

*“Cedar Rapids is a vibrant urban hometown – a beacon for people and businesses invested in building a greater community now and for the next generation.”*

## **NOTICE OF CITY COUNCIL MEETING**

The Cedar Rapids City Council will meet in Regular Session on Tuesday, November 3, 2015 at 12:00 PM in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. *(Please silence mobile devices.)*

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

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider granting a change of zone from R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1033 10th Street NW, vacant land between 806 and 818 10th Street SW (GPN No. 142943201100000), 421 5th Avenue SW and 427 5th Avenue SW as requested by the City of Cedar Rapids (Vern Zakostelecky). CIP/DID #RZNE-022127-2015
  - a. First and possible Second and Third Readings: Ordinance granting a change of zone from R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1033 10th Street NW, vacant land between 806 and 818 10th Street SW (GPN No. 142943201100000), 421 5th Avenue SW and 427 5th Avenue SW as requested by the City of Cedar Rapids.
2. A public hearing will be held to consider granting a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residence Zone District for City-owned properties at 217 7th Avenue SW and 709 3rd Street SW as requested by Cedar Ventures, LLC and City of Cedar Rapids. (Johnny Alcivar). CIP/DID #RZNE-022039-2015
  - a. First Reading: Ordinance granting a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residence Zone District for City-owned properties at 217 7th Avenue SW and 709 3rd Street SW as requested by Cedar Ventures, LLC and City of Cedar Rapids.

3. A public hearing will be held to consider the continuation of the disposition of excess City-owned property described as 10 various non-conforming vacant lots (Rita Rasmussen). CIP/DID #3302500004-00
  - a. Resolution authorizing the continuation of the disposition of excess City-owned property described as 10 various non-conforming vacant lots.
4. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System (estimated cost is \$98,000) (Rob Davis). CIP/DID #PUR1015-064
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project (estimated cost is \$959,000) (Sandy Pumphrey). **(Flood)** CIP/DID #SSD104-09
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project.

### **PUBLIC COMMENT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council action scheduled for today. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

### **MOTION TO APPROVE AGENDA**

### **CONSENT AGENDA**

*These are routine items, some of which are old business and some of which are new business. They will be approved by one motion without individual discussion unless Council requests that an item be removed for separate consideration.*

6. Motion to approve minutes.
7. Resolution approving the installation of stop signs on northbound and southbound C Avenue NE at the intersection of 38th Street, such that all-way stop control is implemented at the intersection. CIP/DID #60-16-031
8. Resolution accepting work and fixing amount to be assessed for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project. CIP/DID #3017015-00
9. Resolution of support providing City participation under the City's Core District Reinvestment for the redevelopment of the former fire station at 427 1st Street SE as requested by Station on First, LLC. **(Flood)** CIP/DID #OB687456

10. Resolution of support and conditional funding under the Community Benefit Economic Development Program for a veterans housing project near Fiserv Drive SW and Wilson Avenue SW as requested by Healing Our Heroes and Seldin Company. CIP/DID #CD-0012-2015
11. Resolution determining the necessity and setting dates of a public hearing for December 15, 2015 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Miron Construction Urban Renewal Area. CIP/DID #TIF-0003-2015
12. Motions setting public hearing dates for:
  - a. November 17, 2015 – to consider granting a change of zone for property at 1727 2nd Street SW from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District as requested by Scallon Custom Homes, LLC and Joseph W. Zachar III. CIP/DID #RZNE-022098-2015
  - b. November 17, 2015 – to consider granting a change of zone from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1766 and 1770 Mallory Street SW as requested by Scallon Custom Homes, LLC, the City of Cedar Rapids and Z Fin 20. CIP/DID #RZNE-022169-2015
  - c. December 15, 2015 – to consider an Ordinance relating to collection of tax increment within the proposed Miron Construction Urban Renewal Area at 335 French Court SW. CIP/DID #TIF-0003-2015
13. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
  - a. November 17, 2015 – Veterans Memorial Stadium Ribbon Message Board project, with bid opening November 18, 2015 (estimated cost is \$290,000). CIP/DID #314354-03
  - b. November 17, 2015 – 2015 Sidewalk Ramp Improvements project, with bid opening November 25, 2015 (estimated cost is \$117,079). CIP/DID #3016016-02
  - c. November 17, 2015 – Sanitary Sewers Quadrant Flood Repairs Northeast and Southeast Lining Package #7 project, with bid opening December 9, 2015 (estimated cost is \$1,480,000). **(Flood)** CIP/DID #SSD102-08
14. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Aldi #61, 5425 Blairs Forest Boulevard NE.
  - b. Aldi #62, 1860 Edgewood Road SW.
  - c. The Cooler, 4920 Johnson Avenue NW.
  - d. Fareway Store #963, 4220 16th Avenue SW.
  - e. Flamingo, 1211 Ellis Boulevard NW (transfer to Veterans Memorial Coliseum, 50 2nd Avenue Bridge, for an event on November 28, 2015).
  - f. Granite City Food & Brewery, 4755 1st Avenue SE.
  - g. Hy-Vee Food Store #2, 279 Collins Road NE.
  - h. Tornado's Grub & Pub, 315 14th Avenue SE.
  - i. Vito's on 42nd, 4100 River Ridge Drive NE.
  - j. Willy Woodburn's Cafe, 232 16th Avenue SW. CIP/DID #OB1145716
15. Resolutions approving:
  - a. Payment of bills. CIP/DID #FIN2015-01
  - b. Payroll. CIP/DID #FIN2015-02

16. Resolution thanking the following individual:
  - a. Vote of thanks to Stephanie Logan for serving on the Parks, Waterways & Recreation Commission. CIP/DID #OB1187380
17. Resolutions approving assessment actions:
  - a. Intent to assess – Water Division – delinquent municipal utility bills – 48 properties. CIP/DID #WTR1103-001
  - b. Levy assessment – Water Division – delinquent municipal utility bills – 22 properties. CIP/DID #WTR0922-001
18. Resolutions accepting subdivision improvements, approving Maintenance Bonds and/or authorizing reimbursements:
  - a. Water system improvements installed in Knollwood Park 4th Addition and 2-Year Maintenance Bond submitted by Rathje Construction Company in the amount of \$16,048.40. CIP/DID #2015076-01
  - b. Water system improvements installed in Airport Commerce Park 10th Addition-Atlantic Drive SW Extension and 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$61,162. CIP/DID #2013042-02
  - c. Sanitary sewer in Airport Commerce Park Tenth Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$93,740. CIP/DID #FLPT-008827-2014
  - d. Storm sewer in Airport Commerce Park Tenth Addition and 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$40,869. CIP/DID #FLPT-008827-2014
  - e. Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition and 4-year Maintenance Bond submitted by City Wide Construction Corporation, Inc. in the amount of \$95,199.38. CIP/DID #FLPT-008827-2014
19. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
  - a. Flood Affected Areas Infrastructure Removals project, Change Order No. 5 (Final Revised) in the amount of \$207,663.22, plus three additional working days and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,272,627.28). CIP/DID #301923-01
  - b. 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project and 4-year Performance Bond submitted by Rathje Construction Company (original contract amount was \$1,422,570.60; final contract amount is \$1,232,776.84). **(Flood)** CIP/DID #SSD103-12
  - c. 11th Street NW South of N Avenue NW Box Culvert Improvements project and 4-year Performance Bond submitted by Boulder Contracting, LLC (original contract amount was \$25,284; final contract amount is \$22,484). CIP/DID #304429-01
  - d. CeMar Trail at 27th Street NE Drainage Improvements project and 4-year Performance Bond submitted by Boulder Contracting, LLC (original contract amount was \$53,399; final contract amount is \$51,099). CIP/DID #304431-01
  - e. Sidewalk and Ramp Repair Program – Contract No. 1 project and 4-year Performance Bond submitted by BWC Excavating, LC (original contract amount was \$129,493.50; final contract amount is \$115,941.63). CIP/DID #3017015-01
  - f. 3rd Street SE, East of 10th Avenue SE, Storm Sewer Improvements project and 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. (original contract amount was \$38,812; final contract amount is \$37,693.38). CIP/DID #304435-01



