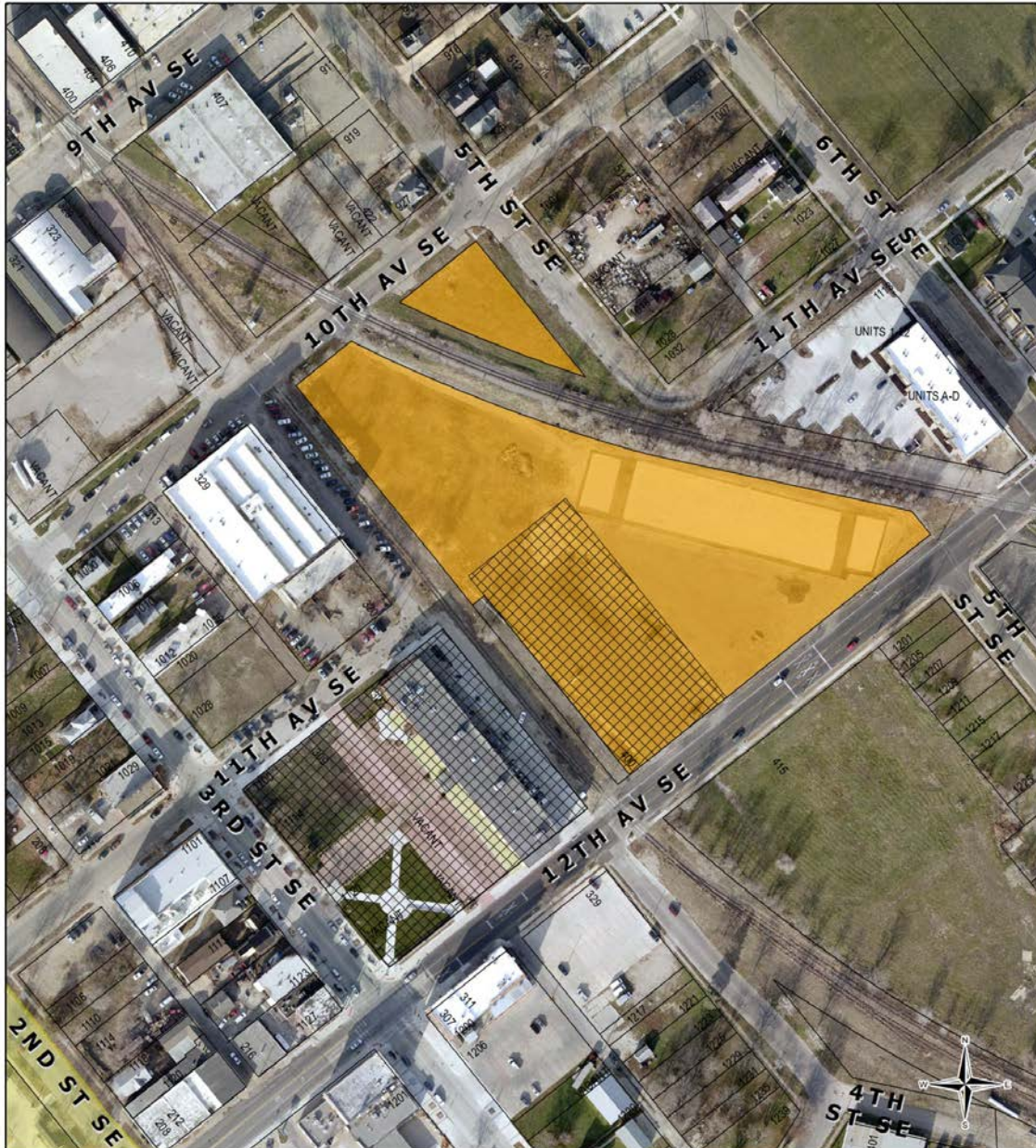
Local Preference Policy Applies ☐ Exempt ☒

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



Explanation (if necessary):

On May 21, 2014 the Development Committee reviewed the request to initiate the disposition process and recommends moving forward with requesting proposals for the site.

### Location Map



#### Iowa Iron Works Site 400 12th Avenue SE

-  Iowa Iron Works Site - 400 12th Ave SE
-  NewBo Market - lease to purchase



City of Cedar Rapids  
Community Development and Planning  
101 First Street SE  
Cedar Rapids, Iowa 52401  
(319) 286-5041  
[www.CityofCR.com](http://www.CityofCR.com)



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Motion setting a public hearing for June 24, 2014 to consider the disposition of City-owned vacant property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW (commonly called the Chipping Green site) and inviting redevelopment proposals (**FLOOD**). NEW

### **Background:**

The Development Committee is recommending to initiate the Request for Proposal (RFP) process for City-owned property at the corner of Zika Avenue NW and 16<sup>th</sup> Street NW, commonly called the Chipping Green site. The City has received formal interest in redeveloping the site.

The site is situated between the Ellis Golf Course and Ellis Park. Currently the property is not used for organized recreational activity. Formerly the property was used as a chipping green as part of the Ellis Golf Course, however, the chipping green was relocated elsewhere on the course.

Because of the size, site and location, the RFP will emphasize to proposers to identify the master plan for the entire site, phasing development as necessary with residential density commensurate with adjacent housing developments. Proposals are also required to address the following criteria:

1. Demonstrated capacity and experience of the development team;
2. Marketing plan for proposed project;
3. Financial feasibility
  - a. Financial capacity of the developer/owner;
  - b. documentation from a lending institution of their understanding of the project and partnership in the project;
4. Neighborhood amenities offered in the development;
5. Master plan for the entire site:
  - a. Density in keeping with adjacent residential;
  - b. Provides a mix of housing styles, types and price points with a priority given to projects that incorporate the City's ROOTs program;
  - c. Sustainable building and development practices;
  - d. Provides a walkable neighborhood with pedestrian connections within the

- development and the surrounding neighborhood;
- e. Architectural design that promotes pedestrian activity and minimizes auto-orientation
- 6. Timeline for Development and build-out;
- 7. Offer Price;

The following is the timeline for the next steps:

June 10	Motion Setting a Public Hearing
June 24	Public Hearing
June 27	Informational Meeting
August 1	Proposal Deadline
August 5	Stakeholder panel review of proposals
August 12	City Council consideration of preferred Developer (Resolution to pursue a Development Agreement)

**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:** N/A

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

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

On May 21, 2014 the Development Committee reviewed the request to initiate the disposition process and recommends moving forward with requesting proposals for the site.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Thomas Smith

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

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

**Alternate Contact Person:** Caleb Mason

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

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

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

Motion setting a public hearing for June 24, 2014 to consider the disposition of City-owned commercial property at 1919, 1915, 1895 and 1871 Ellis Boulevard NW and inviting redevelopment proposals (**FLOOD**). NEW

### **Background:**

The Development Committee is recommending to initiate the Request for Proposal (RFP) process for 1919, 1915, 1895, and 1871 Ellis Boulevard NW and invite based on a letter of interest to open an RFP process for redevelopment of these properties. The properties are part of a State-designated Viable Business Corridor and were included in the Ellis Area Plan developed during the fall of 2013. The Ellis Plan indicates that permission for development on these properties is contingent on the development integrating flood protection infrastructure. This must be constructed in compliance with Army Corps of Engineers standards, so it becomes part of the City's future flood management system.

The properties at 1895 and 1871 Ellis Boulevard NW are located within the Ellis Area Overlay District. A single structure utilizing the four lots would need to comply with the overlay district guidelines.

Based on other similar RFPs, the following proposal criteria will be issued for potential developers to respond to:

1. Demonstrated capacity and experience of the development team
2. Marketing plan for proposed project
3. Financial feasibility
4. Financial capacity of the developer/owner
5. Documentation from a lending institution of their understanding of the project and partnership in the project
6. Proposed integration with the City's flood management system
7. Consistency with the Ellis Area Plan and Ellis Area Overlay District requirements
8. Community benefits offered by the development
9. Master plan for the site:
  - o Sustainable building and development practices
  - o Mix of uses

- Architectural design that promotes pedestrian activity and minimizes auto-orientation
  - Provision of public access to the riverfront and connection to existing and proposed trails in the immediate vicinity
10. Timeline for development and build-out
11. Offer price

The following is the timeline for the next steps:

June 24, 2014	Public hearing on disposition and inviting proposals
June 27, 2014	Informational meeting
August 15, 2014	Proposal deadline
August 18, 2014	Stakeholder panel review
August 26, 2014	City Council consideration of proposals

**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:** N/A

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

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

On May 21, 2014 staff previewed a request with the Development Committee that the City received to initiate the competitive proposal process on City-owned property.





## COUNCIL AGENDA ITEM COVER SHEET

**Meeting Date:** 5/13/2014

**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:

- a. Bata's Restaurant, 1006 3<sup>rd</sup> Street SE;
- b. Benz Beverage Depot, 501 7<sup>th</sup> Avenue SE;
- c. Brewhemia (CSPS), 1101-1103 3<sup>rd</sup> Street SE (new-formerly Brewed Cafe at CSPS);
- d. Brewhemia (TCR), 102 3<sup>rd</sup> Street SE (formerly Brewed Cafe at TCR);
- e. Casey's General Store #2762, 20 Miller Avenue SW;
- f. Casey's General Store #2763, 641 Edgewood Road NW;
- g. Casey's General Store #2766, 380 33<sup>rd</sup> Avenue SW;
- h. Casey's General Store #2772, 3349 Mount Vernon Road SE;
- i. Casey's General Store #2773, 3625 Edgewood Road SW;
- j. Casey's General Store #2787, 1661 32<sup>nd</sup> Street NE;
- k. Casey's General Store #2850, 5655 C Street SW;
- l. Cedar Rapids Residence Inn, 1900 Dodge Road NE;
- m. Cedar River Landing, 310 F Avenue NW (outdoor service for an event on July 18-20, 2014);
- n. Flamingo, 1211 ELLIS BLVD NW (outdoor service for an event on June 21-22, 2014);
- o. Hazzard County Saloon, 322 2<sup>nd</sup> Avenue SE (5-day permit for an event at Veterans Memorial Building, 50 2nd Avenue, Auditorium, on June 21, 2014);
- p. Juke Joint, 1736 16<sup>th</sup> Avenue SW (outdoor service for an event on June 14-16, 2014);
- q. Kazoku Asian Cuisine, 221 2<sup>nd</sup> Avenue SE (outdoor service for the sidewalk cafe);
- r. Lion Bridge Brewing Company, 59 16<sup>th</sup> Avenue SW (outdoor service for beer garden);
- s. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 4, 2014);
- t. McGrath Amphitheatre Cedar Rapids, 475 1<sup>st</sup> Street SW (5-day permit for an event on July 10, 2014);
- u. National Czech & Slovak Museum & Library, 1400 Inspiration Place SW;
- v. Pho Vietnamese Restaurant, 2315 Edgewood Road SW (new-formerly CiCi Pizza);
- w. Ruby's Pizzeria, 223 2<sup>nd</sup> Street SE (new-formerly Teeghan's Ice Bar);
- x. Rumors, 400 F Avenue NW (outdoor service for an event on June 27-29, 2014);
- y. Rumors, 400 F Avenue NW (outdoor service for an event on July 25-27, 2014);
- z. Rumors, 400 F Avenue NW (outdoor service for an event on July 11-13, 2014);
- aa. Tobacco Outlet Plus #520, 124 Collins Road NE;
- bb. Walgreens #03875, 2821 1<sup>st</sup> Avenue SE;
- cc. Walgreens #05042, 3325 16<sup>th</sup> Avenue SW;
- dd. Wal-Mart #2716, 3601 29<sup>th</sup> Avenue SW;
- ee. Williams Boulevard Amoco, 2601 Williams Boulevard SW (switching to class E liquor).

**Background:**

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** N/A

**Estimated Presentation Time:** N/A

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

**Local Preference Policy:** Applies Exempt ☒

**Explanation:**

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

**Explanation: (if necessary):**



## Cedar Rapids Police Department Memorandum

**To:** Chief Jerman

**From:** Lt. Walter Deeds

**Subject:** Beer/Liquor License Applications Calls For Service Summary

**Date:** 6/10/2014

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Bata's Restaurant 1006 3RD ST SE	1	0	0	1
Benz Beverage Depot 501 7TH AVE SE	6	0	0	0
Brewhemia (CSPS) 1101-1103 3RD ST SE	2	0	0	0
Brewhemia (TCR) 102 3RD ST SE	2	0	0	0
Casey's General Store #2762 20 MILLER AVE SW	29	0	0	1
Casey's General Store #2763 641 EDGEWOOD RD NW	169	2	2	2

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Casey's General Store #2766 380 33RD AVE SW	139	3	1	11
Casey's General Store #2772 3349 MT VERNON RD SE	82	1	3	6
Casey's General Store #2773 3625 EDGEWOOD RD SW	192	0	2	0
Casey's General Store #2787 1661 32ND ST NE	481	0	4	13
Casey's General Store #2850 5655 C ST SW	49	0	1	0
Cedar Rapids Residence Inn 1900 DODGE RD NE	21	1	0	2
Cedar River Landing 310 F AVE NW	77	2	2	8
Flamingo 1211 ELLIS BLVD NW	27	0	0	4
Hazzard County Saloon 322 2ND AVE SE	163	1	0	30
Juke Joint 1736 16TH AVE SW	171	0	0	19
Kazoku Asian Cuisine 221 2nd AVE SE	1	0	0	0
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	1	0	0	0
McGrath Amphitheatre Cedar Rapids 475 1st ST SW	1	0	0	0
National Czech & Slovak Museum & Library 1400 INSPIRATION PL SW	17	0	0	1
Pho Vietnamese Restaurant 2315 EDGEWOOD RD SW	0	0	0	0
Ruby's Pizzeria 223 2ND ST SE	0	0	0	0
Rumors 400 F AVE NW	129	1	0	15

Business Name/Address	Total	Public	Intox	Disturbances
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	Calls	Intox	Driver	
Rumors	129	1	0	15
400 F AVE NW				
Rumors	129	1	0	15
400 F AVE NW				
Tobacco Outlet Plus #520	25	1	0	2
124 COLLINS RD NE				
Walgreens #03875	171	0	2	7
2821 1ST AVE SE				
Walgreens #05042	85	0	1	6
3325 16TH AVE SW				
Wal-Mart #2716	807	5	4	40
3601 29TH AVE SW				
Williams Boulevard Amoco	10	0	0	1
2601 WILLIAMS BLVD SW				

## RESOLUTION NO.

WHEREAS, the attached listing of bills dated June 10, 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 10<sup>th</sup> day of June, 2014.

REC	FIN
TED	CLK
FIR	VET
PD	WTR
TRS	WPC
EIA	STR

OB1143566

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 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 6-10-14

**Submitting Department:** Solid Waste & Recycling

**Presenter at meeting:** Mark Jones

**Phone Number/Ext:** 4791

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

**Alternate Contact Person:** Sarah

**Phone Number/Ext:** X4786

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

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

1. Resolutions approving assessment actions:

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

### **Background:**

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

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

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

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

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

The City Council could decide not to assess.

### **Time Sensitivity:**

**Resolution Date:** 6-10-14

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

INTENT TO ASSESS

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

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

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

BE IT RESOLVED, by the City Council of the City of Cedar Rapids, Iowa, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 p.m., July 9, 2014.

Passed this 10th day of June, 2014.





## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

Resolutions approving assessment actions:

- a. Intent to assess – Utilities – Water Division – delinquent municipal utility bills – 26 properties; CIP/DID #OB

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:** 6/10/14

**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 22<sup>nd</sup> day of July, 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., July 22, 2014.

Passed this 10<sup>th</sup> day of June, 2014.

# LIEN INTENTS (SPECIAL ASSESSMENTS) 6/10/14

LIEN INTENTS 6/10/14			
#		Balance Due	Premise Address
1		\$ 288.13	180 LENORA DR NW
2		\$ 227.54	201 24TH ST NW
3		\$ 158.85	205 EDGEWOOD RD NW
4		\$ 194.08	233 24TH ST NW
5		\$ 152.58	362 19TH ST SE
6		\$ 257.38	509 14TH ST SE
7		\$ 122.91	511 17TH ST SE
8		\$ 183.31	618 13TH ST NW
9		\$ 306.55	629 ELLIS BLVD NW
10		\$ 285.40	706 2ND AVE SW
11		\$ 331.26	727 DOWS RD SE
12		\$ 247.29	811 D AVE NW
13		\$ 231.90	995 EASTERN DR SE
14		\$ 139.01	1021 11TH AVE SE
15		\$ 128.95	1216 5TH ST NW - UPPER
16		\$ 71.64	1327 10TH ST NW
17		\$ 224.27	1402 O AVE NW
18		\$ 246.52	1555 4TH AVE SE
19		\$ 141.66	1718 11TH ST NW
20		\$ 268.81	2002 E AVE NW
21		\$ 169.47	2249 26TH ST NW - REAR
22		\$ 224.80	3119 IDAHO ST SE
23		\$ 186.86	3124 SIDNEY ST SE
24		\$ 213.42	3432 STONE VIEW CIR SW
25		\$ 161.73	4036 VINE AVE SE
26		\$ 66.47	5615 MUIRFIELD DR SW #3
		<b>\$ 5,231.79</b>	<b>Grand Total</b>
		<b>26</b>	<b>Number of Properties</b>
		<b>\$ 66.47</b>	<b>Balance Due - Low</b>
		<b>\$ 331.26</b>	<b>Balance Due - High</b>

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Kirsty Sanchez

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

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Resolution determining the necessity and setting dates of a public hearing for June 24, 2014 and consultation with affected taxing entities to be held on the proposed Amendment No. 3 to the Urban Renewal Plan for the Amended and Restated Southwest Urban Renewal Area. CIP/DID #OB669673

**Background:**

Amendment No. 3 to the Urban Renewal Plan for the Amended and Restated Southwest Urban Renewal Area is necessary in order to provide public improvements to a sanitary sewer that currently serves a large portion of the Urban Renewal Area. The proposed amendment under consideration by City Council is described as follows:

The Southwest TIF District Extension includes part of Parcel A, P.O.S. #712, part of Hawkeye Industrial Park First Addition, part of Hawkeye Industrial Park Second Addition, part of Waconia Avenue SW, part of Willow Creek Drive SW, all of Downs Boulevard SW, part of the Northwest Quarter of the Southwest Quarter of Section 8 and part of the Northeast Quarter of the Southeast Quarter of Section 7, all in Township 82 North, Range 7 West of the 5<sup>th</sup> PM in the City of Cedar Rapids, Linn County, Iowa

The Amended and Restated Southwest Urban Renewal area was established in 1997 and expanded in 2002 to combine three separate TIF districts, Southwest, Waconia, and the Airport Industrial Park No. 1. The district was created to facilitate new economic development and infrastructure installation. The area is generally located west of the intersection of Interstate 380 and Highway 30 in the City of Cedar Rapids.

The process to amend the Amended and Restated Southwest Urban Renewal Area plan have included the following steps:

- 06/10/2014 Set public hearing
- 06/17/2014 Consultation with affected taxing agencies
- 06/19/2014 City Planning Commission
- 06/24/2014 Public Hearing

**Action / Recommendation:**

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

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies ☐ Exempt ☒

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



RESOLUTION NO.

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A PUBLIC  
HEARING AND CONSULTATION WITH AFFECTED TAXING ENTITIES ON THE  
PROPOSED AMENDMENT NO. 3 TO THE AMENDED AND RESTATED SOUTHWEST  
URBAN RENEWAL PLAN

WHEREAS, it is hereby found and determined that one or more economic development areas, as defined in Chapter 403, Code of Iowa, exist within the City of Cedar Rapids and that rehabilitation, conservation, redevelopment, development, or combination thereof, of these areas are necessary in the interest of public health, safety, and welfare of the residents of the City; and

WHEREAS, by Resolution No. 2456-01-02, adopted November 13, 2002, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan") for the Amended and Restated Southwest Urban Renewal Area (the "Urban Renewal Area") described therein, which Plan is on file in the office of the Recorder of Linn County; and

WHEREAS, this Urban Renewal Area includes and consists of an area legally described as set forth in the Plan, as amended; and

WHEREAS, this Council has reasonable cause to believe that the area described herein satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa law and has caused there to be prepared a proposed Amendment No. 3 to the Plan for the Amended and Restated Southwest Urban Renewal Area described therein, which proposed Amendment No. 3 is attached hereto as Exhibit A ("Amendment"); and

WHEREAS, it is desirable that these areas be redeveloped as part of the overall redevelopment area covered by the Amendment;

WHEREAS, the purpose of the Amendment is to provide current information on financial information and to expand the size of the urban renewal area described in the Plan for the Amended and Restated Southwest Urban Renewal Area; and

WHEREAS, this proposed Amendment to the Amended and Restated Southwest Urban Renewal Area adds land, as follows:

The Southwest TIF District Extension includes part of Parcel A, P.O.S. #712, part of Hawkeye Industrial Park First Addition, part of Hawkeye Industrial Park Second Addition, part of Waconia Avenue SW, part of Willow Creek Drive SW, all of Downs Boulevard SW, part of the Northwest Quarter of the Southwest Quarter of Section 8 and part of the Northeast Quarter of the Southeast Quarter of Section 7, all in Township 82 North, Range 7 West of the 5<sup>th</sup> PM in the City of Cedar Rapids, Linn County, Iowa.

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative

of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed Amendment to the Planning Commission for review and recommendation as to its conformity with the general plan for the development of the City as a whole prior to City Council approval of such Amendment, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Amendment; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the Urban Renewal Area covered by the Plan and Amendment, and shall outline the general scope of the urban renewal project activities under consideration, with a copy of said notice also being mailed to each affected taxing entity.

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

1. That a public hearing shall be held on the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan before City Council at its meeting which commences at 4:00 P.M. on the 24<sup>th</sup> day of June, 2014 in the Council Chambers, City Hall, Cedar Rapids, Iowa.
2. That the City Clerk is authorized and directed to publish notice of this public hearing in the *Cedar Rapids Gazette*, once on a date not less than four (4) nor more than twenty (20) days before the date of said public hearing, and to mail a copy of said notice by ordinary mail to each affected taxing entity.
3. That the consultation on the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on the 17<sup>th</sup> day of June, 2014, in the Community Development Conference Room at City Hall, Cedar Rapids, Iowa at 10:00 A.M., and the Development Director, or other person as designated by the Director, is hereby appointed to serve as the designated representative of the City for purposes of conducting said consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5(2).
4. That the City Clerk is authorized and directed to cause a notice of said consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1A), along with a copy of the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan.
5. That the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan referred to in said notices for the purposes of such consultation and hearing and that a copy of said Plan shall be placed on file in the office of the City Clerk.
6. That the proposed Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan be submitted to the City Planning Commission for review and recommendation as to its conformity with the general plan for the development of the

City as a whole, with such recommendation to be submitted in writing to this Council within thirty (30) days of the date hereof.

Passed this 10<sup>th</sup> day of June, 2014.



**AMENDMENT NO. 3 TO THE  
AMENDED AND RESTATED SOUTHWEST URBAN RENEWAL PLAN**

**As Approved by City Council**

**Resolution No. \_\_\_\_\_**

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

## TABLE OF CONTENTS

- 1.0 INTRODUCTION
  - 1.1 Purpose and Background
  - 1.2 Amendments
  - 1.3 Relationship to the Comprehensive Plan
- 2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES
- 3.0 AREA BEING ADDED
- 4.0 EFFECTIVE DATE

### **1.0 INTRODUCTION**

## **1.1 Purpose and Background**

The purpose and intent of this Amendment No. 3 to the Amended and Restated Southwest Urban Renewal Plan (the "Amendment") is to expand the size of the urban renewal area described in the Amended and Restated Southwest Urban Renewal Plan as adopted by the City Council on November 13, 2002 (Resolution No. 2456-01-02) (the "Urban Renewal Plan").

All provisions of the existing Urban Renewal Plan not directly impacted by this Amendment as adopted by the City Council shall remain in full force and effect.

The separate identities of the Sub-Areas previously established as part of the Urban Renewal Plan will be maintained and observed for those purposes which are aided by or in need of the division, but the combined areas of the several Sub-Areas shall be treated together for planning and redevelopment purposes. This Amendment undertakes to continue each Project Sub-Area within the overall Urban Renewal Area as a combined Urban Renewal Area, reserving the separate elements of each such Sub-Area, but permitting the advantages of combined planning and redevelopment activities.

## **1.2 Amendments**

Section 10.0 of the Urban Renewal Plan provides that Urban Renewal Plan may be amended from time to time to include changes in the Urban Renewal Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition guidelines. The City Council may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law.

Amendment No. 3 to the Urban Renewal Plan is consistent with this provision.

## **1.3 Relationship to the Comprehensive Plan**

Cedar Rapids has adopted the Comprehensive Plan for Cedar Rapids which qualifies as the "general plan for the development of the municipality as a whole" as provided under Chapter 403.5, Code of Iowa. The Cedar Rapids Planning Commission reviewed the draft Amendment No. 3 to the Urban Renewal Plan, and adopted a finding that it is in conformity with the Comprehensive Plan and recommended its approval by the City Council.

## **2.0 ESTIMATED DIVERSION OF PROPERTY TAX INCREMENT REVENUES**

The use of tax increment funds is authorized in Section 2.2 of the Urban Renewal Plan. This Amendment does not change provisions regarding the diversion of tax increment revenue within the Urban Renewal Area.



Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of debt outstanding at any time of any county, municipality or other political subdivision to no more than 5% of the value, as shown by the last certified state and county tax lists, of all taxable property within such county, municipality or other political subdivision. Based upon the actual value for fiscal year 2012/2013 (total actual value, less agriculture value that is not taxed for debt service) on all taxable property within the City of Cedar Rapids, the City is limited to \$463,611,401 of general obligation indebtedness. Total City bonded indebtedness as of June 30, 2013 was \$337,485,000.

### **3.0 AREA BEING ADDED TO URBAN RENEWAL AREA**

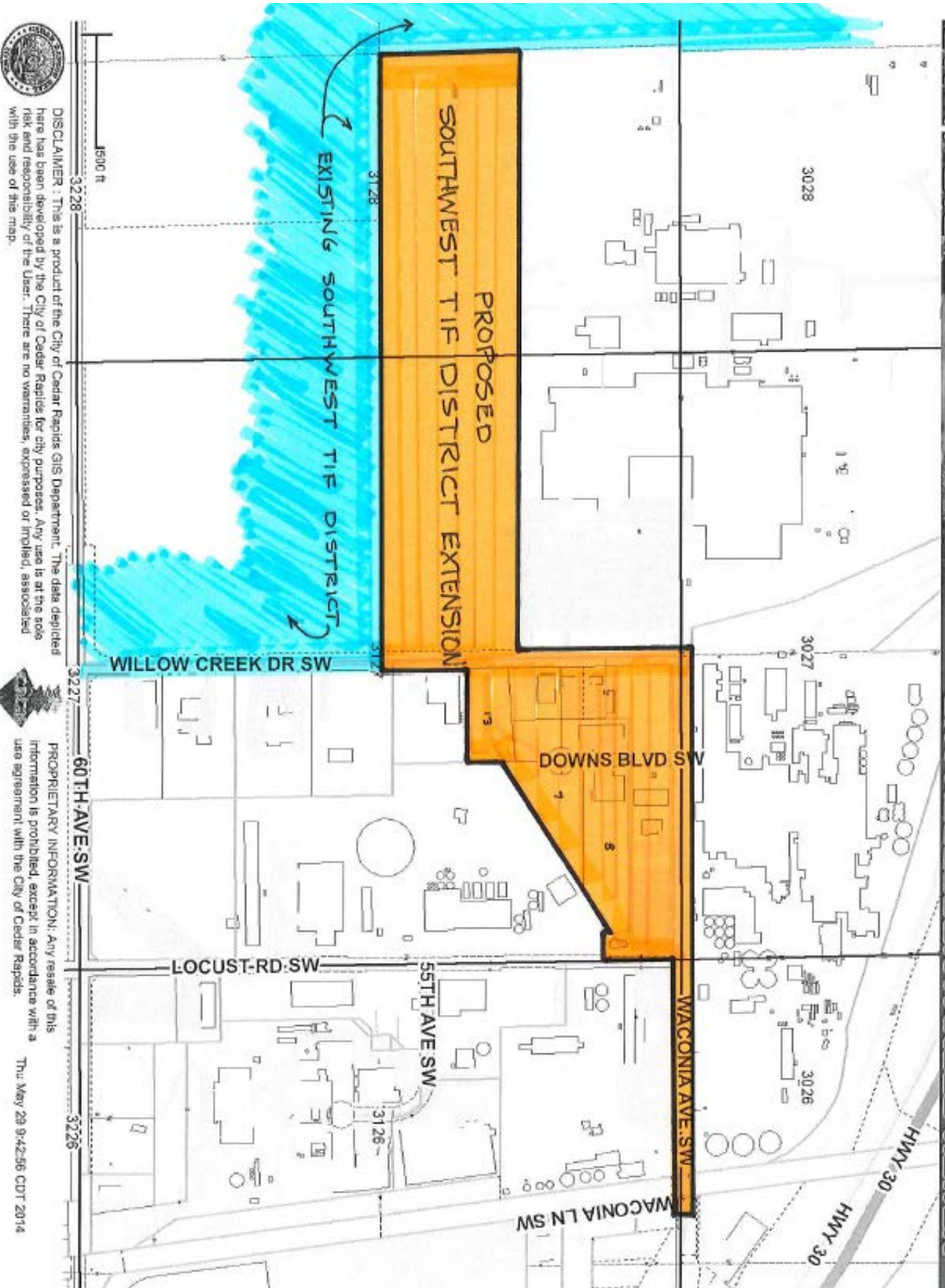
The area being added to the Urban Renewal Area will be a sub-area designation. Redevelopment and revitalization activities contemplated under the Urban Renewal Plan will be conducted with appropriate allocation of resources.

In accordance with this intent, the Urban Renewal Plan is amended to add the following area to the Amended and Restated Southwest Urban Renewal Area described therein:

The Southwest TIF District Extension includes part of Parcel A, P.O.S. #712, part of Hawkeye Industrial Park First Addition, part of Hawkeye Industrial Park Second Addition, part of Waconia Avenue SW, part of Willow Creek Drive SW, all of Downs Boulevard SW, part of the Northwest Quarter of the Southwest Quarter of Section 8 and part of the Northeast Quarter of the Southeast Quarter of Section 7, all in Township 82 North, Range 7 West of the 5<sup>th</sup> PM in the City of Cedar Rapids, Linn County, Iowa.

### **4.0 EFFECTIVE DATE**

This Amendment No. 3 to the Urban Renewal Plan shall be deemed to be effective upon the adoption of a City Council Resolution approving the said Amendment No. 3 to the Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.



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

PROPRIETARY INFORMATION: Any resale of this information is prohibited, except in accordance with a use agreement with the City of Cedar Rapids.

Thu May 29 9:42:56 CDT 2014

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Veterans Memorial

**Presenter at meeting:** Consent Agenda  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Mike Jager  
**Email:** M.Jager@cedar-rapids.org

**Phone Number/Ext:** 5039

**Description of Agenda Item:**

Resolution accepting project, approving performance bond and authorizing issuance of final payment for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, final payment in the amount of \$4,766.30 and the 2-Year Performance Bond submitted by J Wood Sports Flooring, LLC (original contract amount was \$88,500; final contract amount is \$95,326) (**FLOOD**); CIP/DID #VME001-06

**Background:**

Construction has been substantially completed by J Wood Sports Flooring, LLC for the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project. This is a FEMA funded project (VME-001-06) with a final construction contract amount of \$95,326.

**Action / Recommendation:**

The Veterans Memorial Director recommends adoption of the Resolution to accept the project, the performance bond and issue final payment to the contractor in the amount of \$4,766.30.

**Alternative Recommendation:**

None

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:**

552000-330-330020-18512-VME001 & 552000-330-

**Budget Information (if applicable):** 330020-18515-VME001-NG

**Local Preference Policy** Applies ☐ Exempt

**Explanation:**

VET  
FIN  
CLK  
TRS  
AUD FILE  
J WOOD  
NEUMANN  
VME001-06  
OB377545

## RESOLUTION NO.

WHEREAS, the Veterans Memorial Director certifies construction contract work on the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, Contract No. VME001-06, has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 22, 2013 in the amount of \$88,500 covering said work filed by J Wood Sports Flooring, LLC and executed by Old Republic Surety Company provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that based on the Veterans Memorial Director's recommendation, the Veterans Memorial Phase III – Bid Package #8 – Wood Flooring project, Contract No. VME001-06, 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 \$4,766.30 to J Wood Sports Flooring, LLC as final payment.

The final contract price is \$95,326 distributed as follows: \$93,500 to 552000-330-330020-18512-VME001 and \$1,826 to 552000-330-330020-18515-VME001-NG 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 10<sup>th</sup> day of June, 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:** 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 \$146,795.82 and approving the 4-year Performance Bond submitted by Zinser Grading & Excavating, LLC for the E Avenue NW-Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (original contract amount was \$2,987,467.35; final contract amount is \$2,935,916.38). CIP/DID #304037-06

**Background:**

Construction has been substantially completed by Zinser Grading & Excavating, LLC for the E Avenue NW-Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project. This is an approved Capital Improvements Project (CIP No. 304037-06) with a final construction contract amount of \$2,935,916.38. 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 \$146,795.82.

**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:** June 10, 2014

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

**Budget Information (if applicable):** CIP 304037: \$3,841,479 (100% CDBG Grant), CIP 3012056: \$190,605 (GO Bonds), CIP 6252010084: \$73,000 (Revenue Bonds)

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

**Explanation (if necessary):** Project was presented and discussed at three separate meetings (June 21, 2011, August 16, 2011 and November 15, 2011).

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the E Avenue NW-Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project (Contract No. 304037-06), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 12, 2013 in the amount of \$2,987,467.35 covering said work filed by Zinser Grading & Excavating LLC 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	2,987,467.35
Possible Incentive	50,000.00
Change Order No. 1	7,250.96
Change Order No. 2	850.00
Change Order No. 3	375.00
Change Order No. 4	4,274.52
Change Order No. 5	36,199.00
Change Order No. 6	2,613.16
Change Order No. 7	59.46
Change Order No. 8	12,724.70
Change Order No. 9 Final	(106,397.77)
Removal of Original Incentive	(50,000.00)
Disincentive/Liquidated Damages	<u>(9,500.00)</u>
Amended Contract Amount	<u>\$2,935,916.38</u>

, 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

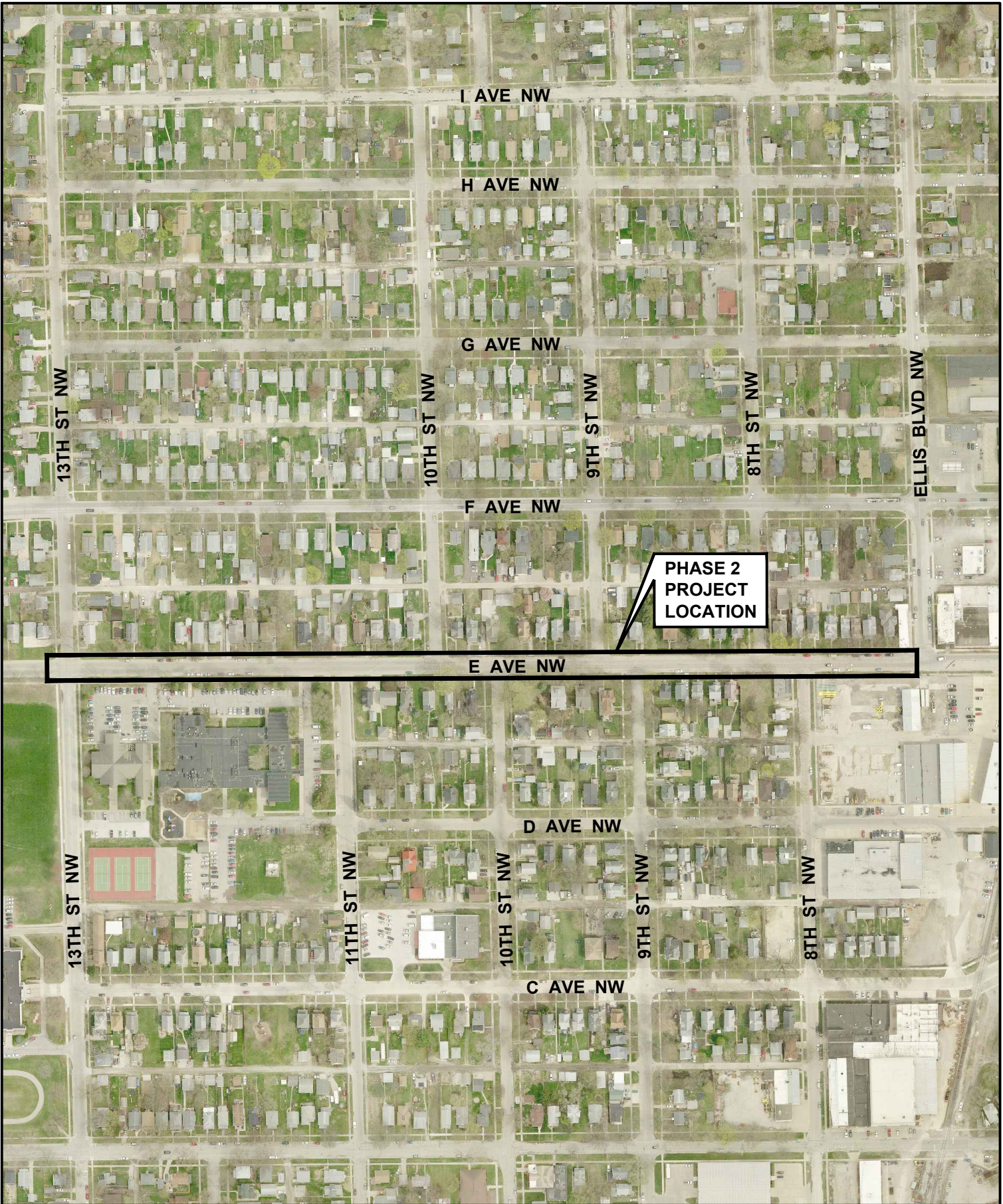
BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the E Avenue NW-Phase II 13<sup>th</sup> Street to Ellis Boulevard Storm Sewer, Water Main, Sidewalk and Street Improvements project, (Contract No. 304037-06) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$146,795.82 to Zinser Grading & Excavating LLC as final payment.

The final contract price is \$2,935,916.38 distributed as follows:\$2,935,066.38 304-304000-304037; \$850.00 625-625000-625884-6252010084, 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 10<sup>th</sup> day of June, 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:** 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 \$164,958.19 and approving the 4-year Performance Bond submitted by S.J. Louis Construction, Inc. for the Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project (original contract amount was \$3,578,000; final contract amount is \$3,299,163.89). CIP/DID #655625-03

**Background:**

Construction has been substantially completed by S.J. Louis Construction, Inc. for the Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project. This is an approved Capital Improvements Project (CIP No. 655625-03) with a final construction contract amount of \$3,299,163.89. 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 \$164,958.19.

**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:** June 10, 2014

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

**Budget Information (if applicable):**

**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 Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project (Contract No. 655625-03), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 14, 2012 in the amount of \$3,543,000 covering said work filed by S.J. Louis Construction, Inc. and executed by Liberty Mutual Insurance Company provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$3,543,000.00
Possible Incentive	35,000.00
Change Order No. 1	3,640.00
Change Order No. 2	(131,757.50)
Change Order No. 3	2,511.00
Change Order No. 4	15,859.13
Change Order No. 5 (Final)	(164,088.74)
Removal of Original Incentive	<u>(5,000.00)</u>
Amended Contract Amount	\$3,299,163.89

, 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

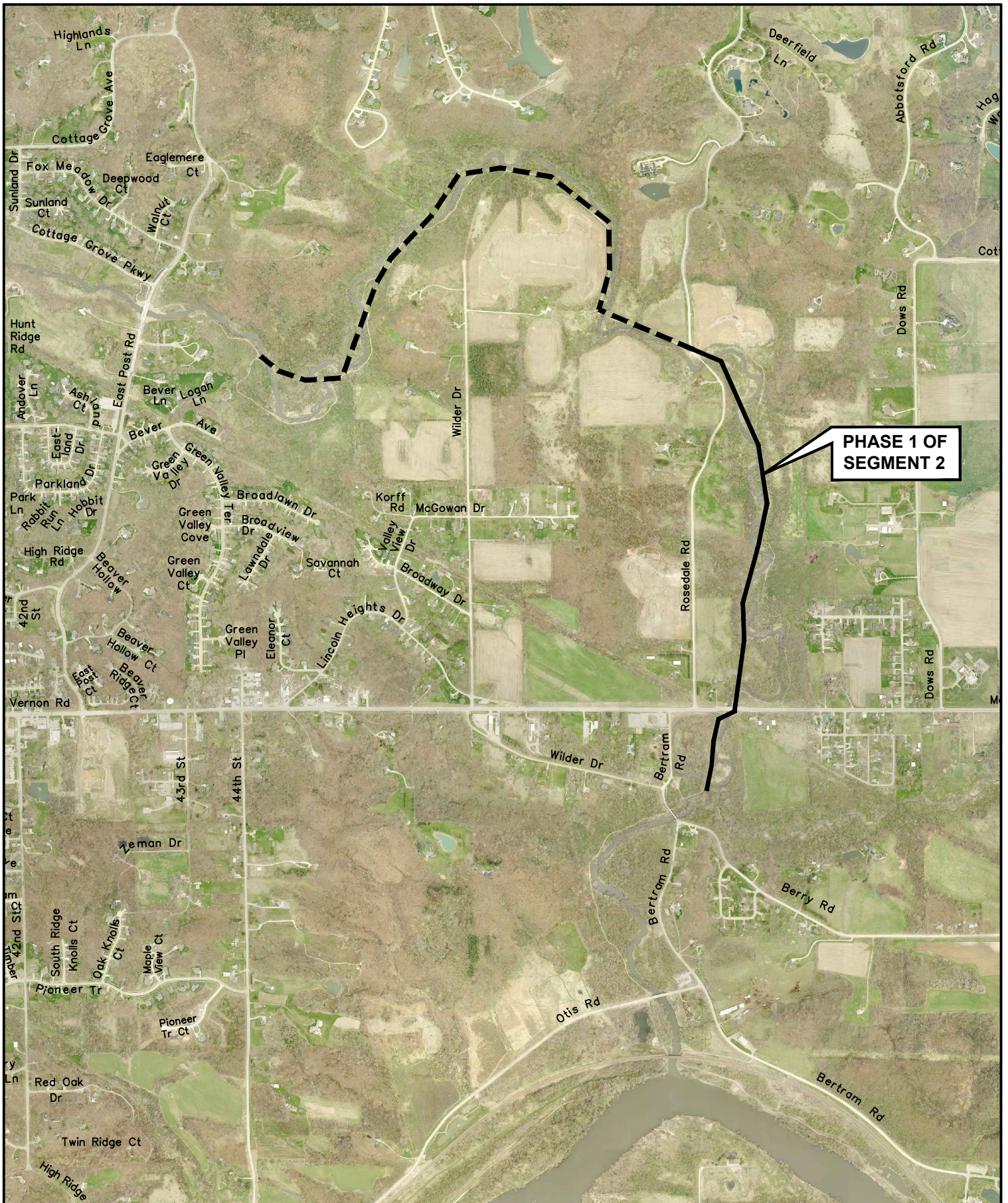
BE IT FURTHER RESOLVED that based on the Public Works Director / City Engineer's recommendation, the Indian Creek Trunk Sanitary Sewer – Segment 2 – Phase 1 Reconstruction project, (Contract No. 655625-03) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$164,958.19 to S.J. Louis Construction, Inc. as final payment.

The final contract price is \$3,299,163.89 distributed as follows: \$3,299,163.89 655-655000-655625, and

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

Passed this 10<sup>th</sup> day of June, 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:** Pat Wieneke  
**E-mail Address:** p.wieneke@cedar-rapids.org

**Phone Number/Extension:** 5848

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

Resolution accepting project, authorizing final payment in the amount of \$20,839.22 and approving the 4-year Performance Bond submitted by L.L. Pelling Company, Inc. for the 8<sup>th</sup> Street SE Rehabilitation from 1<sup>st</sup> Avenue E to 3<sup>rd</sup> Avenue SE project (original contract amount was \$377,390.75; final contract amount is \$416,784.49). CIP/DID #3012057-02

**Background:**

Construction has been substantially completed by L.L. Pelling Company, Inc. for the 8<sup>th</sup> Street SE Rehabilitation from 1<sup>st</sup> Avenue E to 3<sup>rd</sup> Avenue SE project. This is an approved Capital Improvements Project (CIP No. 3012057-02) with a final construction contract amount of \$416,784.49. 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 \$20,839.22.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):**

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

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

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer certifies construction contract work on the 8<sup>th</sup> Street SE Rehabilitation from 1<sup>st</sup> Avenue E to 3<sup>rd</sup> Avenue SE project (Contract No. 3012057-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated July 9, 2013 in the amount of \$353,890.75 covering said work filed by L.L. Pelling Company, Inc. and executed by Merchants Bonding Company (Mutual) provides a four-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$353,890.75
Possible Incentive	23,500.00
Change Order No. 1	10,241.35
Change Order No. 2	44,518.89
Change Order No. 3	12,987.40
Change Order No. 4	(27,853.90)
Removal of Original Incentive	<u>(500.00)</u>
Amended Contract Amount	\$416,784.49

, 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 8<sup>th</sup> Street SE Rehabilitation from 1<sup>st</sup> Avenue E to 3<sup>rd</sup> Avenue SE project, (Contract No. 3012057-02) 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 \$20,839.22 to L.L. Pelling Company, Inc. as final payment.

The final contract price is \$416,784.49 distributed as follows:

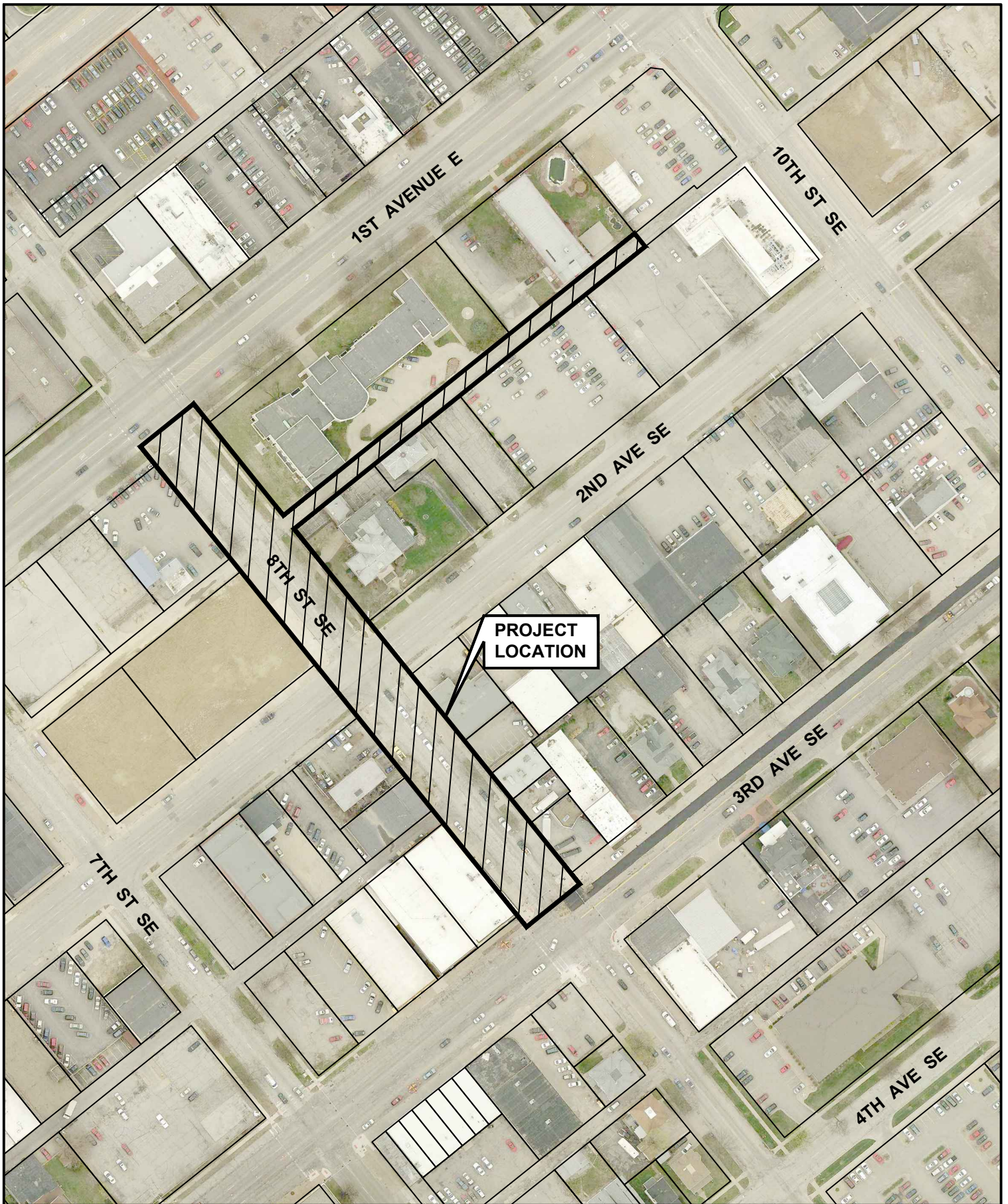
\$401,758.43	301-301000-3012057
\$ 4,796.06	625-625000-625884-6252013062
\$ 10,230.00	306-306000-306187

, 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 10<sup>th</sup> day of June, 2014.







## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Utilities – Water Division

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

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

**Description of Agenda Item:**

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

- a. 2012 Raising West Well Field Vertical Wells project, authorize issuance of final retainage payment in the amount of \$12,982.01 and approving the 2-Year Performance Bond submitted by The Northway Corporation (original contract amount was \$240,378; final contract amount is \$259,640.15) (**FLOOD**). CIP/DID #3303200014-09

**Background:**

The East and West well fields were initially constructed in the 1970's through the 1980's, over multiple separate projects. In June of 2008, all of the operational vertical wells were submerged in the flood water. National Guard helicopters were used immediately following the flood to get a few of these vertical wells operational to restore the water supply. To mitigate the possibility of future flood damage, eighteen (18) Seminole wells (Seminole Wells 1, 2, 4, 6, 7, 8, 9, 11, 13, 14, 15, 17, 18, 19, 20, 21, 22 and 23) were raised by ten feet in two previous projects (2009-2011). Seventeen (17) wells in the East Well Field (East Wells 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20) were raised five to ten feet (2011-2012).

This project in the West Well Field raised eight (8) vertical wells (West Wells 3, 4, 5, 6, 7, 9, 10 and 11). This project required extending the well casing (five to ten feet) along with the required pump modifications and taller column piping. The local power feed to the wells was also addressed to ensure the electrical system remains above the water level.

Change Order No. 1 was approved by the City Manager in October 2013 for a net increase in the amount of \$19,262.15 for work performed not in the original scope of the project. The Contract amount with Change Order No. 1 is \$259,640.15.

Construction has been substantially completed by The Northway Corporation, Inc. for the Cedar Rapids Utilities Department – Water Division 2012 Raising West Well Field Vertical Wells project. The Final Contract amount is \$259,640.15.

**Action / Recommendation:**

The Utilities – Water Division staff recommends that the City Council approve the resolution to accept the project and performance bond, and authorize issuance of the final payment in the amount of \$12,982.01 to The Northway Corporation, thirty days after acceptance in accord with the State of Iowa Code.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 06/10/2014

**Resolution Date:** 06/10/2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information Process Information:**

1. **Included in Current Budget Year:** No. The work is flood related. Funding obligated under FEMA project worksheet WDF001 (West Well Field).
2. **Analysis of the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** Total project costs of \$316,640.15 include Construction costs of \$259,640.15 and Engineering costs of approximately \$57,000. Engineer's estimated total project cost was \$302,550.
3. **Purchasing Department used or Purchasing Guidelines followed:** This project was publicly bid as a Capital Improvements Project.

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** Project will be paid for with FEMA funds.

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

**Explanation (if necessary):**

WTR  
FIN  
CLK  
TRS  
NORTHWAY  
FRENCH-RENEKER  
3303200014-09  
FLOOD

RESOLUTION NO.

WHEREAS, the Utilities Department – Water Division certifies construction contract work on the 2012 Raising West Well Field Vertical Wells project (Contract No. 3303200014-09) has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated September 25, 2012 in the amount of \$240,378 covering said work filed by The Northway Corporation and executed by United Fire & Casualty Company provides a two-year correction period for defects in materials and workmanship, now therefore

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

BE IT FURTHER RESOLVED that the Utilities Department – Water Division recommends the 2012 Raising West Well Field Vertical Wells project (Contract No. 3303200014-09) be hereby accepted and that the City of Cedar Rapids Finance Director is hereby authorized and directed to issue a warrant in the sum of \$12,982.01 for final (retainage) payment to The Northway Corporation thirty days after acceptance in accord with Iowa State Code. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$240,378.00
Change Order No. 1 for work performed not in the original scope	<u>+ 19,262.15</u>
Final Contract Amount	\$259,640.15

Funding under FEMA project worksheet WDF001 (West Well Field).

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 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud

**Phone Number/Ext:** 319 286-5817

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolutions authorizing execution of Development Agreements for properties participating in the third and fourth rounds of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. AHNI Holdings for property at 1402 4<sup>th</sup> Avenue SE
- b. AHNI Holdings for property at 1447 4<sup>th</sup> Avenue SE
- c. AHNI Holdings for property at 1508 6<sup>th</sup> Avenue SE

### **Background:**

The resolutions for City Council consideration provide for the execution of Development Agreements with the above listed developers and associated properties through the third and fourth rounds of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 160 such agreements and deeds for City property have been executed for the ROOTs program.

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

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

On November 9, 2010, by Resolution No. 1306-11-10, the City Council approved the

Administrative Plan for the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

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

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

A total of 281 properties were identified by 26 developers through four phases of property allocation for this round of the program.

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH AHNI HOLDINGS FOR PROPERTY AT 1402 4<sup>TH</sup> AVENUE SE  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

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

Passed this 10<sup>th</sup> Day of June, 2014



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH AHNI HOLDINGS FOR PROPERTY AT 1447 4<sup>TH</sup> AVENUE SE  
PARTICIPATING IN THE THIRD ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

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

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

WHEREAS, the Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

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

Passed this 10<sup>th</sup> Day of June, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
WITH AHNI HOLDINGS FOR PROPERTY AT 1508 6<sup>TH</sup> AVENUE SE  
PARTICIPATING IN THE FOURTH ROUND OF THE SINGLE FAMILY NEW  
CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the Developer agrees to construct a single-family dwelling on the above mentioned property, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

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

Passed this 10<sup>th</sup> Day of June, 2014

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud

**Phone Number/Ext:** 319 286-5817

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the third round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. Premiere Developers, Inc. for property at 1019 11<sup>th</sup> St NW
- b. Thomas Dostal Developers, Inc. for property at 503 6<sup>th</sup> Avenue SW
- c. AHNI Holdings for property at 1419 5<sup>th</sup> Avenue SE

### **Background:**

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated properties through the third round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 160 such agreements and deeds for City property have been executed for the ROOTs program.

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

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

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

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

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

A total of 178 properties were identified by 23 developers through three phases of property allocation for this round of the program.

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH PREMIERE DEVELOPERS, INC. FOR  
CITY-OWNED PROPERTY AT 1019 11<sup>TH</sup> STREET NW PARTICIPATING IN THE  
THIRD ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1019 11<sup>th</sup> Street NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on November 5, 2013 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on November 19, 2013 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 10<sup>th</sup> Day of June, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH THOMAS DOSTAL DEVELOPERS, INC.  
FOR CITY-OWNED PROPERTY AT 503 6<sup>TH</sup> AVENUE SW PARTICIPATING IN  
THE THIRD ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION  
PROGRAM

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

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

WHEREAS, the City purchased property at 503 6<sup>th</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

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

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

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

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

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

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

Passed this 10<sup>th</sup> Day of June, 2014



RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH AHNI HOLDINGS FOR CITY-OWNED  
PROPERTY AT 1419 5<sup>TH</sup> AVENUE SE PARTICIPATING IN THE THIRD ROUND  
OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

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

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

WHEREAS, the City purchased property at 1419 5<sup>th</sup> Avenue SE through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on April 8, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on April 22, 2014 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 10<sup>th</sup> Day of June, 2014

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Tony Lerud

**Phone Number/Ext:** 319 286-5817

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned property participating in the fourth round of the Single Family New Construction Program (**FLOOD**). CIP/DID #OB540257

- a. S&J Homes, LLC for property at 613 A Avenue NW
- b. Cedar Ridge Homes, Inc. for property at 726 L Avenue NW
- c. Premiere Developers, Inc. for property at 709 3<sup>rd</sup> Avenue SW

### **Background:**

The resolutions for City Council consideration provide for the execution of Development Agreements and deeds with the above listed developers and associated properties through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The properties have been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the homes to begin. To date, 160 such agreements and deeds for City property have been executed for the ROOTs program.

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

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

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The administrative plan limits development of homes to lots within the “Neighborhood Revitalization Area” of the flood inundation area. The administrative plan further directs the use of lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the SFNC unit.

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

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

A total of 103 properties were identified by 26 developers in the current phase of property allocation for this program.

**Action / Recommendation:**

City staff recommends approval of the resolutions.

**Alternative Recommendation:**

City Council may table the items and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

**Explanation:** Federal grant funds

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

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH S&J HOMES, LLC FOR CITY-OWNED  
PROPERTY AT 613 A AVENUE NW PARTICIPATING IN THE FOURTH ROUND  
OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 613 A Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on March 3, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 13, 2012 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 10<sup>th</sup> Day of June, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH CEDAR RIDGE HOMES, INC. FOR  
CITY-OWNED PROPERTY AT 726 L AVENUE NW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 726 L 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 February 11, 2014 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on February 25, 2014 on the possible disposition of this property in accordance with Iowa Code; and

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Cedar 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 Development Agreement and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

Passed this 10<sup>th</sup> Day of June, 2014

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT  
AND SPECIAL WARRANTY DEED WITH PREMIERE DEVELOPERS, INC. FOR  
CITY-OWNED PROPERTY AT 709 3<sup>RD</sup> AVENUE SW PARTICIPATING IN THE  
FOURTH ROUND OF THE SINGLE FAMILY NEW CONSTRUCTION PROGRAM

WHEREAS, on October 8, 2013, the City Council passed Resolution 1591-10-13 approving the administrative plan and local program guidelines for the fourth phase of the Single Family New Construction Program (SFNC); and

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

WHEREAS, the City purchased property at 709 3<sup>rd</sup> Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars; and

WHEREAS, the City published a Notice of Public Hearing in the Cedar Rapids Gazette on February 28, 2012 regarding the disposition of the City-owned property in accordance with Iowa Code; and

WHEREAS, a public hearing was held on March 13, 2012 on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

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

Passed this 10<sup>th</sup> Day of June, 2014





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5806

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

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes** **Map**  
Resolution approving the Final Plat of Airport Commerce Park Tenth Addition located at Capital Drive SW extension, west of Atlantic Drive SW. CIP/DID #FLPT-008827-2014

**Background:**

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

This plat contains two (2) lots and a total plat area of 4.47 acres.

**Action / Recommendation:**

The Public Works Department recommends approval of the resolution to approve Final Plat of Airport Commerce Park Tenth Addition to Cedar Rapids, Linn County, Iowa.

**Alternative to the Recommendation:**

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

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

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

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

**Explanation:** Policy not applicable to final platting subdivisions.

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

**Explanation (if necessary):**

ENG  
CLK  
ASR  
DSD  
SWM  
BSD  
PD  
FIR  
WTR  
STR  
IT  
LC SHERIFF  
AMBULANCE  
POST OFFICE  
WRIGHT BROTHERS BLVD  
FLPT-008827-2014

**RESOLUTION NO.  
RESOLUTION APPROVING PLAT**

WHEREAS, A PLAT OF AIRPORT COMMERCE PARK TENTH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing two (2) lots, Numbered Lot 1 and Lot A, all inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Development Agreement
2. Concrete Pavement Petition and Assessment Agreement
3. Traffic Signal Petition and Assessment Agreement
4. Easement for Water Main Facilities
5. Temporary Cul-de-sac Easement Agreement
6. Agreement to Construct A Temporary Rock Cul-de-sac

, and

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

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

1. The City Council concurs with the recommendation of the City Engineer, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said AIRPORT COMMERCE PARK TENTH ADDITION to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot A (Capital Drive SW) is hereby approved and accepted, and the dedication of the public

easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

Passed this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor

Attest:

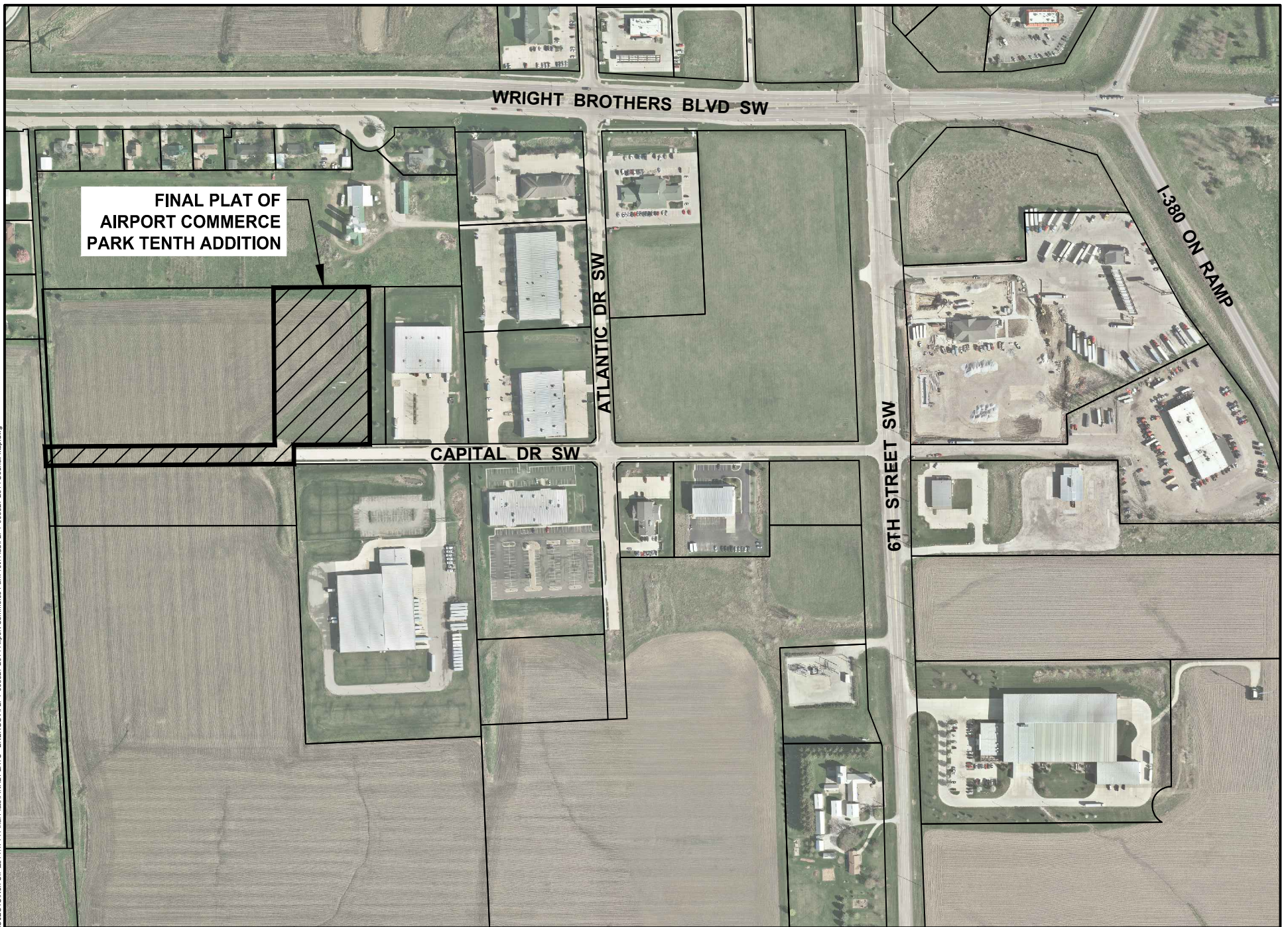
\_\_\_\_\_  
City Clerk

STATE OF IOWA       )  
                                  ) ss.  
COUNTY OF LINN     )

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk





**FINAL PLAT OF  
AIRPORT COMMERCE PARK TENTH ADDITION  
Location Map**



0 FEET 400





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

**Phone Number/Extension:** 5821

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** ☒ **Yes** ☐ **No MAP**  
Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement project. CIP/DID #3012104-00

**Background:**

This project proposes to construct Portland Cement Concrete pavement in the alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street.

When infrastructure construction by the City has benefited adjacent land, it has been the City's practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. By state code provisions, the agricultural land can defer assessments until the time they develop. When the land does develop, the City can then review the development proposal (jobs created, taxes generated, etc.) and determine if any Tax Increment Financing (TIF) funds are appropriate to provide the then developer/owner toward the assessment. If TIF funds are used to construct the improvements now and no assessments are proposed, the current agricultural property owner will receive the financial benefit instead of the TIF benefit allocated to the future developer/owner, who actually generates the tax increment. City Council passed the first, preliminary resolution for the construction of improvements on May 27, 2014.

This proposed resolution is part of a series of resolutions (as shown on the attached flow chart), which will lead to an assessment public hearing on the project. This resolution adopts the preliminary assessment plat and schedule, including lot valuations, and project cost opinion.

This resolution establishes the lot valuations as shown on the attached schedule under the column "Council Valuations". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Developed parcels 3 through 10 and 12 through 14 as shown on the attached plat, are recommended to use the City Assessor property value. Undeveloped parcels 1, 2 and 11 on the plat have a recommended valuation of \$2.857 per square foot.

**Action / Recommendation:**

The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement project.

**Alternative Recommendation (if applicable):**

If the resolution is not adopted, the assessment will not proceed. The project will then require funding by TIF, general obligation funds, or the project abandoned.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):**

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

**Explanation:**

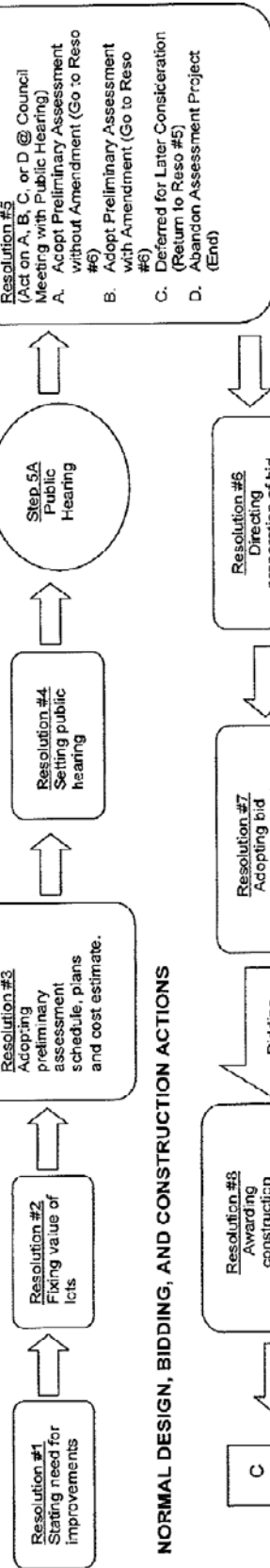
**Recommended by Council Committee:** Yes ☐ No ☐ N/A ☒

**Explanation (if necessary):**

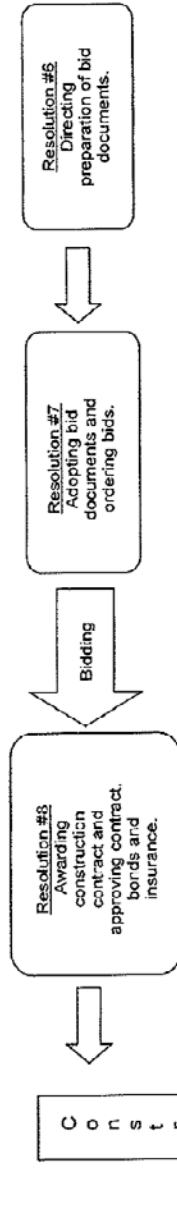


# **FLOWCHART FOR CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS\*** **SUMMARY**

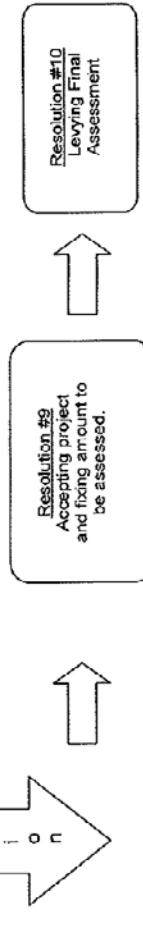
## **PRELIMINARY ASSESSMENT ACTIONS**



## **NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS**



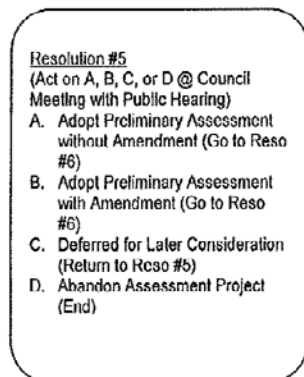
## **FINAL ASSESSMENT ACTIONS**



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

UPDATED 8.29.07

Page 1 of 2



RESOLUTION NO.

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE ALLEY BETWEEN F AVENUE AND G AVENUE NW FROM 9<sup>TH</sup> STREET TO 8<sup>TH</sup> STREET PORTLAND CEMENT CONCRETE PAVEMENT PROJECT, (CIP No. 3012104-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement project, said valuation being set forth in a preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation", and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

WHEREAS, the Council finds that each lot separately assessed in the schedule of assessments meets the definition of a lot as described in Iowa Code Section 384.37(5) or in the case of lots consisting of multiple parcels that the parcels have been assembled into a single unit for the purpose of use or development, and

WHEREAS, said plat and schedule, estimate of cost and preliminary plans and specifications appear to be proper for the purpose intended, and

WHEREAS, said improvements will be constructed according to the Cedar Rapids Metropolitan Area Standard Specifications for Public Improvements,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said schedule of values, hereinabove referred to, be and the same is adopted as the valuation of the lots, with the proposed public improvements completed, within the boundaries of said improvements and the Clerk is hereby directed to deliver the same to David J. Elgin, Public Works Director / City Engineer, the Engineer, for said project, said Engineer to insert said values in the schedule of assessments which is to be prepared and filed with this Council, and

BE IT FURTHER RESOLVED, that said plat and schedule, estimate of cost and preliminary plans and specifications be and the same are hereby adopted as the proposed plat, schedule, estimate of cost and preliminary plans and specifications for said improvements and are hereby ordered placed on file with the Clerk for public inspection, and

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said Alley between F Avenue and G Avenue NW from 9<sup>th</sup> Street to 8<sup>th</sup> Street Portland Cement Concrete Pavement.

Passed this 10th day of June, 2014.





**ALLEY BETWEEN F AVENUE AND G AVENUE NW FROM  
9TH STREET TO 8TH STREET PORTLAND CEMENT CONCRETE PAVEMENT**



**PRELIMINARY ASSESSMENT SCHEDULE**  
**CITY OF CEDAR RAPIDS**  
**ALLEY BETWEEN F AVENUE AND G AVENUE NW FROM 9TH STREET TO 8TH STREET**  
**PORTLAND CEMENT CONCRETE PAVEMENT**  
**"EXHIBIT A"**

					PRELIMINARY ASSESSMENT INFORMATION			
Cus.	Assessment No.	Parcel No. & Legal Description	Property Owner and Mailing Address	Property Valuation	Lineal Footage Along Alley	Assessment	Deficiency	% of Total Project Cost
	1	142046000700000 BROWN'S 3RD ADDITION, LOT 8, BLOCK 22	CEDAR VALLEY HABITAT FOR HUMANITY INC. 350 6TH AVE SE CEDAR RAPIDS, IA 52401	\$ 16,000	40	\$2,730	NO	6.25%
	2	142046000600000 BROWN'S 3RD ADDITION, LOT 7, BLOCK 22	CEDAR VALLEY HABITAT FOR HUMANITY INC. 350 6TH AVE SE CEDAR RAPIDS, IA 52401	\$ 16,000	40	\$2,730	NO	6.25%
	3	142046000500000 BROWN'S 3RD ADDITION, LOT 6, BLOCK 22	DEANNA L CORRIGAN 823 G AVE NW CEDAR RAPIDS, IA 52405	\$ 94,890	40	\$2,730	NO	6.25%
	4	142046000400000 BROWN'S 3RD ADDITION, LOT 5, BLOCK 22	STEVEN F & JOANNE J BURSOVSKY 3577 N ALBURNETT RD ALBURNETT, IA 52202	\$ 90,225	40	\$2,730	NO	6.25%
	5	142046000300000 BROWN'S 3RD ADDITION, LOT 4, BLOCK 22	JENNIFER A BARNETT 815 G AVE NW CEDAR RAPIDS, IA 52405	\$ 115,878	40	\$2,730	NO	6.25%
	6	142046001800000 BROWN'S 3RD ADDITION, SOUTH 46 2/3' EACH LOTS 1, 2 & 3, BLOCK 22	TERESA M BAARTMAN 716 8TH ST NW CEDAR RAPIDS, IA 52405	\$ 108,988	120	\$8,180	NO	18.74%
	7	142046001700000 BROWN'S 3RD ADDITION, NORTH 60' LOT 16, BLOCK 22	GALE L & MARY F MC CULLOUGH 1403 WOLF DR NW CEDAR RAPIDS, IA 52405	\$ 79,747	40	\$2,730	NO	6.25%
	8	142046001500000 BROWN'S 3RD ADDITION, LOT 15, BLOCK 22	MICHAEL A GARDZELEWSKI 4441 FORD AVE NW CEDAR RAPIDS, IA 52405	\$ 74,528	40	\$2,730	NO	6.25%
	9	142046001400000 BROWN'S 3RD ADDITION, LOT 14, BLOCK 22	KANDI S CAMPBELL 808 F AVE NW CEDAR RAPIDS, IA 52405	\$ 83,987	40	\$2,730	NO	6.25%
	10	142046001300000 BROWN'S 3RD ADDITION, LOT 13, BLOCK 22	TIMOTHY J & PAIGE M HOFFMAN 814 F AVE NW CEDAR RAPIDS, IA 52405	\$ 109,256	40	\$2,730	NO	6.25%
	11	142046001200000 BROWN'S 3RD ADDITION, EAST 20' LOT 11 AND ALL LOT 12, BLOCK 22	CITY OF CEDAR RAPIDS 101 1ST ST SE - PO BOX 2148 CEDAR RAPIDS, IA 52406-2148	\$ 24,000	60	\$4,090	NO	9.37%
	12	142046001100000 BROWN'S 3RD ADDITION, EAST 10' LOT 10 AND WEST 20' LOT 11, BLOCK 22	RAYMOND & TESSA ACKER 824 F AVE NW CEDAR RAPIDS, IA 52405	\$ 128,819	30	\$2,040	NO	4.67%
	13	142046001000000 BROWN'S 3RD ADDITION, SOUTH 105' WEST 20' & WEST 10' EAST 20' LOT 10, BLOCK 22	MOLINE & SONS PROPERTIES LLC 1220 15TH ST SW CEDAR RAPIDS, IA 52404	\$ 61,253	10	\$680	NO	1.56%
	14	142046000800000 BROWN'S 3RD ADDITION, NORTH 35' LOT 9 & NORTH 35' WEST 20' LOT 10, BLOCK 22	DANA J SCOTT 711 9TH ST NW CEDAR RAPIDS, IA 52405	\$ 76,778	60	\$4,090	NO	9.37%
					640	\$43,650		100.00%

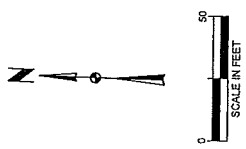
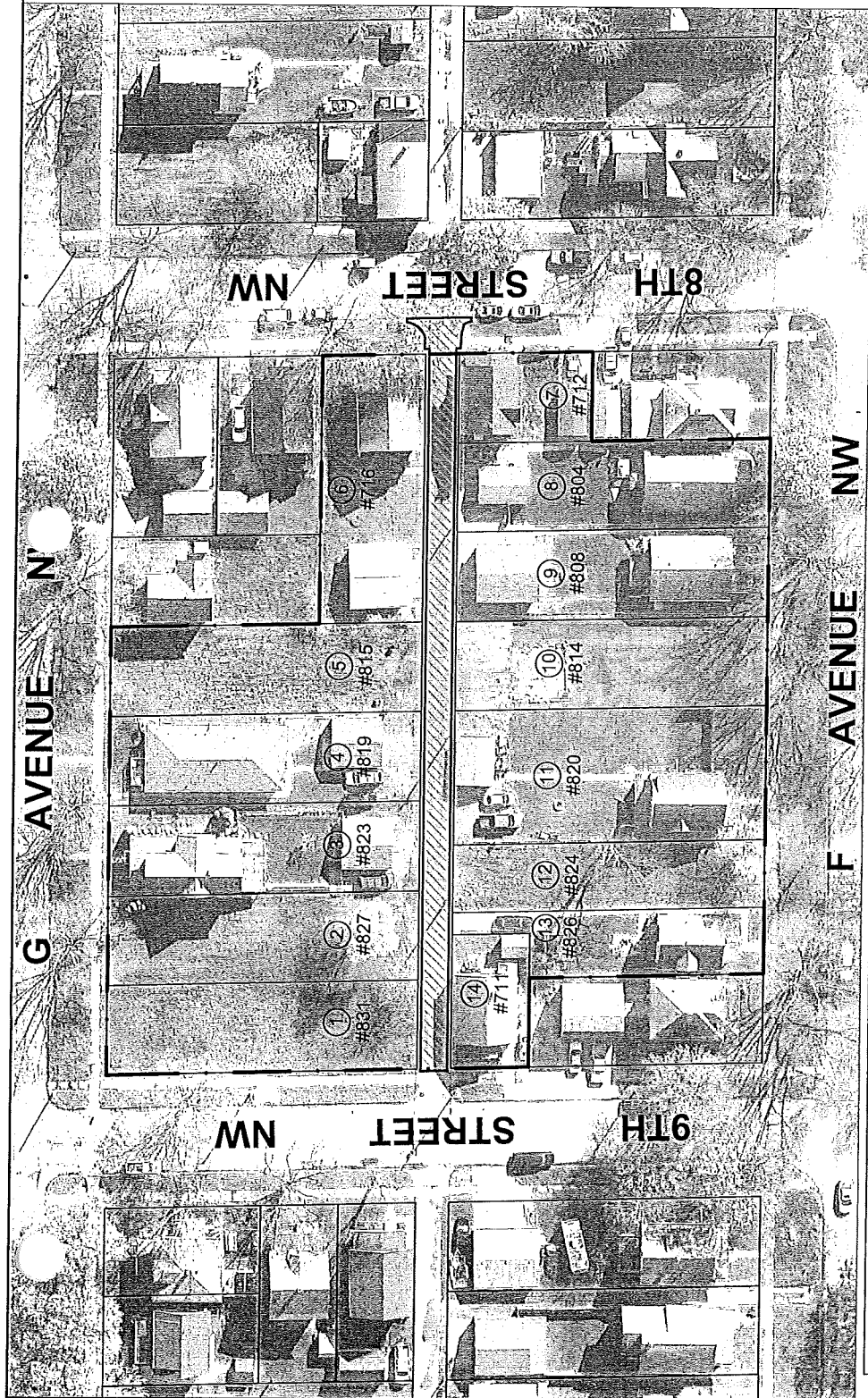
Construction Expenses	\$ 37,957
Engineering	\$ -
Right of Way/Acquisition/Easement Expenses	\$ -
Less City Share	\$ -
<b>Assessable Amount</b>	<b>\$ 37,957</b>
Default and Deficiency	\$ 3,796
Legal and Administrative	\$ 1,898
<b>Assessed Cost</b>	<b>\$ 43,650</b>

First Payment Due July 1, 2015  
Last Payment Due July 1, 2025  
(Last pmt date = 1st pmt + 10 yrs)

Drawn By <u><i>Gene Hanks</i></u>	Checked By <u><i>DEW</i></u>	Filed _____
Assessment By <u><i>Gene Hanks</i></u>	Checked By <u><i>DEW</i></u>	City Clerk _____
Approved <u><i>Robert Davis</i></u> 5/29/14	Robert Davis, P.E., Engineering Manager	By _____ Deputy City Clerk

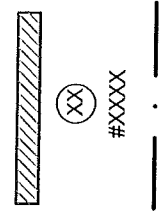
5/28/14  
xc: City Clerk (2 signed Copies)  
Controller/Auditor  
City Treasurer  
File





# LEGEND

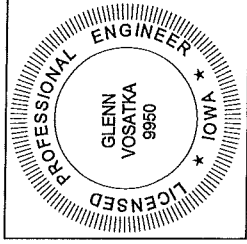
- PROP. PAVEMENT IMPROVEMENT
- ASSESSMENT NUMBER
- LOT ADDRESS
- ASSESSMENT BOUNDARY



I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed professional engineer under the laws of the State of Iowa.

*Glenn Vosatka*  
 Glenn Vosatka, P.E.  
 License Number: 9950  
 My license renewal date is: December 31, 2015  
 Pages or sheets covered by this seal: All

Date: 5/28/14



PREPARED BY:  
 CITY OF CEDAR RAPIDS, PUBLIC WORKS  
 500 15TH AVENUE SW, CEDAR RAPIDS, IA 52404  
 PHONE: 319-398-3622

NO.	REVISION DESCRIPTION	APPROVED	DATE



Date: 5/28/14  
 Drawn By: GW  
 Approved By: GW  
 CIP No.: 331710A

ALLEY BETWEEN F AVENUE AND G AVENUE NW  
 FROM 9TH STREET TO 8TH STREET  
 PORTLAND CEMENT CONCRETE PAVEMENT





## **Council Agenda Item Cover Sheet**

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

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

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

**Phone Number/Extension:** 5807

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes Map**  
Resolution establishing an easement for sanitary sewer service on City-owned property located at 1319 Ellis Boulevard NW in connection with the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (**FLOOD**). CIP/DID #SSD101-00

#### **Background:**

Previously, the City Council approved the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project. This project will repair flood damaged sanitary sewers located at various locations within the northwest quadrant of the City. The project is eligible for FEMA funding.

There is an existing sanitary sewer in this location, but the easement was never properly established. Establishing an easement for sanitary sewer service on the City-owned property will protect the public improvement if redeveloped.

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

The Public Works Department recommends establishing an easement for sanitary sewer service on the City-owned property.