- g. Lakeview Drive SW Bank Restoration project and 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. (original contract amount was \$61,987.90; final contract amount is \$54,357.10). CIP/DID #304433-01
  - h. Vinton Ditch at Westwood Drive NW Channel Improvements project and 4-year Performance Bond submitted by Peterson Contractors, Inc. (original contract amount was \$111,556.15; final contract amount is \$107,927.39). CIP/DID #304060-02
20. Resolutions approving final plats:
- a. Brakers 1st Addition for land located at 3401 E Avenue NW. CIP/DID #FLPT-020763-2015
  - b. Northtowne Market 1st Addition for land located at 1201 Blairs Ferry Rd NE. CIP/DID #FLPT-018821-2015
21. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Amendment No. 5 to the contract with L.L. Pelling Company for Asphalt Products for citywide purchases to reflect the additional cost of asphalt product purchases for an amount not to exceed \$125,000 (original contract amount was \$650,000; total contract amount with this amendment is \$775,000). CIP/DID #0112-130
  - b. Contract with Copyworks for Printing & High-Speed Copying as needed citywide for an annual amount not to exceed \$120,000. CIP/DID #PUR0715-014
  - c. Purchase order in the amount of \$130,288 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a New Lightnin 40HP Model 780Q40CMX Gearbox and a New Lightnin 75 HP Model 780Q75 Triple Reduction Gearbox at the Water Pollution Control Facility. CIP/DID #WPC110315-01
  - d. Fleet Services Division purchase of one used portable air compressor from Mid Country Machinery in the amount of \$70,900. CIP/DID #PUR0915-060
  - e. Purchase Agreement in the amount of \$14,000 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Schillig Limited Partnership from vacant land located on the east side of Wiley Boulevard SW between 18th Avenue SW and 20th Avenue SW in connection with the 2015 Sidewalk Infill project. CIP/DID #3012074-00
  - f. Supplemental Agreement to the Total Acquisition Purchase Agreement with Robert V. Bertling, increasing the purchase amount by \$4,500 for land located at 74 18th Avenue SW in connection with the Parks Greenway Acquisition project (original total acquisition purchase amount was \$15,200; purchase amount with this supplemental agreement is \$19,700). CIP/DID #307028-00
  - g. Development Agreement with Scallon Custom Homes, L.L.C. for property at 0 Vacant Lot SW (GPN 143313800300000) participating in the fourth round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
  - h. Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium for the period of October 1, 2015 through September 30, 2016 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City's share being \$135,735). CIP/DID #625044-16
  - i. Urban Waters Small Grants application to the Environmental Protection Agency (EPA), to assist with the funding of watershed education and planning initiatives. CIP/DID #304990-00
  - j. Amendment No. 3 to the Professional Services Agreement with McClure Engineering Company specifying an increased amount not to exceed \$19,080 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$141,265). CIP/DID #325008-01

- k. Professional Services Agreement with YTT Design Solutions, LLC for an amount not to exceed \$22,124.00 for engineering design and evaluation services in connection with the 30th Street SE from Mount Vernon Road to Pioneer Avenue Roadway Evaluation project. **(Paving for Progress)** CIP/DID #3012156-01
- l. 28E Agreement with the Linn County Secondary Road Department for normal and routine maintenance along joint corporate limits. CIP/DID #80-16-019
- m. Change Order No. 11 in the amount of \$27,778.34 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,815,564.20; total contract amount with this amendment is \$1,857,516.21). **(Flood)** CIP/DID #SSD103-11
- n. Change Order No. 6 in the amount of \$15,584.54 with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$874,227.25; total contract amount with this amendment is \$941,828.65). **(Flood)** CIP/DID #SSD102-05
- o. Change Order No. 5 in the amount of \$67,081.48 with Pirc-Tobin Construction, Inc. for the 4th Avenue SE Pavement Rehabilitation from 5th Street SE to 19th Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,709,315.83). **(Paving for Progress)** CIP/DID #3012080-02
- p. Change Order No. 3 in the amount of \$1,627.84 with BWC Excavating, LC for the Northeast Side School Routes Sidewalk Improvement Project (original contract amount was \$170,054; total contract amount with this amendment is \$214,440.61). CIP/DID #301928-01
- q. Change Order No. 3 in the amount of \$9,327 with WRH, Inc. for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase 1 – Transmission Main Pressure Connections and Service Line Valve Installation project (original contract amount was \$993,000; total contract amount with this amendment is \$1,074,577.82). CIP/DID #330206-04
- r. Change Order No. 3 in the amount of \$101,016.16 with Tricon General Construction for the J Avenue Water Plant Process Improvements – Phase 1 project (original contract amount was \$7,276,000; total contract amount with this amendment is \$7,455,483.33). CIP/DID #6250026-02
- s. Change Order No. 3 in the amount of \$35,917.97 with Horsfield Construction, Inc. for the 19th Street SE Roadway & Utility Improvements from Mount Vernon Road SE to Glenway Drive SE project (original contract amount was \$1,212,355.30; total contract amount with this amendment is \$1,275,705.30). **(Paving for Progress)** CIP/DID #3012081-03
- t. Change Order No. 1 in the amount of \$56,244.47 with Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 2 project (original contract amount was \$496,955; total contract amount with this amendment is \$553,199.47). **(Paving for Progress)** CIP/DID #301998-07

## **REGULAR AGENDA**

- 22. Report on bids for the East Side Sanitary Sewer Interceptor Repairs project (estimated cost is \$6,500,000) (Sandy Pumphrey). **(Flood)** CIP/DID #SSD013-04
  - a. Resolution awarding and approving contract in the amount of \$7,735,968.40 plus incentive up to \$120,000, bond and insurance of Municipal Pipe Tool Company, Inc. for the East Side Sanitary Sewer Interceptor Repairs project.

23. Report on bids for the 18th Street NW South of B Avenue Sanitary Sewer Point Repair project (estimated cost is \$85,000) (Dave Wallace). CIP/DID #6550019-01
  - a. Resolution awarding and approving contract in the amount of \$38,126.40 plus incentive up to \$4,800, bond and insurance of Pirc-Tobin Construction, Inc. for the 18th Street NW South of B Avenue Sanitary Sewer Point Repair project.
24. Report on bids for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project (estimated cost is \$92,000) (Dave Wallace). CIP/DID #304440-02
  - a. Resolution awarding and approving contract in the amount of \$56,590 plus incentive up to \$2,000, bond and insurance of Ricklefs Excavating, Ltd. for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project.
25. Report on bids for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (estimated cost is \$2,690,000) (Dave Wallace). **(Flood)** CIP/DID #SSD101-09
  - a. Resolution awarding and approving contract in the amount of \$2,220,183.50 plus incentive up to \$17,000, bond and insurance of Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (estimated cost is \$2,690,000).
26. Discussion and Resolution of support providing City participation under the City's High Quality Job and Green Building Program for the construction of a new office and warehouse facility at 335 French Court SW as requested by Miron Construction Co., Inc. and Commercial Horizons (Caleb Mason). CIP/DID #TIF-0003-2015