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

Not proceed with establishing the easement for sanitary sewer service on City-owned property, the City sanitary sewer will remain undocumented.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** SSD/SSD000/SSD101

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

**Explanation:** Local Preference Policy does not apply to acquisition of easements.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an easement for sanitary sewer service exists in order to accommodate the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project (FLOOD SSD101), and

WHEREAS, The City of Cedar Rapids, OWNER of the real property located at 1319 Ellis Boulevard NW, and described as:

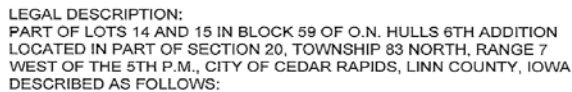
See Attached Sanitary Sewer Service Easement Exhibit  
, and

WHEREAS, the Public Works Director / City Engineer recommends the City establish an easement on City-owned property required for the NW Quadrant, 2008 Flood Area Sanitary Sewer Restoration project, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Sanitary Sewer Service Easement is hereby established and shall be recorded in the Office of the Linn County Recorder along with the attached Sanitary Sewer Service Easement Exhibit and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 10<sup>th</sup> day of June, 2014.

PART OF LOTS 14 AND 15 IN BLOCK 59 OF O.N. HULL'S 6TH ADDITION LOCATED IN  
PART OF SECTION 20, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH P.M.  
CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



### LEGEND

- NOTES:

- FOR THE BENEFIT OF  
THE HOUSE LOCATED AT:  
1315 ELLIS BLVD NW  
CEDAR RAPIDS, IA

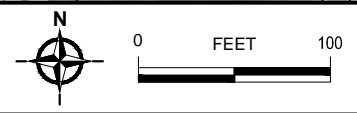




Cadd File Name: W:\PROJECTS\CI\PI611 (655)656980\1315 Ellis Blvd NW Easement\1315 Ellis Blvd NW Council Map.dwg



**1319 ELLIS BOULEVARD NW  
SANITARY SEWER SERVICE EASEMENT**





## **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:** Rob Davis  
**E-mail Address:** r.davis@cedar-rapids.org

**Phone Number/Extension:** 5808

**Description of Agenda Item:**

Resolution authorizing the Public Works Department an extension of the Flood Recovery Construction Contract Specialist position until December 31, 2014. CIP/DID #49-14-006

**Background:**

As a result of the continued construction of the City Services Center, the Public Works Department is requesting an extension of the Flood Recovery Construction Contract Specialist position until December 31, 2014, to provide services related to contract administration.

**Action / Recommendation:**

The Public Works Department recommends approval of the Resolution approving the extension of the Flood Recovery Construction Contract Specialist position until December 31, 2014.

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

**Time Sensitivity:** Immediate

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 5 minutes

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

RESOLUTION NO.

WHEREAS, the City Services Center is under continued construction and the Public Works Department requests an extension of the Flood Recovery Construction Contract Specialist position until December 31, 2014, to provide services related to contract administration on the building, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to extend the Flood Recovery Construction Contract Specialist position until December 31, 2014.

Passed this 10<sup>th</sup> day of June, 2014





## 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, 228 property owners have opted to not participate in the voluntary property acquisition program.

To date, 1,290 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 1,291.

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:** June 10, 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  
OB377545

## 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 10<sup>th</sup> day of June, 2014.

**EXHIBIT "A"**  
**CDBG Community Development Block Grant Program**  
**City of Cedar Rapids, Iowa - Offer to Buy Real Estate and Acceptance**  
**Batch # 78**

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
CR4743 NR	Lois E. Hanson	347 6th Ave SW	West 30 feet of Lot 2, Block 1, A. K. Murray's Addition to West Cedar Rapids, Linn County, Iowa	\$67,248.43	\$0.00	\$0.00	\$51,265.15	\$51,265.15	Primary Residence

Totals \$67,248.43 \$0.00 \$0.00 \$51,265.15 \$51,265.15

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



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

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

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

**Alternate Contact Person:** Kirsty Sanchez  
**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

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

Resolution authorizing submittal of the amended Annual Urban Renewal Area Report to the Iowa Department of Management for the City's sixteen (16) Urban Renewal Areas. CIP/DID #OB163407

### **Background:**

Staff has coordinated with the State Department Management on revisions to the City's Annual Urban Renewal Area Report. This is only the second year of the report. We are making improvements so information is consistent with the City's Annual Finance Report. Changes include updating revenue figures to reflect actual amounts, providing additional narrative on administration activities, and adjusting the starting balance accordingly.

The Urban Renewal Reporting Act of 2012 was adopted in the 2012 state legislative session. House File 2460 requires that all cities, counties, and Rural Improvement Zones with active Urban Renewal Areas provide specified information concerning active Urban Renewal Areas and any associated Tax Increment Financing Districts. This includes data for each of the City's sixteen (16) Urban Renewal Areas related to:

- Bond debt issuances
- Infrastructure projects
- Reimbursement of property tax increment

Staff has amended this year's Annual Urban Renewal Area Report for the City's sixteen (16) Urban Renewal Areas, as follows:

1. Central Business Urban Renewal Area
2. Consolidated Central Urban Renewal Area
3. Council Street Urban Renewal Area
4. Diamond V Mills Urban Renewal Area
5. Fountains Urban Renewal Area
6. Ingleside Urban Renewal Area
7. OSADA Urban Renewal Area
8. Pointe Urban Renewal Area

9. Prairie Ridge Urban Renewal Area
10. Raining Rose Urban Renewal Area
11. River Ridge North Urban Renewal Area
12. Rockwell Collins Urban Renewal Area
13. Southwest Consolidated Urban Renewal Area
14. Technology Park Urban Renewal Area
15. Village Urban Renewal Area
16. Westdale Urban Renewal Area

A summary report is attached to the resolution which will authorize submission to the Iowa Department of Management. The full report is on file in the City Clerk's Office.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

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

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

RESOLUTION AUTHORIZING SUBMITTAL OF THE AMENDED ANNUAL  
URBAN RENEWAL AREA REPORT TO THE IOWA DEPARTMENT OF  
MANAGEMENT FOR THE CITY'S SIXTEEN (16) URBAN RENEWAL AREAS

WHEREAS, Urban Renewal Area reporting requirements are in effect as of July 1, 2012 and Iowa Code Sections 331.403(3), 357H.9(2), and 384.22(2), as amended by HF 2460 (Urban Renewal Reporting Act of 2012) requires that all cities, counties, and Rural Improvement Zones with active Urban Renewal Areas provide specified information concerning active Urban Renewal Areas and any associated Tax Increment Financing Districts; and

WHEREAS, annual reports from local governments are due each December 1; and

WHEREAS, Staff coordinated with the State Department Management on revisions to the City's Annual Urban Renewal Area Report; and

WHEREAS, the changes made include updating revenue figures to reflect actual amounts, providing additional narrative on administration activities, and adjusting the starting balance accordingly; and

WHEREAS, the Amended Annual Urban Renewal Area Report has been completed and a summary report is attached hereto for the sixteen (16) Urban Renewal areas within the City of Cedar Rapids that include associated Tax Increment Financing Districts for the collection of tax increment as provided under State Urban Renewal Law; as follows:

1. Central Business Urban Renewal Area
2. Consolidated Central Urban Renewal Area
3. Council Street Urban Renewal Area
4. Diamond V Mills Urban Renewal Area
5. Fountains Urban Renewal Area
6. Ingleside Urban Renewal Area
7. OSADA Urban Renewal Area
8. Pointe Urban Renewal Area
9. Prairie Ridge Urban Renewal Area
10. Raining Rose Urban Renewal Area
11. River Ridge North Urban Renewal Area
12. Rockwell Collins Urban Renewal Area
13. Southwest Consolidated Urban Renewal Area
14. Technology Park Urban Renewal Area
15. Village Urban Renewal Area
16. Westdale Urban Renewal Area

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to submit the Amended Annual Urban Renewal Report to the Iowa Department of Management.

Passed this 10<sup>th</sup> day of June, 2014

# Annual Urban Renewal Report, Fiscal Year 2012 - 2013

## Levy Authority Summary

Local Government Name: CEDAR RAPIDS  
Local Government Number: 57G539

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
CEDAR RAPIDS CENTRAL URBAN RENEWAL	57001	5
CEDAR RAPIDS OSADA URBAN RENEWAL	57004	1
CEDAR RAPIDS RIVER RIDGE NORTH URBAN RENEWAL	57005	2
CEDAR RAPIDS PRAIRIE RIDGE URBAN RENEWAL	57007	4
CEDAR RAPIDS TECH PARK URBAN RENEWAL	57008	9
CEDAR RAPIDS SOUTHWEST URBAN RENEWAL	57009	7
CEDAR RAPIDS INGLESIDE URBAN RENEWAL	57010	1
CEDAR RAPIDS VILLAGE URBAN RENEWAL	57053	1
CEDAR RAPIDS CONSOLIDATED URBAN RENEWAL	57057	23
CEDAR RAPIDS BIOFUELS URBAN RENEWAL	57058	1
CEDAR RAPIDS COUNCIL ST URBAN RENEWAL	57064	4
CEDAR RAPIDS ROCKWELL URBAN RENEWAL	57067	1
CEDAR RAPIDS POINTE URBAN RENEWAL	57069	1
CEDAR RAPIDS DIAMOND V MILLS	57075	1
CEDAR RAPIDS RAINING ROSE TIF AREA	57076	1
WESTDALE URBAN RENEWAL AREA	57077	0
FOUNTAINS URBAN RENEWAL AREA	57078	0

TIF Debt Outstanding: 185,438,298

TIF Sp. Rev. Fund Cash Balance as of 07-01-2012:	-2,248,757	0	Amount of 07-01-2012 Cash Balance Restricted for LMI
---	------------	---	---

TIF Revenue:	8,171,962
TIF Sp. Revenue Fund Interest:	-9,605
Asset Sales & Loan Repayments:	119,276
<b>Total Revenue:</b>	<b>8,281,633</b>

Rebate Expenditures:	2,995,793
Non-Rebate Expenditures:	4,252,654
Returned to County Treasurer:	0
<b>Total Expenditures:</b>	<b>7,248,447</b>

TIF Sp. Rev. Fund Cash Balance as of 06-30-2013:	-1,215,571	0	Amount of 06-30-2013 Cash Balance Restricted for LMI
---	------------	---	---

Year-End Outstanding TIF  
Obligations, Net of TIF Special  
Revenue Fund Balance:

179,405,422



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Adam Lindenlaub

**Phone:** 319 286-5064

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

**Alternate Contact Person:** Jennifer Pratt

**Phone:** 319 286-5047

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

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

Resolution authorizing approval of the final payment of the City Share for the Cedar River Feasibility Study. CIP/DID #304290-00

### **Background:**

Per its approved Feasibility Cost Share Agreement with the U.S. Army Corps of Engineers for funding the Cedar River Feasibility Study, the City needs to make a final payment of \$61,572.

The City of Cedar Rapids entered in to a Feasibility Cost Share Agreement (FCSA) for the Time Check Area Feasibility Study on May 14, 2008. This was expanded into the Cedar River Feasibility Study on February 25, 2009 and was completed on January 27, 2011. This study resulted in the identification of the 4C flood mitigation project on the east side of the Cedar River that is currently in the proposed Water Resources Development Act being considered by Congress.

The FCSA requires the City to pay 50% of the total project cost, which is comprised of cash and Work-in-Kind (WIK). The final cost of the Study was over the initial estimate so the City's share is now \$4,613,205.43. The City agreed to provide \$1,875,000 in WIK (staff hours, consultant services, etc.) and \$2,738,205.43 in cash. Due to the increase in the Study cost the City needs to pay an additional \$47,272.43 in cash and another \$14,299.80 in cash to cover the shortfall in WIK for a total of \$61,572.23.

### **Action/Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

City Council may table and request additional information

**Time Sensitivity:** None but payment should be made as soon as possible.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 min

**Budget Information (if applicable):**

To be paid out of 521104-330-330260-18515-3302600005

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

The Cedar River Feasibility Study was performed by the US Army Corps of Engineers.

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

**Explanation (if necessary):**

RESOLUTION AUTHORIZING APPROVAL OF THE FINAL  
PAYMENT OF THE CITY SHARE FOR THE CEDAR RIVER  
FEASIBILITY STUDY

WHEREAS, the U.S. Army Corps of Engineers (Corps) and the City of Cedar Rapids (CITY) entered into a Feasibility Cost Share Agreement (Agreement) for the Time Check Area Feasibility Study on May 14, 2008, and was approved by Resolution No. 0389-05-08; and

WHEREAS, damage from the June 2008 flood necessitated an increase of the study area, planning, and public involvement for design of improvements to reduce the risk of damage from a similar future flood and was approved as Amendment One to the original Agreement by Resolution No. 0178-02-09 on February 25, 2009; and

WHEREAS, the City's share of the cost of the feasibility study is 50% of the total and is comprised of cash and Work-in-Kind (WIK), which was determined to be \$1,875,000; and

WHEREAS, the Corps has completed the final audit of the study and has determined the following:

- The cost share portion of the feasibility study is \$9,226,410.87 of which the City owes \$4,613,205.43 (this is an increase from the original estimate)
- The City's total WIK was \$14,299.80 short of \$1,875,000
- The City's 50% share minus WIK leaves a balance due of \$47,272.43
- The City owes a total of \$61,572 (WIK shortfall plus study cost increase)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that final payment of the City's share of the Cedar River Feasibility Study be made in the amount of \$61,572 to the US Army Engineering District in accordance with the Feasibility Cost Share Agreement.

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Utilities – Water

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

**Alternate Contact:** Ken Russell              **Phone:** 5926    **E-mail:** [k.russell@cedar-rapids.org](mailto:k.russell@cedar-rapids.org)

**Description of Agenda Item:**

Resolution approving reimbursement in the amount of \$10,147.29 to Turnberry 1, LLC for oversized water main installed in Ushers Ridge 8<sup>th</sup> Addition. CIP/DID #2010034-01

**Background:**

Developers/Contractors are required to furnish and install water distribution systems to serve new developments. On occasion, the Water Division will request that the developer/contractor install water mains larger than what is needed to adequately serve the new development. These requests are made in order to plan for future growth. In these instances, the Water Division will reimburse the Developer for the additional cost of materials incurred for the larger diameter water main. The amount to be reimbursed is calculated on the basis of the Water Division's actual bid unit prices for materials purchased that year.

The water distribution improvements for Usher's Ridge 8th Addition was accepted by Resolution No. 0216-02-14 on February 25, 2014. Eligibility for reimbursement for the oversized water main was determined after the improvements was accepted in February, and this resolution is for approval to reimburse the developer for the oversized main installed in Ushers Ridge 8<sup>th</sup> Addition.

**Action / Recommendation:**

The Utilities Department – Water Division is recommending approval of the resolution to reimburse the developer, Turnberry 1, LLC, \$10,147.29 for the 12-inch water main installed in Usher's Ridge 8<sup>th</sup> Addition.

**Alternative Recommendation:** There is no alternative recommendation

**Time Sensitivity:** None, routine item

**Resolution Date:** 06/10/14

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

**Budget Information (if applicable):**

1. **Included in Current Year Budget.** Funded from FY14 CIP budget for Water Main Extensions and the general ledger coding is 553000-625-625000-6252010034-625542.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The CIP budget for FY14 Water Main Extensions is \$1,500,000.
3. **Purchasing Department used or Purchasing Guidelines followed:** Not Applicable.

**Local Preference Policy**              Applies ☐    Exempt ☒

**Explanation:** N/A

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

**Explanation (if necessary):**



**Calculation of Reimbursement to: Turnberry Ridge 1, LLC  
For Oversizing to 12" Water Main installed  
in the Ushers Ridge 8th Addition (2010034)**

**MATERIAL COST FOR OVERSIZED 12"**

					<b>CRWD Prices</b>
	<b>Item</b>	<b>Units</b>	<b>Quantity</b>	<b>Unit Price</b>	<b>Total</b>
1.	12" DIP	feet	827	\$31.24	\$25,835.48
	<b>SUBTOTAL</b>				<b>\$25,835.48</b>

**MATERIAL COST FOR STANDARD 8" PIPE**

2.	8" DIP	feet	827	(\$18.97)	(\$15,688.19)
	<b>SUBTOTAL</b>				<b>(\$15,688.19)</b>

<b>Total reimbursement to Developer</b>	<b>\$10,147.29</b>
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Note: prices based on 2013 Annual Pipe Quote (Year the main was installed)

RESOLUTION NO.

WHEREAS, Resolution No. 0216-02-14 passed at the City Council Meeting on February 25, 2014 accepted the water system improvements installed on River Parkway NE, all in Ushers Ridge 8<sup>th</sup> Addition (Project No. 2010034), and

WHEREAS, said Resolution did not approve reimbursement to the developer, Turnberry 1, LLC, for the 12" water main installed in Ushers Ridge 8<sup>th</sup> Addition, and

WHEREAS, the City of Cedar Rapids Utilities Department – Water Division requested the developer install 827 feet of 12" water main to this addition, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the developer, Turnberry 1, LLC, be reimbursed for the 827 feet of 12" oversized main installed in Ushers Ridge 8<sup>th</sup> Addition, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be hereby authorized and directed to issue a warrant in the sum of \$10,147.29 to Turnberry 1, LLC for the oversized water main installed in Ushers Ridge 8<sup>th</sup> Addition. To be funded from the Utilities Department – Water Division's fiscal year 2014 CIP budget for Water Main Extensions and coded to 553000-625-625000-6252010034-625542.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 5097

**Description of Agenda Item:**

Resolution authorizing Venuworks to direct food and beverage sales at the Ice Arena per terms outlined in the Ice Arena Management Agreement under Attachment A section II A. (563496)

**Background:**

Current management agreement with VenuWorks to manage the Ice Arena is in place from December 1, 2013 thru June 30, 2018.

The management agreement has the following term under Attachment A; Section II; A.:

- Subject to City approval, manager may direct food and beverage sales.

**Action / Recommendation:**

Recommend City Council approve resolution.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

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

**Explanation (if necessary):**

FIN  
CM  
AUD FILE  
563496

RESOLUTION NO.

WHEREAS, Resolution No. 1912-12-13 authorized the City to enter into a management agreement with VenuWorks to manage the Ice Arena, and

WHEREAS, the Ice Arena management agreement under attachment A, Section II; A allows Venuworks to manage the food and beverage sales with approval from the City,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, that the City Council authorizes VenuWorks to direct food and beverage sales at the Ice Arena.

Passed the 10th day of June 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 Amendment No. 2 to the Professional Services Agreement with Brain Engineering, Inc. specifying an increased amount not to exceed \$49,600 for professional services in connection with B Avenue NW Improvements from Highland Drive to 8<sup>th</sup> Street project (original contract amount was \$55,697; total contract amount with this amendment is \$105,297) (**Paving for Progress**). CIP/DID #3012091-01

**Background:**

This project includes the rehabilitation of B Avenue NW from Highland Drive to 8<sup>th</sup> Street. The amendment will expand the scope of repairs and provide services for the reconstruction of roadway not previously included. The 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 adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Brain Engineering, Inc. specifying an increased amount not to exceed \$49,600.

**Alternative Recommendation:** Keep the scope of services as per the original Professional Services Agreement and only rehabilitate the roadway, instead of total reconstruction.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 3012091 – LOST 7970

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

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

RESOLUTION NO.

WHEREAS, on March 25, 2014, City Council approved the execution of contract number 3012091-01 with Brain Engineering, Inc. to provide design services for street improvements on B Avenue NW from Highland Drive to 8<sup>th</sup> Street, and

WHEREAS, after further evaluation, the Public Works Department recommends total reconstruction of this section of roadway in lieu of rehabilitation, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the professional service agreement with Brain Engineering, Inc. in the amount of \$49,600 for the B Avenue NW Improvements from Highland Drive to 8<sup>th</sup> Street project, 3012091-01. A summary of the contract amendments for this contract is as follows:

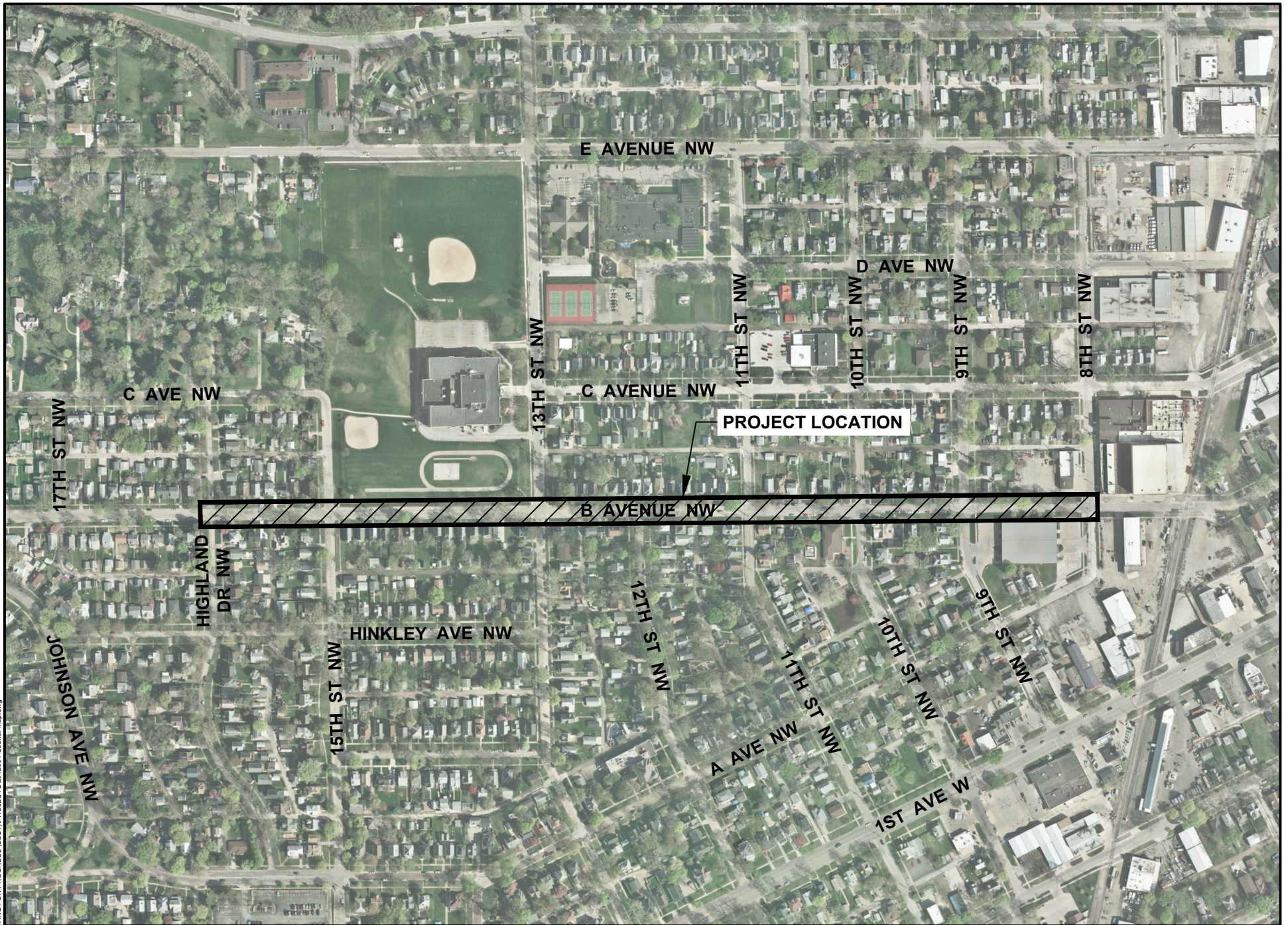
Original Contract Amount:	\$55,697.00
Amendment No. 1	\$0.00
Amendment No. 2	\$49,600.00
	<hr/>
Amended Contract Amount	\$105,297.00

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012091	\$49,600
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Passed this 10<sup>th</sup> day of June, 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 Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$94,764 for professional services in connection with the 19<sup>th</sup> Street SE, Bever Avenue SE, and Garden Drive SE Improvements project (original contract amount was \$106,000; total contract amount with this amendment is \$200,764) (**Paving for Progress**). CIP/DID #3012081-01

**Background:**

The project includes the rehabilitation of Bever Avenue SE from Memorial Drive to 22<sup>nd</sup> Street and from 19<sup>th</sup> Street to 14<sup>th</sup> Street; 19<sup>th</sup> Street SE from Mt. Vernon Road to Bever Avenue; and Garden Drive SE from Washing Avenue to Grande Avenue. This amendment will expand the scope of repairs and provide services for the reconstruction of roadway not previously included. 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 adoption of the resolution authorizing execution of Amendment No. 2 of the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$200,764.00.

**Alternative Recommendation:** Keep the scope of services as per the original Professional Services and only rehabilitate the roadway, instead of total reconstruction as recommended.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 3012081 – LOST 7970

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, on February 25, 2014, City Council approved the execution of contract number 3012081-01 with Snyder & Associates, Inc. to provide professional services for improvements on 19<sup>th</sup> Street SE, Bever Avenue SE, and Garden Drive SE, and

WHEREAS, the City desires to complete street improvements on 19<sup>th</sup> Street SE from the south edge of Glenway Drive SE to north of Mount Vernon Road, and

WHEREAS, after further evaluation the Public Works Department recommends total reconstruction of this section of roadway in lieu of rehabilitation, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the professional services agreement with Snyder & Associates, Inc. in the amount of \$94,764 for the 19th Street SE, Bever Avenue SE, and Garden Drive SE Improvements project (3012081-01). A summary of the contract amendments for this contract is as follows:

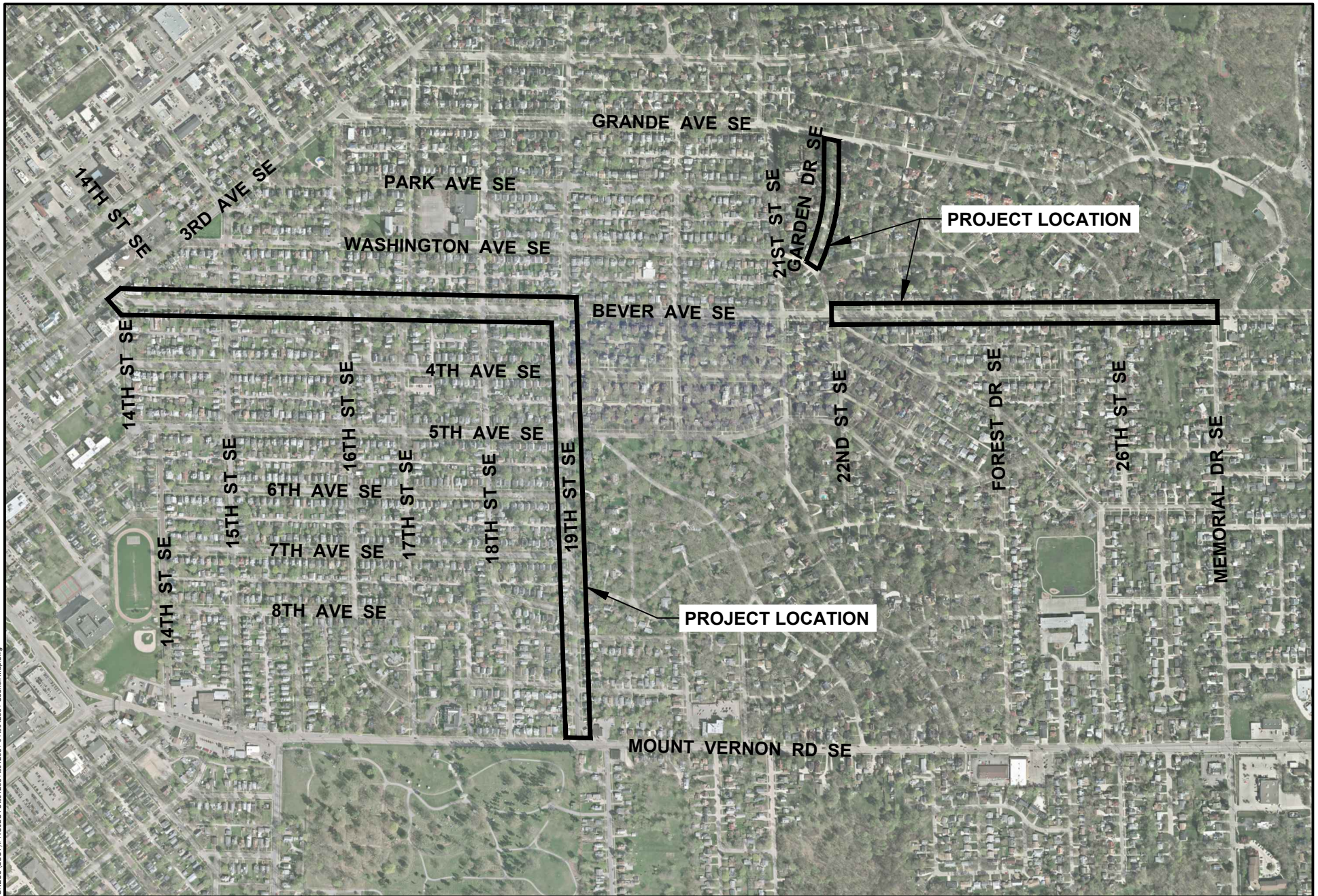
Original Contract Amount:	\$106,000.00
Amendment No. 1	\$0.00
Amendment No. 2	\$94,764.00
	<hr/>
Amended Contract Amount	\$94,764.00

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 3012081	\$81,264.00
Fund 625, Dept ID 625884 Project 2014090	\$9,500.00
Fund 655, Dept ID 655000 Project 655996	\$4,000.00

Passed this 10<sup>th</sup> day of June, 2014





**BEVER AVENUE SE FROM MEMORIAL DRIVE TO 22ND STREET  
AND FROM 19TH STREET TO 14TH STREET,  
19TH STREET FROM MOUNT VERNON ROAD TO BEVER AVENUE AND  
GARDEN DRIVE SE FROM WASHINGTON AVENUE TO GRANDE AVENUE  
IMPROVEMENTS PROJECT**





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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. 3 to renew Contract for Appraisal Services with Cook Appraisal LLC for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$50,000; renewal contract amount is \$50,000). CIP/DID #0610-290

**Background:**

Cook Appraisal LLC provides as-needed appraisal services for the Public Works Department, Engineering Division. This renewal is for the period July 1, 2014 through June 30, 2016 for an estimated annual amount of \$50,000. There are no renewal options remaining; this service will be re-bid in 2016.

Cook Appraisal LLC increased their prices for all categories except commercial parcel appraisal. Public works also has an Agreement with Commercial Appraisers of Iowa, Inc. to perform appraisal services that is being renewed under a separate resolution.

**Cook Appraisal, LLC pricing**

All inclusive price for value finding	\$1,800-2,500
All inclusive price for total parcel appraisal (commercial)	\$2,000-4,000
All inclusive price for total parcel appraisal (residential)	\$1,800-2,900
All inclusive price for detail narrative	\$2,000-4,000
All-inclusive billable hourly rate for assignment revisions and expert witness testimony	\$175-200

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Miscellaneous CIP projects 301 & 655

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Local preference was applied but did not affect the outcome

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department and Cook Appraisal LLC are parties to a Contract for as-needed appraisal services; and

WHEREAS, the City desires to renew the Contract with Cook Appraisal LLC for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal covers years five and six of the contract; no renewal options remain so this service will be re-bid in 2016; and

WHEREAS, vendor has increased its prices for all categories of services except commercial parcel appraisal; and

WHEREAS, the estimated annual cost of this contract is \$50,000.

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

Passed this 10<sup>th</sup> day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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. 3 to renew Contract for Appraisal Services with Commercial Appraisers of Iowa, Inc. for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$50,000; renewal contract amount is \$50,000). CIP/DID #0610-290

**Background:**

Commercial Appraisers of Iowa, Inc. provides as-needed appraisal services for the Public Works Department, Engineering Division. This renewal is for the period July 1, 2014 through June 30, 2016 for an estimated annual amount of \$50,000. There are no renewal options remaining; this service will be re-bid in 2016.

Commercial Appraisers of Iowa, Inc. held their pricing firm for all categories except billable hourly rate, which increased \$50/hour. Public works also has an Agreement with Cook Appraisal LLC to perform appraisal services that is being renewed under a separate resolution.

Commercial Appraisers of Iowa, Inc. pricing

All inclusive price for value finding	\$1,500-2,500
All inclusive price for total parcel appraisal (commercial)	\$2,400-4,500
All inclusive price for total parcel appraisal (residential)	\$900
All inclusive price for detail narrative	\$2,400-4,500
All-inclusive billable hourly rate for assignment revisions and expert witness testimony	\$250

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Miscellaneous CIP projects 301 & 655

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Local preference was applied but did not affect the outcome

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department and Commercial Appraisers of Iowa, Inc. are parties to a Contract for as-needed appraisal services; and

WHEREAS, the City desires to renew the Contract with Commercial Appraisers of Iowa, Inc. for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal covers years five and six of the contract; no renewal options remain so this service will be re-bid in 2016; and

WHEREAS, vendor has agreed to hold the pricing firm for all service categories except billable hourly rate, which increased \$50/hour; and

WHEREAS, the estimated annual cost of this contract is \$50,000.

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

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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 Appraisal Review Services with Oakwood Appraisal Company for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000). CIP/DID #0510-276

**Background:**

Oakwood Appraisal Co. provides as-needed appraisal review services for the Public Works Department, Engineering Division. This renewal is for the period July 1, 2014 through June 30, 2016 for an estimated annual amount of \$25,000. There are no renewal options remaining; this service will be re-bid in 2016.

Oakwood Appraisal Co. agreed to hold their pricing firm for the renewal period. Public works also has an Agreement with Hattery Real Estate appraisals, LLC to perform appraisal review services that is being renewed under a separate resolution.

**Oakwood Appraisal Co. pricing**

All inclusive price for value finding	\$300-1,250
All inclusive price for total parcel appraisal (commercial)	\$800-3,000
All inclusive price for total parcel appraisal (residential)	\$600-1,400
All inclusive price for detail narrative	\$1,250-5,000
All-inclusive billable hourly rate for assignment revisions and expert witness testimony	\$125

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Miscellaneous CIP projects 301 & 655

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Local preference was applied but did not affect the outcome

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department and Oakwood Appraisal Company are parties to a Contract for as-needed appraisal review services; and

WHEREAS, the City desires to renew the Contract with Oakwood Appraisal Company for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal covers years five and six of the contract; no renewal options remain so this service will be re-bid in 2016; and

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

WHEREAS, the estimated annual cost of this contract is \$25,000.

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 Oakwood Appraisal Company as described herein.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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 Appraisal Review Services with Hattery Real Estate Appraisals, LLC for the Public Works Department for an estimated annual amount of \$25,000 (original contract amount was \$25,000; renewal contract amount is \$25,000). CIP/DID #0510-276

**Background:**

Hattery Real Estate Appraisals, LLC provides as-needed appraisal review services for the Public Works Department, Engineering Division. This renewal is for the period July 1, 2014 through June 30, 2016 for an estimated annual amount of \$25,000. There are no renewal options remaining; this service will be re-bid in 2016.

Hattery Real Estate Appraisals, LLC agreed to hold their pricing firm for the renewal period. Public works also has an Agreement with Oakwood Appraisal Co. to perform appraisal review services that is being renewed under a separate resolution.

**Hattery Real Estate Appraisals, LLC pricing**

All inclusive price for value finding	\$700-800
All inclusive price for total parcel appraisal (commercial)	\$1,000-1,500
All inclusive price for total parcel appraisal (residential)	\$400
All inclusive price for detail narrative	\$1,000-1,500
All-inclusive billable hourly rate for assignment revisions and expert witness testimony	\$100

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Miscellaneous CIP projects 301 & 655

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Local preference was applied but did not affect the outcome

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids Public Works Department and Hattery Real Estate Appraisals, LLC are parties to a Contract for as-needed appraisal review services; and

WHEREAS, the City desires to renew the Contract with Hattery Real Estate Appraisals, LLC for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal covers years five and six of the contract; no renewal options remain so this service will be re-bid in 2016; and

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

WHEREAS, the estimated annual cost of this contract is \$25,000.

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 Hattery Real Estate Appraisals, LLC as described herein.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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. 3 to renew Contract for Title Report Services with Iowa Title Services for the Public Works Department for an estimated annual amount of \$50,000 (original contract amount was \$15,000; renewal contract amount is \$50,000). CIP/DID #0610-295

**Background:**

Iowa Title Services provides as-needed title report services for the Public Works Department, Engineering Division. The contract period is July 1, 2014 through June 30, 2016. No renewal options remain; this service will be re-bid in 2016.

Iowa Title Services will invoice the City for actual work completed based on the following pricing. They have agreed to hold their pricing firm for the renewal period.

	Description	Unit Price
1.	Report of record ownership and liens	\$265.00
2.	New abstract	\$605.00
3.	Continuation	\$300.00
4.	Addendum	\$20.00
5.	Copy of abstract	\$80.00

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Budgeted in various CIP accounts

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** Iowa Title Services 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 and Iowa Title Services are parties to an Agreement for as needed Title Report Services; and

WHEREAS, the City desires to renew the Agreement with Iowa Title Services for the contract period July 1, 2014 through June 30, 2016; and

WHEREAS, this renewal is years five and six of the contract; no renewal options remain so this service will be re-bid in 2016; and

WHEREAS, the estimated annual cost of this contract is \$50,000.

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

Passed this 10<sup>th</sup> day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Darrell Cannon

**Phone Number/Ext:** X5922

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

**Description of Agenda Item:**

Amendment No. 1 to renew Agreement for the purchase of Residential Water Meters with Ferguson Waterworks for the Utilities Department for a total annual expenditure not to exceed \$225,000 (Original contract amount was \$134,000; renewal contract amount is \$225,000). CIP/DID #0413-224

**Background:**

Bids were solicited in 2013 on behalf of the Utilities Department – Water Service Division to establish a Contract for the purchase of residential water meters with three (3) bids received. The contract was awarded to Ferguson Waterworks as the lowest bidder for an initial period of June 12, 2013 through June 30, 2014.

Amendment No. 1 is for renewal of the contract for the period of July 1, 2014 through June 30, 2015 with three (3) one-year renewal options remaining. The total annual expenditure for the renewal period will not exceed \$225,000 funded from the Water Service Division operating budget.

Original Agreement:	06/12/13 – 06/30/14	Resolution No. 0955-06-13
Amendment No. 1 to renew:	07/01/14 – 06/30/15	Resolution pending

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 1 to Agreement for Residential Water Meters for a total estimated annual amount not to exceed \$225,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Water Service Division Operating Budget

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applied but did not affect award. Local bidder is 51% higher than the lowest bid.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2013 for the purchase of residential water meters on an as-needed basis for the Utilities Department – Water Service Division; and

WHEREAS, Ferguson Waterworks was awarded the Contract for the initial period of June 12, 2013 through June 30, 2014; and

WHEREAS, Amendment No. 1 renews the Contract for the period of July 1, 2014 to June 30, 2015 with three one-year renewal options remaining; and

WHEREAS, the total annual expenditure for the renewal period will not exceed \$225,000, funded by the Water Service Division operating budget;

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 Ferguson Waterworks as described herein.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Darrell Cannon

**Phone Number/Ext:** X5922

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

**Description of Agenda Item:**

Amendment No. 3 to renew Agreement for Commercial Water Meters & Accessories with Ferguson Waterworks for the Water Service Division for a total annual expenditure not to exceed \$200,000 (Original contract amount was \$80,000; renewal contract amount is \$200,000). CIP/DID #0511-242

**Background:**

Bids were solicited on behalf of the Water Division in 2011 for the purchase of commercial water meters and accessories on an as-needed basis with three (3) bids submitted. Only Ferguson Waterworks submitted a bid for Neptune meters and accessories, which have now been standardized.

Amendment No. 3 extends the Agreement for a renewal period of July 1, 2014 through June 30, 2015 with one (1) one-year renewal option remaining.

Original Contract for Commercial Water Meters (Resolution No. 0830-06-11):	\$80,000
Amendment No. 1 to renew Contract (Resolution No. 0850-06-12):	\$80,000
Amendment No. 2 to renew and add items (Resolution No. 1032-06-13):	\$200,000
Amendment No. 3 to renew Contract (Resolution pending):	\$200,000

The total annual expenditure will not exceed \$200,000, budgeted in GL account #'s 531122-621-621005 and 554000-621-621005.

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 3 to Agreement for Commercial Water Meters & Accessories for a total estimated annual amount not to exceed \$200,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Estimated annual amount of \$200,000 budgeted in GL accounts 531122-621-621005 and 554000-621-621005 for FY14.

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

The local preference policy applied when this contract was awarded but there were no local bidders.

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

**Explanation (if necessary):**



RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2011 for Commercial Water Meters & Accessories on behalf of the City of Cedar Rapids Water Division; and

WHEREAS, responses were received from three (3) suppliers; and

WHEREAS, Ferguson Waterworks was awarded the Contract for the initial period of July 1, 2011 to June 30, 2012; and

WHEREAS, this Amendment No. 3 renews the Agreement for the period of July 1, 2014 to June 30, 2015 with 1 one-year renewal option remaining; and

WHEREAS, the total annual expenditure for the renewal period will not exceed \$200,000, budgeted in GL account #'s 531122-621-621005 and 554000-621-621005;

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

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Russell Betts

**Phone Number/Ext:** X5212

**Email:** [r.betts@cedar-rapids.org](mailto:r.betts@cedar-rapids.org)

**Description of Agenda Item:**

Amendment No. 1 to add items to Agreement for Exterior Signage for City Services Center with Frankensigns LLC for a total additional expenditure of \$4,704 (Original contract amount was \$22,853.43; total contract amount with this addendum is \$27,557.43). CIP/DID #0513-264-EXT

**Background:**

Bids were solicited in 2013 on behalf of the Engineering Division for signage for the City Services Center with eleven (11) vendors responding. Award was made to Presentations, Inc. as the lowest responsive and responsible bidder for interior signage and to Frankensigns LLC as the lowest bidder for exterior signage.