## **ORDINANCES**

### **Second and possible Third Readings**

27. Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the T.U.S.K., LLC Urban Revitalization Area designation at 1010 3rd Street SE. CIP/DID #URTE-0006-2015
28. Ordinance granting a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District with a Preliminary Site Development Plan for property at 107 and 109 4th Avenue SW, 404, 406, 416, 418, 422, 424 and 426 1st Street SW and 108 5th Avenue SW as requested by Hobart Historic Restoration and the City of Cedar Rapids. CIP/DID #RZNE-021491-2015
29. Ordinance granting a change of zone from I-1, Light Industrial Zone District, and RMF-1, Multiple Family Residence Zone District, to C-2, Community Commercial Zone District with a Preliminary Site Development Plan for property at 1005 3rd Avenue SW and 328 Rockford Road SW as requested by JABAM LLC. CIP/DID #RZNE-020591-2015

30. Ordinance changing the name of Loggerhead Road NE to Edgewood Road NE from Tower Terrace Road NE to the North City Limit as requested by the City of Hiawatha. CIP/DID #STREET-020924-2015

## **PUBLIC INPUT**

*This is an opportunity for the public to address the City Council on any subject pertaining to Council business. If you wish to speak, place your name on the sign-up sheet on the table outside the Council Chambers and approach the microphone when called upon.*

## **CITY MANAGER COMMUNICATIONS AND DISCUSSIONS**

### **COUNCIL COMMUNICATIONS AND DISCUSSION**

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

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

*It is the policy of the City of Cedar Rapids that all 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 Americans with Disabilities Act, 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*

*Agendas and minutes for Cedar Rapids City Council meetings can be viewed at [www.cedar-rapids.org](http://www.cedar-rapids.org)*



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Vern Zakostelecky

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

**E-mail Address:** [v.zakostelecky@cedar-rapids.org](mailto:v.zakostelecky@cedar-rapids.org)

**Alternate Contact Person:** Joe Mailander

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

**E-mail Address:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing to consider granting a change of zone from R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District Zone District for property at 1033 10th Street NW, vacant land between 806 and 818 10th Street SW (GPN No. 142943201100000), 421 5th Avenue SW and 427 5th Avenue SW as requested by the City of Cedar Rapids.

CIP/DID # RZNE-022127-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:**

The request for rezoning of these properties was reviewed by the City Planning Commission on October 15, 2015. The Commission recommended approval unanimously.

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

**Rezoning:**

The 4 properties being brought forward by a City-initiated rezoning are in areas of residential redevelopment identified through the Neighborhood Planning Process. These properties are zoned R-3 and RMF-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.

**Action/Recommendation:** City staff recommends holding the public hearing and voting on all three reading of the ordinance.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** Due time limitation to the ROOTs Program and this construction season staff recommends City Council hold all three readings of the ordinance to finalize the rezoning for these parcels.

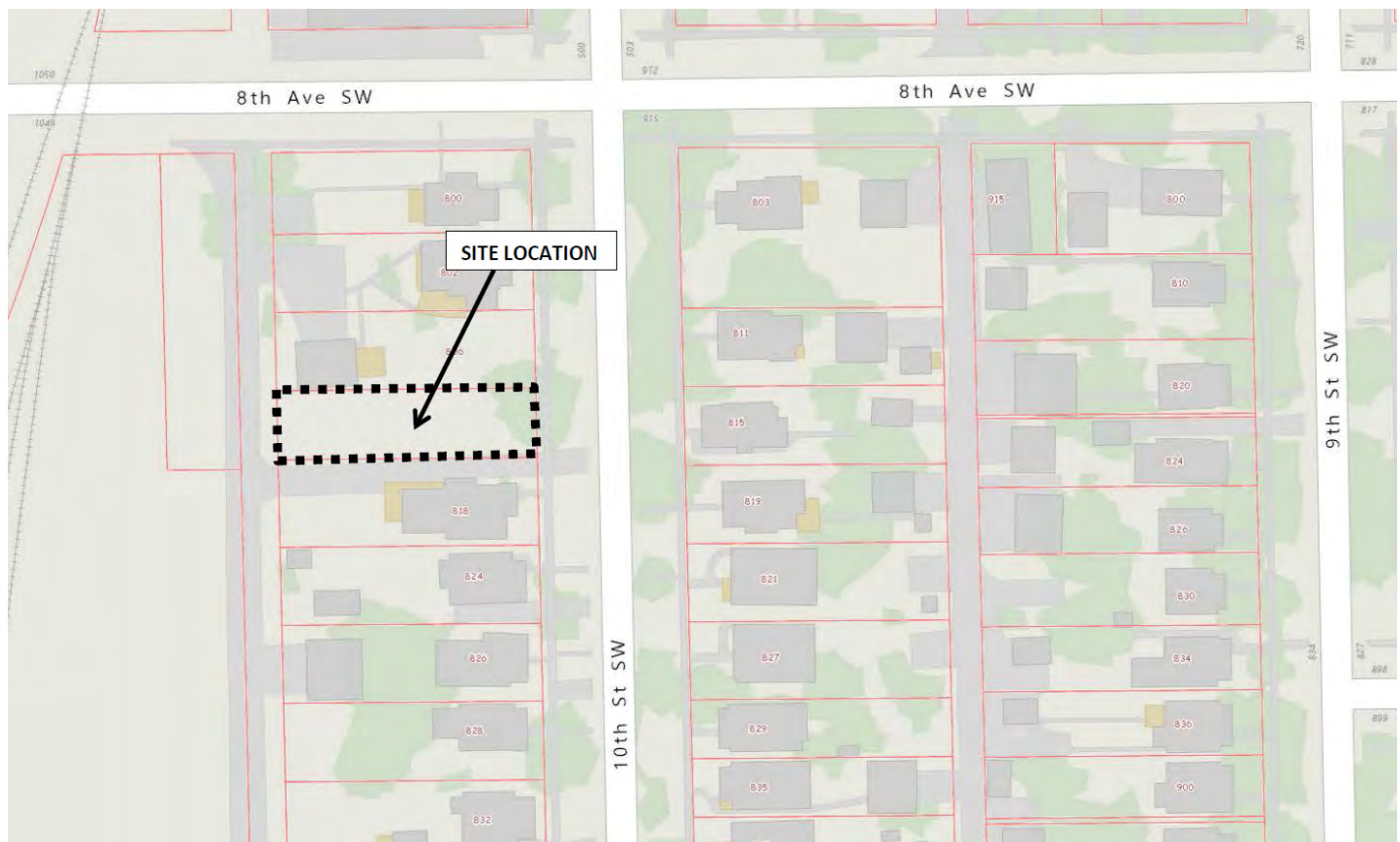
**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

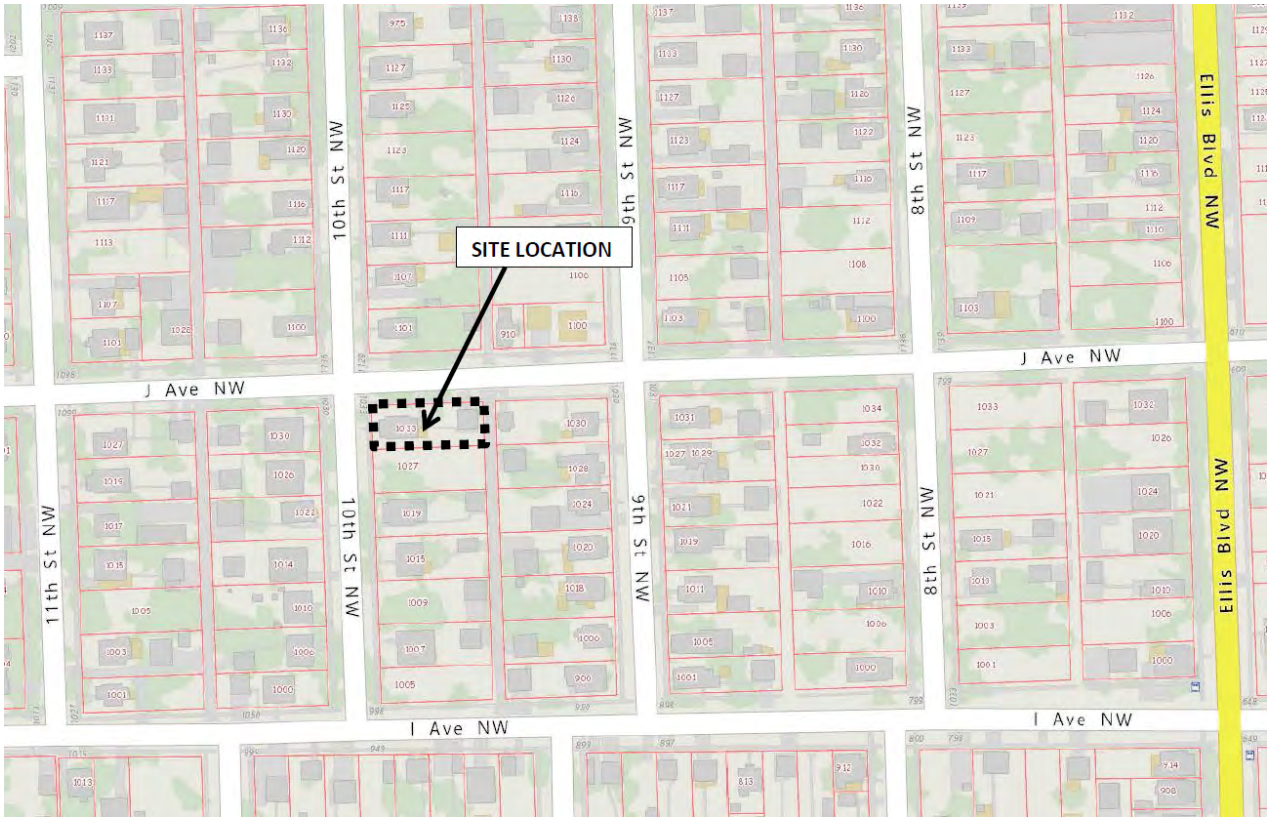
**Recommended by Council Committee:** NA

### Location Map/Vacant Land

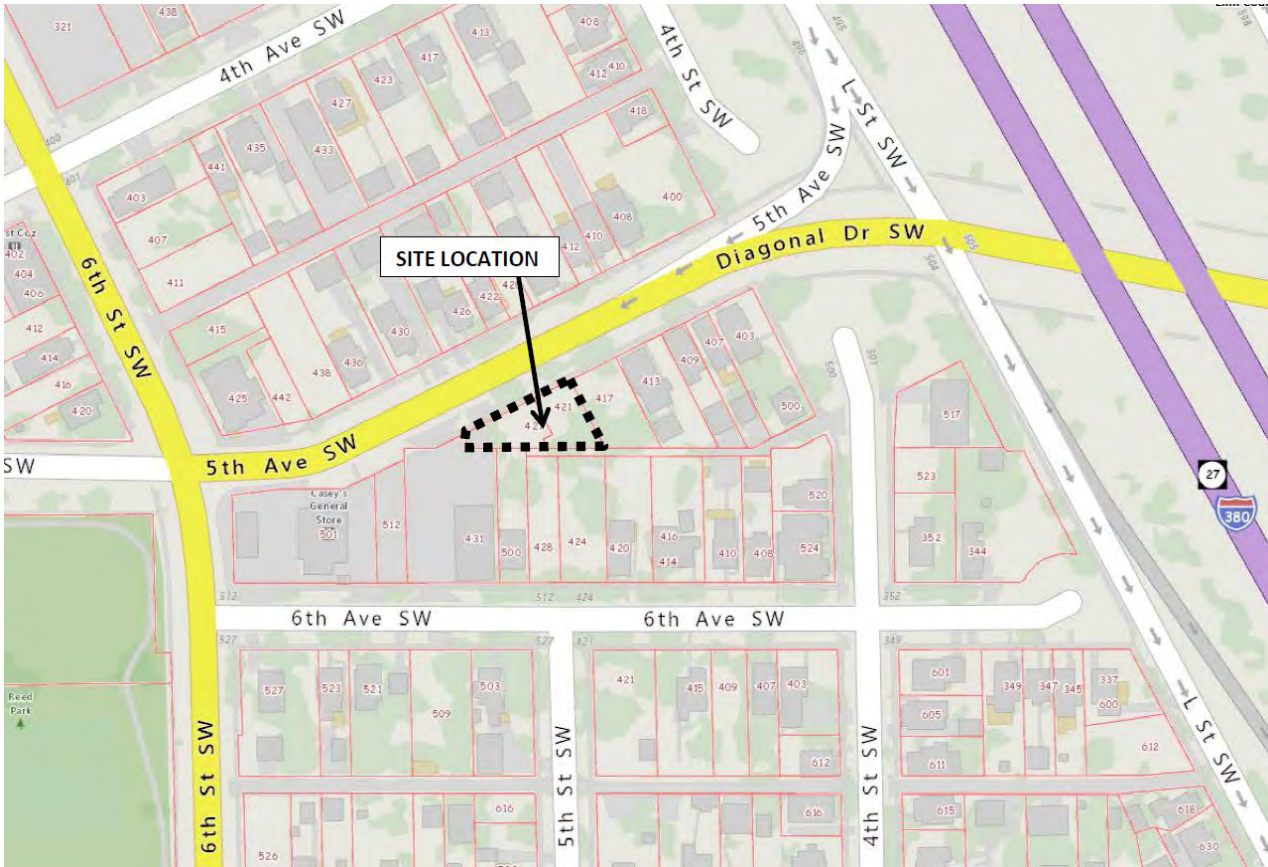




Location Map/1033 10<sup>th</sup> St. NW



Location Map/ 421 & 427 5<sup>th</sup> Ave. SW



WTR DSD  
ENG BSD  
FIR STR  
CLK TED  
PKS  
RCR  
RZNE-022127-2015

## ORDINANCE NO. LEG\_NUM\_TAG

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;

1033 10<sup>th</sup> Street NW

Lot 7, Block 14, O N Hulls Third Addition to the City of Cedar Rapids, Linn County, Iowa

0 Vacant Land SW (GPN 142943201100000)

Lot 4, Block 53, "James C. Young's Eighth Addition to Cedar Rapids, Linn County", Iowa, except the South 5 feet thereof

421 5<sup>th</sup> Avenue SW

Lot 5 except the Front of NW-ly 40 feet SW-ly 10 feet thereof, Block 4, Buchanan's Addition to West Cedar Rapids, Linn County, Iowa

427 5<sup>th</sup> Avenue SW

All that part of Lot 6, Block 4, Buchanan's Addition to West Cedar Rapids, Iowa lying east of the following described line: beginning at the NE corner of Lot 7, Block 3, a.k.a. Murray's Addition to West Cedar Rapids, Iowa; thence North to the SE-ly line of Pearl Street (now Fifth Avenue) as shown and designated on the recorded plat of said Buchanan's Addition to West Cedar Rapids, Iowa; and the front or NW-ly 40 feet of the SW-ly 10 feet of Lot 5, Block 4, Buchanan's Addition to West Cedar Rapids, Iowa

and located at 1033 10th Street NW, Vacant Land between 806 and 818 10th Street SW (GPN 142943201100000), 421 5th Avenue SW and 427 th Avenue SW, now zoned R-3, Single Family Residence Zone District and RMF-2, Multiple Family Residence Zone Distric, 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:

No recommended City staff conditions.