The term of the Agreement is from the execution date of July 17, 2013 through December 31, 2014. Amendment No. 1 adds additional exterior signage to the Agreement as follows:

<b>Sign Type</b>	<b>Description / Locations</b>	<b>Qty</b>	<b>Unit Price (Installed)</b>
A-515	¼" Stainless Steel Plaque, installed; see Attachment A to Amendment No. 1	1	\$1,552
A-530	Cast Aluminum Dark Bronze Anodized Finish; exterior letterset on reclaimed monument, installed; see Attachment B to Amendment No. 1	1	\$3,152
Total amount for additional signage:			\$4,704

The total amount with this amendment is \$27,557.43, budgeted in GL account #330-330210-PWE006-NG.

**Summary of Agreement to date:**

Initial Agreement:	\$ 22,853.43	Not to exceed, no resolution required
Amendment No. 1:	\$ 4,704.00	Additional signage, resolution pending
<b>Total amount for project:</b>	<b>\$27,557.43</b>	<b>Total not to exceed</b>

**Action / Recommendation:**

Resolution authorizing execution of Amendment No. 1 to Agreement for Exterior Signage for City Services Center for a total amount not to exceed \$27,557.43.

**Alternative Recommendation:****Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 330-330210-PWE006-NG (no federal funding)

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applies but did not have any effect on the outcome because the lowest responsive and responsible bidder in each category are both local.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids in 2013 on behalf of the Engineering Division for signage for the City Services Center; and

WHEREAS, responses were received from eleven suppliers; and

WHEREAS, the contract for exterior signage was awarded to Frankensigns LLC for the period of July 17, 2013 through December 31, 2014 for an initial amount of \$22,853.43; and

WHEREAS, Amendment No. 1 adds the following additional signage to the contract:

Sign Type	Description / Locations	Qty	Unit Price (Installed)
A-515	¼" Stainless Steel Plaque, installed; see Attachment A to Amendment No. 1	1	\$1,552
A-530	Cast Aluminum Dark Bronze Anodized Finish; exterior letterset on reclaimed monument, installed; see Attachment B to Amendment No. 1	1	\$3,152
Total amount for additional signage:			\$4,704

AND WHEREAS, the total expenditure with the additional signage is \$27,557.43, funded from PWE006-NG; and

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

Passed this 10<sup>th</sup> day of June, 2014.



30k

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Kirsty Sanchez

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

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Resolution authorizing execution of amendment for the contract between Iowa Economic Development Authority (IEDA) and Raining Rose, Inc. to transfer investment tax credits to research and development tax credits. CIP/DID #OB451419

### **Background:**

On May 27, 2014, staff received a request to amend the contract between IEDA, Raining Rose, Inc., and the City of Cedar Rapids to transfer \$85,000 of investment tax credits to research and development tax credits. The contract amendment is attached as Exhibit A.

On July 12, 2011, the City authorized Sponsorship of a Business Financial Assistance application to the State for Raining Rose for the demolition of an underutilized industrial facility and construction of a new commercial facility at 3015 1<sup>st</sup> Avenue SE and 100 30<sup>th</sup> Street Drive SE.

The State and local participation requested was:

- \$ 100,000 State Forgivable loan/grant
- \$1,043,889 State Investment tax credit
- \$ 232,500 State Sales/service tax refund
- \$ 230,282 State Research activities credit
- \$ 676,385 Local match
- \$ 165,600 Local job training funds – Kirkwood College

### **Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:** N/A

City Council may table the resolution and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

**Local Preference Policy** Applies ☐ Exempt ☐

**Explanation (if necessary):**

CONTRACT AMENDMENT

RECIPIENT: Raining Rose, Inc.  
 CONTRACT NUMBER: 12-IVF/TC-006  
 AMENDMENT NUMBER: One  
 EFFECTIVE DATE: May 16, 2014

THIS CONTRACT AMENDMENT is made by and between the IOWA ECONOMIC DEVELOPMENT AUTHORITY (hereafter "IEDA" f/k/a Iowa Department of Economic Development), 200 East Grand Avenue, Des Moines, Iowa 50309, an agency of the State of Iowa, Raining Rose, Inc. ("Recipient"), 407 9<sup>th</sup> Avenue SE, Cedar Rapids, IA 52401 and City of Cedar Rapids ("Community"), 3854 River Ridge Drive NE, Cedar Rapids, IA 52402.

WHEREAS, the Recipient requested an amendment of the tax credit benefit allocation, and

WHEREAS, the IEDA BOARD approved the request, effective as of the Effective Date stated above, and

NOW, THEREFORE, the Contract referenced above is amended as follows:

1. REVISION OF EXHIBIT B-2 High Quality Jobs Program. Exhibit B-2 Special Conditions to Contract #12-IVF/TC-006 is amended as follows:

**SECTION 2: TERMS AND CONDITIONS OF THE AWARD.**

**2.3 Additional Tax Benefits.** The Recipient is eligible for additional incentives pursuant to Iowa Code sections 15.326, et. seq. pursuant to its participation in the High Quality Jobs Program and its obligations and rights under the Contract. The following Tax Benefits, in the maximum amounts shown for each authorized benefit, are so available to the Recipient:

Authorized Benefits	Included in Award	Maximum Amt.
<i>Refund of Sales, Service, and Use Taxes.</i> Refund of sales, service, and use taxes paid to contractors or subcontractors during construction.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	\$ 232,500
<i>Refund of Sales Taxes Attributable to Racks, Shelving, and Conveyor Equipment.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 0
<i>Investment Tax Credit (negotiated)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<del>\$ 417,555</del> <u>\$ 332,500</u>
<i>Research Activities Credit.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<del>\$55,116</del> <u>\$140,116</u>
<i>Local Property Tax Exemption Provided by Community</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$ 0

**2.4 Conditions for Authorized Benefits.** The Recipient is responsible to seek these additional benefits through processes described in the applicable statutes and corresponding administrative rules,



ordinances and procedures. The following conditions shall apply to the benefits described in section 2.3 of this Exhibit.

(d) *Investment Tax Credit.*

2. The tax credit shall be amortized over a five-year period as specified below:

July 1, 2011 – June 30, 2012	\$83,500
July 1, 2012 – June 30, 2013	\$83,500
July 1, 2013 – June 30, 2014	<del>\$83,500</del> \$55,166
July 1, 2014 – June 30, 2015	<del>\$83,500</del> \$55,166
July 1, 2015 – June 30, 2016	<del>\$83,500</del> \$55,166

Except as otherwise revised above, the terms, provisions, and conditions of Contract Number 12-IVF/TC-006 and related exhibits shall remain unchanged and are in full force and effect:

FOR RECIPIENT:

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT/TYPE NAME, TITLE

\_\_\_\_\_  
Date

FOR IEDA:

\_\_\_\_\_  
Deborah V. Durham, Director

\_\_\_\_\_  
Date

FOR THE COMMUNITY:

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT/TYPE NAME, TITLE

\_\_\_\_\_  
Date

RESOLUTION NO.

RESOLUTION AUTHORIZING AMENDMENT OF THE CONTRACT  
BETWEEN IOWA ECONOMIC DEVELOPMENT AUTHORITY AND  
RAINING ROSE INC

WHEREAS, on July 12, 2011, the City authorized Sponsorship of a Business Financial Assistance application to the State for Raining Rose for the demolition of an underutilized industrial facility and construction of a new commercial facility at 3015 1<sup>st</sup> Avenue SE and 100 30<sup>th</sup> Street Drive SE; and

WHEREAS, on May 27, 2014, staff received a request to amend the contract between IEDA, Raining Rose, Inc., and the City of Cedar Rapids; and

WHEREAS, the proposed amendment transfers \$85,000 of investment tax credits to research and development tax credits;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to execute the Amendment to the contract between Iowa Economic Development Authority, Raining Rose, Inc., and the City of Cedar Rapids, amending the transfer of \$85,000 of investment tax credits to research and development tax credits.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at Meeting:** Paula Mitchell

**Phone:** 286-5852

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

**Alternate Contact Person:** Caleb Mason

**Phone:** 286-5188

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

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

Resolution authorizing execution of Amendment No. 1 to the Development Agreement with New Leaf Historic Properties for the redevelopment of property at 213 13<sup>th</sup> Avenue SE, authorizing a 120-day time extension for completion of construction. CIP/DID #OB811372

### **Background:**

On June 4, 2014, staff received a request from New Leaf Historic Properties to amend the Development Agreement for redevelopment of the previously City-owned property located at 213 13<sup>th</sup> Avenue SE, in order to provide additional time to complete construction. The request is made based on two factors: additional levels of review by the State Historic Preservation Office and a serious illness impacting the development team, which interrupted the previous timeline. New Leaf Historic Properties is still committed to moving forward with the project and has requested a time extension to perform.

City Council approved a Development Agreement with New Leaf Historic Properties on May 14, 2013. The City has received and recorded amended deed restrictions for the property and closing occurred on January 3, 2014, when New Leaf Historic Properties purchased the property from the City for the fair market value. The Developer has provided financing commitments and escrowed demolition funds to protect the City's interest in the event the project is unable to be completed.

If the time extension is approved, the developer will have until November 11, 2014 to complete construction. Staff recommends amending the Development Agreement to provide the additional time requested.

### **Action/Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

City Council may table the resolution and request additional information.

### **Time Sensitivity:**

If the Development Agreement is not amended, the Developer will be in default.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

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

**Local Preference Policy** Applies ☐ Exempt ☒

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

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO  
THE DEVELOPMENT AGREEMENT WITH NEW LEAF HISTORIC  
PROPERTIES FOR THE REDEVELOPMENT OF PROPERTY LOCATED  
AT 213 13TH AVENUE SE TO PROVIDE A TIME EXTENSION OF 120  
DAYS TO COMPLETE CONSTRUCTION

WHEREAS, on May 14, 2013 the City Council adopted Resolution No. 0767-05-13, authorizing the execution of a Development Agreement (the "Agreement") with New Leaf Historic Properties (the "Developer") for the redevelopment of City owned property at 213 13<sup>th</sup> Avenue SE; and

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

WHEREAS, the parties wish to further amend the Agreement as set forth in Amendment No. 1 to the Agreement which extends the time for which the Developer may perform the obligations pursuant to the Agreement by completing construction no later than 120 days following the effective date of the amendment; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute Amendment No. 1 to the Development Agreement with New Leaf Historic Properties.

Passed this 10<sup>th</sup> day of June, 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/No Map**

Authorizing Change Order No. 1 in the amount of \$31,968.10 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,765,564.20; total contract amount with this amendment is \$1,846,532.30) (**FLOOD**). CIP/DID #SSD103-11

### Background:

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

Additional work includes:

- Emergency Sewer Repair - there was a broken pipe on one of the sewer lines that was to be replaced in this contract. The Contractor was asked by the City to do this repair before the actual start date for this contract. The Contractor had to dig through four feet of frost to do the repair.
- The existing water main was laid on top of the 8-inch sanitary sewer; when the sanitary sewer was increased to 10-inch, the water main was in the way and had to be relocated.
- An additional sanitary manhole was added to this contract, which included removal and replacement of the manhole, concrete pavement, a security system, and rock excavation.
- The existing soils were unstable to support pavement; therefore, they were hauled out and granular material hauled in.

### Action / Recommendation:

The Public Works Department recommends approval of Change Order No. 1 submitted by Ricklefs Excavating, Ltd.

### 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:** June 10, 2014

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

**Budget Information (if applicable):**

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



ENG  
AUD FILE  
FIN  
CLK  
RICKLEFS  
SNYDER  
SSD103-11  
OB377545

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 1 in the amount of \$31,968.10 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, Contract No. SSD103-11. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,765,564.20
Possible Incentive	50,000.00
Change Order No. 1	31,968.10
Disincentive/Liquidated Damages	<u>(1,000.00)</u>
Amended Contract Amount	\$1,846,532.30

General ledger coding for this Change Order to be as follows: \$31,968.10 330-330210-18511-SSD103

Passed this 10<sup>th</sup> day of June, 2014.

## Council Agenda Item Cover Sheet

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

**Council Date:** June 10, 2014

**Submitting Department:** Utilities - Water Division

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

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

### Description of Agenda Item:

Change Order No. 1 in the amount of \$96,000 with B. G. Brecke, Inc. for the Repair of Water Service Lines FY14 project (original contract amount was \$238,140; total contract amount with this amendment is \$336,140). CIP/DID #521108-14

### Background:

This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. Costs for service line repairs are difficult to predict and have been somewhat variable in recent years (Fiscal Year 2010 - \$488,455; Fiscal Year 2011 - \$210,496; Fiscal Year 2012 - \$248,696; Fiscal Year 2013 - \$264,681) and a significant portion of this year's costs can be attributed to the harsh winter and a record number of frozen service lines.

### Action / Recommendation:

The Utilities Department – Water Division recommends approval of Change Order No. 1, to the Contract for the Repair of Water Service Lines FY14, in the amount of \$96,000 submitted by B. G. Brecke, Inc. and that the City Manager and City Clerk be authorized to execute said Change Order.

### Alternative to the Recommendation:

If Council does not approve the change order, service line repairs for the remaining Fiscal Year will not be made and payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** 6/10/2014

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

### Budget and Purchase Process Information:

- Included in Current Budget Year:** This will be budgeted under FY14 Meter Shop operations and maintenance budget and coded to 521108-621-621005.
- Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:**  
The FY14 budget includes \$275,000 for the Repair of Service Line Contract. Expenditures in excess of the budget for service line repairs will be covered by actual revenues that exceed the FY14 budget.
- Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** N/A

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

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

RESOLUTION NO.

WHEREAS, B. G. Brecke, Inc. was awarded the contract for the Repair of Water Service Lines FY14 (Contract No. 521105-14) for the City of Cedar Rapids, Iowa, by Resolution No. 1083-06-13 passed on June 25, 2013, and

WHEREAS, the Contract was estimated at a cost of \$238,140 and calculated on the basis of anticipated unit quantities and the unit prices as stipulated in the Contract Agreement, and

WHEREAS, the actual quantities for some work items will greatly exceed the original estimates (a significant portion of this year's costs can be attributed to the harsh winter and a record number of frozen service lines) and the final total Contract cost is now projected to be \$336,140, and

WHEREAS, Change Order No. 1, specifies a net increase in the amount of \$96,000 for the additional work items and projected costs to June 30, 2014, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order No. 1, to the Contract for the Repair of Water Service Lines FY14, in the amount of \$96,000 submitted by B. G. Brecke, Inc. be hereby approved and that the City Manager and City Clerk be authorized to execute said Change Order. The original contract amount was \$238,140 and the total contract amount with this amendment is \$336,140. To be funded from the Utilities Department – Water Division Fiscal Year 2014 Meter Shop operations and maintenance budget and coded to 521108-621-621005.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

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

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Utilities – Water Division

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

**Alternate Contact:** Matt Jensen                      **Phone:** 5937    **E-mail:** [m.jensen@cedar-rapids.org](mailto:m.jensen@cedar-rapids.org)

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

Resolutions approving actions regarding Purchases/Contracts/Agreements:

- a. Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$160,000 for the J Avenue Water Plant Generator Addition project. CIP/DID #6250016-01

### **Background:**

The J Avenue Water Treatment plant has a 2 MW (Mega-Watt) diesel generator that provides emergency power to the plant during periods when normal power from the electric utility is unavailable. The 2 MW generator is sized to be able to handle the plant operating at full capacity. The operation of the existing generator is partially automated; Operators must give permissions for the generator to tie into the plant electrical switchgear before it can provide emergency power to the plant. The permissions can be given from the SCADA operator's station or from a manual control panel at the plant electrical switchgear.

The NW Water Treatment plant has a similar generator control setup to the J Avenue Water Treatment plant. The control scheme is similar in that an operator must give permission before the generator can provide power to the plant electrical grid.

The goal of the project is to install an additional emergency diesel generator at the J Avenue Water Treatment Plant. This will provide redundancy should the existing diesel generator fail and provide additional emergency power generation capability to supply emergency power to raw water wells in the East Well Field. The project also offers the opportunity to streamline the automation of the emergency generators at both the J Avenue and NW Water Treatment Plants. Currently, the generators will not start or transfer power to the plant electric grids without manual input from the plant operators. The objective with respect to controlling the generators is to remove the required manual input for emergency power operations and to have the system function as an Automatic-Source-Transfer type system.

Six engineering firms were contacted for Statements of Qualifications to perform the design. The six firms were: Stanley Consultants, Inc., H.R. Green Company, HDR Engineering, CH2M-Hill, Black & Veatch, and Strand Associates, Inc. Packets detailing the experience of the firm and the proposed schedule for the project were received from Stanley Consultants, Inc. and Strand Associates. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Strand Associates, Inc. could bring to the project best met the needs of the Utilities Department.

### **Action / Recommendation:**

The Utilities Department – Water Division recommends approval of the Professional Services Agreement with Strand Associates, Inc. for the J Avenue Water Plant Generator Addition and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 6-10-14

**Resolution Date:** 6-10-14

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY 2015 and FY2016 Water Division Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250016.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$650,000 budgeted in the FY2015 CIP budget and \$350,000 in the FY2016 Capital Improvement Projects budget for J Avenue Water Plant Generator Addition project.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

**Local Preference Policy**

Applies ☒

Exempt ☐

**Explanation:** Consultant evaluation form gives preference to local consultants.

**Recommend by Council Committee**

Yes ☐

No ☐

N/A ☒

**Explanation (if necessary):**

RESOLUTION NO

WHEREAS, the City of Cedar Rapids Utilities – Water Division needs to upgrade the emergency generator system at the J Avenue Water Plant, and

WHEREAS, proposals were solicited from six national consulting firms experienced with design and renovation of water treatment plants, and

WHEREAS, Strand Associates, Inc. possess the expertise and experience needed for this project and has proposed to furnish these services for a not to exceed fee of \$160,000, and

WHEREAS, the Utilities Department – Water staff has determined that the proposed fee is fair and reasonable for the scope of services to be furnished and recommends that the City execute a Professional Services Agreement with Strand Associates, Inc. for the J Avenue Water Plant Generator Addition project (Contract No. 6250016-01), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$160,000, for the J Avenue Water Plant Generator Addition project (Contract No. 6250016-01), be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from the Utilities Department – Water Division Fiscal Year 2015 and Fiscal Year 2016 Capital Improvement Projects budget. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250016.

Passed this 10<sup>th</sup> day of June, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Kevin Vrchoticky, EI  
**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Phone Number/Extension:** 5896

**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** ☒ **Map**

Resolution authorizing execution of a Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$52,400 for design services in connection with the 2015 Sidewalk Infill project. CIP/DID #3012074-01

**Background:**

This agreement is for a new sidewalk installation assessment project in accordance with the subdivision ordinance. Total amount to be assessed is \$420,000 for 61 properties throughout the city, for a total project amount of \$380,000. Preliminary assessments will be sent to property owners over the summer to provide time for installation of new sidewalk. Any sidewalks not installed by the end of the 2014 construction, will be designed by Hall & Hall Engineers with an installation schedule of the beginning of the 2015 construction season.

The 2015 Sidewalk Infill project will fill in sidewalk gaps throughout the city and increase mobility for all pedestrians as part of the Blue Zone program. The Americans with Disabilities Act (ADA) states that sidewalk gaps shall be installed to become ADA compliant.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Hall & Hall Engineers, Inc.

**Alternative Recommendation:**

The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing or delay the project until City Staff has the resources available to proceed with design.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** (list future year funding by council if needed, as necessary)

**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 & 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 \$52,400, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012074-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for 2015 Sidewalk Infill project (Fund 301, Dept ID 301000, Project 3012074-01),

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 10<sup>th</sup> day of June, 2014.



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution authorizing execution of a Professional Services Agreement with Ament Design for an amount not to exceed \$60,610 for design services in connection with the Edgewood Road SW Roadway Rehabilitation Improvements from Johnson Avenue to E Avenue project (**Paving for Progress**). CIP/DID #3012098-01

**Background:**

This project includes the rehabilitation of Edgewood Road SW from Johnson Avenue to E Avenue. The work includes pavement repair/overlay, curb repairs and sidewalk handicap ramp upgrades. 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 Ament Design.

**Alternative Recommendation:**

Identify other options to complete design and construction documents for the rehabilitation of the roadways.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 3012098 - 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 Ament Design is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$60,610 and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012098-01 with Ament Design, and

WHEREAS, the City Council has allocated funds for the Edgewood Road SW Roadway Rehabilitation Improvements from Johnson Avenue to E Avenue project, and

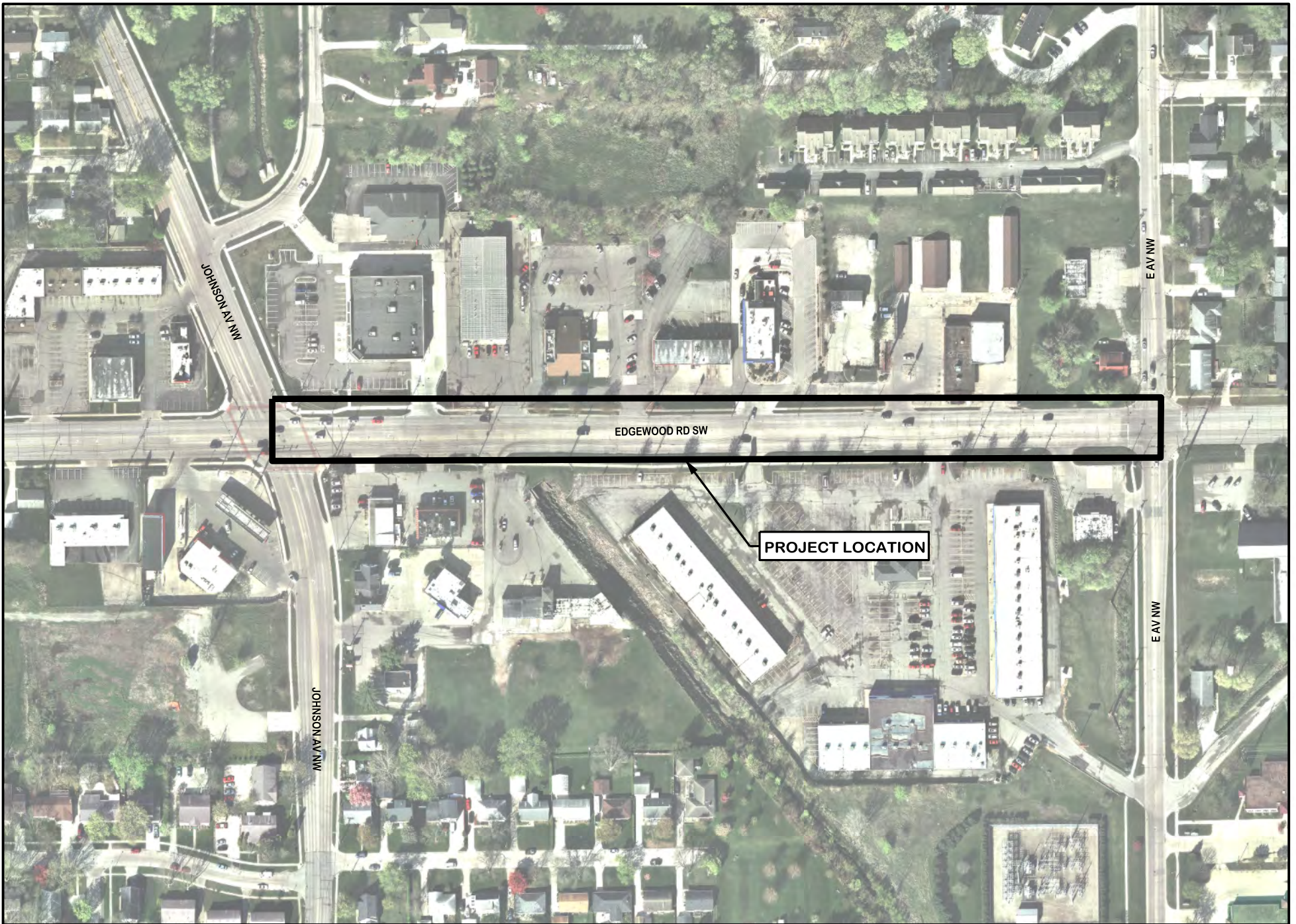
General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012098	\$60,610
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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 10<sup>th</sup> day of June, 2014





EDGEWOOD RD SW

PROJECT LOCATION



**EDGEWOOD ROAD SW ROADWAY REHABILITATION**  
JOHNSON AVENUE SW TO E AVENUE SW



0 FEET 200

3012098-01





## 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 Anderson-Bogert Engineers & Surveyors, Inc. for an amount not to exceed \$215,282 for design services in connection with the 7th and 8th Street SE Roadway Rehabilitation Improvements from A Avenue to 8th Avenue project (**Paving for Progress**). CIP/DID #3012111-01

**Background:**

This project includes the rehabilitation of 7<sup>th</sup> and 8<sup>th</sup> Street from A Avenue to 8<sup>th</sup> Avenue SE. The work includes pavement repair/overlay, curb repairs and sidewalk handicap ramp upgrades. 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 Anderson-Bogert Engineers & Surveyors, Inc.

**Alternative Recommendation:**

Identify other options to complete design and construction documents for the rehabilitation of the roadways.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 3012111 - 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 Anderson-Bogert Engineers & Surveyors, 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 \$215,282 and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012111-01 with Anderson-Bogert Engineers & Surveyors, and

WHEREAS, the City Council has allocated funds for the 7th and 8th Street SE Roadway Rehabilitation Improvements from A Avenue to 8th Avenue project, and

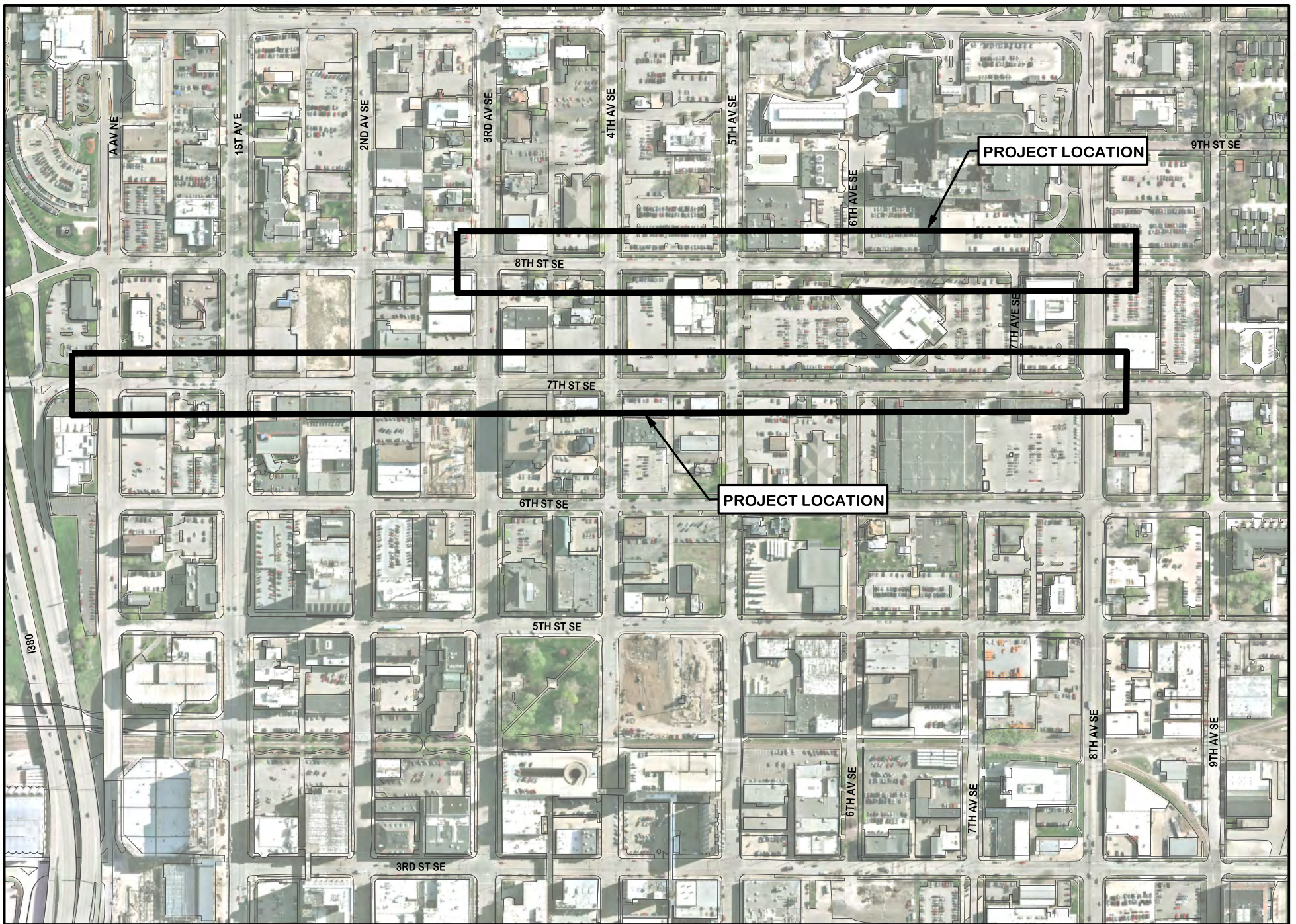
General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012111	\$215,282
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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 10<sup>th</sup> day of June, 2014









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Resolution authorizing execution of a Professional Services Agreement with Hall & Hall Engineers, Inc. for an amount not to exceed \$179,975 for professional services in connection with the Northwood Drive NE Roadway Rehabilitation Improvements from Glass Road to 42nd Street project (**Paving for Progress**). CIP/DID #3012115-01

**Background:**

This project includes the rehabilitation of Northwood Drive NE Roadway from Glass Road to 42<sup>nd</sup> Street, including pavement repair/overlay, curb repairs and sidewalk handicap ramp upgrades. The 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 & 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:** June 10, 2014

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

**Budget Information (if applicable):** 3012115 - 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 & 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 \$179,975 and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into Contract No. 3012115-01 with Hall & Hall Engineers, Inc., and

WHEREAS, the City Council has allocated funds for the Northwood Drive NE Roadway Rehabilitation Improvements from Glass Road to 42<sup>nd</sup> Street project, and

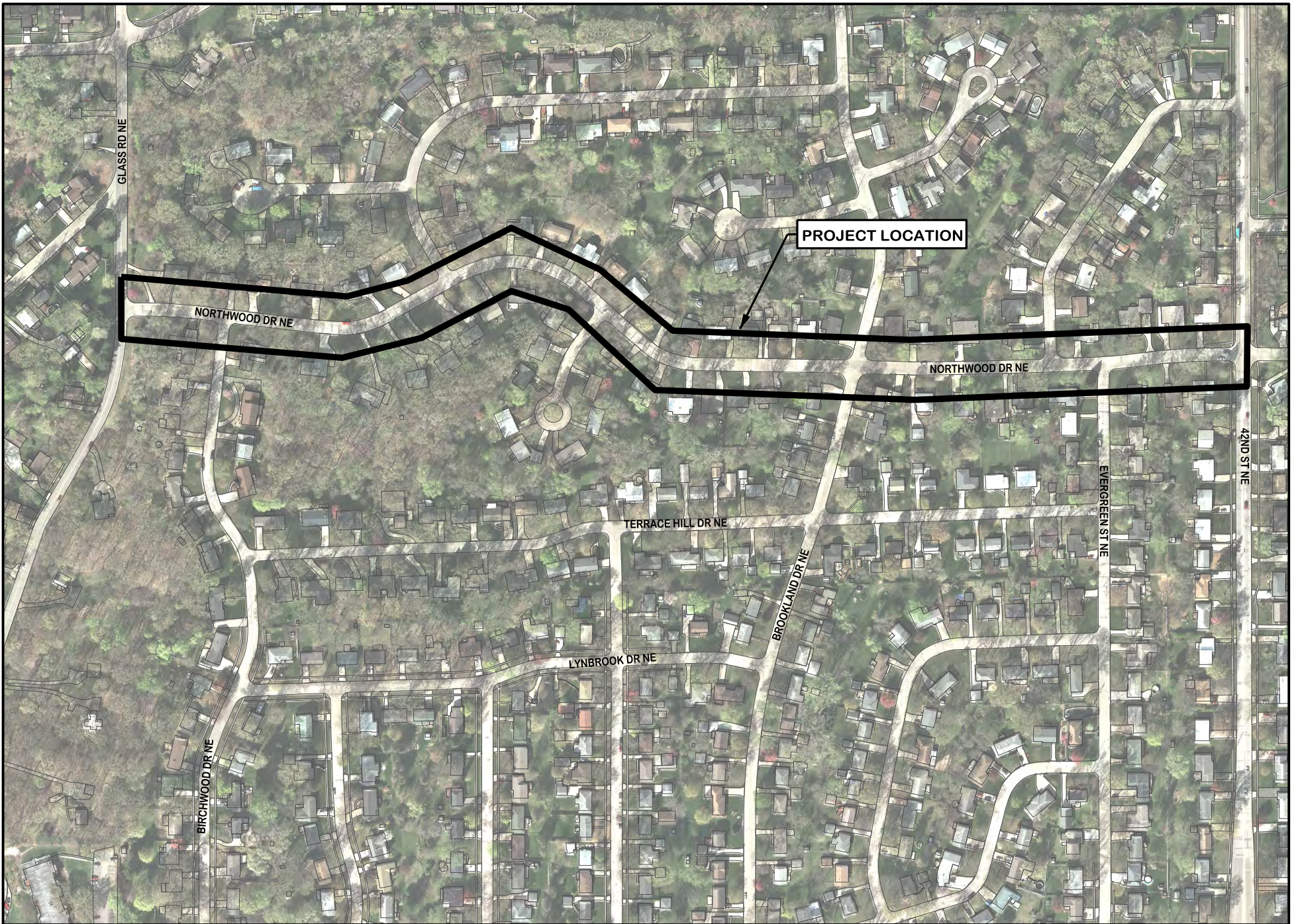
General Ledger Coding for this Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3012115	\$179,975
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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 10<sup>th</sup> day of June, 2014









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5875

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

**Phone Number/Extension:** 5807

**Description of Agenda Item:** ☒ **Consent Agenda** ☐ **Regular Agenda** **Yes Map**  
Resolution accepting an Easement for Storm Sewer and a Temporary Grading Easement for Construction from The Cedar Rapids Country Club from land located at 550 27<sup>th</sup> Street Drive SE in connection with the Valley Brook Drive SE Channel Restoration Improvements project. CIP/DID #304141-00

**Background:**

Previously, the City Council approved funding towards the Valley Brook Drive SE Channel Restoration Improvements.

The easements are required to accommodate the proposed storm sewer improvements, including surface restoration to severely eroded storm channel. The Cedar Rapids County Club has agreed to grant the easements for mutual benefit.

**Action / Recommendation:**

The Public Works Department recommends accepting an Easement for Storm Sewer and Temporary Grading Easement for Construction from The Cedar Rapids Country Club.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed easements and direct City staff to abandon or reconfigure storm sewer and restoration plan.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 304/304000/304141

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

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

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for an easement for storm sewer and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, The Cedar Rapids Country Club, 550 27<sup>th</sup> Street Drive SE, Cedar Rapids, Iowa 52403, OWNER of the real property known and described as:

See Attached Permanent Storm Sewer Easement A  
See Attached Permanent Storm Sewer Easement B

has agreed to convey the necessary easement for storm sewer and temporary grading easement for construction at 550 27<sup>th</sup> Street Drive SE to the City of Cedar Rapids for mutual benefit, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Valley Brook Drive SE Channel Restoration Improvements project (Fund 304, Dept. ID 304000, Project 304141), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Temporary Grading Easement for Construction is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

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

Passed this 10<sup>th</sup> day of June, 2014.

# PERMANENT STORM SEWER EASEMENT A

PREPARED BY STEVEN N. ZEETS, L.S., FOTH INFRASTRUCTURE & ENVIRONMENT, LLC  
3950 RIVER RIDGE DRIVE NE, SUITE A CEDAR RAPIDS, IOWA 52402

## LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST CORNER OF LOT 40 OF THE COUNTRY CLUB PARK ADDITION TO THE CITY OF CEDAR RAPIDS AND THE NORTHERLY RIGHT-OF-WAY LINE OF VALLEY BROOK DRIVE SE;  
THENCE S89°51'59"W, 115.46 FEET ALONG THE NORTH PROPERTY LINE OF SAID LOT 40 TO THE POINT OF BEGINNING;  
THENCE CONTINUING S89°51'59"W ALONG SAID NORTH LINE, 22.30 FEET;  
THENCE N26°07'41"E, 13.39 FEET;  
THENCE S63°52'19"E, 20.00 FEET;  
THENCE S26°07'41"W, 3.52 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.004 ACRES (169 SQ.FT.).

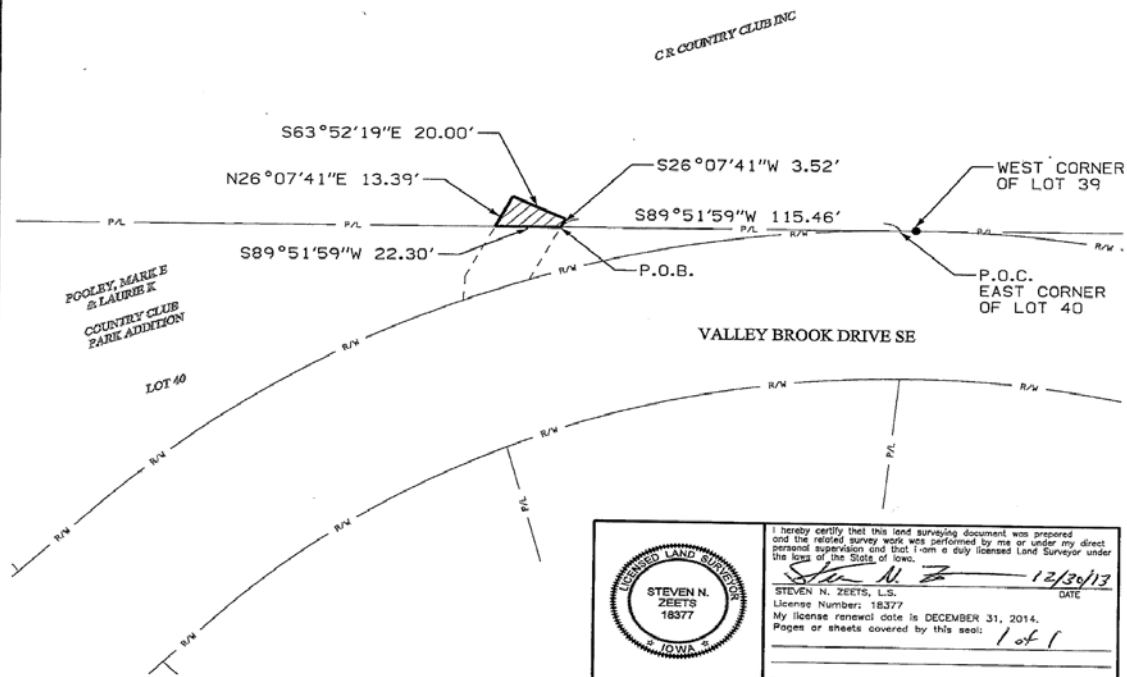
FOR THE PURPOSE OF THIS DESCRIPTION ALL BEARINGS AND DISTANCES ARE REFERENCED TO NAD83(96 HARN) IA SPCS NORTH ZONE, US SURVEY FOOT (LINN COUNTY 2005 CONTROL).



PROPRIETOR:  
C R COUNTRY CLUB INC  
550 27TH STREET DR SE  
CEDAR RAPIDS, IA 52403

## LEGEND

BOUNDARY LINE  
SECTION LINE  
EXISTING ROW  
TEMPORARY EASEMENT LINE  
PROPERTY LINE  
FOUND 5/8" IRON ROD  
PERMANENT EASEMENT  
0.004 ACRES  
169 SQ. FEET



SHEET NO. 1 OF 1		CLIENT: CITY OF CEDAR RAPIDS 101 FIRST STREET SE CEDAR RAPIDS, IA 52401	DRAWN BY: WFS APPROVED BY: SNZ DATE: 12/27/2013 SCALE: 1" = 50'	VALLEYBROOK IMPROVEMENTS PROJECT NUMBER: 11C001-10
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# PERMANENT STORM SEWER EASEMENT <sup>B</sup>

PREPARED BY STEVEN N. ZEETS, L.S., FOTH INFRASTRUCTURE & ENVIRONMENT, LLC  
3950 RIVER RIDGE DRIVE NE, SUITE A CEDAR RAPIDS, IOWA 52402

## LEGAL DESCRIPTION

A TRACT OF LAND IN PART OF THE NORTHWEST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 83 NORTH, RANGE 7  
WEST OF THE FIFTH PRINCIPAL MERIDIAN, LINN COUNTY, IOWA, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST CORNER OF LOT 39 OF THE COUNTRY CLUB  
PARK ADDITION TO THE CITY OF CEDAR RAPIDS AND THE NORTHERLY  
RIGHT-OF-WAY LINE OF VALLEY BROOK DRIVE SE;  
THENCE N89°51'59"E, 148.86 FEET ALONG THE NORTH PROPERTY LINE  
OF SAID LOT 39 TO THE POINT OF BEGINNING;  
THENCE N25°22'53"E, 92.60 FEET;  
THENCE N63°23'34"E, 56.94 FEET;  
THENCE S26°36'26"E, 20.00 FEET;  
THENCE S63°23'34"W, 50.06 FEET;  
THENCE S25°22'53"W, 76.16 FEET TO SAID NORTH PROPERTY LINE OF  
SAID LOT 39;  
THENCE S89°51'59"W, 22.16 FEET ALONG SAID NORTH PROPERTY LINE  
TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.06 ACRES (2,758 SQ.FT.).