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 3rd day of November, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Johnny Alcivar  
**E-mail Address:** j.alcivar@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5132

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider granting a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residential Zone District for City-owned properties at 217 7<sup>th</sup> Avenue SW and 709 3<sup>rd</sup> Street SW as requested by Cedar Ventures, LLC and City of Cedar Rapids.

CIP/DID # RZNE-022039-2015

<p><b>EnvisionCR Element/Goal:</b> GrowCR Goal 1: Encourage mixed-use and infill development.</p>
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**Background:** The request for a Rezoning without a Preliminary Site Development Plan was reviewed by the City Planning Commission on October 15, 2015 and approval was unanimously approved.

This is a request to rezone two city-owned lots from the R-TN Zone District to the RMF-2 Zone District to allow for the potential development of a multistory senior housing building. The properties are currently vacant and were zoned by the City to R-TN to allow construction of single family homes as part of the ROOTS Program. The properties are identified as "Urban High-Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan. If the proposed senior housing project moves forward and Preliminary Site Development Plan application will be required showing site and building design details.

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommends holding a Public Hearing and possible approval of the First Reading.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on October 15, 2015 and recommended approval. A portion of the minutes will be included prior to the public hearing.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for November 3, 2015.</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 holding the public hearing and possible approval of the First Reading.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

### Location Map





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

<p style="text-align: center;"><b>MINUTES OF CITY PLANNING COMMISSION MEETING, Thursday, October 15, 2015 @ 3:00 p.m. Cedar Rapids City Hall Council Chambers, 101 First Street SE</b></p>
--

Members Present:     Scott Overland, Chair  
                               Jim Halverson, Vice – Chair  
                               Carletta Knox-Seymour (Arrived at 3:00pm)  
                               Virginia Wilts  
                               Samantha Dahlby  
                               Richard Pankey  
                               Kim King  
                               Dominique Blank  
                               Bill Hunse

DSD Staff:             Joe Mailander, Manager  
                               Vern Zakostelecky, Zoning Administrator  
                               Dave Houg, Plats & Zoning Conditions Coordinator  
                               Johnny Alcivar, Development Services Specialist

CD Staff:                Jennifer Pratt, Interim Director  
                               Caleb Mason, Economic Development Analyst  
                               Betty Sheets, Administrative Assistant

**Call Meeting to Order**

The meeting was called to order at 2:58 p.m.

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

**Roll Call**

Roll call was answered with nine (9) Commissioners present.

**A. Approval of the Minutes**

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the September 24, 2015 Minutes stand approved.

**B. Adoption of the Agenda**

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

## C. Action Items

### 1. Case Name: 217 and 221 7<sup>th</sup> Avenue SW and 709 3<sup>rd</sup> Street SW (Rezoning)

Consideration of a change of zone from R-TN, Traditional Neighborhood Residence Zone District to RMF-2, Multiple Family Residence Zone District as requested by Cedar Venture LLC (Applicant) and City of Cedar Rapids (Titleholder)  
**Case No: RZNE-022039-2015; Case Manager: Johnny Alcivar**

Mr. Alcivar presented the City Planning Commission Criteria for Recommendation and Action of this rezoning request.

Mr. Alcivar stated this is a request to rezone two City-owned lots from the R-TN, Traditional Neighborhood Residence Zone District to the RMF-2, Multiple Family Residence Zone District to allow for the potential development of a multi-story senior housing building. The properties are currently vacant and were zoned by the City to R-TN to allow construction of single-family homes as part of the ROOTs Program. If the proposed senior housing project moves forward, a Preliminary Site Development Plan application will be required showing site and building design details. Mr. Alcivar presented a Location Map, General Information, Aerial Photo, Zoning Map, Street View and Next Steps.

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

Commissioner Overland called for a representative of the applicant. No applicant wished to speak.

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

Commissioner Overland called for a motion. Commissioner Blank made a motion to approve the change of zone from R-TN, Traditional Neighborhood Residence Zone District to the RMF-2, Multiple Family Residence Zone District. Commissioner Pankey 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 3:18 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development

ORDINANCE NO. LEG\_NUM\_TAG

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 Southerly 35 Feet of Lot 9, Block 5, May and Covells Addition to Kingston (Name of Which Addition was by Acts of the Legislature of 1855 Altered to West Cedar Rapids) to Cedar Rapids, Linn County, Iowa.

Lot 10, Block 5, except the southwest 60 feet, May and Covells Addition to Kingston (Name of Which Addition was by Act of the Legislature of Iowa of 1855 Altered to West Cedar Rapids) to Cedar Rapids, Linn County, Iowa.

and located at 217 and 221 7th Avenue SW and 709 3rd Street SW, now zoned R-TN, Traditional Neighborhood Residence Zone District, and as shown on the "District Map," be rezoned and changed to RMF-2, Multiple Family Residence Zone District, and that the property be used for such purposes as outlined in the RMF-2, Multiple Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. That future development under this rezoning action shall be subject to the PSDP review process as set forth in Section 32.02.030.G. prior to issuance of building permit(s). Such Development shall meet all City development standards in effect at the time of plan submittal.

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 3<sup>rd</sup> day of November, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Ext.:** 5807

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

**Phone Number/Ext.:** 5092

**Description of Agenda Item:** PUBLIC HEARINGS

Public Hearing to consider the continuation of the disposition of excess City-owned property described as 10 various non-conforming vacant lots.  
 CIP/DID #3302500004-00

Resolution authorizing the disposition of excess City-owned property described as 10 various non-conforming vacant lots.

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The City of Cedar Rapids acquired these parcels through various acquisition programs and is seeking to dispose of them by sealed bid to adjacent property owners. The criteria used by City Staff to identify the lots as non-conforming is as follows: lots must have a total square footage of less than 4,200 square feet; property frontage less than 30 feet in width; or be encumbered by easements which restrict or prohibit the building of new structures. The City Assessor will provide valuations for each lot, and those valuations will be used to determine fair market value.

The following 10 City-owned various non-conforming vacant lots are included and listed in the Notice of Public Hearing:

117 9 <sup>th</sup> Street NW	705 2 <sup>nd</sup> Avenue SW	604 H Avenue NW	1317 K Street SW
609 4 <sup>th</sup> Avenue SW	1118 7 <sup>th</sup> Street SE	438 4 <sup>th</sup> Avenue SW	510 3 <sup>rd</sup> Avenue SW
1025 10 <sup>th</sup> Street SE	922 8 <sup>th</sup> Street SE		

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

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

**Action/Recommendation:** The Public Works Department recommends approving the resolution continuing the disposition of these parcels.



**Alternative Recommendation:** Continue to maintain the properties and opt not to receive the benefit of property taxes on these parcels.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION TO CONTINUE THE DISPOSITION OF EXCESS CITY-OWNED PROPERTY

WHEREAS, the City of Cedar Rapids City Council has determined it is in the public interest to dispose of excess City-owned property described as 10 various non-conforming vacant lots located at:

117 9 <sup>th</sup> Street NW	705 2 <sup>nd</sup> Avenue SW	604 H Avenue NW	1317 K Street SW
609 4 <sup>th</sup> Avenue SW	1118 7 <sup>th</sup> Street SE	438 4 <sup>th</sup> Avenue SW	510 3 <sup>rd</sup> Avenue SW
1025 10 <sup>th</sup> Street SE	922 8 <sup>th</sup> Street SE		

, and

WHEREAS, on November 3, 2015 at the Council Chambers, 3<sup>rd</sup> Floor, City Hall, 101 First Street SE, Cedar Iowa, the Cedar Rapids City Council, after notice as required by law, held a public hearing to consider the disposition of said property,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Council hereby authorizes the continuation of the disposition of said excess City-owned property.