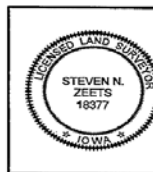
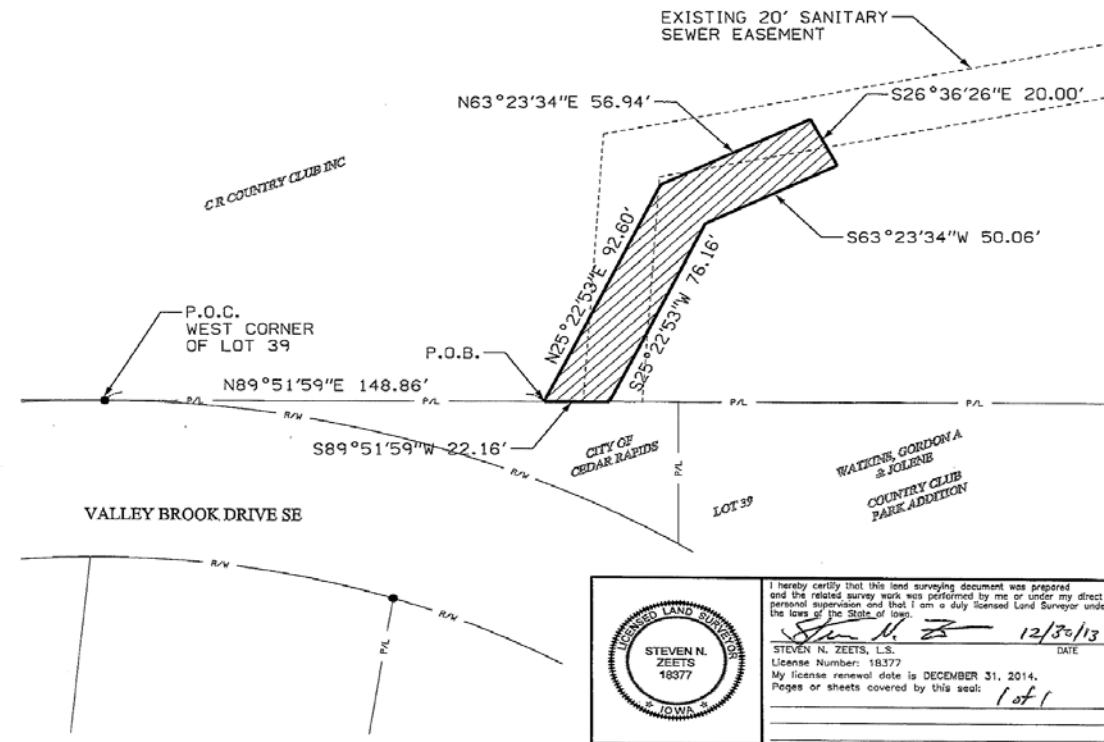
FOR THE PURPOSE OF THIS DESCRIPTION ALL BEARINGS AND DISTANCES  
ARE REFERENCED TO NAD83(96 HARN) IA SPCS NORTH ZONE, US SURVEY  
FOOT (LINN COUNTY 2005 CONTROL).



PROPRIETOR:
C R COUNTRY CLUB INC
550 27TH STREET DR SE
CEDAR RAPIDS, IA 52403

## LEGEND

BOUNDARY LINE	---
SECTION LINE	----
EXISTING ROW	---
TEMPORARY EASEMENT LINE	---
PROPERTY LINE	---
FOUND 5/8" IRON ROD	•
PERMANENT EASEMENT	▨
0.06 ACRES	
2,758 SQ. FEET	



I hereby certify that this land surveying document was prepared  
and the related survey work was performed by me or under my direct  
personal supervision and that I am a duly licensed Land Surveyor under  
the laws of the State of Iowa.  
*Steven N. Zeets* 12/30/13  
STEVEN N. ZEETS, L.S. DATE  
License Number: 18377  
My license renewal date is DECEMBER 31, 2014.  
Pages or sheets covered by this seal: 1 of 1

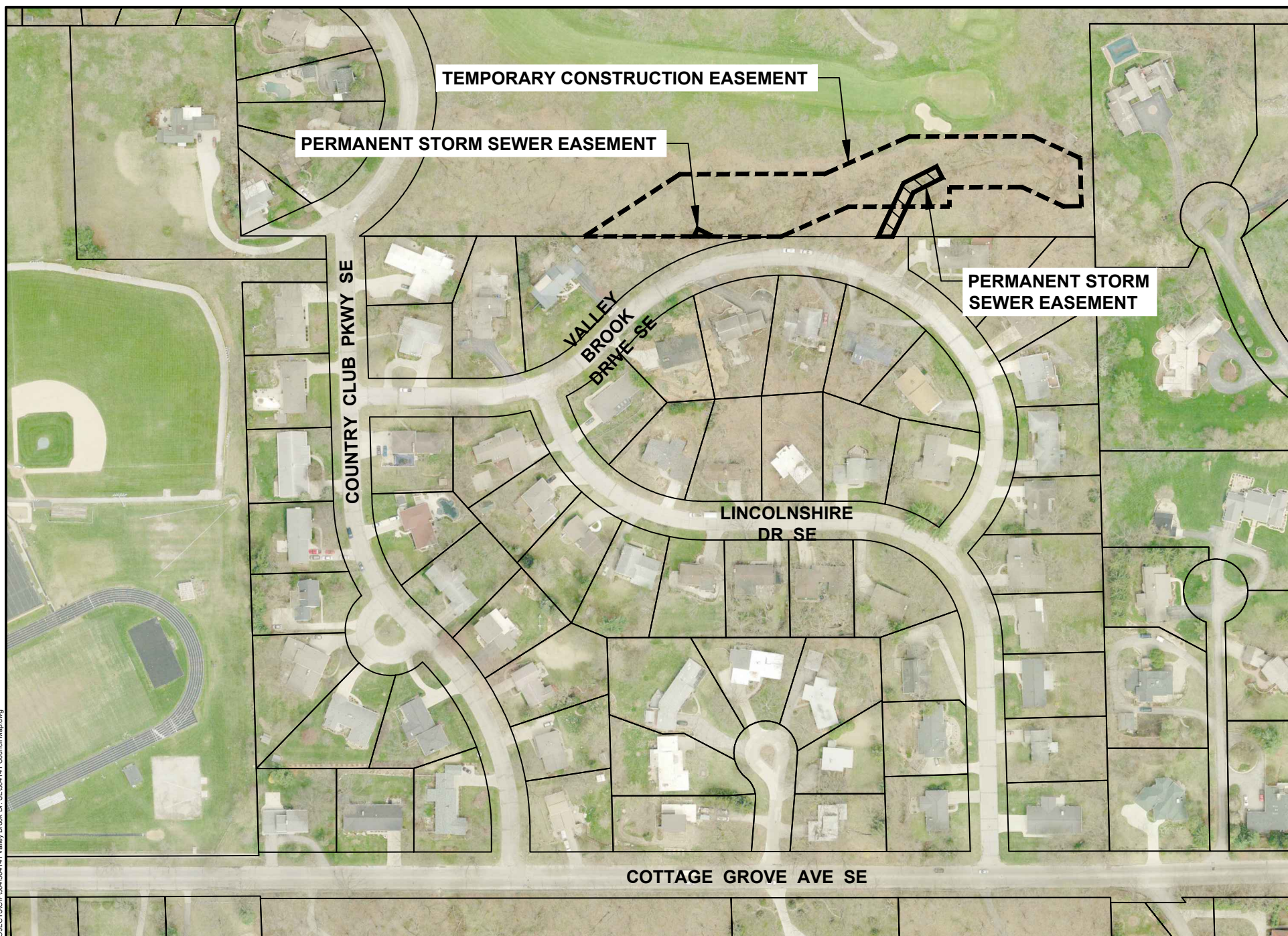
SHEET NO. 1 OF 1		CLIENT: CITY OF CEDAR RAPIDS 101 FIRST STREET SE CEDAR RAPIDS, IA 52401	DRAWN BY: MFS APPROVED BY: SNZ DATE: 12/27/2013 SCALE: 1" = 50'	VALLEYBROOK IMPROVEMENTS PROJECT NUMBER: 11C001-10
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12/30/2013



Cadd File Name: W:\PROJECTS\CP\304141 Valley Brook Dr. SE\304141 Council Map.dwg



**VALLEY BROOK DRIVE SE CHANNEL RESTORATION IMPROVEMENTS PROJECT  
PERMANENT STORM SEWER AND TEMPORARY CONSTRUCTION EASEMENTS**







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Sarah Cook

**Phone Number/Extension:** 5875

**E-mail Address:** s.cook2@cedar-rapids.org

**Alternate Contact Person:** Rita Rasmussen

**Phone Number/Extension:** 5807

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$7,665 and accepting a Warranty Deed from Interstate Power and Light Company from vacant land located south of K Avenue NE, west of Prairie Drive NE in connection with the Northeast Side School Routes Sidewalk Improvements project. CIP/DID #325012-00

**Background:**

Previously, the City Council approved funding towards the Northeast Side School Routes Sidewalk Improvements Project.

This right-of-way is required to accommodate installing a sidewalk to fill a gap. This sidewalk will benefit pedestrians heading to and from Garfield Elementary School, Franklin Middle School, Regis Middle School, the CEMAR Trail and the Cedar River Trail. Installing the sidewalk on the south side of K Avenue NE will also provide a connection to the existing CEMAR Trail. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

Interstate Power and Light Company has reserved an easement in perpetuity for electric purposes over and across the property.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$7,665 and accepting a Warranty Deed and Real Estate Transfer – Groundwater Hazard Statement from Interstate Power and Light Company.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed right-of-way and direct City staff to redesign the project or leave gap in the sidewalk.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 325/325000/325012

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

**Explanation:** Local Preference Policy does not apply to the acquisition of right-of-way.

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

**Explanation (if necessary):**

325012/ACQUISITION/IPL/COUNCIL AGENDA ITEMS/COVER SHEET AGR ROW

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for additional right-of-way exists in order to accommodate the proposed facilities, and

WHEREAS, Interstate Power and Light Company, 200 1<sup>st</sup> Street SE, Cedar Rapids, Iowa 52401, OWNER of the real property known and described as:

See Attached Acquisition Plat

has agreed to convey the necessary right-of-way from vacant land located south of K Avenue NE, west of Prairie Drive NE, to the City of Cedar Rapids for total consideration of \$7,665, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the right-of-way in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Northeast Side School Routes Sidewalk Improvements project (Fund 325, Dept ID 325000, Project 325012), 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 Purchase Agreement as described herein, and

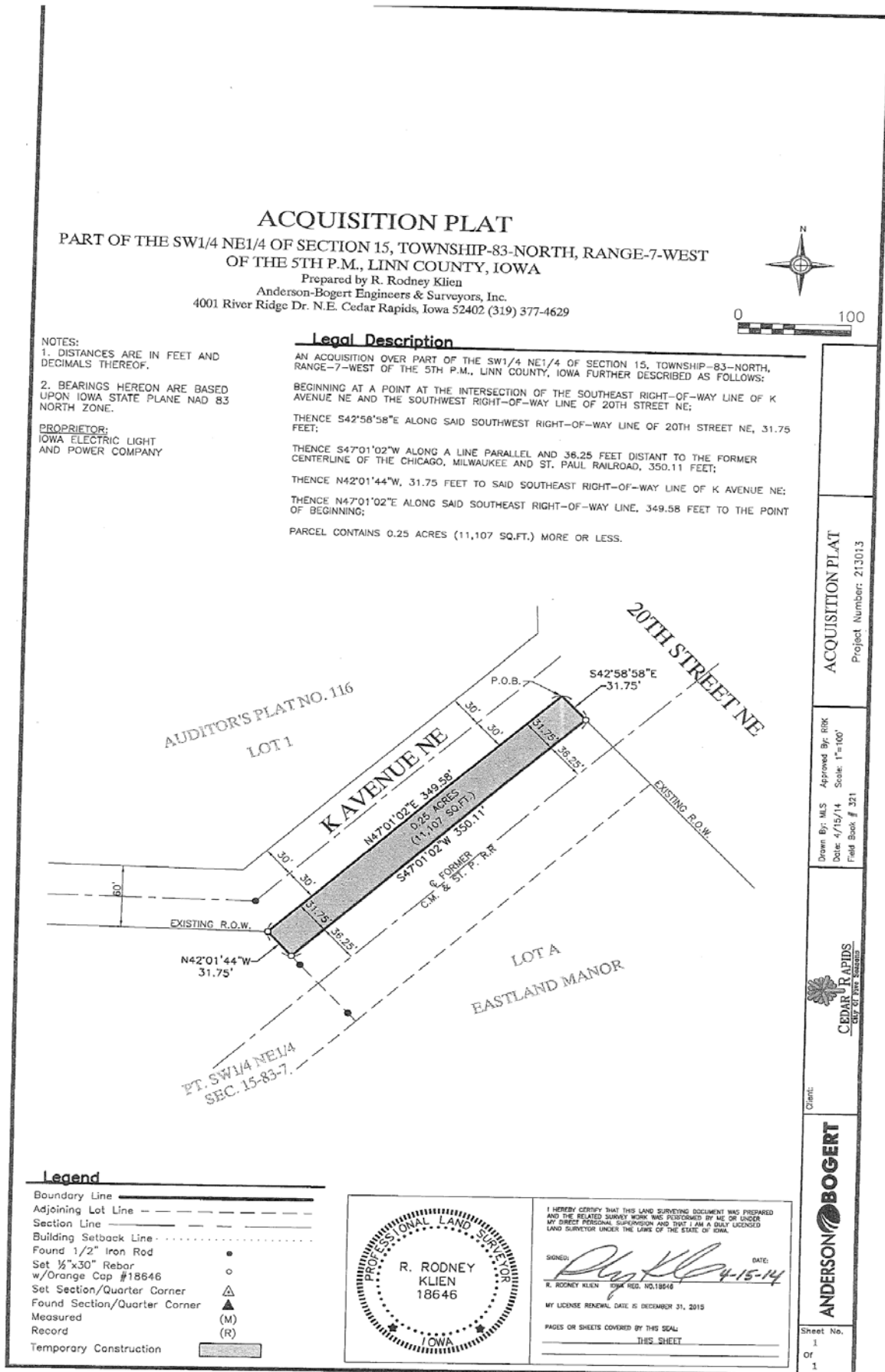
BE IT FURTHER RESOLVED that the Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Real Estate Transfer - Groundwater Hazard Statement from Interstate Power and Light Company be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

Passed this 10<sup>th</sup> day of June, 2014.

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## Council Agenda Item Cover Sheet

**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:** Rob Davis

**Phone Number/Extension:** 5808

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$184,900 and accepting a Warranty Deed and a Temporary Grading Easement for Construction from Rockwell Collins, Inc., from land located at 350 and 400 Collins Road NE in connection with the C Avenue NE from Collins Road to Blairs Ferry Road Pavement Widening project. CIP/DID #301612-00

**Background:**

Previously, the City Council approved funding towards the C Avenue NE Improvements project. This right-of-way and easement are required to accommodate the proposed C Avenue NE improvement project to make C Avenue a boulevard to commensurate with the Rockwell campus. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser, and/or a review appraiser's recommendation hired by the City.

**Action / Recommendation:**

The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$184,900 and accepting a Warranty Deed, Real Estate Transfer – Groundwater Hazard Statement and Temporary Grading Easement for Construction from Rockwell Collins, Inc.

**Alternative to the Recommendation:**

Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure roadway improvements.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** 301/301000/301612

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

**Explanation:** Local Preference Policy does not apply to the acquisition of right-of-way.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Public Works Director / City Engineer has determined the need for additional right-of-way and temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Rockwell Collins, Inc., a Delaware Corporation, 400 Collins Road NE, Cedar Rapids, Iowa 52498, OWNER of the real property known and described as:

See Attached Acquisition Plat, Exhibit A  
See Attached Acquisition Plat, Exhibit B

has agreed to convey the necessary right-of-way and temporary grading easement for construction for construction at 350 and 400 Collins Road NE, to the City of Cedar Rapids for total consideration of \$184,900, and

WHEREAS, the Public Works Director / City Engineer recommends the City enter into an agreement to purchase the right-of-way and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the C Avenue NE Improvements project (Fund 301, Dept ID 301000, Project 301612), 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 Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and Real Estate Transfer – Groundwater Hazard Statement from Rockwell, Collins, Inc. be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

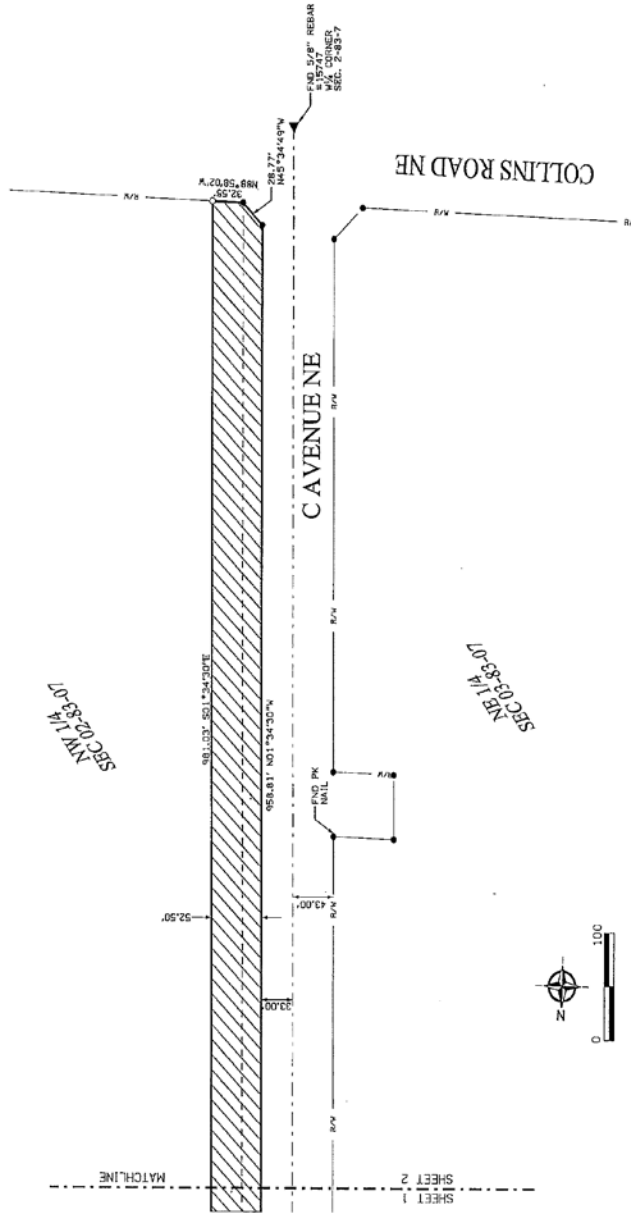
Passed this 10<sup>th</sup> day of June, 2014.





# ACQUISITION PLAT

PREPARED BY STEVEN N. ZEETS, L.S., FOTH INFRASTRUCTURE & ENVIRONMENT, LLC  
3950 RIVER RIDGE DRIVE NE, SUITE A CEDAR RAPIDS, IOWA 52402



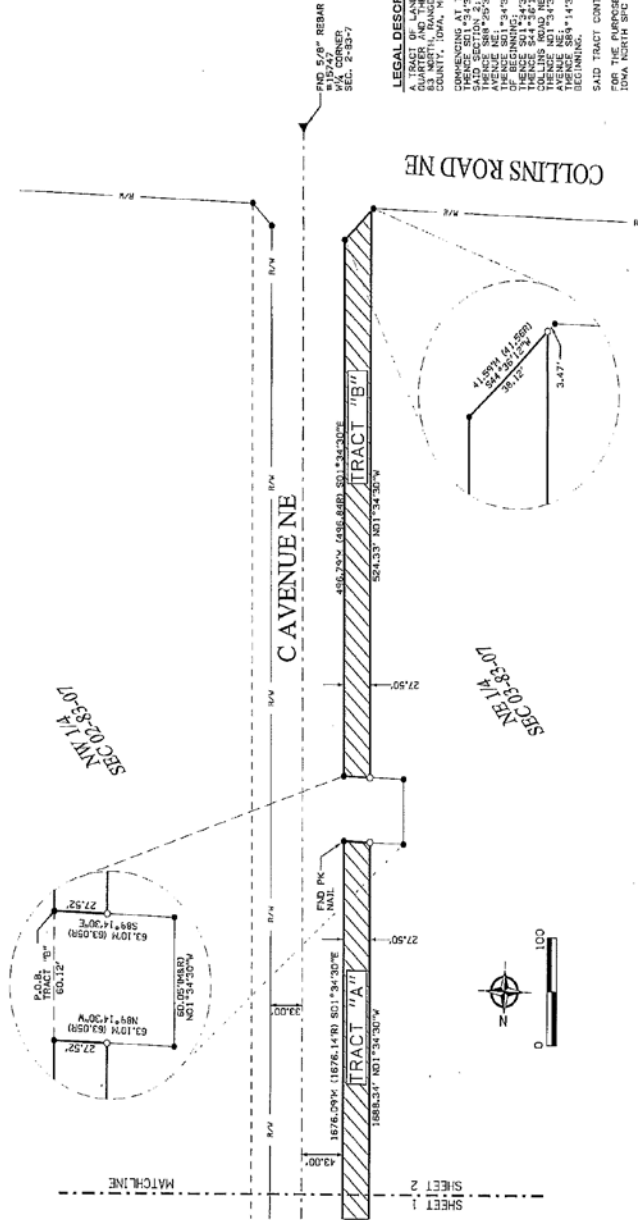
SHEET NO. 2 OF 2		CLIENT City of Cedar Rapids 101 First Street SE Cedar Rapids, Iowa 52401	DRAWN BY JAMES N. ZEETS DATE 4/21/2013 SCALE 1"=50'	REVISION & DATE 1"=50'	DESCRIPTION C AVENUE NE IMPROVEMENTS EXHIBIT A	PROJECT NUMBER: 060052-J01
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NO. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



# ACQUISITION PLAT

PREPARED BY STEVEN N. ZEETS, L.S., FOTH INFRASTRUCTURE & ENVIRONMENT, LLC  
3950 RIVER RIDGE DRIVE NE, SUITE A CEDAR RAPIDS, IOWA 52402



SHEET NO. 2 OF 2	CLIENT: City of Cedar Rapids 101 First Street SE Cedar Rapids, Iowa 52401	DRAWN BY: JES	CHECKED BY: JES	DATE: 11/10/2013	REVISION: 1	DESCRIPTION: C AVENUE NE IMPROVEMENTS EXHIBIT B	PROJECT NUMBER: 060052-J01
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BLAIRS FERRY ROAD NE

TEMPORARY  
CONSTRUCTION  
EASEMENT

RIGHT-OF-WAY  
DEDICATION

RIGHT-OF-WAY  
DEDICATION

TEMPORARY  
CONSTRUCTION  
EASEMENT

C AVENUE NE

COLLINS ROAD NE





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5153

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

**Phone Number/Extension:** 5141

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

Resolution authorizing execution of an Agreement for Primary Highway Improvement Project for reimbursement of eligible project costs in the amount of \$973,834 with the Iowa Department of Transportation (IDOT) in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project. CIP/DID #301446-00

### Background:

The Collins Road (IA 100) Complete Streets Project from east of Northland Avenue NE to Twixt Town Road NE is partially funded with federal aid Surface Transportation Priorities Projects (STPP) funds (Demo I.D. IA 234).

This project will raise Collins Road at Lindale Drive NE and construct an undercrossing of Lindale Drive at Collins Road, and a pedestrian undercrossing of the entrance to the former Kmart building at Collins Road. The project will also mitigate congestion on Collins Road by adding roadway capacity, providing alternate vehicle routes other than Collins Road, and providing bicycle and pedestrian facilities for alternative transportation modes that do not exist today. The pedestrian and bicycle undercrossing will provide safe alternative routes to cross Collins Road and the commercial entrance to the former Kmart building. Significant operational efficiencies are attained by eliminating the pedestrian crossing signal timing at the Collins Road and Lindale Mall/Kmart entrance intersection.

### Action / Recommendation:

The Public Works Department recommends approving the resolution authorizing execution of the Agreement for Primary Highway Improvement Project between the IDOT and the City of Cedar Rapids in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road project. Upon City approval, signed agreements will be returned to the IDOT for necessary signatures and one fully-executed original be sent back to the City.

### Alternative to Recommendation:

If the City Council decides to not approve the Iowa DOT Agreement there are two alternative recommendations:

1. Proceed with the improvements with local funding only. The project schedule would be significantly altered to provide alternate funding in the future fiscal year Capital Improvement budgets. This approach would risk retaining other federal aid grants that have been approved for the project.



2. Proceed with the at-grade project improvements. This approach would significantly affect the schedule of the project, requiring redesign, and would risk retaining other federal aid grants that have been approved for the project.

**Time Sensitivity:** Urgent. Approval of this Agreement is required for federal-aid reimbursement for right-of-way acquisitions for the project.

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** CIP No. 301446. Six other federal and state grants in a total amount of \$11.3 million dollars are being obligated to the improvements for this project.

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

**Explanation:**

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

**Explanation** (if necessary):

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids has received a federal aid grant for Surface Transportation Priorities Projects (STPP) funds (Demo I.D. IA 234) in connection with the Collins Road (IA 100) from East of Northland Avenue NE to Twixt Town Road NE project to reduce delays and vehicle emissions, improving the air quality in the City of Cedar Rapids, and

WHEREAS, the Public Works Director / City Engineer recommends authorizing execution of the Agreement for Primary Highway Improvement Project, Agreement No. 2014-E-296, with the Iowa Department of Transportation (IDOT),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute Agreement No. 2014-E-296 in the amount of \$973,834 with the Iowa Department of Transportation in connection with the Collins Road (IA 100) from east of Northland Avenue NE to Twixt Town Road NE project (CIP No. 301446-00).

Passed this 10<sup>th</sup> day of June, 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, P.E.  
**E-mail Address:** g.petersen@cedar-rapids.org

**Phone Number/Extension:** 5153

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

Resolution awarding and approving contract in the amount of \$2,123,449.02 plus incentive up to \$136,500, bond and insurance of Rathje Construction Company for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project (estimated cost is \$2,275,000) **(Paving for Progress)**. CIP/DID #301240-04

### Background:

Rathje Construction Company, Marion, IA

\$2,123,449.02

Possible Incentive

\$ 136,500.00

Total Award

\$2,259,949.02

Ricklefs Excavating, Ltd, Anamosa, IA

\$2,349,700.00

Rathje Construction Company submitted the lowest of the bids received on May 21, 2014 for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 151 working days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$2,123,449.02 plus incentive up to \$136,500, bond and insurance of Rathje Construction Company for the 1<sup>st</sup> Avenue East from 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation project.

### Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after June 10, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):**

CIP No. 301240 (streets) -	\$153,500
CIP No. 6250024 (water) -	\$1,159,050
CIP No. 655939 (sanitary sewer) -	\$1,304,250
Total Construction Budget	\$2,616,800

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

**Explanation** (if necessary):

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on April 22, 2014 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 1<sup>st</sup> Avenue East From 34<sup>th</sup> Street to 40<sup>th</sup> Street Utilities Rehabilitation public improvement project (Contract No. 301240-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on April 26, 2014 pursuant to which a public hearing was held on May 13, 2014, and

WHEREAS, the following bids were received, opened and announced on May 21, 2014 by the City Engineer, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on June 10, 2014:

Rathje Construction Company, Marion, IA	\$2,123,449.02
Possible Incentive	<u>\$ 136,500.00</u>
Total Award	\$2,259,949.02

Ricklefs Excavating, Ltd, Anamosa, IA	\$2,349,700.00
---------------------------------------	----------------

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$2,259,949.02, \$119,870.27, 301-301000-301240, \$975,208.51, 655-655000-655939 and \$1,164,870.24 625-625000-6250024-6252011022; and

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

1. The previous delegation to the City Engineer, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Rathje Construction Company is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Rathje Construction Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded Rathje Construction Company;

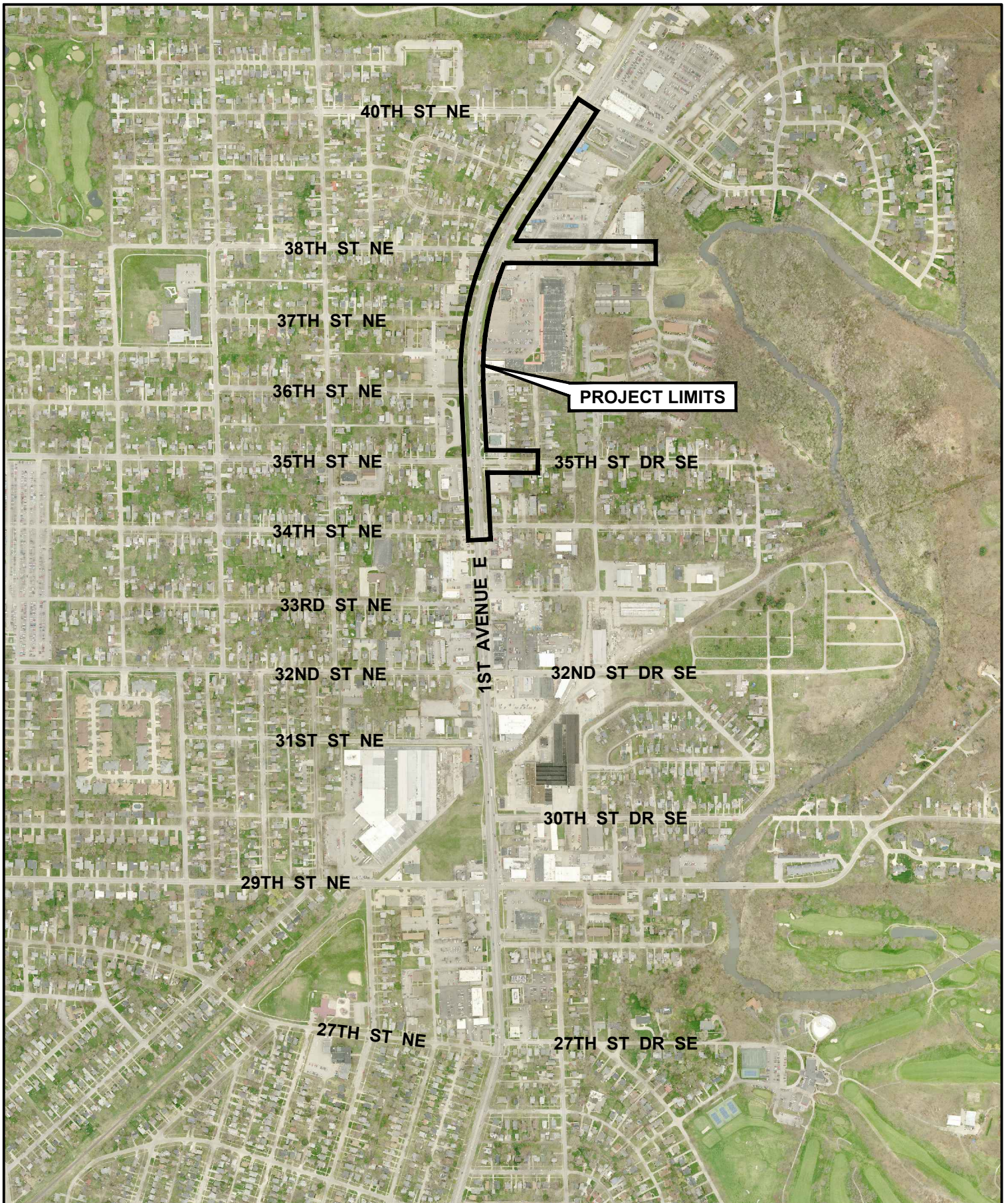
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 10th day of June, 2014.







## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Fleet Services

**Presenter at meeting:** Dennis Hogan

**Phone Number/Ext:** 5860

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

**Alternate Contact Person:** Dennis Hogan

**Phone Number/Ext:** 5860

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

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

Fleet Services Division purchase of equipment from E.H. Wachs to upfit two Utilities Department – Water Distribution Division service trucks, for a total amount of \$35,330. CIP/DID #

**Background:** The equipment consists of a GPS kit and Bluetooth adapter to locate water valves in the street and parkway; an Automated Valve Operator; a controller/datalogger to control said Valve Operator and collect data; and telescopic valve key. The equipment allows a single operator to safely locate, reach and turn valves in the street and parkways with no additional assistance. This method is safer than manually turning water valves located under manholes in the street. This equipment is a standard upfit for Utilities Department – Water Distribution service trucks and reduces the number of employee injuries associated with manually opening and closing valves. This purchase is being made from E.H. Wachs of Harvard, IL, and is the only supplier of these parts.

### **Action / Recommendation:**

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

### **Alternative Recommendation:**

If not approved, the service trucks will not be equipped with the tools necessary to provide a standard, safe and efficient means of carrying out the associated tasks.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

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

Fund 073, Dept ID 073000 Project 073002

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:** E.H. Wachs is the only supplier (sole source) of the equipment.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Cedar Rapids City Council previously approved Resolution No. 0593-05-14, for the purchase of four cab and chassis with bodies for FY 2015 budgeted and scheduled fleet replacements, and

WHEREAS, two of the vehicles will be for Utilities Department – Water Distribution Division service vehicle replacement, and

WHEREAS, it is a division standard to upfit service vehicles with an Automated Valve Operator, and associated Controller/Datalogger, GPS kit / Bluetooth adapter and telescopic valve key to enable a single operator to safely locate, reach and turn valves and gather data in the street and parkways with no additional assistance, and

WHEREAS, E.H. Wachs of Harvard, Illinois, is the sole source provider for said products and is able to provide them, and

WHEREAS, the total purchase amount for the equipment for both vehicles will be \$35,330, budgeted in FY 2015 GL account Fund 073, Dept ID 073000, and

WHEREAS, the Fleet Services Division recommends the purchase of said valve locating, operating and data collection equipment from E.H. Wachs for the amount of \$35,330,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED, that the Fleet Services Division is hereby authorized to purchase the equipment from E.H. Wachs as described herein.

Passed this 10th day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Rebecca Johnson

**Phone Number/Ext:** x5062

**Email:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

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

Contract for Motor Repair Services with Janda Motor Services for various City departments for a total annual expenditure not to exceed \$100,000. CIP/DID #0414-175

### **Background:**

Bids were solicited by the Purchasing Services Division for Motor Repair Services with three (3) bids submitted. Motor Repair Services are to be provided for various city departments on an as-needed basis.

Award is recommended to Janda Motor Services as the lowest bidder for an initial Contract term of July 1, 2014 through June 30, 2015 with four (4) one-year renewal options available. The total annual expenditure will not exceed \$100,000, funded by individual department budgets.

Bids were received from the following:

Janda Motor Services – Cedar Rapids: Lowest bidder

Hupp Electric Motors – Cedar Rapids: Avg 41% higher for rewind, 125% higher for recondition

Energetics – Dubuque: Avg 130% higher for rewind, 349% higher for recondition

### **Action / Recommendation:**

Resolution authorizing execution of Contract for Motor Repair Services for a total annual amount not to exceed \$100,000.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Individual department budgets

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applies but did not have any effect on the outcome because the lowest bidder is local.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids for motor repair services on an as-needed basis for various city departments; and

WHEREAS, responses were received from three suppliers; and

WHEREAS, the Purchasing Services Division is making the following recommendation for award to Janda Motor Services, as the lowest bidder; and

WHEREAS, the term of the Contract shall be July 1, 2014 to June 30, 2015 with four one-year renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$100,000, budgeted in departmental operating budgets; 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 Janda Motor Services as described herein.

Passed this 10<sup>th</sup> day of June, 2014.





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Ken Miller

**Phone Number/Ext:** X5825

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

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

Agreement for purchase of Trimble Survey Equipment for the Public Works Department with Precision Midwest LLC for a total expenditure not to exceed \$42,644. CIP/DID #0513-183

### **Background:**

Proposals were solicited on behalf of the Public Works Department for the purchase of Trimble Survey Equipment with two bids submitted.

Award is recommended to Precision Midwest LLC as the lowest bidder.

The term of the Agreement is from the date the Contract is executed through July 31, 2014 to allow time for on-site training which is included in the price of the equipment. The total expenditure will be \$46,623, budgeted in GL account #554000-101-124270.

Bids were submitted by the following:

Precision Midwest LLC – Warrenville, IL: \$42,644

Frontier Precision Inc. – St. Cloud, MN: \$46,623

### **Action / Recommendation:**

Resolution authorizing execution of Agreement for Trimble Survey Equipment for a total amount not to exceed \$42,644.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 554000-101-124270

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applies for this purchase but there is no local dealer for Trimble survey equipment.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids on behalf of the Street Division for the purchase of Trimble Survey Equipment; and

WHEREAS, responses were received from two suppliers; and

WHEREAS, the Street Division recommends award to Precision Midwest LLC from the execution date of the Contract through July 31, 2014; and

WHEREAS, the total expenditure will be \$42,623, funded from the Street Operations 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 the Agreement with Precision Midwest LLC as described herein.

Passed this 10<sup>th</sup> day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance Department

**Presenter at meeting:** Matt Felling

**Phone Number/Extension:** 365-0377

**E-mail Address:** [matt.felling@hilton.com](mailto:matt.felling@hilton.com)

**Alternate Contact Person:** Casey Drew

**Phone Number/Extension:** 5097

**E-mail Address:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Description of Agenda Item:**

Resolution authorizing Doubletree Management Services, LLC ("Management Company") to execute an agreement extension of 5 years with Audio Visual Services Group Inc. to provide Audio Visual Services, High Speed Internet Access/ Rigging Services/Power Supply Setup services in connection with the Cedar Rapids Convention Complex Hotel project, for a revenue share of 40%.

**Background:**

This agreement provides for Audio Visual Service Inc. to provide Audio Visual Services, High Speed Internet Access/ Rigging Services/Power Supply Setup services in connection with the Cedar Rapids Convention Complex Hotel project for 60 months beginning May 29, 2013, at no expense to the hotel from the DoubleTree by Hilton Cedar Rapids annual Operating Budget. The vendor will receive a 40% revenue share from the services provided.

As a National vendor for Hilton a new agreement is being offered with a signing bonus and better commissions if we extend our existing agreement by 5 years. This would extend the contract to May 28, 2023. Our signing bonus would be 6.5% of our 2013 A/V revenue of \$113,800 which would be approximately \$7,300.

The City's Management Agreement ("Management Agreement") with Hilton specifically allows Management Company to enter into agreements for goods or services that have a maximum term of one year. Agreements with a term greater than one year and not terminable at will on thirty days' notice or less must receive prior written approval from the Owner.

**Budget Information (if applicable):** Doubletree by Hilton Operating Budget

**Action / Recommendation:** Approve the resolution.

**Alternative Recommendation:** Table or deny the resolution.

**Time Sensitivity: Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 5 Minute(s)

**Local Preference Policy:**

☐ Applies

☒ Exempt

**Explanation:**

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

RESOLUTION NO.

RESOLUTION AUTHORIZING DOUBLETREE BY HILTON, LLC, TO EXECUTE AN AGREEMENT WITH AUDIO VISUAL SERVICES GROUP INC. TO PROVIDE AUDIO VISUAL /PRODUCTION POWER SUPPLY SERVICES/RIGGING SERVICES/HIGH SPEED INTERNET SERVICE FOR CONVENTION CENTER AND HOTEL PER HILTON STANDARDS AT THE CEDAR RAPIDS CONVENTION COMPLEX.

WHEREAS, the City is building the Cedar Rapids Convention Complex ("Facility"), which includes renovation of the former Crowne Plaza Hotel at 350 1<sup>st</sup> Avenue, NE;

AND WHEREAS, Doubletree Management Services, LLC ("Management Company") has been selected as the operator of the completed Facility, and;

WHEREAS, Management Company has the right to enter into agreements for goods or services that have a maximum term of one year, and;

WHEREAS, agreements with a term longer than one year and not terminable at will with thirty day's notice or less must receive prior written approval from the Owner, and;

WHEREAS, Management Company wishes to retain Audio Visual Services Group Inc. on behalf of and as agent of Owner, to provide audio visual/power supply/HSIA/ rigging services per Hilton standards, on the terms and conditions set forth in this Agreement, and;

WHEREAS, the original Agreement will have a term of 60 months, beginning May 29, 2013 and terminating on May 28, 2018, and now will be extended by 60 months terminating on May 28, 2023.

WHEREAS, there will be no cost to the Annual Operating budget, and;

WHEREAS, Audio Visual Services Group will receive a 40% revenue share from services provided and a onetime signing bonus equal to 6.5% of 2013 A/V revenue. Signing bonus to be approximately \$7,300.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Doubletree by Hilton, LLC, is authorized to execute an Agreement for Services with Audio Visual Services INC commencing on June 10, 2014.

Passed this 10<sup>th</sup> day of June 2014





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda Item

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Glenn Vosatka

**Phone Number/Ext:** X5821

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

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

Agreement for Televising of Sanitary Service Lines for the Engineering Division with Mi-Tech Services, Inc. for a total annual expenditure not to exceed \$75,000. CIP/DID #0514-188

### **Background:**

Proposals were solicited on behalf of the Public Works Department – Engineering Division for Televising of Sanitary Service Lines with three (3) vendors responding.

Award is recommended to Mi-Tech Services, Inc. as the lowest bidder for the initial contract period of June 11, 2014 through June 30, 2015 which includes approximately 800 initial properties with additional services to be provided on an as-needed basis as requested throughout the term of the contract. There are four (4) one-year renewal options available. The total annual expenditure will not exceed \$75,000 funded by CIP #6559996.

### **Bids were submitted by the following:**

Mi-Tech Services, Inc. – Fond du Lac, WI: \$78.11 per service line

Visu-Sewer, Inc. – Pewaukee, WI: \$180 per service line

Roto Rooter – Cedar Rapids: \$190 per service line

### **Action / Recommendation:**

Resolution authorizing execution of Agreement for Televising of Sanitary Service Lines for a total annual amount not to exceed \$75,000.