PASSED\_DAY\_TAG

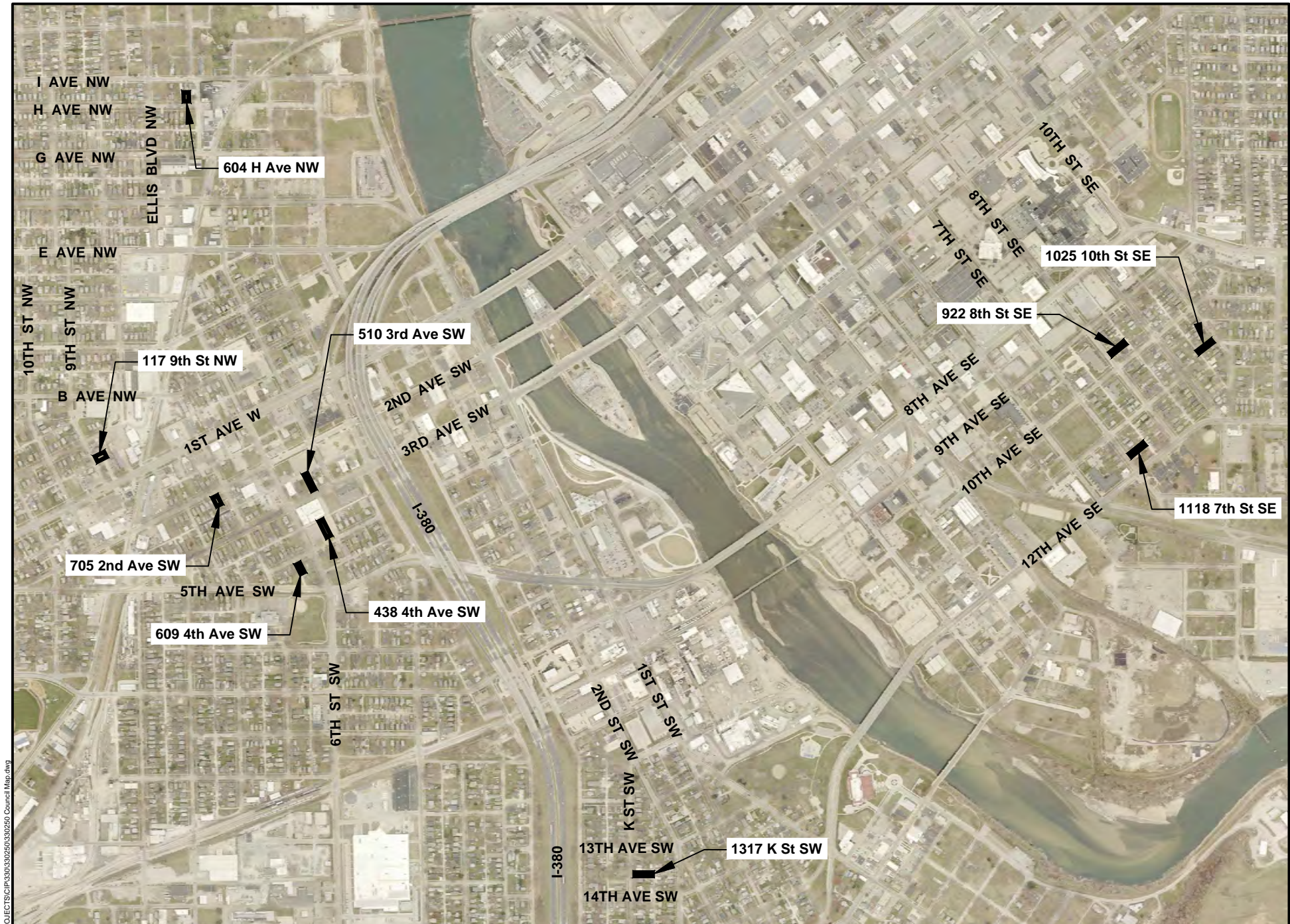
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MayorSignature

Attest:

ClerkSignature

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### 10 NON-CONFORMING PARCELS - PHASE III



3302500004





## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

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

**Phone Number/Ext.:** 5808

**Alternate Contact Person:** Diane Muench  
**E-mail Address:** d.muench@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System (estimated cost is \$98,000) (Rob Davis).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System .

CIP/DID #PUR1015-064

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** The Work generally consists of tree and vegetation removal at a location south of 16<sup>th</sup> Avenue SE between 1<sup>st</sup> and 4<sup>th</sup> Streets, and within Cedar Rapids Parking Lot 44, which is bounded by the Cedar River, 8<sup>th</sup> Avenue SE, 2<sup>nd</sup> Street SE and 12<sup>th</sup> Avenue SE. The project is to prepare the site for the future Flood Control System.

**Action/Recommendation:** Recommend approval of the resolution to adopt plans, specifications, form of contract and estimated cost for the project.

**Alternative Recommendation:** None

**Time Sensitivity:** High

**Resolution Date:** November 3, 2015

**Budget Information:** 331-331100-3316509 GRI

**Local Preference Policy:** No  
**Explanation:** Public Improvement Project

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 20, 2015 there was filed in the Office of the City Clerk proposed specifications, form of contract and estimated cost for the Tree and Vegetation Removal project for the Flood Control System (Contract No. PUR1015-064) for the city of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

WHEREAS, no comments or objections to the 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 specifications, form of contract and estimated cost for said improvement be and the same are hereby adopted.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandy Pumphrey, PE, CFM

**Phone Number/Extension:** 5363

**E-mail Address:** s.pumphrey@cedar-rapids.org

**Alternate Contact Person:** Dave Wallace, PE

**Phone Number/Extension:** 5814

**E-mail Address:** d.wallace@cedar-rapids.org

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project (estimated cost is \$959,000) **(FLOOD)**.

CIP/DID #SSD104-09

Resolution adopting plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project.

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** This project will repair damage to sanitary sewer infrastructure, experienced as a result of the 2008 flood, and is funded by FEMA. Work is to be substantially complete by spring 2016.

**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 the work and pursue an alternative funding source.

**Time Sensitivity:** Critical. This is one of the last FEMA sanitary sewer repair projects from the flood of 2008 and needs to proceed in a timely manner to meet FEMA's deadline for completion and closeout.

**Resolution Date:** November 3, 2015

**Budget Information:** SSD104 FEMA (FLOOD) & State

**Local Preference Policy:** NA

**Explanation:** CIP Project

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on October 20, 2015 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the SE Quadrant Sanitary Sewer Improvements – Phase 2, Package 5 project (Contract No. SSD104-09 FLOOD) 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.