### **Alternative Recommendation:**

### **Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** CIP #6559996

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applies but the one local bidder is over the 5% variance allowed.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited bids on behalf of the Public Works Engineering Division for Televising of Sanitary Service Lines; and

WHEREAS, responses were received from three suppliers; and

WHEREAS, the Engineering Division is making the following recommendation for award to Mi-Tech Services, Inc., as the lowest bidder; and

WHEREAS, the initial term of the Contract shall be June 11, 2014 to June 30, 2015 with four one-year renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$75,000, funded by CIP #6559996; 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 Mi-Tech Services, Inc. as described herein.

Passed this 10<sup>th</sup> day of June, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 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:** [c.hanson@cedar-rapids.org](mailto:c.hanson@cedar-rapids.org)

**Description of Agenda Item:**

Agreement for Mowing Services for Public Works Maintenance with Quality Care for a total annual expenditure not to exceed \$30,000, and Resolution rescinding Resolution No. 0527-14-14 which authorized the previous Agreement with Larry's Landscape. CIP/DID #0114-114R

**Background:**

Bids were solicited for mowing services on behalf of the Public Works Department – Street Division with four (4) vendors responding. The Scope of Work includes the mowing of private properties that are in violation of the City Weed Ordinance and other lawn care and mowing services as requested.

Award was made to Larry's Landscape as the lowest bidder for an initial Agreement period of May 1, 2014 through October 15, 2014. Purchasing Services was notified on June 2, 2014 that Larry's Landscape can no longer perform the work for this Contract.

The next lowest bidder, Quality Care, is ready and able to take over the mowing services, effective immediately, through October 15, 2014, with 4 one-season renewal options available.

The total annual expenditure will not exceed \$30,000 budgeted in GL account #101-124240.

The following bids were received (hourly rates):

	Larry's Landscape Cedar Rapids	Quality Care Coralville	Berns Bros. Swisher	Starks Complete Lawn Care Cedar Rapids
Hand Mower	\$29.50	\$35	\$35	\$40
Small Mower	\$29.50	\$35	\$35	\$45
Medium Mower	\$29.50	\$35	\$45	\$50
Large Mower	\$29.50	\$75	\$45	\$95
NPP Removal	\$29.50	\$35	\$40	\$45
Brush/Debris Removal	\$29.50	\$35	\$40	\$40

**Action / Recommendation:**

Resolution authorizing execution of Agreement for Mowing Services for Public Works Maintenance with Quality Care for a total annual amount not to exceed \$30,000.

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** GL Acct. 101-124240

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:**

Local preference applies but did not have any effect on the outcome because none of the bidders are certified local businesses. The two bidders located in Cedar Rapids do not qualify because they have residential addresses.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division solicited bids for mowing services on behalf of the City of Cedar Rapids Public Works Department – Street Division; and

WHEREAS, responses were received from four suppliers; and

WHEREAS, the award was originally made to Larry's Landscape and authorized on Resolution No. 0527-04-14, which is now rescinded because Larry's Landscape is unable to perform the work of the Contract; and

WHEREAS, the Street Division is making the following recommendation for award to Quality Care, the next lowest bidder, with pricing as follows:

Hand Mower	\$35 per hour
Small Mower	\$35 per hour
Medium Mower	\$35 per hour
Large Mower	\$75 per hour
NPP Removal	\$35 per hour
Brush/Debris Removal	\$35 per hour

AND WHEREAS, the term of the agreement shall be June 3, 2014 to October 15, 2014 with four one-season renewal options available; and

WHEREAS, the total annual expenditure will not exceed \$30,000, budgeted in the Street Division operating budget; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Resolution No. 0527-04-14 be rescinded, and that the recommendation above be accepted and that the City Manager and City Clerk are hereby directed to execute a Contract with Quality Care as described herein.

Passed this 10<sup>th</sup> day of June, 2014.





## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance – Purchasing Services

**Presenter at meeting:** Consent Agenda

**Phone Number/Ext:**

**Alternate Contact Person:** Michele Tamerius

**Phone Number/Ext:** 5113

**Email:** m.tamerius@cedar-rapids.org

**Alternate Contact Person:** Diane Rodenkirk

**Phone Number/Ext:** 5023

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

**Description of Agenda Item:**

Contract for Financial Advisor Services with Public Financial Management, Inc. for the Finance Department – Treasury Operations for an estimated three year contract amount of \$508,590. CIP/DID #0314-157

**Background:**

Purchasing Services solicited proposals for financial advisor services on behalf of Treasury Operations. Three responses were received. A committee carefully evaluated all of the proposals and is recommending Public Financial Management, Inc. be awarded the contract as the highest scored proposer.

The contract period will be July 1, 2014 through June 30, 2017 with the option of one additional three-year renewal. Pricing is based upon the number of hours and job classifications that are devoted to each debt issuance. The amount of this resolution is an estimate based upon past history of debt issuance.

**Proposal summary:**

Company Name	Location	Estimated Three-Year Contract Cost	Evaluation Score
Public Financial Management	Des Moines	\$508,590.00	987.10
Springsted, Inc.	St. Paul, MN	\$274,363.20	860.00
Speer Financial, Inc.	Waterloo	\$548,340.00	813.80

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** Bond proceeds as part of the debt issuance; fund changes annually

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** No local company submitted a proposal

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Purchasing Services Division has solicited proposals for financial advisory services on behalf of the City of Cedar Rapids Finance Department – Treasury Operations; and

WHEREAS, responses were received from three vendors; and

WHEREAS, following careful evaluation of all proposals, the evaluation team is making the following recommendation for award to Public Financial Management, Inc., which was the highest ranked proposal; and

WHEREAS, the Contract period will be July 1, 2014 through June 30, 2017, with the option of one additional three-year renewal; and

WHEREAS, the estimated expenditure for the three-year contract period is \$508,590.

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 Public Financial Management, Inc. as described herein.

Passed this 10<sup>th</sup> day of June, 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** 06-10-14

**Submitting Department:** Human Resources

**Presenter at meeting:** consent

**Phone Number/Ext:**

**Email:**

**Alternate Contact Person:** Conni Huber

**Phone Number/Ext:**

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

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

Contract for Public Works Operations Performance Review project with Matrix Consulting Group, Ltd for the Human Resources Department for an amount not to exceed \$49,900. (CIP/DID #0214-137)

### **Background:**

The scope of the Public Works study includes the programs and services of the City's Public Works Department in the General and Sewer Maintenance funds, and excludes fleet management (except as it affects Public Works operations), water and wastewater enterprises, and solid waste operations.

The following items will be addressed in conducting the Public Works study:

- Service Delivery Structure: In-house vs. contract operations, relationships with associated city departments and agencies, regional relationships
- Management Practices: Management philosophy, effectiveness of the senior management team, management and supervisory practices, project management
- Organization: Organizational structure, reporting relationships
- Staffing: Number and allocation of staff, job descriptions, workforce planning
- Operations Management: Operational planning, resource availability and capabilities (facility, equipment, tools, supplies, personnel), work scheduling, work reporting, quantity and quality of work produced, efficiency, performance measures
- Human Resource Management: Hiring process, turnover, employee development and training, labor-management relations, employee satisfaction

A Request for Proposal was issued on March 5, 2014 for a Public Works Operations Performance Review. Proposals were received from seven firms and were carefully evaluated and ranked by an Evaluation Team of City Staff. The proposal from Matrix Consulting Group was ranked the highest.

Seven firms submitted proposals:

	Name of Firm	Location
1	Matrix Consulting Group, Ltd	Mountain View, CA
2	The Novak Consulting Group	Cincinnati, OH
3	The Mercer Group, Inc.	Marietta, GA
4	Facility Engineering Associates, PC	Fairfax, VA
5	MGT of America, Inc	Tallahassee, FL
6	Plante & Moran, PLLC	Southfield, MI
7	Management Analysis, Inc	Vienna, VA

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

	Name of Firm	Location	Evaluation Score	Proposed Cost
1	Matrix Consulting Group, Ltd	Mountain View, CA	913.33 points	\$49,900
2	The Novak Consulting Group	Cincinnati, OH	780 points	\$49,950
3	The Mercer Group, Inc.	Marietta, GA	693.33 points	\$58,500

Description of Services and Payment Schedule:

	Description of Services	Payment Schedule
1	Develop understanding of key issues impacting the department	1,491
2	Develop descriptive profile of department operations	11,916
3	Benchmarking analysis	11,916
4	Evaluate staffing work practices and service levels	11,916
5	Evaluate plan of organizational structure	2,979
6	Final Report due by October 10, 2014	9,682
	<b>Project Total, Not to Exceed</b>	<b>\$ 49,900</b>

**Action / Recommendation:**

That the above recommendation be approved and that the City Manager and the City Clerk be authorized to execute the Contract with Matrix Consulting Group.

**Alternative Recommendation:**

None

**Time Sensitivity:** Sensitive for project schedule

**Resolution Date:** 06-10-14

**Estimated Presentation Time:** consent

**Budget Information (if applicable):** 101-124000

**Local Preference Policy** Applies ☒ Exempt ☐

**Explanation:** All firms were located outside of Linn County.

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City issued a Request for Proposal for Public Works Operations Performance Review on March 5, 2014; and

WHEREAS, proposals were received from seven firms as follows;

	Name of Firm	Location
1	Matrix Consulting Group, Ltd	Mountain View, CA
2	The Novak Consulting Group	Cincinnati, OH
3	The Mercer Group, Inc.	Marietta, GA
4	Facility Engineering Associates, PC	Fairfax, VA
5	MGT of America, Inc	Tallahassee, FL
6	Plante & Moran, PLLC	Southfield, MI
7	Management Analysis, Inc	Vienna, VA

AND WHEREAS, the evaluation team carefully evaluated all proposals, interviewed the top three firms and recommends award of the contract to Matrix Consulting Group, Ltd. of Mountain View, California; and

WHEREAS, the cost for the scope of work for the term of the contract shall be a firm fixed price of \$49,900 and the services will be billed at intervals as follows:

	Description of Services	Payment Schedule
1	Develop understanding of key issues impacting the department	1,491
2	Develop descriptive profile of department operations	11,916
3	Benchmarking analysis	11,916
4	Evaluate staffing work practices and service levels	11,916
5	Evaluate plan of organizational structure	2,979
6	Final Report due by October 10, 2014	9,682
	<b>Project Total, Not to Exceed</b>	<b>\$ 49,900</b>

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

Passed this 10th day of June 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Transit

**Presenter at meeting:** Brad DeBrower  
**Email:** b.debrower@cedar-rapids.org

**Phone Number/Ext:** 286-5560

**Alternate Contact Person:**  
**Email:**

**Phone Number/Ext:**

**Description of Agenda Item:** Transit purchase of eight passenger shelters from Creative Outdoor Advertising for a cost of \$60,000; CIP/DID #1110-101

**Background:** In May 2011, the City entered into a 10-year agreement with Creative Outdoor Advertising (COA) to provide, install and maintain new passenger shelters at various locations along city bus routes. COA provided and installed 18 shelters at no cost to the City in exchange for the right to sell advertising on the shelters. In addition, COA compensates the City for 5% of the gross advertising sales.

In June 2013, the IDOT notified the City that it had determined that advertising placed on the eight bus shelters located within the Iowa Highway 922 right-of-way (1<sup>st</sup> Avenue through Cedar Rapids) was not authorized without IDOT and FHWA (Federal Highway Administration) approval. Neither agency has been willing to grant an exception. A legal opinion from the City Attorney's Office concurred that the advertising cannot remain without IDOT and FHWA approval.

The advertising shelters along 1<sup>st</sup> Avenue are regularly used and provide a benefit to the City; however, COA cannot provide the shelters without the opportunity to sell advertising. Rather than remove the eight advertising shelters along 1<sup>st</sup> Avenue, COA has agreed to sell those eight shelters to the City for a fair market value of \$7,500 per shelter for a total cost of \$60,000.

**Action / Recommendation:** The Transit Division recommends approval of the resolution.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

Funding for this purchase is included in the Transit Division's FY14 amended budget.

**Local Preference Policy** Applies ☐ Exempt

**Explanation:** N/A

**Recommended by Council**

**Committee:** N/A



RESOLUTION NO.

WHEREAS, in May 2011, the City entered into a 10-year agreement with Creative Outdoor Advertising (COA) to provide, install and maintain new passenger shelters at various locations along city bus routes, and

WHEREAS, COA provided and installed 18 shelters at no cost to the City in exchange for the right to sell advertising on the shelters, and

WHEREAS, in June 2013, the IDOT notified the City that it had determined that advertising placed on the eight bus shelters located within the Iowa Highway 922 right-of-way (1<sup>st</sup> Avenue through Cedar Rapids) was not authorized without IDOT and FHWA (Federal Highway Administration) approval, and

WHEREAS, neither the IDOT nor the FHWA has been willing to grant an exception, and

WHEREAS, a legal opinion from the City Attorney's Office concurred that the advertising cannot remain without IDOT and FHWA approval, and

WHEREAS, the advertising shelters along 1<sup>st</sup> Avenue are regularly used and provide a benefit to the City; however, COA cannot provide the shelters without the opportunity to sell advertising, and

WHEREAS, rather than remove the eight advertising shelters along 1<sup>st</sup> Avenue, COA has agreed to sell those eight shelters to the City for a fair market value of \$7500 per shelter, and

WHEREAS, the funding for this purchase is included in the Transit Division's FY14 amended budget,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Transit Division is authorized to purchase the eight passenger shelters located along 1<sup>st</sup> Avenue in Cedar Rapids from Creative Outdoor Advertising for a total cost of \$60,000.

Passed this 10<sup>th</sup> day of June, 2014.

## SOLE SOURCE/SINGLE SOURCE PROCUREMENT JUSTIFICATION

**Sole Source:**

A type of procurement used when it is determined that there is ONLY one known source of supply for the product and/or service. The term "sole source" refers to the source of the product or service, not the product. Use of brand names and model numbers does not constitute a sole source.

**Single Source (also called Preferred Manufacturer):**

A type of procurement used when there are two or more viable suppliers that can provide the needed product and/or service but the department has determined that it is in their best interest to select a particular manufacturer/source based on valid and legitimate business reasons, therefore leaving only one supplier from which to purchase the product and/or service.

**Submitted by:** Brad DeBrower **Date:** 6-2-14  
(Employee Name & Title)

**Department Name:** Transit

1. **Name of product or service:** Passenger Shelters
2. **Name of product manufacturer:** Creative Outdoor Advertising Parkside Shelters
3. **Name of 'sole' product supplier or service provider:** Creative Outdoor Advertising
4. **What other product suppliers or service providers have been evaluated to demonstrate that a good faith effort has been made in seeking other sources? (Please furnish names, addresses and other documentation.)**

In 2011, the City solicited proposals to provide and maintain passenger shelters. In May 2011, the City entered into a 10-year agreement with Creative Outdoor Advertising (COA) to provide, install and maintain new passenger shelters at various locations along city bus routes. COA provided and installed 18 shelters at no cost to the City in exchange for the right to sell advertising on the shelters. In addition, COA compensates the City for 5% of the gross advertising sales.

In June 2013, the IDOT notified the City that it had determined that advertising placed on the eight bus shelters located within the Iowa Highway 922 right-of-way (1<sup>st</sup> Avenue through Cedar Rapids) was not authorized without IDOT and FHWA (Federal Highway Administration) approval. Neither agency has been willing to grant an exception. A legal opinion from the City Attorney's Office concurred that the advertising cannot remain without IDOT and FHWA approval.

The advertising shelters along 1<sup>st</sup> Avenue are regularly used and provide a benefit to the City; however, COA cannot provide the shelters without the opportunity to sell advertising. Rather than remove the eight advertising shelters along 1<sup>st</sup> Avenue, COA has agreed to sell those eight shelters to the City for a fair market value of \$7500 per shelter for a total cost of \$60,000.

5. **What specifications make this particular product or service unique and unavailable from other sources?**

N/A – see the explanation above.

6. **How did you determine that there was only one source for the product or service?**

N/A – see the explanation above.

7. **What product supplier or service provider has your department used until now to satisfy similar requirements?**

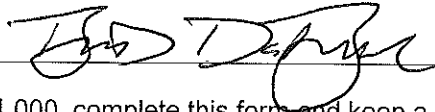
N/A – see the explanation above.

**8. Explain the efforts that were made to conduct a noncompetitive negotiation to obtain the best possible price for the tax payers dollar:**

This produce was competitively bid in 2011.

**Department Director**

**Signature for Approval**



**Date:**

6-2-14

Purchase price less than \$1,000, complete this form and keep a copy in the department purchase file.

Purchase price is greater than or equal to \$1,000 and less than \$25,000, electronically submit this form with your Purchase Order Request Form. The AP Specialist will copy this information and insert it into the purchase order. The department manager approval for both the PO and Sole Source Form will be electronic.

Purchase price is \$25,000 or greater, submit this form with your cover sheet and resolution for council approval.

In all of the above scenarios, the departmental employee is required to obtain their manager's signature on a hard copy of this form and keep it on file.

Purchasing Services strongly recommends that a Purchase Agreement be issued to the sole/single source vendor. The Purchase Agreement will ensure the City's terms and conditions are followed, as well as lock the pricing in place and prevent "extra" charges, i.e., delivery, fuel surcharges, etc. Contact Purchasing (286-5021) to request a Purchase Agreement for a sole source/single source purchase.

*(Attach additional sheets as necessary)*

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014  
**Submitting Department:** Cedar Rapids Police Department

**Presenter at meeting:** Sgt. Andries **Phone Number/Extension:** 5438  
**E-mail Address:** m.andries@cedar-rapids.org

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

**Description of Agenda Item:**

Resolution authorizing the Mayor and City Clerk to execute a 28E Agreement between the City of Cedar Rapids and the College Community School District, establishing a School Resource Officer Program for the term of July 1, 2014 through June 30, 2016. CIP/DID# OB641224

**Background:**

The College Community School District (CCSD) and the City of Cedar Rapids have discerned the need to establish a Student Resource Officer Program for the CCSD, in order to provide a cooperative approach toward maintaining an atmosphere in the public schools, whereby school staff and students feel safe and free from intimidation. Establishing a School Resource Officer Program in the CCSD will develop positive relationships between the Police Department, the school system and the youth in our community.

**Action / Recommendation:**

The Police Department recommends the City Council authorize the Mayor and City Clerk to execute the 28E Agreement with the College Community School District, establishing a School Resource Officer Program.

**Alternative Recommendation:** NA

**Time Sensitivity:** Agreement is effective July 1, 2014

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0

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

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

**Explanation:** NA



RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and the College Community School District share a mutual desire to provide law enforcement and related services to the public schools within the City, to help maintain an atmosphere in the public schools, where school staff and students feel safe and free from intimidation; and

WHEREAS, the College Community School District and the City of Cedar Rapids have discerned the need to establish a School Resource Officer Program, for the term of July 1, 2014 through June 30, 2016, and in order to provide a cooperative approach toward addressing the desires of both parties; as hereinafter described; and

WHEREAS, the College Community School District and the City of Cedar Rapids recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of Cedar Rapids, Iowa; and

WHEREAS, it is understood that this Agreement is between two public agencies and is entered into pursuant to the provisions of Iowa Code Chapter 28E and shall be electronically filed with the Iowa Secretary of State's Office upon execution as required by law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Mayor and City Clerk are hereby authorized to execute the 28E Agreement with the College Community School District.

Passed this 10<sup>th</sup> day of June, 2014

**Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014  
**Submitting Department:** Cedar Rapids Police Department

**Presenter at meeting:** Sgt. Andries      **Phone Number/Extension:** 5438  
**E-mail Address:** m.andries@cedar-rapids.org

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

**Description of Agenda Item:**

Resolution authorizing the Mayor and City Clerk to execute a 28E Agreement between the City of Cedar Rapids and the Cedar Rapids Community School District to renew the School Resource Officer Program for the term of July 1, 2014 through June 30, 2016. CIP/DID #OB641224

**Background:**

The Cedar Rapids Community School District (CRCSD) and the City of Cedar Rapids have discerned the need to continue the School Resource Officer Program for the public school system with the City of Cedar Rapids, in order to provide a cooperative approach toward maintaining an atmosphere in the public schools whereby school staff and students feel safe and free from intimidation.

This 28E Agreement will replace the existing 28E Agreement with the CRCSD for the School Resource Officer Program at the recommendation of the City of Cedar Rapids Legal Department.

**Action / Recommendation:**

The Police Department recommends the City Council authorize the Mayor and City Clerk to execute the 28E Agreement, renewing the School Resource Officer Program with the Cedar Rapids Community School District.

**Alternative Recommendation:** NA

**Time Sensitivity:** Agreement is effective July 1, 2014

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0

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

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

**Explanation:** NA

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids and the Cedar Rapids Community School District (CRCSD) share a mutual desire to provide law enforcement and related services to the public schools within the City, to help maintain an atmosphere in the public schools where school staff and students feel safe and free from intimidation; and

WHEREAS, the City of Cedar Rapids signed a 28E Agreement with the CRCSD (Resolution No. 1085-07-12); establishing a School Resource Officer Program to provide the aforementioned services to the public schools within the City and

WHEREAS, the CRCSD and the City of Cedar Rapids have discerned the need to continue a School Resource Officer Program for the public school system within the City of Cedar Rapids, Iowa, for the term of July 1, 2014 through June 30, 2016; in order to provide a cooperative approach toward addressing the desires of both parties; as hereinafter described; and

WHEREAS, the CRCSD and the City of Cedar Rapids recognize the potential outstanding benefits of the School Resource Officer Program to the citizens of Cedar Rapids, Iowa; and

WHEREAS, it is understood that this Agreement is between two public agencies and is entered into pursuant to the provisions of Iowa Code Chapter 28E and shall be electronically filed with the Iowa Secretary of State's Office upon execution as required by law;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Mayor and City Clerk are hereby authorized to execute the 28E agreement with the Cedar Rapids Community School District.

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Passed this 10<sup>th</sup> day of June, 2014.



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## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Joe Mailander, PE

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

**E-mail Address:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Alternate Contact Person:** Dave Wallace, PE

**Phone Number/Extension:** 319-286-5814

**E-mail Address:** [d.wallace@cedar-rapids.org](mailto:d.wallace@cedar-rapids.org)

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

Resolution authorizing reimbursement of \$15,800 to Wex, Inc. for sanitary sewer lift station engineering and design costs in connection with the Wexford Heights First Addition. CIP/DID #OB655990

### **Background:**

A Major Preliminary Plat for Wexford Heights First Addition was approved through City Planning Commission on March 27, 2014. In order to provide sanitary sewer service to this development, a lift station is required. The City has requested that the developer, Wex, Inc. oversize the proposed lift station in order to serve areas outside of the Wexford Heights Addition. The oversized lift station will have the capability of providing sanitary sewer service to areas which are currently located in Linn County. The total engineering design fees for this oversized lift station are \$28,800. The City has proposed to reimburse the developer for a portion of the total design costs. The Development Services and Public Works Departments recommend reimbursement in the amount of \$15,800 for this work. The Preliminary Plat is attached.

### **Action / Recommendation:**

City staff recommends approval of the resolution.

### **Alternative Recommendation:**

City Council may table this item and request further information.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** 655990

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

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

[illegible]

RESOLUTION NO.

WHEREAS, a Major Preliminary Plat, Wexford Heights First Addition was approved by City Planning Commission on March 27, 2014 and a sanitary sewer lift station is required to serve this Addition; and

WHEREAS, the City has requested that the developer, Wex, Inc. oversize the proposed lift station in order to potentially serve residents outside of the Wexford Heights addition; and

WHEREAS, the developer, Wex, Inc. has requested City assistance for a portion of the cost of the sanitary sewer lift station engineering and design in order to meet the City's request to serve areas outside of the Wexford Heights addition; and

WHEREAS, the increased cost of this sanitary sewer lift station engineering and design is estimated at \$28,800; and

WHEREAS, this assistance would be in addition to the cost participation for incremental costs permitted by Chapter 31.06 (m) of the City Code;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Wex, Inc. is paid a maximum amount of \$15,800 from the Sanitary Sewer Miscellaneous Fund (Fund 655, Dept ID 655990) as reimbursement for the City's participation in the Wexford Heights First Addition sanitary sewer lift station engineering and design.

Passed this 10<sup>th</sup> day of June, 2014.





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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Finance

**Presenter at meeting:** Consent  
**Email:**

**Phone Number/Ext:**

**Alternate Contact Person:** Casey Drew  
**Email:** [c.drew@cedar-rapids.org](mailto:c.drew@cedar-rapids.org)

**Phone Number/Ext:** 286-5097

**Description of Agenda Item:**

Resolution authorizing payment not to exceed \$80,000.00 to be made to Cedar Rapids Metro Economic Alliance for professional services work related to the Medical SSMID.

**Background:**

The Cedar Rapids Medical Self-Supported Municipal Improvement District (Medical SSMID or MedQ) is the result of Vision Cedar Rapids Plan Framework and the 2009 Neighborhood Planning Process which developed districts to grow Downtown Cedar Rapids. Each property owner in the Medical SSMID pays an additional \$3.75 per thousand in property taxes. This portion of property taxes collected by the City is placed into a special revenue fund call SSMID – Medical District.

When the district incurs cost to be paid by this special revenue fund they submit their invoices to the City of Cedar Rapids which then issues payment. Since the total cost for this service exceeds \$25,000 City Council approval is required since the City is issuing payment. Services provided are for the period of July 2013 through June 2014.

**Action / Recommendation:**

Approve resolution

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):** SSMID Medical District

**Local Preference Policy** Applies ☐ Exempt ☒

**Explanation:**

**Recommended by Council Committee**

Yes ☐

No ☐

N/A ☒

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the Medical Self Supported Municipal Improvement District (SSMID) has incurred cost for professional services,

BE IT RESOLVED by the City Council of the City of Cedar Rapids, Iowa, to authorize expenditures in the amount not to exceed \$80,000.00 be made to Cedar Rapids Metro Economic Alliance.

Funding will be from the Medical SSMID special revenue fund.

Passed this 10<sup>th</sup> day of June 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution of support for a Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority and Skogman Construction of Iowa for construction of ten (10) new single-family homes within the Cedar Rapids EZ-2 Enterprise Zone. CIP/DID #OB763745

**Background:**

On May 27, 2014, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by Skogman Construction of Iowa.

Skogman Construction of Iowa proposes to build ten new single-family homes for sale to buyers who meet income guidelines for the Roots Program (maximum 80% of median area income) at 709 G Avenue NW, 512 8<sup>th</sup> Street NW, 709 3<sup>rd</sup> Street SW, 1003 3<sup>rd</sup> Street SW, 500 7<sup>th</sup> Avenue SW, 1069 G Avenue NW, 709 3<sup>rd</sup> Avenue SW, 805 3<sup>rd</sup> Avenue SW, 416 8<sup>th</sup> Avenue SW and 441 8<sup>th</sup> Avenue SW. .

Total capital investment for the project is projected to be \$1,400,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$140,000 and \$38,400, respectively.

**Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:** N/A

City Council may table the resolution and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 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  
AND SKOGMAN CONSTRUCTION OF IOWA FOR CONSTRUCTION OF TEN  
(10) NEW SINGLE-FAMILY HOMES

WHEREAS, Skogman Construction of Iowa submitted application to the City of Cedar Rapids Enterprise Zone Commission for construction of 10 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 May 27, 2014; and

WHEREAS, total capital investment for the project is projected to be \$1,400,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$140,000 and \$38,400, 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 is hereby authorized to execute the Housing Enterprise Zone Program Agreement with Skogman Construction of Iowa and related documentation as required.

Passed this 10th Day of June, 2014.



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Paula Mitchell

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

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

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

Resolution of support for a Housing Enterprise Zone Program Agreement with the Iowa Economic Development Authority and 3<sup>rd</sup> Ward Development, LLC for construction of five (5) new single-family row houses within the Cedar Rapids EZ-2 Enterprise Zone. NEW

### **Background:**

On May 27, 2014, the City of Cedar Rapids Enterprise Zone Commission reviewed and approved the application submitted by 3<sup>rd</sup> Ward Development, LLC.

3<sup>rd</sup> Ward Development, LLC) proposes to build five new single-family market rate row houses between 10<sup>th</sup> and 11<sup>th</sup> Avenues SE along 2<sup>nd</sup> Street in Cedar Rapids, Iowa. The construction of these single family row houses is one part of a larger coordinated redevelopment infill project currently being executed by 3<sup>rd</sup> Ward Development, LLC.

Total capital investment for the project is projected to be \$1,372,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$70,000 and \$29,700, respectively.

### **Action / Recommendation:**

City staff recommends approval of the resolution.

**Alternative Recommendation:** N/A

**Time Sensitivity:** N/A

City Council may table the resolution and request additional information.

**Resolution Date:** June 10, 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  
AGREEMENT WITH THE IOWA ECONOMIC DEVELOPMENT AUTHORITY  
AND 3<sup>RD</sup> WARD DEVELOPMENT, LLC FOR CONSTRUCTION OF FIVE (5)  
NEW SINGLE-FAMILY ROW HOUSES

WHEREAS, 3<sup>rd</sup> Ward Development, LLC submitted an application to the City of Cedar Rapids Enterprise Zone Commission for construction of 5 new single-family market-rate 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 May 27, 2014; and

WHEREAS, total capital investment for the project is projected to be \$1,372,000 with an estimated investment tax credit and construction-related sales tax refunding of approximating \$70,000 and \$29,700, 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 is hereby authorized to execute the Housing Enterprise Zone Program Agreement with 3<sup>rd</sup> Ward Development, LLC and related documentation as required.

Passed this 10th Day of June, 2014.



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development and Planning

**Presenter at meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

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

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

Resolution authorizing execution of a Special Warranty Deed with Rowell Hardware Development, LLC conveying City-owned property at 120 3<sup>rd</sup> Avenue SW acquired through the Voluntary Property Acquisition Program (**FLOOD**). CIP/DID #OB803706

### **Background:**

The proposed resolution authorizes the transfer of title to Rowell Hardware Development, LLC (the "Developer") for the redevelopment of City-owned property at 120 3<sup>rd</sup> Avenue SW located in the 3<sup>rd</sup> Avenue SW Commercial Historic District. On January 14, 2014 the City Council adopted Resolution No. 0083-01-14 which authorized a Development Agreement with the Developer.

The Agreement requires the Developer to provide a flood proofing/mitigation plan in order to receive Amended Deed Restrictions from the Iowa Economic Development Authority (IEDA). The Developer has provided those flood proofing and mitigation plans which have been approved by the City and IEDA.

The following are highlights of additional terms stipulated in the Development Agreement:

- Improvements will be made in accordance with the Secretary of Interior's Standards for the treatment of historic properties;
- Developer will purchase the property for \$74,000 based on an appraisal. The funds are to be returned to the Federal government as a result of the funding source used to acquire the property.
- Developer will provide a Demolition Deposit of \$48,500 which will be escrowed based upon the cost to abate and demolish the property. The funds are returned to the Developer upon completing the vacant shell improvements.
- Developer will provide a Minimum Investment of \$500,000.
- Developer will provide flood proofing measures to the property which meet the City's codes and are approved by the Iowa Economic Development Authority (IEDA) prior to transferring title.
- Developer is required to carry flood risk insurance on the building in perpetuity.
- Developer will establish Restrictive Covenants that will run with title to the property which limit uses of the property. Some of the prohibited uses include:

- Liquor or tobacco stores;
  - Adult entertainment;
  - Tattoo shop;
  - Payday lending institutions or pawn shops;
  - Dry cleaning or Laundromat facility;
  - Gas station or equipment storage;
- Developer will begin construction work within 30 days of closing and complete the Improvements within 180 days.

The City acquired the property through the Voluntary Property Acquisition Program. As a result, many of the terms in the Development Agreement pertain to meeting the requirements of IEDA to sell the property for redevelopment.

On April 9, 2013 the City Council adopted Resolution No. 0577-04-13 directing staff to negotiate a Development Agreement with Rowell Hardware Development, LLC. The City received four (4) proposals for redevelopment of this property after a 60-day solicitation of competitive proposals.

**Action / Recommendation:**

City staff recommends approval of the Resolution.

**Alternative Recommendation:**

City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

**Budget Information (if applicable):** N/A – Federal Funds

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

**Explanation:**

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

**Explanation:**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A SPECIAL WARRANTY DEED  
WITH ROWELL HARDWARE DEVELOPMENT, LLC CONVEYING CITY-OWNED  
PROPERTY AT 120 3RD AVENUE SW

WHEREAS, the City owns property at 120 3<sup>rd</sup> Avenue SW (the "Property") which was acquired through the City's Voluntary Property Acquisition Program; and

WHEREAS, on October 24, 2012 the City Council's Development Committee recommended proposals be sought for redevelopment of said Property; and

WHEREAS, on November 13, 2012 City Council made a motion to conduct a public hearing, a notice was published on November 17, 2012, and the public hearing was held on November 27, 2012 on the possible disposition of the Property; and

WHEREAS, an informational meeting was held on December 10, 2012 for all interested proposers to discuss criteria set forth by the City in the request for proposals; and

WHEREAS, the City received three (3) proposals for the purchase and redevelopment of the Property; and

WHEREAS, an evaluation team comprised of City staff and representatives of Taylor Area Neighborhood Association, Westside Redevelopment Group, Downtown District, Development Community, and Save CR Heritage reviewed the proposals on March 21, 2013; and

WHEREAS, on April 9, 2013 the City Council adopted Resolution No. 0577-04-013 which directed staff to pursue a Development Agreement with Rowell Hardware Development, LLC; and

WHEREAS, on January 14, 2014 the City Council adopted Resolution No. 0083-01-14 authorizing execution of a Development Agreement with Rowell Hardware Development, LLC; and

WHEREAS, Rowell Hardware Development, LLC has fulfilled its covenants and obligations stipulated in the Development Agreement necessary receive title to the Property; and

WHEREAS, the City Council has determined that the purchase price of \$74,000, determined by a real estate appraisal, combined with the private investment being made by Rowell Hardware Development, LLC to redevelop the historic Property constitutes fair, adequate and valuable consideration for the property; and

WHEREAS, a Special Warranty Deed has been prepared and is now ready for execution on behalf of the City to effectuate conveyance of the Property in accordance with the terms and conditions of the Development 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 a Special Warranty Deed and associated documents with Rowell Hardware Development, LLC effectuating the conveyance of City owned property at 120 3<sup>rd</sup> Avenue SW and that the resolution and Special Warranty Deed be recorded in the Office of the Linn County, Iowa Recorder.

Passed this 10<sup>th</sup> day of June, 2014.



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## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Kirsty Sanchez

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

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Resolution amending the Cedar Rapids Business Assistance Revolving Loan Fund to correct eligibility options for funding. CIP/DID #OB1002098

### **Background:**

On December 17, 2013, Cedar Rapids City Council approved Resolution No. 2009-12-13 authorizing use of the remaining \$550,000 in the Community Disaster Grant funds allocated for Business Recovery to establish a Cedar Rapids Business Assistance Revolving Loan Fund.

The Revolving Loan Fund is administered by the East Central Iowa Council of Governments (ECICOG) which administers the existing RLF. ECICOG recently submitted an Amended Cedar Rapids Business Assistance Revolving Loan Fund (RLF) Administrative and Standards Guideline that corrects eligibility options for funding.

The new eligibility language is as follows: Eligible applicants include businesses located within the corporate limits of Cedar Rapids, which are located in or are relocating to the Flood 2008 Inundation Area, and which previously received disaster assistance.

### **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:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes

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

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

### **Explanation:**

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

**Explanation (if necessary):**



RESOLUTION NO.

RESOLUTION AMENDING THE CEDAR RAPIDS BUSINESS  
ASSISTANCE REVOLVING LOAN FUND TO CORRECT ELIGIBILITY  
OPTIONS FOR FUNDING

WHEREAS, on December 17, 2013, Cedar Rapids City Council approved Resolution No. 2009-12-13 authorizing use of the remaining \$550,000 in the Community Disaster Grant funds allocated for Business Recovery to establish a Cedar Rapids Business Assistance Revolving Loan Fund; and

WHEREAS, the Cedar Rapids Business Assistance Revolving Loan Fund is administered by the East Central Iowa Council of Governments (ECICOG) which administers an existing RLF; and

WHEREAS, ECICOG submitted an Amended Cedar Rapids Business Assistance Revolving Loan Fund (RLF) Administrative and Standards Guideline that corrects eligibility options for funding (Exhibit A, attached);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Business Assistance Revolving Loan Fund be amended to include the eligibility options for funding as included in Exhibit A.

Passed this 10<sup>th</sup> day of June, 2014.

**Cedar Rapids Business Assistance Revolving Loan Fund (RLF)  
Administrative Standards & Guidelines**

**Standards for the RLF Portfolio**

In order to achieve the economic objectives of the RLF and address the financial needs of the area, certain standards have been adopted. These standards, as feasible/possible, include the following:

1. The RLF will be administered in accordance with Generally Accepted Accounting Principals.
2. The RLF will be administered in accordance with prudent lending practices, defined as generally accepted underwriting and lending practices for public loan programs, based on sound judgment to protect municipal and lender interests.
3. ECICOG shall maintain adequate fidelity bond coverage for persons authorized to handle RLF funds through the operations of the program.
4. The ECICOG Business Assistance RLF Loan Review Committee will have the responsibility to review all loan applications and to approve or decline RLF financing.
5. A portfolio average of \$5,000 of RLF money for each job created/retained will be maintained as a goal. The maximum cost per job on a per loan basis will be \$10,000.
6. The RLF will maintain an overall funding ratio of two private dollars invested for each RLF dollar invested (2:1). This ratio will be determined by considering the entire RLF portfolio, allowing for deviation from the ratio on a project-by-project basis.
7. RLF funds shall be provided as gap financing, and not a substitute for private capital. A letter from a financial institution indicating the availability of limited or no commercial financing is required.

**Financing Policies**

1. No individual loan will be made for more than \$50,000.
2. Eligible applicants include businesses located within the corporate limits of Cedar Rapids, which are located in or are relocating to the **Flood 2008 Inundation Area**, and which previously received disaster assistance.

3. RLF funds may be used for working capital, purchase of machinery and equipment, and/or purchase of real property.
4. Loan terms may vary based on the intended purposes of the loan and at the discretion of the RLF Loan Review Committee, but in no event will exceed ten (10) years.
5. The minimum interest rate will be four percentage points (4%) below the current money center prime rate quoted in the *Wall Street Journal* or the maximum interest rate allowed under Iowa law, whichever is lower, but in no event may the interest rate be less than four percent (4%).
6. The RLF Loan Review Committee has the authority to negotiate special financing, such as approval of a temporary moratorium on principal payments because of temporary difficulty or extenuating circumstances, which a deserving funded project may be experiencing; the moratorium on principal payments shall not exceed one (1) year.
7. In the determination of collateral requirements, the RLF Loan Review Committee may consider the merits and potential economic benefits of each request. When appropriate and practical, RLF financing may be secured by liens or assignment of rights in assets of assisted firms as follows.
  - a. In order to encourage financial participation in a direct or fixed asset loan project by other lenders and investors, the lien position of the RLF may be subordinate and made inferior to lien or liens securing other loans made in connection with the project.
  - b. In projects involving direct working capital loans, the RLF will normally obtain collateral such as liens on inventories, receivables, fixed assets and/or other available assets or borrowers. Such liens may be subordinate only to existing liens of record and other loans involved in the project.
  - c. In projects involving guaranteed loans in the revolving phase, the lending institution ordinarily will be required to maintain a collateral position, to which the RLF is subordinate, in the assets of the borrower, such as by taking liens on inventories, receivables, fixed assets, and/or other available assets of borrowers.
  - d. In addition to the above types of security, the RLF may also require security in the form of assignment of patents and licenses, the acquisition of hazard and liability insurance with ECICOG named as a loss payee as

the RLF Loan Review Committee determines is necessary to support the RLF's exposure.

- e. RLF loan requests submitted by closely held corporations, partnerships, or proprietorships dependent for their continuing success on certain individuals will ordinarily be expected to provide and assign to the RLF life insurance on these key persons. Personal guarantees may also be required from principal owners, as appropriate.
8. The terms of existing loans may be modified or extended to enhance the capability of the RLF in achieving program objectives.
9. All proceeds from interest payments will be returned to the RLF for additional loans with the exception of that amount used for administrative purposes.

#### **Restrictions on Use of RLF Funds**

RLF funds shall not be used for any of the following:

1. To acquire an equity position in a private business
2. To subsidize interest payments on an existing loan
3. To enable borrowers to acquire an interest in a business (stock or assets) unless evidence is furnished in the loan documentation that doing so will save a business from imminent closure or will facilitate expansions with an increase in jobs
4. To provide funds to a borrower to invest in interest-bearing financial assets
5. To refinance existing debt, unless there is sound economic justification

#### **Loan Servicing**

ECICOG is responsible for the administration, monitoring, and servicing of the loan from loan disbursement through full payment. The loan payment schedule will be kept up to date with payments posted as to principal and interest.

ECICOG will be reimbursed for administration of the RLF program. The sources of funds for these reimbursements will be a single loan processing fee paid by the RLF borrower equal to two percent (2%) of the RLF loan upon approval. ECICOG reserves the right to renegotiate the fee structure at such time that it proves economically infeasible given the administrative demands of the program.



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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

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

**Phone Number/Extension:** 5157

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

**Phone Number/Extension:** 5847

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

Resolution authorizing payment to Interstate Power and Light Company in the amount of \$28,610.40 for electric utility relocation adjacent to the Cedar Rapids Central Fire Station site. CIP/DID #61-12-042

### Background:

This action is consistent with the City's goal to improve the aesthetics of the public right-of-way. During the construction of the Cedar Rapids Central Fire Station project, the existing street light poles, including overhead wiring, were replaced with new steel street light poles and underground wiring surrounding the site, including 1<sup>st</sup> Avenue E and 2<sup>nd</sup> Avenue SE between 7<sup>th</sup> Street and 8<sup>th</sup> Street SE, as well as 7<sup>th</sup> Street SE between 1<sup>st</sup> Avenue E and 2<sup>nd</sup> Avenue SE. The street light poles on 8<sup>th</sup> Street SE between 1<sup>st</sup> Avenue E and 2<sup>nd</sup> Avenue SE were replaced with the 8<sup>th</sup> Street SE Rehabilitation project, CIP No. 3012057.

The cost of providing underground power utility lines to improve the aesthetics surrounding the new Central Fire Station is the basis for this resolution to authorize payment and is in accordance with terms of the franchise agreement. All other considerations of the new lighting infrastructure are covered by the Utility Franchise Agreement.

### Action / Recommendation:

Approval of the resolution is recommended. Council has established a vision to improve the aesthetics along streets. This authorization of payment defines the cost to attain the Council vision of improved aesthetics and enhance the quality of life for the City.

### Alternative Recommendation:

An alternative funding source will need to be identified.

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** Street Light Maint. 135200 \$ 8,305.83  
Signal/Street Light. 124310 \$20,304.57

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

**Explanation:** Interstate Power and Light is the proprietor of the impacted utility

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

**Explanation (if necessary):**

RESOLUTION NO.

WHEREAS, the City of Cedar Rapids desires to improve the aesthetics of the public right-of-way on 1<sup>st</sup> Avenue E and 2<sup>nd</sup> Avenue SE adjacent to the new Central Fire Station, and

WHEREAS, the Interstate Power and Light Company franchise agreement signed on April 23, 2009, specifies the City pay the difference between the cost of underground utility construction and overhead utility construction, and

WHEREAS, the cost of said construction is 28,610.40 (in accordance with Alliant Energy invoice No. 523769, dated May 24, 2014), and

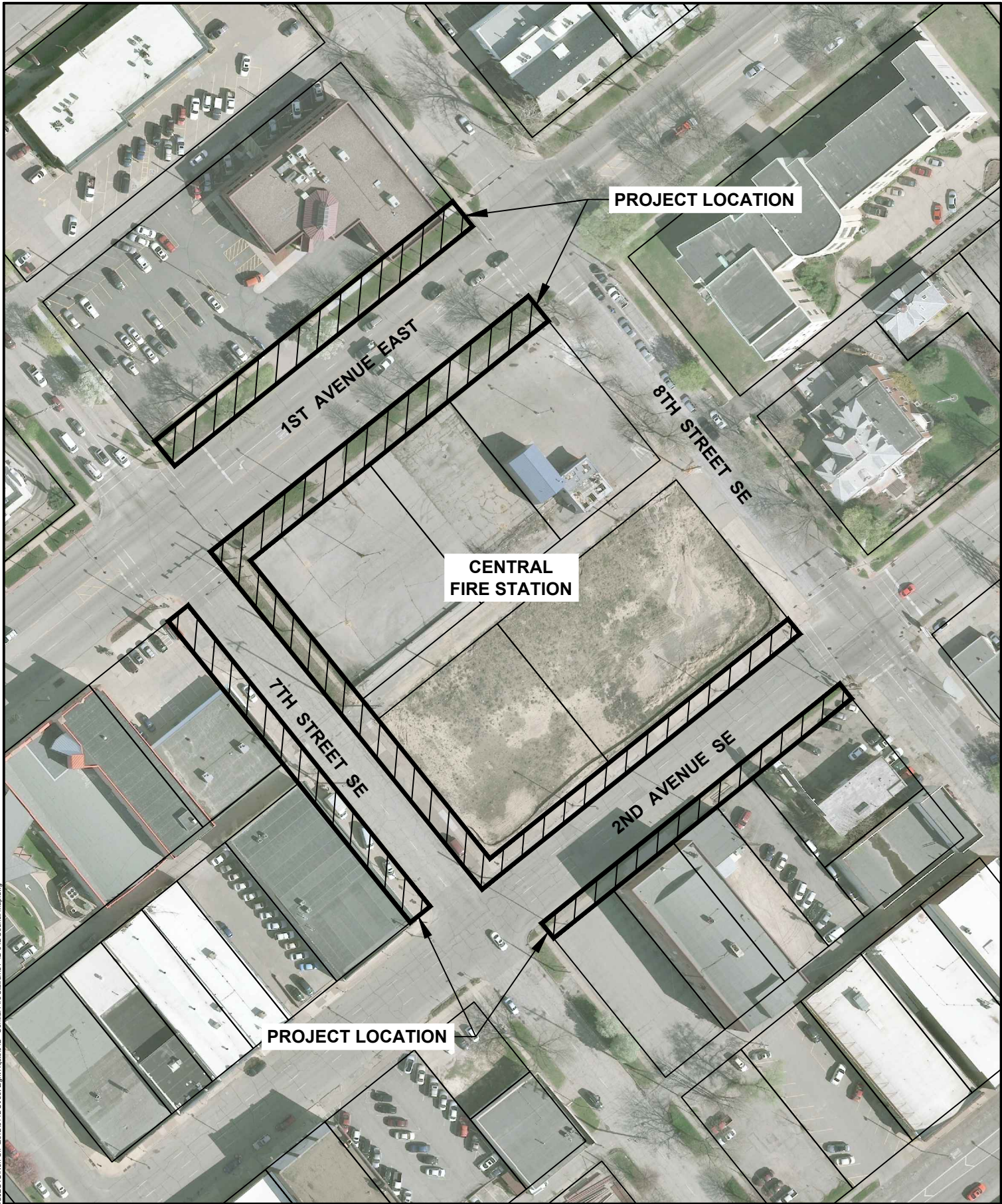
WHEREAS, the allocated funds for the cost of the referenced underground construction are as follows:

Fund 101, Dept. ID 135200 Street Light Maintenance	\$ 8,305.83
Fund 101, Dept. ID 124310 Signals and Street Lights	\$ 20,304.57

NOW THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA hereby authorizes and directs the Cedar Rapids Finance Director to issue a payment to Interstate Power and Light Company in the amount of \$28,610.40 in connection with the referenced underground utility construction.

Passed this 10<sup>th</sup> day of June, 2014.





Cadd File Name: W:\PROJECTS\Non-CIP\2012\6112 Street Light Rest042 - Central Fire Station\6112-042 Cornd Map.dwg





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Doug Wilson, PE  
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**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5153

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

Report on bids and resolution awarding and approving contract in the amount of \$682,034.30 plus incentive up to \$21,800, bond and insurance of L.L. Pelling Company, Inc. for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project (estimated cost is \$585,000) **(Paving for Progress)**. CIP/DID #3012085-02

### Background:

L.L. Pelling Company, Inc., North Liberty, IA	\$682,034.30
Incentive up to	\$ 21,800.00
Total	\$703,834.30

L.L. Pelling Company, Inc. submitted the only bid received on June 4, 2014 for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project. The bid is within the approved budget. Construction work is anticipated to begin this summer and be completed within 27 calendar days.

### Action / Recommendation:

The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$682,034.30 plus incentive up to \$21,800, bond and insurance of L.L. Pelling Company, Inc. for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project.

### Alternative to the Recommendation:

If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after June 10, 2014 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** June 10, 2014

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

**Budget Information (if applicable):** CIP's 3012085 (Streets), 304996 (Storm Sewer) 101-124310-556000 (Public Works FY15 Capital Equipment Fund)

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

**Explanation (if necessary):** Part of the "Paving for Progress" list of streets identified for repair.



June 4, 2014

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits, Contract Number 3012085-02

Dear City Council:

Bids were received on June 4, 2014 for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits project as follows:

L.L. Pelling Company, Inc., North Liberty, IA	\$682,034.30
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The engineers cost opinion for this work is \$585,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson", written over a horizontal line.

Doug Wilson, P.E.  
Capital Improvements Project Manager

DFW/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

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on May 13, 2014 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Boyson Road NE Pavement Rehabilitation Improvements from C Avenue NE to East Corporate Limits public improvement project (Contract No. 3012085-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on May 17, 2014 pursuant to which a public hearing was held on May 27, 2014, and

WHEREAS, the following bids were received, opened and announced on June 4, 2014 by the City Engineer, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on June 10, 2014:

L.L. Pelling Company, Inc., North Liberty, IA	\$682,034.30
Incentive up to	<u>\$ 21,800.00</u>
Total	\$703,834.30

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$703,834.30 ; and

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

1. The previous delegation to the City Engineer, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. L.L. Pelling Company, Inc., is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of L.L. Pelling Company, Inc., is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to L.L. Pelling Company, Inc.;

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

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 11th day of February, 2014.







## Council Agenda Item Cover Sheet

☐ Consent Agenda

☒ Regular Agenda

**Council Date:** June10, 2014

**Submitting Department:** Utilities - Water Division

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

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

**Description of Agenda Item:**

Report on bids for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project (estimated cost is \$374,000) (Steve Hershner).

- a. Resolution awarding and approving the contract amount of \$348,924.00, bond and insurance of Ricklefs Excavating Ltd., Anamosa, IA for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road project. CIP/DID #625542-2014058-02

**Background:**

The Utilities department intends to install approximately 1,150 LF of 24-inch transmission main extending the 720 LF of dead-end 24-inch transmission main that is being installed as part of the Ushers Ferry crossing improvements associated with the DOT Hwy 100 project. The closure of the loop at Blairs Ferry Rd also allows a portion of the Edgewood Road water main to be taken out of service for the construction of the highway interchange at Edgewood and Hwy 100.

The Ushers Ferry transmission main is part of the Utilities Department long range plan for distribution system improvements.

Two (2) bids were received on June 4, 2013 for the the 'Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd' (Contract 2014058-02), the results are reported as follows:

Bidder	Total Bid
1. Ricklefs Excavating Ltd., Anamosa, IA	\$ 348,924.00
2. Rathje Construction Co., Marion, IA	\$ 353,930.00

A motion to publish a Notice of Hearing and Letting was approved by the City Council on May 13, 2014; a public hearing was held on May 27, 2014 and bids were opened on June 4, 2014. The work is anticipated to begin in July 2014.

**Action / Recommendation:** The Utilities Department – Water Division staff recommends approval of the Resolution to award and approve the contract in the amount of \$348,924.00 bond and insurance of Ricklefs Excavating Ltd., Anamosa, IA for the the 'Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Rd'.

**Alternative Recommendation:** None

**Time Sensitivity:** The Water Division recommends awarding this contract during this City Council meeting today June 10, 2014 in order to maintain a summer 2014 construction schedule for this project.



**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 5 Minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** This project will be funded from the Fiscal Year 2014 Utilities Department Water Division CIP budget and coded to 553000-625-625000-625542-6252014058.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY14 CIP budget includes \$1,500,000 for engineering and construction of replacement type projects under CIP number 625542. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies ☐ Exempt ☒

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

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

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

RESOLUTION NO.

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on May 13, 2014 the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Ushers Ferry Road Transmission Main Extension from Highway 100 to Blairs Ferry Road public improvement project (Contract No. 625542-2014058-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on May 17, 2014 pursuant to which a public hearing was held on March 27, 2014, and

WHEREAS, the following bids were received, opened and announced on June 4, 2014 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on June 10, 2014:

Ricklefs Excavating Ltd., Anamosa, IA	\$348,924
Rathje Construction Co., Marion, IA	\$353,930

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$348,924, 553000-625-625000-625542-6252014058, and

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

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Ricklefs Excavating Ltd. is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Ricklefs Excavating Ltd. is hereby accepted, and the contract for this public improvement is hereby awarded to Ricklefs Excavating Ltd.;

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

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

Passed this 10th day of June, 2014.

**USHERS FERRY ROAD TRANSMISSION MAIN EXTENSION**  
**CONTRACT NO. 625542-2014058-02**  
**CITY OF CEDAR RAPIDS UTILITIES DIVISION - WATER DEPARTMENT**  
**6/4/2014**

				<b>Rathje Construction Co. Marion, IA</b>		<b>Ricklefs Excavating Ltd. Anamosa, IA</b>	
Acknowledge Receipt of Addendum 1 (Yes/No)				<b>Yes</b>		<b>Yes (1)</b>	
Bid Bond (Yes/No)				<b>Yes</b>		<b>Yes</b>	
ITEM NO.	DESCRIPTION	EST. QTY.	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	Mobilization	1	LS	\$87,400.00	\$87,400.00	\$22,000.00	\$22,000.00
2	Construction Surveys	1	LS	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00
3	Trench Compaction Testing	1	LS	\$1,000.00	\$1,000.00	\$200.00	\$200.00
4	Traffic Control	1	LS	\$1,200.00	\$1,200.00	\$800.00	\$800.00
5	Temporary Erosion and Sediment Controls	1	LS	\$3,000.00	\$3,000.00	\$10.00	\$10.00
6	Silt Fence	325	LF	\$2.50	\$812.50	\$1.60	\$520.00
7	Removal of Existing Driveways	130	SY	\$13.00	\$1,690.00	\$8.50	\$1,105.00
8	Removal of Storm Sewer and Culvert Pipe	72	LF	\$29.00	\$2,088.00	\$6.00	\$432.00
9	Strip and Respread Topsoil	305	CY	\$28.00	\$8,540.00	\$5.00	\$1,525.00
10	Rock Excavation	50	CY	\$75.00	\$3,750.00	\$60.00	\$3,000.00
11	Granular Backfill	390	TONS	\$21.00	\$8,190.00	\$8.00	\$3,120.00
12	Culvert Pipe, 18-inch RCP	72	LF	\$75.00	\$5,400.00	\$70.00	\$5,040.00
13	Water Main, 24-inch (Class 54 DIP, 0.50-inch wall thickness)	1,240	LF	\$132.00	\$163,680.00	\$216.00	\$267,840.00
14	Installation of Owner-supplied Valves and Boxes, 8-inch	1	EA	\$1,350.00	\$1,350.00	\$600.00	\$600.00
15	Fittings for Water Distribution Systems	1,954	LBS	\$6.00	\$11,724.00	\$3.00	\$5,862.00
16	Install Fire Hydrants	2	EA	\$1,250.00	\$2,500.00	\$700.00	\$1,400.00
17	Disinfection and Hydrostatic Testing	1	LS	\$300.00	\$300.00	\$500.00	\$500.00
18	Portland Cement Concrete Driveway	130	SY	\$40.00	\$5,200.00	\$45.00	\$5,850.00
19	Imported Topsoil	219	CY	\$28.25	\$6,186.75	\$12.00	\$2,628.00
20	Watering (3,551 SY)	10	EA	\$150.00	\$1,500.00	\$10.00	\$100.00
21	Liquid Mulch Binder	2,895	SY	\$2.00	\$5,790.00	\$1.00	\$2,895.00
22	Grading and Seeding	3,551	SY	\$2.30	\$8,167.30	\$1.00	\$3,551.00
23	Wood Excelsior Mat	656	SY	\$2.00	\$1,312.00	\$1.00	\$656.00
24	Anode-Cathodic Protection for water main	15	EA	\$1,100.00	\$16,500.00	\$900.00	\$13,500.00
25	Electrical Isolation-Cathodic Protection for water main	1	LF	\$3,025.00	\$3,025.00	\$1,540.00	\$1,540.00
26	Test Station- Cathodic Protection for water main	5	SY	\$425.00	\$2,125.00	\$650.00	\$3,250.00
<b>Total Division 1 (Items 1 thru 8)</b>					<b>\$98,690.50</b>		<b>\$26,067.00</b>
<b>Total Division 2 (Items 9 thru 23)</b>					<b>\$233,590.05</b>		<b>\$304,567.00</b>
<b>Total Division 13 (Items 24 thru 26)</b>					<b>\$21,650.00</b>		<b>\$18,290.00</b>
<b>Bid Contract Total</b>					<b>\$353,930.55</b>		<b>\$348,924.00</b>

\* Total cost modified to reflect bid quantity based on Addendum 1

(1) Acknowledgement received via Faxed Addendum form

## **Council Agenda Item Cover Sheet**

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

**Council Date:** June 10, 2014

**Submitting Department:** Utilities - Water Division

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

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

**Description of Agenda Item:**

Report on bids for the 16<sup>th</sup> Avenue SW (400-Ft East of 23<sup>rd</sup> Street SW to Williams Blvd SW) Water Main Rehabilitation project (estimated cost is \$460,000) (Steve Hershner).

**Background:**

The Utilities Department intends to replace approximately 2300 feet of water main on 16<sup>th</sup> Ave SW between (Williams Blvd SW and 400-ft East of 23<sup>rd</sup> Street SW). The existing 10-inch water main was installed in the 1940's and has a history of multiple breaks, service disruptions and street closures for maintenance and repair.

One (1) bid was received on June 4, 2013 for the 16<sup>th</sup> Ave SW Water Main Rehabilitation Project from Williams Blvd SW to 400 ft East of 23<sup>rd</sup> St SW (Contract 2011061-02), the results are reported as follows:

<b>Bidder</b>	<b>Total Bid</b>
1. Rathje Construction Co. Marion, IA	\$678,540.30

A motion to publish a Notice of Hearing and Letting was approved by the City Council on May 13, 2014; a public hearing was held on May 27, 2014 and bids were opened on June 4, 2014.

The project Bid Documents attempted to address environmental concerns of potential petroleum contaminated soils, shortly before the bid date; additionally transposed quantities were discovered on the Bid Form during preparation of the bid tabulation. Further analysis of the bid is required.

**Action / Recommendation:** No Action Necessary, the Utilities Department – Water Division is required to report the results of bids taken for the 16<sup>th</sup> Ave SW Water Main Rehabilitation Project from Williams Blvd SW to 400 ft East of 23<sup>rd</sup> St SW.

**Alternative Recommendation:** None

**Time Sensitivity:** N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 5 Minutes

**Budget Information (if applicable):**

1. **Included in Current Budget Year.** The project will be funded from the FY15 Utilities Department – Water Division CIP budget and coded to 553000-625-625000-625884-6252011061.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The FY15 CIP budget includes \$1,500,000 for engineering and construction of replacement type projects under CIP number 625884. The budget for construction will be established pursuant to the completion of the initial evaluation by the Engineer.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, purchasing guidelines are being followed for Public Improvement Projects.

**Local Preference Policy** Applies ☐ Exempt ☒

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

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

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

**16th Avenue SW Water Main Rehabilitation - Base Bid Engineer's Estimate**  
**Cedar Rapids CIP #2011061-02**

Unit Price Base Bid							Engineer's Estimate		Rathje Construction Company Marion Iowa		Bid Average	
ITEM NO	5%	STD BID ITEM NO.	ITEM	ACTUAL QNTY.	BID QNTY.	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1		01100-01	Mobilization		1	LS	\$ 31,800.00	\$ 31,800.00	\$ 85,270.00	\$ 85,270.00	\$ 85,270.00	\$ 85,270.00
2		01100-10	Construction Surveys		1	LS	\$ 3,200.00	\$ 3,200.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00	\$ 3,500.00
3		01100-10	Trench Compaction Testing		1	LS	\$ 1,200.00	\$ 1,200.00	\$ 2,525.00	\$ 2,525.00	\$ 2,525.00	\$ 2,525.00
4		01200-01	Traffic Control		1	LS	\$ 7,980.00	\$ 7,980.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
5	*	01200-20	Temporary Pavement Markings (4-IN wide Polymer Tape)		6274	LF	\$ 3.50	\$ 21,959.00	\$ 2.35	\$ 14,743.90	\$ 2.35	\$ 14,743.90
6		01300-01	Temporary Erosion and Sediment Control		1	LS	\$ 3,200.00	\$ 3,200.00	\$ 5,550.00	\$ 5,550.00	\$ 5,550.00	\$ 5,550.00
7	*	01400-10	Removal of Existing Pavements, Driveways, Curb and Gutter		872	SY	\$ 14.00	\$ 12,208.00	\$ 18.50	\$ 16,132.00	\$ 18.50	\$ 16,132.00
8	*	01400-11	Removal of Existing Sidewalk		21	SY	\$ 15.00	\$ 315.00	\$ 15.00	\$ 315.00	\$ 15.00	\$ 315.00
9		01400-55	Remove Fire Hydrant		4	EA	\$ 575.00	\$ 2,300.00	\$ 1,000.00	\$ 4,000.00	\$ 1,000.00	\$ 4,000.00
10		01400-56	Removal of Water Valve Boxes		18	EA	\$ 325.00	\$ 5,850.00	\$ 500.00	\$ 9,000.00	\$ 500.00	\$ 9,000.00
11	*	02000-41	Disposal of Petroleum Contaminated Excavation Materials Off-site (1)		450	TON	\$ 135.00	\$ 60,750.00	\$ 85.00	\$ 38,250.00	\$ 85.00	\$ 38,250.00
12	*	02100-01	Subgrade Preparation		858	SY	\$ 1.00	\$ 858.00	\$ 3.00	\$ 2,574.00	\$ 3.00	\$ 2,574.00
13		02100-20	Subgrade Stabilization with Crushed Rock Material (6-IN thick)	100	630	SY	\$ 12.00	\$ 7,560.00	\$ 10.30	\$ 6,489.00	\$ 10.30	\$ 6,489.00
14	*	02100-10	Subgrade Stabilization with Suitable Soil	630	100	CY	\$ 18.00	\$ 1,800.00	\$ 10.30	\$ 1,030.00	\$ 10.30	\$ 1,030.00
15		02100-50	Granular Subbase (6-IN thick)		858	SY	\$ 6.00	\$ 5,148.00	\$ 10.30	\$ 8,837.40	\$ 10.30	\$ 8,837.40
16		02200-20	Granular Backfill (1)		60	TON	\$ 18.00	\$ 1,080.00	\$ 25.00	\$ 1,500.00	\$ 25.00	\$ 1,500.00
17		02300-10	Sanitary Sewer Services (1)		5	EA	\$ 1,800.00	\$ 9,000.00	\$ 4,250.00	\$ 21,250.00	\$ 4,250.00	\$ 21,250.00
18	*	02500-01	Water Main (6-IN DIP)	100	1	LF	\$ 65.00	\$ 65.00	\$ 225.00	\$ 225.00	\$ 225.00	\$ 225.00
19	*	02500-01	Water Main (8-IN DIP)	21	100	LF	\$ 70.00	\$ 7,000.00	\$ 150.00	\$ 15,000.00	\$ 150.00	\$ 15,000.00
20		02300-21	Reset Manhole Frame and Lid	1	21	EA	\$ 750.00	FALSE	\$ 100.00	\$ 2,100.00	\$ 100.00	\$ 2,100.00
21	*	02500-01	Water Main (10-IN DIP)		47	LF	\$ 75.00	\$ 3,525.00	\$ 150.00	\$ 7,050.00	\$ 150.00	\$ 7,050.00
22	*	02500-01	Water Main (12-IN DIP)		1736	LF	\$ 85.00	\$ 147,560.00	\$ 102.00	\$ 177,072.00	\$ 102.00	\$ 177,072.00
23	*	02500-01	Water Main(16-IN DIP)		415	LF	\$ 110.00	\$ 45,650.00	\$ 92.00	\$ 38,180.00	\$ 92.00	\$ 38,180.00
24		02500-21	Installation of Owner-Supplied Valves and Boxes (6-IN Gate Valve)		2	EA	\$ 400.00	\$ 800.00	\$ 690.00	\$ 1,380.00	\$ 690.00	\$ 1,380.00
25		02500-21	Installation of Owner-Supplied Valves & Boxes (8-IN Gate Valve)		1	EA	\$ 450.00	\$ 450.00	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00
26		02500-21	Installation of Owner-Supplied Valves & Boxes (10-IN Gate Valve)		1	EA	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
27		02500-21	Installation of Owner-Supplied Valves & Boxes (12-IN Gate Valve)		8	EA	\$ 525.00	\$ 4,200.00	\$ 1,200.00	\$ 9,600.00	\$ 1,200.00	\$ 9,600.00
28		02500-21	Installation of Owner-Supplied Valves & Boxes (16-IN Butterfly Valve)		4	EA	\$ 600.00	\$ 2,400.00	\$ 2,000.00	\$ 8,000.00	\$ 2,000.00	\$ 8,000.00
29	*	02500-30	Fittings for Water Distribution Systems		5765	LB	\$ 8.00	\$ 46,120.00	\$ 7.00	\$ 40,355.00	\$ 7.00	\$ 40,355.00
30		02500-31	Blow-off Assemblies		1	EA	\$ 650.00	\$ 650.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
31		02500-32	Install/Remove Temporary Flushing Hydrant		1	EA	\$ 1,200.00	\$ 1,200.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
32		02500-40	Water Services - Short Side		10	EA	\$ 2,500.00	\$ 25,000.00	\$ 2,200.00	\$ 22,000.00	\$ 2,200.00	\$ 22,000.00
33		02500-40	Water Services - Long Side		3	EA	\$ 3,500.00	\$ 10,500.00	\$ 5,000.00	\$ 15,000.00	\$ 5,000.00	\$ 15,000.00
34		02500-51	Install Fire Hydrant (Owner Supplied)		7	EA	\$ 1,200.00	\$ 8,400.00	\$ 1,000.00	\$ 7,000.00	\$ 1,000.00	\$ 7,000.00
35		02500-60	Disinfection and Hydrostatic Testing		1	LS	\$ 6,500.00	\$ 6,500.00	\$ 8,900.00	\$ 8,900.00	\$ 8,900.00	\$ 8,900.00
36	*	02700-20	Portland Cement Concrete Driveway, Non-Reinforced (6-IN thick)		230	SY	\$ 68.00	\$ 15,640.00	\$ 47.00	\$ 10,810.00	\$ 47.00	\$ 10,810.00
37	*	02700-30	Portland Cement Concrete Pavement Repair, Non-Reinforced (8-IN thick)		266	SY	\$ 80.00	\$ 21,280.00	\$ 74.50	\$ 19,817.00	\$ 74.50	\$ 19,817.00
38	*	02700-30	Portland Cement Concrete Pavement Repair, Non-Reinforced (10-IN thick)		152	SY	\$ 90.00	\$ 13,680.00	\$ 76.25	\$ 11,590.00	\$ 76.25	\$ 11,590.00
39	*	02700-70	Portland Cement Concrete Sidewalk (5-in thick)		21	SY	\$ 45.00	\$ 945.00	\$ 38.00	\$ 798.00	\$ 38.00	\$ 798.00
40	*	02750-40	Asphalt Cement Concrete Pavement Repair (6-IN thick)		64	SY	\$ 65.00	\$ 4,160.00	\$ 88.00	\$ 5,632.00	\$ 88.00	\$ 5,632.00
41		02900-01	Imported Topsoil		80	CY	\$ 25.00	\$ 2,000.00	\$ 31.50	\$ 2,520.00	\$ 31.50	\$ 2,520.00
42		02900-04	Water Application for Seed/Sod (Each Application 1,000 Gallons)		40	EA	\$ 125.00	\$ 5,000.00	\$ 100.00	\$ 4,000.00	\$ 100.00	\$ 4,000.00
43	*	02900-10	Seeding, Fertilizer and Mulching		3400	SY	\$ 2.00	\$ 6,800.00	\$ 3.00	\$ 10,200.00	\$ 3.00	\$ 10,200.00
44		16570-80	Vehicle Detector Loops		1	EA	\$ 1,200.00	\$ 1,200.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
UNIT PRICE TOTAL							\$ 557,433.00		\$ 650,895.30		\$ 650,895.30	
Alternate #1												
7	*	01400-10	ADD - Removal of Existing Pavements, Driveways, Curb and Gutter		818	SY	\$ 14.00	\$ 11,452.00	\$ 12.00	\$ 9,816.00	\$ 12.00	\$ 9,816.00
12	*	02100-01	ADD - Subgrade Preparation		791	SY	\$ 1.00	\$ 791.00	\$ 1.00	\$ 791.00	\$ 1.00	\$ 791.00
14		02100-20	ADD - Subgrade Stabilization with Crushed Rock Material (6-IN thick)		120	SY	\$ 12.00	\$ 1,440.00	\$ 10.30	\$ 1,236.00	\$ 10.30	\$ 1,236.00
15		02100-50	ADD - Granular Subbase (6-IN thick)		791	SY	\$ 6.00	\$ 4,746.00	\$ 6.00	\$ 4,746.00	\$ 6.00	\$ 4,746.00
36	*	02700-20	ADD - Portland Cement Concrete Driveway, Non-Reinforced (6-IN thick)		791	SY	\$ 68.00	\$ 53,788.00	\$ 36.00	\$ 28,476.00	\$ 36.00	\$ 28,476.00
45		02500-02	Alternate #1 Driveways in lieu of Base Bid "Pushing" Beneath Driveways		268	LF	\$ (30.00)	\$ (8,040.00)	\$ (65.00)	\$ (17,420.00)	\$ (65.00)	\$ (17,420.00)
ALTERNATE #1 TOTAL							\$ 64,177.00		\$ 27,645.00		\$ 27,645.00	
Total Base Bid Plus Alternate #1								\$ 621,610.00		\$ 678,540.30		\$ 678,540.30

(1) Item to be used only if authorized during construction.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Sandi Fowler

**Phone Number/Ext:** 319 286-5077

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

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

Discussion and Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Cedar Real Estate Group III, LLC for construction of corporate headquarters at 1<sup>st</sup> Street SE between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SE (former 1<sup>st</sup> Street Parkade). CIP/DID #OB838345

### **Background:**

On April 12, 2013, the City received a letter of request from Cedar Real Estate Group indicating interest to acquire the City-owned property on 1<sup>st</sup> Street SE between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SE, formerly the 1<sup>st</sup> Street Parkade site.

On May 14, 2013, City Council conducted a public hearing to consider disposition of the City-owned property and invite proposals for the acquisition and redevelopment of the property. One (1) proposal was received. It was submitted by Cedar Real Estate Group for the construction of a new eleven (11) story office building that would serve as the World Headquarters of CRST International.

### **Building details:**

- Floors 1 – 3 include 8,000 s.f. retail on first floor and 243 total parking spaces
- Floors 4 – 11 are 105,000 s.f. of rentable office space
- More than 26,000 s.f. (or 1/4 of the office space) will be occupied by CRST

An evaluation team comprised of City staff and representatives of Northwest Neighbors Neighborhood Association, Taylor Area Neighborhood Association, Westside Redevelopment Group, and the Metro Economic Alliance (Downtown District) reviewed the proposal on June 19, 2013. The Cedar Real Estate Group proposal was recommended by the evaluation team, based on demonstrated capacity to complete the project in a timely manner with a quality design and benefit of establishing a corporate headquarters to bring additional workforce into the downtown.

On June 25, 2013, the City Council determined that the redevelopment proposal submitted by Cedar Real Estate Group will provide an economic benefit to the community and directed staff to negotiate a Development Agreement. Attached is a Term Sheet which outlines the key provisions within the proposed Development Agreement.

The goal of the redevelopment is to:

- encourage high impact private investment in the core of the community,
- facilitate the continued growth of a Cedar Rapids-based business, and
- secure the presence of CRST with a corporate headquarters facility.

Key provisions of the Development Agreement to achieve this goal are:

Developer Commitment

- Purchase price for property of \$499,217 to be paid at closing which reflects assessed value of property, \$461,660, plus \$37,557 to repay the remaining cost of the parking improvements.
- Investment of not less than \$31,000,000 in construction of eleven-story building.
- Construction of floodwall and storm water vault to be integrated with the City's Flood Management System.
- Minimum assessment agreement to establish a property valuation of at least \$18,000,000.
- Begin the project in August, 2014 and complete by January, 2016.
- Deed back property along river for a trail.

City Commitment

- Reimburse \$368,778 upon removal of existing foundations which were not removed by the City during demolition of the former parking structure.
- Reimburse the cost to construct a standalone floodwall and storm water vault.
- Provide 100% TIF reimbursement payments to an amount not to exceed 20 years or \$8,350,000 at a 3% Net Present Value calculation rate (estimated at 14 – 20 years).

The Net Present Value varies upon with the level of the annual TIF reimbursement payments. If the property tax reimbursements are higher, the NPV will be achieved sooner and at a lower amount. Here are two scenarios that illustrate this:

**\$18,000,000 assessed value**

\$8,350,000 NPV is \$12,385,000, reimbursed over 20 years.

**\$24,000,000 assessed value**

\$8,350,000 NPV is \$11,420,000, reimbursed over 15 years.

**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:** June 10, 2014

**Estimated Presentation Time:** 10 Minutes

**Budget Information (if applicable):**

City financial participation structured as reimbursement of increased property tax revenue

generated by the new construction, including a Minimum Assessment Agreement.

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

**Explanation:**

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

**Explanation (if necessary):**

RESOLUTION NO.

RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPMENT  
AGREEMENT AND SPECIAL WARRANTY DEED WITH CEDAR REAL  
ESTATE GROUP III, LLC FOR CONSTRUCTION OF A CORPORATE  
HEADQUARTERS BUILDING AT 1<sup>ST</sup> STREET SE BETWEEN 2<sup>ND</sup> AND  
3<sup>RD</sup> AVENUE SE

WHEREAS, on April 12, 2013, the City received a letter of request from Cedar Real Estate Group, LLP indicating interest to acquire the City-owned property, the former 1<sup>st</sup> Street Parkade site, bounded by 1<sup>st</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SE (the "Property"); and

WHEREAS, on April 23, 2013, the City Council passed a motion to publish Notice of a Public Hearing to be held on May 14, 2013 and to, conduct said public hearing on May 14, 2013 as required by law to consider disposition of the Property, and to invite competitive proposals for the acquisition and redevelopment of the Property; and

WHEREAS, the City received one (1) proposal from Cedar Real Estate Group, LLP for the redevelopment of the Property, consisting of construction of a new eleven (11) story office building; and

WHEREAS, no other acquisition and redevelopment proposals were received with respect to the Property; and

WHEREAS, an evaluation team comprised of City staff and representatives of Northwest Neighbors Neighborhood Association, Taylor Area Neighborhood Association, Westside Redevelopment Group, and the Metro Economic Alliance (Downtown District) reviewed the proposal on June 19, 2013; and

WHEREAS, based on the evaluation of criteria set forth in the Notice of Public Hearing, the evaluation team recommended the Cedar Real Estate Group, LLP proposal which provides demonstrated capacity to complete the project in a timely manner with a quality design and benefit of establishing a corporate headquarters to bring additional workforce into the downtown; and

WHEREAS, on June 25, 2013, the City Council determined that the redevelopment proposal submitted by Cedar Real Estate Group, LLP will provide an economic benefit to the community, and in so doing indicated its intent to accept said proposal; and

WHEREAS, Cedar Real Estate Group III, LLC is a business entity related to Cedar Real Estate Group, LLP has both business entities share common ownership; and

WHEREAS, City Staff and Cedar Real Estate Group III, LLC have negotiated a Development Agreement ("Agreement"), subject to City Council approval, regarding the sale of the Property to Cedar Real Estate Group III, LLC for redevelopment, all pursuant to the terms and conditions of the Agreement;

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

1. The City Council's prior notice of its intent to accept Cedar Real Estate Group III, LLC's proposal to purchase the Property is confirmed.
2. The Agreement for Private Redevelopment is approved and the City Manager and City Clerk are hereby authorized to execute the Agreement and associated documents, and to do all other things reasonably necessary to effectuate this Resolution and the Agreement.
3. The Special Warranty Deed conveying the Property to Cedar Real Estate Group III, LLC is approved. The execution of said Deed on behalf of the City of Cedar Rapids, Iowa by the City Manager and City Clerk is hereby approved, and the City Manager and City Clerk are authorized to execute any related documents necessary for the closing of the sale of the Property, and the filing and recording of necessary documents, including the Memorandum of Agreement and Special Warranty Deed.

Passed this 10<sup>th</sup> day of June, 2014.

**CRST Headquarters Project**  
Term Sheet – June 4, 2014

Item	Agreement Provision	Recommended Terms
1	Purchase Price	Assessed value of property, \$461,660, plus \$37,557 to repay the remaining cost of the parking improvements, for a total purchase price of \$499,217 to be paid at closing.
2	Site Preparation Costs	City will reimburse Developer \$368,778 upon completion of removing existing foundations on the site which were not previously removed by the City during demolition of the former parking structure.
3	Construction Plans	Developer to provide construction/site plans to verify the proposal is consistent with the terms of the Development Agreement.
4	Flood Mitigation	Developer will integrate the construction of the floodwall and storm water vault into the building and obtain confirmation by Army Corps of Engineers that these elements may be incorporated into the City's flood management system.
5	Floodwall/Vault Costs	City will reimburse the Developer for an agreed upon estimated cost to construct a standalone floodwall and storm water vault.
6	Lease/Purchase Agreement	City commits to entering into a Lease/Purchase Agreement for the floodwall and storm water vault which provides the City takes possession within one-year of construction.
7	Vacations and Easements	City and Developer agree to right-of-way vacation on 1 <sup>st</sup> Street SE through the City's standard process and an Air Rights Easement for 4 <sup>th</sup> floor cantilever design, in exchange for deeding back to the City property along river for a trail.
8	Right-of-Way Conversions	City commits to the conversion of 2 <sup>nd</sup> and 3 <sup>rd</sup> Avenues from one-way to two-way along the property site by January, 2016.
9	Minimum Investment	Developer will invest a minimum of \$31M in new construction.
10	Employment Commitments	Developer will commit to 80 full-time employees that will be certified annually; not eligible for Economic Development Grant, if numbers fall below 40 full-time employees.
11	Public Use of Parking	Developer will allow public use of the parking facility at agreed upon times/dates for events which will be specified in an operational agreement to be executed by January, 2016.
12	Minimum Assessment Agreement	Developer will enter a Minimum Assessment Agreement to commit to a property valuation of at least \$18M.
13	Economic Development Grant Amount	City will provide an Economic Development Grant to the Developer in the form of a 100% reimbursement of property tax increment received by the City in an amount not to exceed \$8.35M with a 3% Net Present Value calculation rate which is adjusted annually based on the actual payment.
14	Disbursement of Economic Development Grant Payments	City will provide annual Economic Development grant payments to the Developer in August of each year, as reimbursement of property taxes paid to the City on the full Assessed Value of the property.





## Council Agenda Item Cover Sheet 3<sup>rd</sup> Reading of Ordinance

**Submitting Department:** Public Works Department

**Presenter at meeting:** Sandy Pumphrey, PE  
**E-mail Address:** s.pumphrey@cedar-rapids.org

**Phone Number/Extension:** 5363

**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 ☐ Map

**Third Reading:** Ordinance amending Chapter 72 of the Municipal Code, Storm Water Management Ordinance, increasing tier rates by 2.5%, creating an additional non-residential tier for lots sized greater than seven acres with a daily flat rate charge of \$5.1552 per day, and providing additional clarification on definitions. CIP/DID #43-10-007

### Background:

The overall ordinance amendment still reflects 3 items:

- 1) 2.5% rate increase for existing tiers (as approved by the Council in FY15 Budget approval), effective July 1, 2014.
- 2) Dividing the current largest non-residential tier, which is currently "Greater than 6 acres" into two tiers, one for "Greater than 6 acres to 7 acres" and a second for "Greater than 7 acres". The purpose is to provide additional equity (as recommended by Infrastructure Committee). This divides the current highest tier of 213 properties as follows:
  - a. "Greater than 6 acres to 7 acres" = 29 properties (proposed average monthly rate of \$137.20)
  - b. "Greater than 7 acres" = 184 properties (proposed average monthly rate of \$156.80)

These changes are also effective July 1, 2014.

- 3) Clarification of definitions (as requested by billing staff and recommended by Infrastructure Committee), effective upon adoption.

These ordinance changes were deferred from March 11, 2014 Council meeting, when the other City utility rate changes were approved. This allowed time to evaluate feedback from the first six months of the new tiered rate Storm Water Utility, which went into effect in July 2013. Analyzing the financials and processing the feedback, lead to items two and three above.

City staff is pleased to report the new tiered rate Storm Water Utility is fully supporting itself for FY 2014, without the need to borrow via bonding. Due to some minor modifications made at the time of the 1<sup>st</sup> reading, City Staff recommended separating the 2<sup>nd</sup> and 3<sup>rd</sup> readings.

### Action / Recommendation:

Hold the 3<sup>rd</sup> reading of the ordinance.

### Alternative to the Recommendation:

None

**Time Sensitivity:** Normal (scheduled adoption prior to 7/1/2014 to reflect FY 2015 budget approval)

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

1<sup>st</sup> reading of Ordinance: May 13, 2014

2<sup>nd</sup> reading of Ordinance: May 27, 2014

3<sup>rd</sup> reading of Ordinance: June 10, 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:** Infrastructure Committee on February 24, 2014 recommended sending to full Council.

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 72 (STORMWATER MANAGEMENT) OF THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND ENACTING SUBSTITUTIONS IN LIEU THERE OF ESTABLISHING CERTAIN STORMWATER UTILITY CHARGES.**

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

**Section 72.102 - Definitions.** That section of chapter 72 of the Municipal Code, City of Cedar Rapids, be modified adding the following definitions:

40. Contiguous means sharing a common property line boundary, less any public right-of-way separating them (if applicable), for any distance. To be contiguous the property owner and the utility account holder must be the same legal entity.
41. Property owner means the person or entity that is listed on the recorded deed for the subject property.
42. Tenant means the person or entity that is occupying the subject property and has a separate active utility account for services provided to the subject property.

**Section 72.305.** That subsection b), c) and d) of chapter 72 of the Municipal Code, City of Cedar Rapids, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof.