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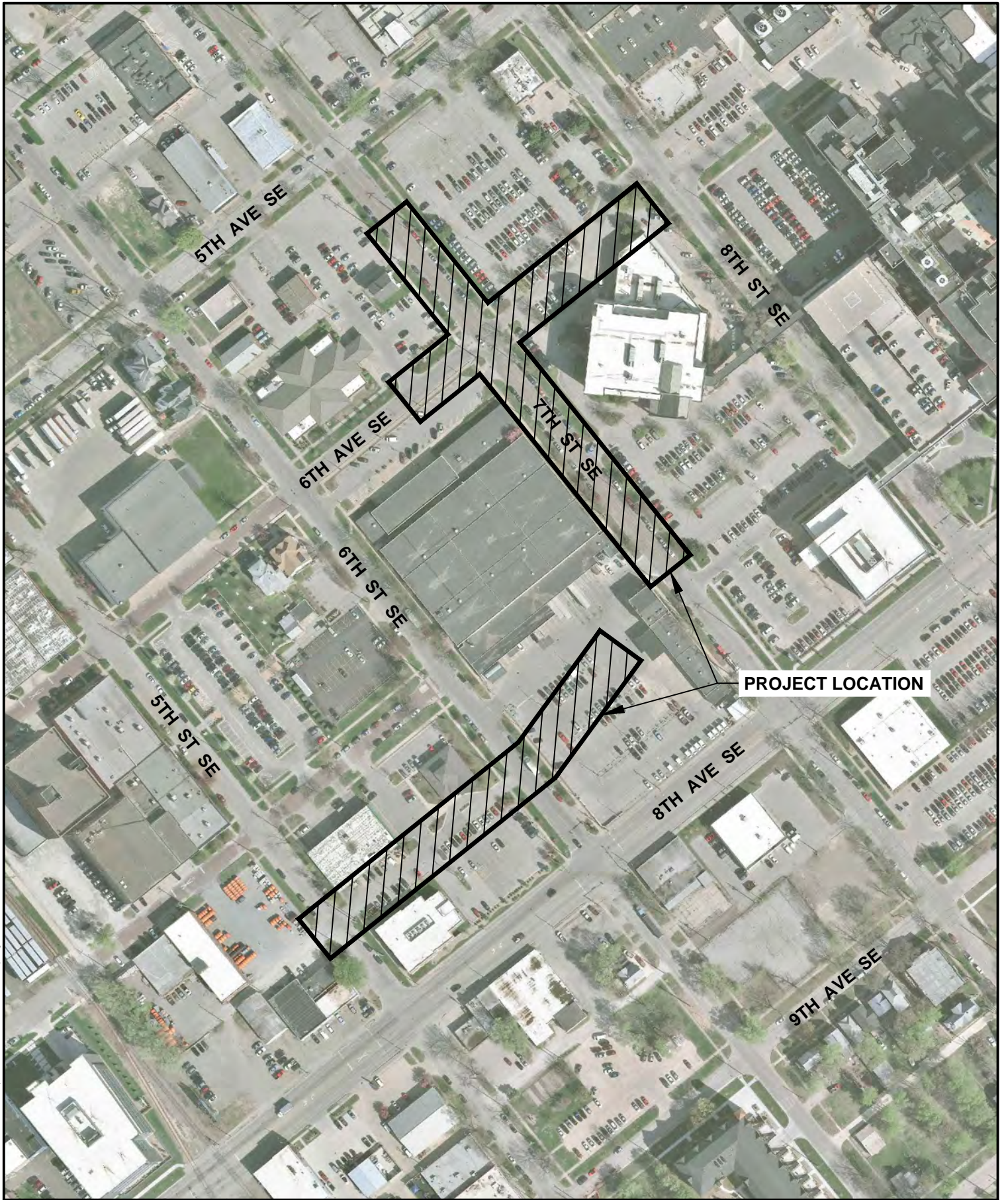
MayorSignature

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**SE QUADRANT SANITARY SEWER IMPROVEMENTS  
PHASE 2, PACKAGE 5**



SSD104-09





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Matt Myers, PE, PTOE

**Phone Number/Extension:** 5718

**E-mail Address:** m.myers@cedar-rapids.org

**Alternate Contact Person:** Cari Pauli, PE

**Phone Number/Extension:** 5157

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution approving the installation of stop signs on northbound and southbound C Avenue NE at the intersection of 38<sup>th</sup> Street, such that all-way stop control is implemented at the intersection.

CIP/DID #6016-031

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** The Kenwood Neighborhood Association has requested the intersection of C Avenue and 38<sup>th</sup> Street be reviewed due to excessive crashes recently. The intersection is currently under two-way stop control, with 38<sup>th</sup> Street stopping for C Avenue NE. A 24-hour traffic count was conducted (which also records speeds), a crash report was pulled, and a site evaluation was completed at this intersection.

The intersection met the all-way stop Warrant B (Crash Experience) for crashes, with seven reported in a 12-month period. These crashes are all correctable with the installation of an all-way stop, satisfying the crash history portion of the all-way stop warrant. The site review also revealed there is limited site distance for westbound traffic stopped on 38<sup>th</sup> Street at C Avenue looking to the south, due to two large trees in the right-of-way.

**Action/Recommendation:** The Traffic Engineering Division of the Public Works Department recommends establishing an all-way stop at the intersection of C Avenue and 38<sup>th</sup> Street NE, due to the crash history portion of the all-way stop warrant being met for this intersection. An all-way stop will also eliminate the sight distance issue looking south, as all vehicles will be required to stop.

**Alternative Recommendation:** Should Council not approve the resolution, the intersection will remain under the current two-way stop control, with traffic on 38<sup>th</sup> Street stopping for C Avenue NE.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Kenwood Neighborhood Association made a request to have the intersection of C Avenue and 38th Street NE reviewed due to excessive crashes recently, and

WHEREAS, a traffic study was completed at this intersection for All-Way Stop Warrant B (Crash Experience) requiring five crashes in a 12-month period correctable by the installation of an all-way stop, and

WHEREAS, there were seven reported crashes at C Avenue and 38<sup>th</sup> Street NE in a 12-month period, all correctable by the installation of an all-way stop, which satisfies the All-Way Stop Warrant B (Crash Experience), and

WHEREAS, the Traffic Engineering Division of the Public Works Department recommends establishing an all-way stop at the intersection of C Avenue and 38<sup>th</sup> Street NE in order to improve access for all modes of transportation, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that an all way stop at the intersection of C Avenue and 38<sup>th</sup> Street NE, be and is hereby approved

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

Mayor Signature

Attest:

Clerk Signature

LEG\_TABLED\_TAG



ESTABLISH ALL-WAY STOP CONTROL

ESTABLISH ALL-WAY STOP CONTROL





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Kevin Vrchoticky, PE **Phone Number/Extension:** 5896

**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Alternate Contact Person:** Nate Kampman **Phone Number/Extension:** 5628

**E-mail Address:** n.kampman@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution accepting work and fixing amount to be assessed for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project.

CIP/DID #3017015-00

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** Construction has been substantially completed by BWC Excavating, LC for the subject project. This is a previously approved Capital Improvements Project (CIP No. 3017015-01) with a final construction amount of \$115,797.08. Final amount proposed to be assessed to the benefited properties is \$48,210. The Public Works Department has inspected the completed work and determined the work to be in conformance with the contract requirements.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution to accept the work completed to date and fix the amount to be assessed.

**Alternative Recommendation:** If Council does not approve the Resolution accepting work and fixing amount to be assessed per the 2013 Sidewalk Repair Policy, an additional funding source would have to be identified if the Council wants to pursue.