**72.305 - Stormwater utility charge; establishment of policy regarding expenditure of utility revenues.**

b) Billing Policy

1. A stormwater utility charge will apply to every lot that is receiving any municipal utility service as provided by this section.
  2. If a water meter or any other municipal utility is removed from a lot, the lot will not be exempt from a stormwater utility charge unless said lot has:
    - i. Been combined with another lot to make one larger parcel;
    - ii. Been split into 2 or more separate parcels;
    - iii. Involved in a buyout and became green space; or has
    - iv. Become an exempt lot defined in 72.304 (a) or (b)
- c) Residential Lots (Including all multi-family) shall be charged on a per lot basis and pay as follows for all billings beginning July 1, 2014 and after:

1. Single family and multi-family with 2 to 4 dwelling units shall pay a flat charge of \$0.1611 per dwelling unit per day (regardless of lot size) during the billing period (Monthly Average \$4.90).
  2. Multi-family dwelling units with 5 dwelling units and greater (which are individually metered for potable water per dwelling unit) shall pay a flat charge of \$0.1611 per dwelling unit per day and per common area per day (regardless of lot size) during the billing period (Monthly Average \$4.90).
  3. Multi-family dwelling units with 5 dwelling units and greater (which are metered for potable water on a single meter per building) shall pay the non-residential rate based upon lot size and impervious area per Chapter 72.305(d) 1, 2, 3, 4, 5, 6.
  4. Multi-family dwelling units with 5 dwelling units and greater, receiving a municipal utility service, but not being served with municipal potable water shall pay the non-residential rate based upon lot size and impervious area per Chapter 72.305(d) 1, 2, 3, 4, 5, 6.
- d) Non-residential lots shall be charged a stormwater utility charge based on a lot's size and impervious area as follows:
1. For each individual lot with one potable water meter (non-irrigation/fire) per lot:
    - i. Less than or equal to 0.5 acre, flat charge of \$0.3222/day (Monthly Average \$9.80)
    - ii. Greater than 0.5 to 1 acre, flat charge of \$0.6444/day (Monthly Average \$19.60)
    - iii. Greater than 1 to 2 acres, flat charge of \$1.2888/day (Monthly Average \$39.20)
    - iv. Greater than 2 to 3 acres, flat charge of \$1.9332/day (Monthly Average \$58.80)
    - v. Greater than 3 to 4 acres, flat charge of \$2.5776/day (Monthly Average \$78.40)
    - vi. Greater than 4 to 5 acres, flat charge of \$3.2220/day (Monthly Average \$98.00)
    - vii. Greater than 5 to 6 acres, flat charge of \$3.8664/day (Monthly Average \$117.60)
    - viii. Greater than 6 to 7 acres, flat charge of \$4.5108/day (Monthly Average \$137.20)
    - ix. Greater than 7 acres, flat charge of \$5.1552/day (Monthly Average \$156.80)
  2. Lot areas with the same ownership shall be aggregated into one number for contiguous lots with one or more potable water meters per building or lot (non-irrigation/fire) and charged as follows:
    - i. Property Owner – according to 72.305 (d)1
    - ii. Tenant(s) - \$0.3222/day/potable water meter

3. Each individual lot with one or more potable water meters per building or lot (non-irrigation/fire), where the parcel owner does not have a utility account for that lot, shall be charged whichever is greater:
  - i. The daily rate of \$0.3222 per day per account, or
  - ii. The daily rate based on 72.305(d)1 billed evenly between each account.
4. Each individual lot, where the parcel owner does not have a utility account via water meter for that lot may be aggregated per 72.305(d) 2 for contiguous situations and shall be charged as follows:
  - i. The daily rate based upon the lot area under 72.305(d) 1 applied to the owner's primary account
  - ii. The daily rate of \$0.3222 per day per water meter will be applied to all tenant accounts, and excludes other non-primary accounts in the parcel owner's name.
5. Non-residential lots of less than 19 acres in size may qualify for a reduction of charge as set forth below if such lots meet either of the following criteria:
  - i. A lot may be entitled to a 33% reduction of the charge if at least 66% of such lot is undeveloped, pristine or used for agricultural purposes.
  - ii. A lot may be entitled to a 20% reduction of the charge if at least 66% of such lot is planted in grass and/or is regularly mowed.
  - iii. The property owner shall submit an application for reduction to the Director certifying as to the measurements of the lot and the uses thereof. Application forms will be available in the office of the Director. Such an application must be submitted to the Director on or before June 1st each year to receive a reduction for the next fiscal year beginning July 1st. The Director or its designee will review such applications and notify the property owner in writing whether the request for reduction was approved or denied and explaining the reasons therefore.
6. A rate reduction factor will be applied for each charged non-contiguous, non-multi-family lot, which are billed on an area basis and under same ownership as follows. The ownership name must match exactly to qualify:  
Multiply the reduction rate per lot fee as listed below:
  - i. 1 – 14 lots under same ownership = 1 (No reduction Rate)
  - ii. 15 – 49 lots =  $[100 - (\# \text{ parcels} \times 1.44)]/100$
  - iii. 50+ lots = .28

Introduced this \_\_\_\_ day of \_\_\_\_\_ 2014.

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Community Development

**Presenter at meeting:** Jennifer Pratt

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

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

**Alternate Contact Person:** Kirsty Sanchez

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

**Email:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

Second and possible Third Reading amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Kingston Village Urban Revitalization Area designation at 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets SW. CID/DID #OB959319

### **Background:**

A request has been submitted by Kingston Village LLC for an Urban Revitalization Property Tax Exemption designation for the proposed construction of a sixty-four unit apartment complex located on 6<sup>th</sup> Avenue SW between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. This project applied for and received Low Income Housing Tax Credits through the Iowa Finance Authority. It was reviewed and approved by City Council on December 3, 2013.

### **Project Details:**

- Apartment Building – 72,000 square feet
- Project cost –\$9,766,000

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

- Centrally located infill redevelopment project
- Provides a mix of affordable and market-rate rental units
- Consistent with the goals and objectives of the Kingston Village Plan

The tax exemption would be a 100% ten-year exemption. Based on the scope of the proposed construction, the annual property tax would be \$83,600. Over a ten-year period, this would be \$836,000 deferred as tax exempt.

### **Action / Recommendation:**

City staff recommends approval of the Second and possible Third Reading.

### **Alternative Recommendation:**

City Council may table and request additional information.



**Time Sensitivity:**

N/A

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 minutes

**Budget Information (if applicable):**

The estimated total over the ten-year period is \$836,000 deferred as tax exempt.

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

**Explanation:**

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

**Explanation (if necessary):**

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 83 and the addition of a new Division 83 as follows:

“Division 84. Kingston Village.” May 27, 2014 Resolution No. 0619-05-14

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 85 as follows:

“Division 85. (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 27<sup>th</sup> day of May, 2014.



## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Second and possible Third Reading granting a change of zone for property at 1408 4<sup>th</sup> Avenue SE from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. CIP/DID #RZNE-008539-2014

### **Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

The property is currently undeveloped and in the Wellington Heights Neighborhood. The applicant wishes to develop the lot with a single-family home, which would provide for in-fill in an area that has seen increased interest in rehabbing of existing residential properties and new construction on lots that are vacant. The R-TN Zoning District was created for neighborhoods like this to allow vacant lots to be redeveloped since the lot does not meet the minimum requirements for the current R-3 Zoning District. Since this is a rezoning for single-family residential there is no site plan requirement at this time. A detailed site plan will be required at the time of application for a building permit.

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

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"><li>• City staff reviewed the application and recommended revisions, which were made.</li></ul>
City Planning Commission review	<ul style="list-style-type: none"><li>• The City Planning Commission reviewed the application on April 17, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li><li>• There were was one objector and this is not a flood related item.</li></ul>
City Council consideration	<ul style="list-style-type: none"><li>• A Public Hearing and First Reading of the Ordinance are scheduled for May 27, 2014 to allow for public input.</li><li>• City Council voted unanimously to approve the request on the First Reading.</li><li>• Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li><li>• Approval of the rezoning will be subject to the conditions stated in the</li></ul>

attached Ordinance.

**Action / Recommendation:**

City staff recommends approval of Second and possible Third Reading.

**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 Maps**





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, April 17, 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  
                             Richard Pankey  
                             Virginia Wilts  
                             Kim King

Member Absent:     Allan Thoms

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

CD Staff:              Jeff Hintz, Planner  
                             Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 27, 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.

**Case Name: 1408 4<sup>th</sup> Avenue SE (Rezoning)**

Consideration of a Rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Affordable Housing Network, Inc. (Applicant/Titleholder)

**Case No: RZNE-008539-2014; Case Manager: Vern Zakostelecky**

Mr. Zakostelecky stated this was a request to rezone property in the Wellington Heights Neighborhood area similar to the ones presented to City Planning Commission earlier. Mr. Zakostelecky showed a location map and aerial photo.

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

Commissioner Overland called for a representative of the applicant.

Corey Houchins-Witt, Affordable Housing Network, Inc., 5400 Kirkwood Boulevard SW stated this is one more of several that will be built in the Wellington Heights Neighborhood. AHNI will be building 5 new houses in this area. Skogman Homes will build the home and the homes will fit with the architectural design of the area. Mr. Houchins-Witt looks forward to the Commissioners support of the development.

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

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

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Wilts made a motion to approve the Rezoning from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District. Commissioner Halverson seconded the motion.

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development



ORDINANCE NO.

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

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

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

THE SOUTH 70 FEET OF LOT 11, BLOCK 1, WELLINGTON PLACE FIRST  
ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA.

and located at 1408 4th Avenue SE, now zoned R-3, Single Family Residence Zone District,  
and as shown on the "District Map," be rezoned and changed to R-TN, Traditional  
Neighborhood Residence Zone District, and that the property be used for such purposes as  
outlined in the R-TN, Traditional Neighborhood Residence Zone District, as defined in Chapter  
32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Subject property shall be platted per State and City platting regulations.
2. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property  
owner shall be responsible for removal and replacement of City sidewalk along 6<sup>th</sup> Avenue  
SE adjoining this site, damaged as a result of construction activities or not meeting ADA  
requirements will be required to be replaced on this site. Said removal and replacement  
areas shall be determined by the City Public Works Department, shall be completed by  
the property owner, and approved by the City.
3. Work within the right of way will require separate excavation permits.

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

Introduced this 27<sup>th</sup> day of May, 2014.

**ACCEPTANCE OF CONDITIONS OF REZONING**

ORDINANCE NO.

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

\_\_\_\_\_ day of \_\_\_\_\_, 2014

AFFORDABLE HOUSING NETWORK, INC.

BY



J. Lock EXECUTIVE D.R.

(Please Print Name and Title)

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Development Services

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

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

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

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

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

Second and possible Third Reading granting a change of zone for properties at 1008, 1012, 1018 and 1024 2<sup>nd</sup> Street SE, 208 11<sup>th</sup> Avenue SE; 1009, 1013, 1019 and 1021 3<sup>rd</sup> Street SE from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by Acme Electric Company, Inc., 3rd Ward Development, LLC and City of Cedar Rapids. CIP/DID #RZNE-008553-2014

### **Background:**

The request for rezoning of this property was reviewed by the City Planning Commission on April 17, 2014 and the Commission recommended approval unanimously on a 7 to 0 vote.

This infill redevelopment plan includes five 2-story single-family row houses along 2nd Street SE. The Kurik House is to be relocated to the corner of 2<sup>nd</sup> Street and 11th Avenue SE. 3rd Street SE will feature four 2-story multi-use commercial and residential infill buildings.

The Preliminary Site Development Plan consists of the following:

#### 2<sup>nd</sup> Street SE (Town Homes):

- Total site area is 18,832 s.f.
- Total building area footprints are 2 @ 993 s.f. and 3 @ 986 s.f.
- Total of 5 dwelling units
- Total parking required and provided is 10 spaces.

#### 2nd Street SE (Kurik House):

- Total site area is 6,640 s.f.
- Total building area footprints is 1,023 s.f.
- Total parking required and provided is 3 spaces

#### 3<sup>rd</sup> Street SE (Mixed Use):

- Total site area is 16,800 s.f.
- Total building area footprint is 13,520 s.f.
- Total parking required for each building is 11 spaces (44 total).
- Total parking provided is 12 with 32 additional in Lot 44

**Modifications Requested by Applicant:**

- Reduction in required parking.
- Zero interior side yard setbacks
- Increased density.
- Front yard setbacks

**Application Process/Next Steps:**

<b>Actions</b>	<b>Comments</b>
City staff review	<ul style="list-style-type: none"><li>• City staff reviewed the application and recommended revisions, which were made.</li></ul>
City Planning Commission review	<ul style="list-style-type: none"><li>• The City Planning Commission reviewed the application on April 17, 2014 and recommended approval on a 7 to 0 vote. A portion of the minutes are included as Attachment A.</li><li>• There were several objectors and this is not a flood related item.</li></ul>
City Council consideration	<ul style="list-style-type: none"><li>• A Public Hearing and First Reading of the Ordinance were held on May 27, 2014 to allow for public input.</li><li>• City Council voted unanimously to approve the request on the First Reading.</li><li>• Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.</li><li>• Approval of the rezoning will be subject to the conditions stated in the attached Ordinance.</li></ul>

**Action / Recommendation:**

City staff recommends approval of Second and possible Third Reading.

**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

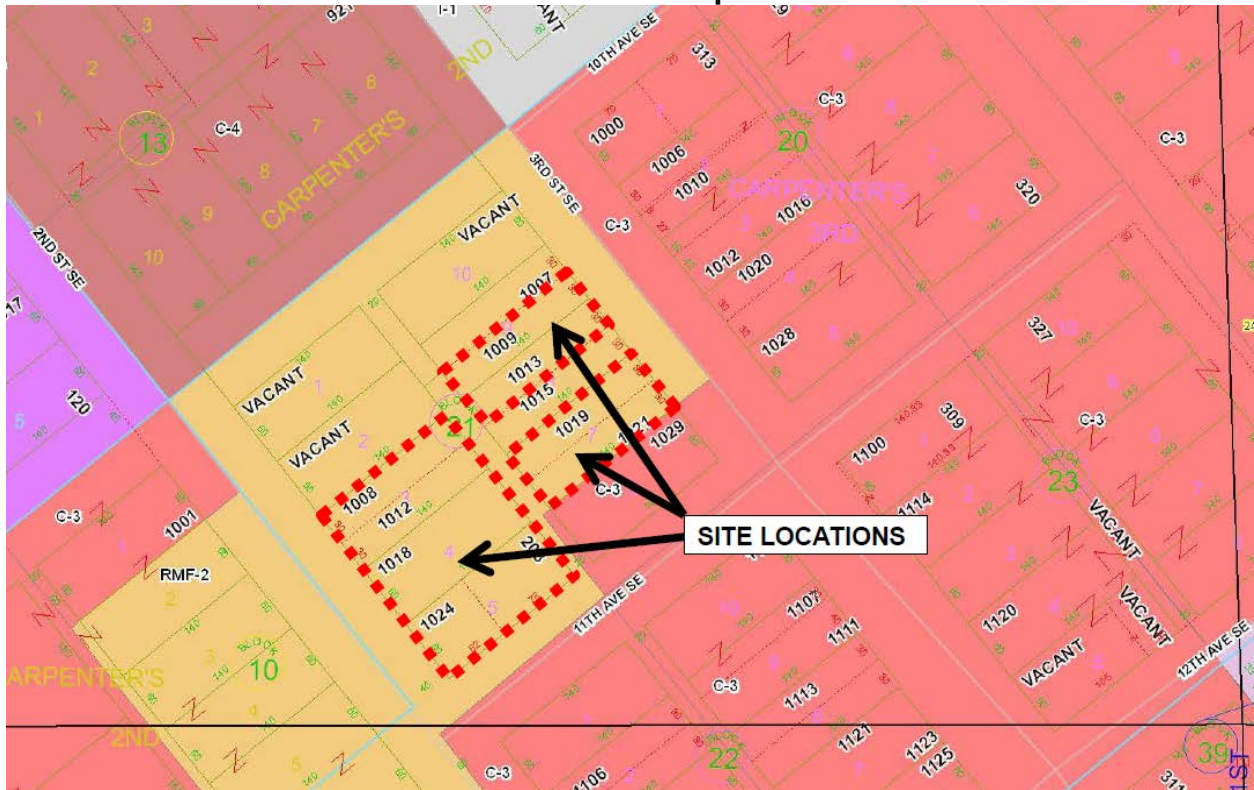
**Local Preference Policy** Applies ☐ Exempt ☐

**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, April 17, 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  
                             Richard Pankey  
                             Virginia Wilts  
                             Kim King

Member Absent:     Allan Thoms

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

CD Staff:               Jeff Hintz, Planner  
                             Betty Sheets, Administrative Assistant

The meeting was called to order at 3:00 p.m.

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

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

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the March 27, 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.

***Case Name: 1008, 1012, 1018 and 1024 2<sup>nd</sup> Street SE, 208 11<sup>th</sup> Avenue SE; 1009, 1013, 1019 and 1021 3<sup>rd</sup> Street SE (Rezoning)***

Consideration of a Rezoning from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District as requested by 3<sup>rd</sup> Ward Development, LLC (Applicant/Titleholder)

***Case No: RZNE-008553-2014; Case Manager: Dave Houg***



Mr. Zakostelecky stated this is a mix-used development under the PUD about a half block between 2<sup>nd</sup> and 3<sup>rd</sup> Avenue SE. A historic home will be moved to the corner of 2<sup>nd</sup> Street and 11<sup>th</sup> Avenue SE. There will be commercial on the ground floor with residential on the second floor for the buildings on the 3<sup>rd</sup> Street side and a 5-unit condo on the 2<sup>nd</sup> Street side. Mr. Zakostelecky showed a Location Zoning Map, Aerial Photo, Preliminary site plan, and building renderings

Commissioner Overland called for questions of Mr. Zakostelecky.

Commissioner Knox-Seymour stated that it is nice to see this happening in that area.

Commissioner Overland called for a representative of the applicant.

Don Barringer, 509 Vernon Drive SE stated that Mr. Zakostelecky hit the highlights of the development. The row houses and the mixed use are all part of the development.

Commissioner Overland called for questions of the applicant.

Commissioner Knox-Seymour asked where the area was that the owner was not selling. Mr. Zakostelecky showed on the site plan where the gazebo was located.

Commissioner Overland stated that it was a wonderful project and a great use of the new PUD zoning.

Commissioner Wilts asked if the applicant was going to do something different to the roofs such as the Library and the Water Tower place such as green roof. Mr. Barringer stated it had a parapet and screening for the HVAC units and did not have plans for a green roof.

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

Commissioner Overland called for a motion to approve the Rezoning. Commissioner Pankey made a motion to approve the Rezoning from RMF-2, Multiple Family Residence Zone District to PUD-2, Planned Unit Development Two Zone District. Commissioner Dahlby seconded the motion.

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

The meeting was adjourned at 4:30 pm

Respectfully Submitted,  
Betty Sheets, Administrative Assistant  
Community Development

ORDINANCE NO.

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

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

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

2nd STREET SE:

1008 2nd Street SE: CARPENTER'S 3RD NW 30' STR/LB 3 21  
1012 2nd Street SE: CARPENTER'S 3RD SE 30' STR/LB 3 21  
1018 2nd Street SE: CARPENTER'S 3RD STR/LB 4 21  
1024 2nd Street SE: CARPENTER'S 3RD SW 62' STR/LB 5 21

11th AVENUE SE

208 11th Avenue SE: CARPENTER'S 3RD NE 78' STR/LB 5 21

3rd STREET SE

1009 3rd Street SE: CARPENTER'S 3RD SE 30' STR/LB 9 21  
1013 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 8 21  
1019 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 7 21  
1021 3rd Street SE: CARPENTER'S 3RD NW 30' STR/LB 7 21

and located at 1008, 1012, 1018 and 1024 2nd Street SE, 208 11th Avenue SE; 1009, 1013,  
1019 and 1021 3rd Street SE, now zoned RMF-2, Multiple Family Residence Zone District, and  
as shown on the "District Map," be rezoned and changed to PUD-2, Planed Unit Development  
Two Zone District, and that the property be used for such purposes as outlined in the PUD-2,  
Planed Unit Development Two Zone District, as defined in Chapter 32 of the Municipal Code of  
Cedar Rapids, Iowa.

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

1. This site shall be developed in compliance with the provisions of the Flood Plain  
Management Ordinance.
2. Review of this proposal is required by the Czech Bohemia Overlay District Design  
Review Technical Advisory Committee.
3. Subject property shall be platted per State and City platting regulations.
4. Enclosures and/or screening shall be provided for all HVAC, trash, recycling, cardboard,  
mechanical equipment, and grease and similar service or support containers as per

Subsection 32.05.030.A.7. of the Zoning Ordinance.

5. Lighting fixtures shall be shielded in a manner that shall not direct illumination on adjacent residential properties, or on any public right-of-way as per Subsection 32.05.030.B. of the Zoning Ordinance.
6. Relocation of the existing structure must be done under appropriate permit and inspections conducted and approved.
7. PRIOR TO THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY, the property owner shall be responsible to submit to the City a signed Concrete Pavement Petition and Assessment Agreement for Alley Improvements adjoining this site. The City Public Works Department shall furnish the Agreement form upon request by the property owner.

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

Introduced this 27<sup>th</sup> day of May, 2014.

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

\_\_\_\_\_ day of \_\_\_\_\_, 2014

3RD WARD DEVELOPMENT, LLC

BY Don Barrigar

DON BARRIGAR, PRESIDENT  
(Please Print Name and Title)

CITY OF CEDAR RAPIDS

BY \_\_\_\_\_

\_\_\_\_\_  
(Please Print Name and Title)

ACME ELECTRIC COMPANY, INC.

BY Don Barrigar

DON BARRIGAR, PRESIDENT  
(Please Print Name and Title)

ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO.

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

\_\_\_\_\_ day of \_\_\_\_\_, 2014

3RD WARD DEVELOPMENT, LLC

BY \_\_\_\_\_

\_\_\_\_\_  
(Please Print Name and Title)

CITY OF CEDAR RAPIDS

BY *Jeffrey A. Pomeranz* ACTING CM  
Jeffrey A. Pomeranz, City Manager  
*Signature 09/29/14*

ACME ELECTRIC COMPANY, INC.

BY \_\_\_\_\_

\_\_\_\_\_  
(Please Print Name and Title)

## **Council Agenda Item Cover Sheet**

**Council Meeting Date:** June 10, 2014

**Submitting Department:** Parks and Recreation

**Presenter at meeting:** Sven Leff

**Phone Number/Ext:** 5739

**Email:** s.leff@cedar-rapids.org

**Alternate Contact Person:** June Schumacher

**Phone Number/Ext:** 5767

**Email:** j.schumacher@cedar-rapids.org

**Description of Agenda Item:**

SECOND AND POSSIBLE THIRD READING – Ordinance amending the Municipal Code of the City Of Cedar Rapids, Iowa, by: repealing sections 6.05 and 6.14 of the Cedar Rapids Municipal Code concerning City Administration; adopting a new section 6.05 of the Cedar Rapids Municipal Code concerning City Administration; repealing sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations; and adopting new sections 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 and 55.17 of the Cedar Rapids Municipal Code concerning boat and other river regulations.

**Background:**

The City of Cedar Rapids created the Parks & Recreation Commission (Municipal Code section 6.05) and the River Recreation Commission (Municipal Code section 6.14) to serve as advisory agencies to support the operations of the Parks and Recreation Department and river-related recreation. Combining the two commissions into a single body that represents the diverse leisure interests of the community is beneficial for guiding Department resources in a single coordinated direction. The River Recreation Commission recommended combining the two commissions into a single body at its April 3, 2014 regular meeting, and the Parks & Recreation Commission recommended combining the two commissions into a single body at its April 15, 2014 regular meeting.

**Action / Recommendation:**

Staff requests approval of second and possible third reading of the Ordinance.

**Alternative Recommendation:**

N/A

**Time Sensitivity:** Normal

**Resolution Date:** June 10, 2014

**Estimated Presentation Time:** 0 Minutes



**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):**

ORDINANCE NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY: REPEALING SECTIONS 6.05 AND 6.14 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING CITY ADMINISTRATION; ADOPTING A NEW SECTION 6.05 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING CITY ADMINISTRATION; REPEALING SECTIONS 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 AND 55.17 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING BOAT AND OTHER RIVER REGULATIONS; AND ADOPTING NEW SECTIONS 55.01(d), 55.06, 55.07, 55.08, 55.11, 55.12, 55.13, 55.14, 55.15 AND 55.17 OF THE CEDAR RAPIDS MUNICIPAL CODE CONCERNING BOAT AND OTHER RIVER REGULATIONS.

WHEREAS, by enacting Municipal Code section 6.05, the City of Cedar Rapids created the Parks & Recreation Commission to serve as an advisory agency to support the operations of the Parks and Recreation Department, and

WHEREAS, by enacting Municipal Code section 6.14, the City of Cedar Rapids created the River Recreation Commission to serve as an advisory agency to support the operations of the Parks and Recreation Department more specifically with respect to river-related recreation, and

WHEREAS, combining the two commissions into a single body that represents the diverse leisure interests of the community is beneficial for guiding Department resources in a single coordinated direction, and

WHEREAS, the River Recreation Commission recommended combining the two commissions into a single body at its April 3, 2014 regular meeting, and

WHEREAS, the Parks & Recreation Commission recommended combining the two commissions into a single body at its April 15, 2014 regular meeting,

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Cedar Rapids Municipal Code is hereby amended as follows:

Section 1. REPEAL OF SECTIONS 6.05 and 6.14; NEW SECTION 6.05

Sections 6.05 and 6.14 are hereby repealed and in lieu thereof the following is hereby ordained as section 6.05 of the Cedar Rapids Municipal Code:

6.05 – PARKS, WATERWAYS AND RECREATION COMMISSION.

- (a) **Creation.** A Parks, Waterways & Recreation Commission is hereby created to serve as an advisory agency to support the operations of the Parks and Recreation Department of the City of Cedar Rapids.
- (b) **Membership.** The Parks, Waterways & Recreation Commission shall consist of eleven members appointed by the Mayor subject to the approval of the City Council. Representation shall consist of three members to be appointed at-large, two members to be appointed to each of the three following constituencies: Parks & Trails, Recreation & Aquatics, and Waterways & Conservation, and one member to be appointed from each of the two following constituencies: golf and partnerships, provided, however, that if no application is made from any one or more of said constituencies, then the membership(s) that would otherwise have been from a constituency shall be deemed at-large. All eleven members shall be eligible electors of the City of Cedar Rapids. Each of the eleven members shall be entitled to one vote. Six members shall constitute a quorum for the transaction of business. In addition to the foregoing, the Parks & Recreation Director ("Director"), Council liaison, and the Sports Tourism Director from the Cedar Rapids Area Convention & Visitors Bureau shall be ex-officio non-voting members.
- (c) **Removal of Members.** The members of the Commission may be removed by the City Council before the expiration of a respective term for such cause as the City Council may determine necessary.
- (d) **Term of Office.** The terms of office for each of the members shall be three years and shall be so arranged and staggered that the terms of no more than four members shall expire on June 30th of any one year. A vacancy within any term shall be filled by appointment by the Mayor with the approval of the City Council for the unexpired portion of that term. All members shall serve until their successors are appointed and qualified.
- (e) **Compensation and Expense.** All members of the Commission shall serve without compensation.
- (f) **Powers.** The Commission shall be empowered to make studies and recommendations as it deems necessary and appropriate for the enhancement of parks, waterways, and facilities and for the promotion of recreational activities, facilities, and programs within the City of Cedar Rapids, including but not limited to sustaining existing and encouraging new programs, facilities and activities. In addition, the Commission shall have such other powers as may from time to time be conferred by the City Council.

- (g) **Duties.** Commission members shall have the following duties:

To promote department activities, events, facilities and special projects;

To advocate for the low income assistance program, including the review of and recommendations for program changes, the review of applications for and distribution of low income funds;

To promote volunteerism in the community;

To review and make recommendations concerning user fees and charges;

To review and make recommendations concerning capital improvement planning;

To review and make recommendations concerning the proposed annual budget of the Parks and Recreation Department;

To make recommendations for the acquisition, development and improvement of parklands, waterways and recreational areas and the disposition thereof;

To make recommendations concerning rules and regulations for the management, supervision and control of city parks, waterways, historical and recreational facilities and programs;

To raise funds and receive donations, gifts, legacies, endowments or bequests made to the city;

To form sub-committees from the general public as needed to assist the Commission in carrying out its assigned responsibilities, with a member of the Commission serving as the chairperson of any such sub-committee; and

To perform such special assignments as the Council may give the Commission from time to time.

- (h) **Officers and Meetings.** The Commission shall choose annually beginning at its first regular meeting, or as soon thereafter as practicable, one of its members to act as Chairperson, one of its members to act as Vice-Chairperson to perform all duties of the Chairperson during his/her absence or disability, and one of its members to act as Secretary. The Commission shall hold at least one meeting each month at a time and place to be determined by the Chairperson. Additional meetings may be scheduled if a majority of the Commission members vote to do

so. The Secretary or his/her designee shall take minutes of all regular and special meetings.

- (i) **Term of Commission.** The advisory agency known as the Parks, Waterways and Recreation Commission may be discontinued by adoption of a resolution proposing such action, and publishing notice as prescribed in Section 362.3, Iowa code, of such resolution, and of a date, time, and place of a hearing on the proposal, which such discontinuance shall not be sooner than 30 days following said hearing.

Section 2. REPEAL OF SECTION 55.01(d); NEW SECTION 55.01(d)

Subsection (d) of section 55.01 is hereby repealed and in lieu thereof the following is hereby ordained as subsection (d) of section 55.01 of the Cedar Rapids Municipal Code:

(d) For purposes of this Chapter, the terms "Commission" or "Parks, Waterways and Recreation Commission" shall mean the Cedar Rapids Parks, Waterways and Recreation Commission established by Section 6.05 of this code.

Section 3. REPEAL OF SECTION 55.06; NEW SECTION 55.06

Section 55.06 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.06 of the Cedar Rapids Municipal Code:

**55.06 SPEED IN RESTRICTED AREAS.**

The Parks, Waterways and Recreation Commission is hereby granted and delegated authority and power to designate and establish speed restrictions on the river and any surrounding water areas in the City of Cedar Rapids; after suitable signs of such speed restrictions are posted, no person shall operate any boat in excess of the posted speed restriction in any areas so designated by the Parks, Waterways and Recreation Commission.

Section 4. REPEAL OF SECTION 55.07; NEW SECTION 55.07

Section 55.07 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.07 of the Cedar Rapids Municipal Code:

**55.07 RESTRICTED AREAS.**

The Parks, Waterways and Recreation Commission is granted the power and authority to designate certain restricted areas on the Cedar River and surrounding waterways, prohibiting towing of skis, surf boards or any other surf riding device. After suitable signs are posted by the Parks, Waterways and Recreation Commission, no person shall tow skis or surf boards in said areas.

Section 5. REPEAL OF SECTION 55.08; NEW SECTION 55.08

Section 55.08 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.08 of the Cedar Rapids Municipal Code:

55.08 PROHIBITED ACTIVITIES; WATER SKIING.

- (a) No person shall be towed on skis, surf boards or any other surf riding device on the Cedar River within the city limits of Cedar Rapids without wearing a life jacket, life vest or ski belt at all times.
- (b) The operator of the boats so towing shall be responsible for furnishing life jackets, life vests, or ski belts at all times.
- (c) Boats towing skis, surf boards or any other surf riding device shall have at least one other occupant in addition to the operator, to observe and advise the movements of the river.
- (d) Skiing while intoxicated is prohibited.
- (e) No skiing will be permitted between sunset and sunrise. The Parks, Waterways & Recreation Commission has the right to designate where skiing is permitted and prohibited. Skiing shall be done in a safe manner so as not to interfere with the fishermen or other boats.
- (f) Skiing will not be permitted in the harbor at any time.

Section 6. REPEAL OF SECTION 55.11; NEW SECTION 55.11

Section 55.11 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.11 of the Cedar Rapids Municipal Code:

55.11 EXCESSIVE NOISE.

No one shall use a boat propelled in whole or in part by gas, gasoline, or naphtha unless the same has a stock factory muffler, underwater exhaust, or device such that the motor exhaust is at all times muffled or suppressed to not create excessive noise. No boat propelled by airplane type propellers shall be operated without adequate and proper safeguards to prevent damage or injury by rotating propeller. All boats shall comply with all other noise ordinances of the City of Cedar Rapids. Boats participating in races approved by the Parks, Waterways & Recreation Commission are excepted from the requirements of this section and of other noise ordinances.

Section 7. REPEAL OF SECTION 55.12; NEW SECTION 55.12



Section 55.12 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.12 of the Cedar Rapids Municipal Code:

55.12 RACES OR EXHIBITS.

No person shall conduct ski shows, boat races, or other exhibitions in which boats are used without a special event permit issued by the City Manager or his/her designee.

Section 8. REPEAL OF SECTION 55.13; NEW SECTION 55.13

Section 55.13 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.13 of the Cedar Rapids Municipal Code:

55.13 SPEED REGULATIONS.

(a) Every operator of a motor boat shall at all times navigate the same in a careful and prudent manner and at such rates of speed as not to endanger the life, limb or property of any person.

(b) No person shall operate a motor boat at a rate of speed greater than will permit him in the exercise of reasonable care to bring the boat to a stop within the assured clear distance ahead.

(c) **Exception.** Operators of motor boats competing in a race or regatta authorized by the City Manager or his/her designee may exceed posted restrictions on marked racing courses.

Section 9. REPEAL OF SECTION 55.14; NEW SECTION 55.14

Section 55.14 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.14 of the Cedar Rapids Municipal Code:

55.14 DOCK CONSTRUCTION.

No person shall construct or use a fixed or floating dock unless the same is first approved by the Parks, Waterways & Recreation Commission.

Section 10. REPEAL OF SECTION 55.15; NEW SECTION 55.15

Section 55.15 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.15 of the Cedar Rapids Municipal Code:

55.15 MOORING.

(a) No person shall moor a boat, house boat, boat house, dock or other floating device in the Cedar River or in any other water course, pond, or pool in the city limits of Cedar Rapids, Iowa without a written permit from the Parks, Waterways & Recreation Commission.

(b) No person shall conduct, operate, manage, maintain, or otherwise carry on any service or retail business or enterprise within the boundaries of the meander lines of the Cedar River within the corporate limits of the City of Cedar Rapids, or place, maintain, construct or float any barge, vessel or other structure whether afloat or fixed to the land adjacent to the shore lines of said river for the afore described purpose without a written permit from the Parks, Waterways & Recreation Commission.

Section 11. REPEAL OF SECTION 55.17; NEW SECTION 55.17

Section 55.17 is hereby repealed and in lieu thereof the following is hereby ordained as section 55.17 of the Cedar Rapids Municipal Code:

SECTION 55.17 - HARBOR AND SHORE RULES AND REGULATIONS.

A. Definitions.

1. "Harbor" refers to Ellis Boat Harbor, a protected area of the Cedar River located on Ellis Boulevard N.W., Houseboat Court, Pontoon Court and Harbor Drive.
2. "Quarry" shall mean the area west of Ellis Boulevard Boat Harbor, located at 2550 Ellis Boulevard N.W.
3. "Space" means a rental area in the harbor, either a boathouse stall (measuring *at least* 24 feet x 42 feet), a houseboat stall (42 feet x 33 feet), a slip (12 feet x 30 feet), or a quarry space (10 feet x 30 feet or 20 feet x 40 feet).
4. "Structure" is defined as any boathouse, dock or boat well in Ellis Harbor.
5. "Boathouse" refers to a structure that is intended to stay in place in the harbor, secured to the shoreline and not used for transportation on the river.
6. "Houseboat" refers to a vessel fitted for use as a dwelling that can move along the river.
7. "Catwalk" refers to the walkway from a boathouse, boat well, or dock to the sidewalk.

8. "City" refers to the City of Cedar Rapids Parks and Recreation Department.
- B. The following regulations shall govern the use of the Harbor or the Quarry. All persons using the Harbor or the Quarry shall comply with these regulations.
1. Rental Agreements
    - a. No Harbor or Quarry space may be occupied without a current rental agreement with the City. Rental agreements are for the term of the lease, ending on the 30th day of April. Rental agreements for the Ellis Blvd. and Houseboat Ct. sides will be limited to 2 per household. The Parks and Recreation Director or his/her designee is authorized to execute the rental agreement on behalf of the City.
    - b. Renewals - All rental agreements must be renewed on or before the 30th day of April in order to retain the same stall or slip location. The retaining of specific stalls or slips may not be possible due to the circumstances detailed in 55.17.B.31. If a rental agreement is not renewed by the 30th day of April the rental agreement will expire with the loss of any rights or privileges to the rental space indicated on said agreement. A \$5.00 per day late fee will be assessed starting May 1st for each day a space is occupied without a current rental agreement, added to the annual rental fee to be paid in full at the time of renewal. Failure to pay in full in 60 days shall result in loss of leased space, and removal of a structure to a designated storage area in the Quarry. See 55.17.B.29 for effects of prolonged unpaid storage of a structure.
    - c. All fees must be paid in full at the time the rental agreement is made or renewed.
    - d. New rentals are subject to the availability of spaces.
  2. To obtain a rental agreement, structures must meet all requirements of the City and State of Iowa HF 2484 (enacted April 10, 2010).
  3. Rental agreements are non-transferable, non-assignable, and spaces may not be sublet without City permission.
  4. All boats and houseboats that use a Harbor/Quarry space must have a current boating registration with the State of Iowa as required by law.

5. Upon receipt of a rental agreement to occupy a Harbor space, the renter has one year in which to build a Parks, Waterways & Recreation Commission approved structure. If this structure is not built, the rental agreement may not be renewed.
6. Structures shall not change location without the execution of a new rental agreement.
7. Construction plans for new structures and additions to existing structures must be approved by the Parks, Waterways & Recreation Commission or its designee and comply with Regulation 55.17.B.8 prior to construction.
8. No new structure shall exceed the space specified by the rental agreement, and in no case be in excess of 18 feet in width, 30 feet in length, and 16 feet in height from the bottom of the frame.

All exposed wood surfaces must be of treated lumber, with the exception of siding.

All structures must be centered in the assigned stall(s). All variances must be approved by the Parks, Waterways & Recreation Commission.

All new construction and remodeling plans must comply with the Boat Harbor District building codes and a permit must be issued by the City of Cedar Rapids Building Services Department.

9. Push rods must be used to extend and maintain a minimum of 12 feet from the sidewalk to the front of the structure.
10. All structures must use commercial floatation or foam filled barrels in accordance with State of Iowa HF 2484 (enacted April 10, 2010). All floatation must be secured to the undercarriage of a structure.
11. Structures must be secured at right angles to the sidewalk to prevent sway. By July 1, 2014, all structures must have a secondary securing cable (a.k.a. deadman cable) with a minimum 3/8 inch diameter secured to the harbor wall with a separate connection point. Cable length must be long enough to allow 30 feet of adjustment or slack during high water scenarios.
12. To eliminate obstructions to pedestrians, a catwalk must not be resting on the sidewalk nor shall items such as benches, fire pits, firewood, hoses, and construction materials, or similar be stored on the sidewalk.

13. All structures that have a toilet must have chemical toilets which have been approved by the Parks, Waterways & Recreation Commission. No dumping of gray or black water in the river. "Honey bucket" storage containers containing human waste are not to be stored on docks, walkways, in the Quarry or anywhere outside of structures. Outside storage of "pump out" holding tanks is permitted.
14. Harbor stall numbers no less than 4 inches in size must be placed on the front and rear sides of the structure so as to be easily visible from the street and river channel.
15. Structures must be kept clean, free of vermin, structurally sound, painted, and with floatation in place at all times.
16. No one shall occupy a boathouse year-round as permanent living quarters
17. No building materials, barrels, surplus lumber or junk shall be left on the sidewalk, in the water, or in any area of the Harbor/Quarry. Rubbish other than garbage must be disposed of within 48 hours of a written notification from the Parks and Recreation Director or his/her designee, or a civil penalty of \$100.00 will be charged against the owner of the structure to be paid within 30 days.
18. Garbage shall be drained and wrapped in paper or placed in sanitary bags for disposal in receptacles designated by the City.
  - a. No containers will be provided for recyclables.
  - b. Dumping of hazardous waste, household appliances, tires, paint, or furniture is prohibited.
19. Debris and materials left over from construction or repair of a structure within a designated storage area shall be disposed of by the owner, or civil penalty of \$100.00 will be charged against the owner of the structure, with assessment to be paid within 30 days.
20. Dumping of any refuse, waste water and debris in the river is prohibited.
21. The City must be notified by presentation of a "Structure(s) Selling Form," obtained from the Parks and Recreation Department, of all structure sales, at which time a new rental agreement transferring harbor privileges must be obtained by the new owner.

22. The deadline for boat and dock removal from the EE and EEE side of the harbor is October 31st. After written notification, the City will remove the boat and structure at the owner's expense.
23. Horseshoe playing in the harbor is prohibited.
24. Swimming in the harbor is prohibited.
25. Musical instruments, televisions or other such devices of electronic nature, shall not be used in a manner to disturb the peace and quiet of other persons.
26. Automobiles and trucks are prohibited from driving on the ice in the harbor.
27. No motorized vehicles, tents, awnings, or canopies will be allowed on the harbor grass or banks without written permission from the City.
28. Boat trailers shall be parked only in designated areas in the parking lots designated by the City. Parking restrictions shall be enforced by the Cedar Rapids Police Department.
29. Boats and structures which remain in any designated storage area for a period of longer than one year will be disposed of or destroyed by the City unless written permission is obtained from the Parks, Waterways & Recreation Commission. After said one year period, if said written permission has not been obtained, written notice will first be given to the owner by mail at the address shown on the rental agreement. Ten days after depositing said notice in the United States mail, the City will proceed to dispose of or destroy said property.
30. In addition to other penalties provided in this chapter or by other applicable law, failure to comply with these rules will result in the termination of any rental agreement and removal of any structure or other property from the harbor or quarry by the City. Cost of such removal will be assessed to the property owner.
31. The layout of stalls, slips, and structures is to be evaluated each year by the City and changed as necessary to maximize the occupancy of the harbor, or to meet other Commission objectives.

Section 12. 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 13.

The changes as provided in this Ordinance shall be made 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 14.

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

Section 15. WHEN EFFECTIVE

This Ordinance shall be in full force and effect on July 1, 2014 after its passage and publication as provided by law.

Introduced this 27<sup>th</sup> day of May, 2014.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.