**Time Sensitivity:** Must be acted on by November 3, 2015 due to assessment schedule per State code timeline.

**Resolution Date:** November 3, 2015

**Budget Information:** 301/301000/3017015 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on June 24, 2014, the City of Cedar Rapids, Iowa, entered into contract with BWC Excavating, LC of Solon, IA, for the construction of the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 within the City, as therein described; and

WHEREAS, said contractor has substantially completed the construction of said improvements, known as the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on June 10, 2014:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$48,210.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$115,797.08.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the sidewalk improvements together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$48,210 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

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

**E-mail Address:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Alternate Contact Person:** Jennifer Pratt

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

**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Description of Agenda Item:** CONSENT AGENDA

Resolution of support providing City participation under the City's Core District Reinvestment for the redevelopment of the former fire station at 427 1<sup>st</sup> Street SE as requested by Station on First, LLC

CIP/DID #OB687456

**EnvisionCR Element/Goal:** InvestCR Goal 3: Reinvest in the city's business corridors and districts.

**Background:**

The Resolution authorizes City participation in the Station on First, LLC redevelopment project at 427 1<sup>st</sup> St SE under the City's Core District Reinvestment Program which provides a 10-year, 50% or 5-year, 100% abatement of the increase in taxes generated by the project. Additionally, the Resolution directs staff to negotiate a Development Agreement securing the public participation in the project.

The project meets the following objectives of the City to establish the public purpose for City participation:

- Infill redevelopment of an existing facility utilizing existing infrastructure;
- Historic preservation;
- Investment in a core district;

The proposed project involves the redevelopment of the approximately 5,000 square foot historic former fire station for office and commercial use. The total estimated investment in the project is \$2.5 million. The project is leverage Brownfield Redevelopment Tax Credits and Historic Preservation Tax Credits. It is estimated, based on the \$2.5 million investment, the project will generate a total of \$161,773 over 10-years, of which \$68,681 will be reimbursed to the Developer. Interior demolition work is expected to begin on the project in December 2015 with vanilla shell improvements complete in June 2016. Staff will bring back a Development Agreement for City Council consideration.

**Action/Recommendation:** City staff recommends approval of the Resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** November 3, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:**

**Recommended by Council Committee:** NA  
**Explanation:**



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids has received a request by Station on First, LLC for City participation under the Core District Reinvestment Program; and

WHEREAS, the City Council supports such activities which promote and facilitate economic development objectives of the City, including the infill redevelopment of historic properties, investment in the City's core district; and

WHEREAS, the proposed City financial assistance will be used to assist in the redevelopment and reuse of the historic former fire station at 427 1<sup>st</sup> Street SE to be used for office and commercial; and

WHEREAS, the project qualifies for the City's Core District Reinvestment Program based on the following characteristics of the project which are consistent with the City goals and, in their combination, establish the public purpose and overall benefit to the City:

- Redevelopment of an existing facility in a core district;
- Preservation of a historic building;
- Leveraging State and Federal funding;
- Investment in the City's core commercial district.

WHEREAS, the City Council desires to express its support for the proposed redevelopment project subject to the terms and conditions being memorialized in a Development Agreement.

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

1. The City's financial support of 10-year, 50% or 5-year 100% reimbursement of taxes generated by the improvements is approved.
2. The City Manager is authorized to negotiate a Development Agreement, or renegotiate and amend an existing Development Agreement as the case may be, to effectuate this Resolution and provide for the City financial participation provided for herein and consistent with the City's Commercial Reinvestment Program and secures the public purpose in the project thereby.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

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

**E-mail Address:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Alternate Contact Person:** Jennifer Pratt

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

**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Description of Agenda Item:** CONSENT AGENDA

Resolution of support and conditional funding under the Community Benefit Economic Development Program for a veteran's housing project near Fiserv Drive SW and Wilson Avenue SW as requested by Healing Our Heroes and Seldin Company.

CIP/DID #CD-0012-2015

**EnvisionCR Element/Goal:** StrengthenCR Goal 3: Adopt policies that create choices in housing types and prices throughout the City.

**Background:** The City has received a request from Healing Our Heroes and Seldin Company for City financial assistance under the Community Benefit Program to assist with the construction of a \$9.0 million, 50-unit housing facility for veterans. The project is located near Fiserv Drive & Wilson Avenue SW and is adjacent to a Veterans Administration facility. The project will consist of housing units with on-site services for veterans.

Staff is recommending City participation in the project under the Community Benefit Economic Development Program based on the following project characteristics:

- Serves a housing need for veterans;
- Enhances and leverages additional services to veterans;
- Leveraging State resources;
- Infill development using existing City infrastructure;

Seldin Company and Healing Our Heroes, a local nonprofit organization serving veterans, are seeking to secure non-competitive tax credits through the Iowa Finance Authority (IFA), in addition to other funding sources, for the construction of the facility. The non-competitive tax credit from IFA follow a separate funding track than the competitive tax credits whose applications are due in December 2015. Applications for non-competitive tax credits are due in March 2016.

The Resolution authorizes City participation in an amount up to 10-years, 100% exemption, or abatement as the case may be, of the increase in taxes generated by the improvements. The City participation is conditioned on the following:

1. Partnership agreement and entity between Seldin Company and Healing Our Heroes to develop a project to house veterans exclusively.
2. The partners must secure all forms of funding for the project including, but not limited to, Low Income Housing Tax Credits through the Iowa Finance Authority.
3. Satisfaction of all requisite requirements pursuant to Iowa Code to provide City financial participation.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** November 3, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, The City of Cedar Rapids has received a proposal from Healing our Heroes and Seldin Company for the construction of a housing project for veterans; and

WHEREAS, the development team consisting of Seldin Company and Healing Our Heroes intends to submit an application for non-competitive State Low Income Housing Tax Credit (LIHTC) financing through the Iowa Finance Authority for the construction of a new housing facility near Fiserv Drive SW and Wilson Avenue SW, which would leverage a combined investment of approximately \$9,000,000 in the community and provide housing and associated services for veterans; and

WHEREAS, the City is desirous of supporting a range of high quality housing options affordable at a variety of price points to serve the needs in the community and specifically those of veterans; and

WHEREAS, the proposed project would not occur but for additional financial assistance provided by the City under the Community Benefit Program which can be fulfilled through exemption, or abatement as the case may be, of up to 10-year, 100% of the taxes generated by the construction of the improvements; and

WHEREAS, the City Council has determined that the following project characteristic together provide a benefit to the City as a whole and meet qualification under the Community Benefit Program:

- Serves a housing need for veterans;
- Enhances and leverages additional services for veterans;
- Leverages State and private funding;
- Infill development using existing City infrastructure;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council supports the application to the Iowa Finance Authority for non-competitive Low Income Housing Tax Credits as proposed by Healing Our Heroes and Seldin Company, and authorizes staff to do things reasonably necessary and in accordance with Iowa Code to provide City financial support under the Community Benefit Program which conditioned upon satisfaction of the following:

1. Partnership agreement between Seldin Company and Healing Our Heroes to develop the real estate as a housing project for veterans.
2. Securing all funding sources to construct the proposed facility, including, but not limited to, Low Income Housing Tax Credits through the Iowa Finance Authority.
3. Satisfaction of all requisite legislative proceeding required by Iowa Code to provide City financial assistance.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

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

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

**Alternate Contact Person:** Jennifer Pratt

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

**E-mail Address:** j.pratt@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution determining the necessity and setting dates of a public hearing for December 15, 2015 and consultation with affected taxing entities, and referral to Planning Commission for a report and recommendation on the proposed Urban Renewal Plan for the Miron Construction Urban Renewal Area.

CIP/DID #TIF-0003-2015

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:**

The City has received a request for Tax Increment Financing by Miron Construction and Commercial Horizons for the property located at 335 French Court SW. The proposal is for the new construction of a new 12,000 square foot LEED certified office building and warehouse for construction operations. The proposed project meets the High Quality Jobs and Green Building Programs.

In order to qualify for the City's Green Building incentive as an additional boost, the City would be required to provide an incentive through TIF. To utilize tax increment generated by the private investment, the City Council would need to establish an Urban Renewal Area/TIF District. The steps for establishing the Urban Renewal Area/TIF District would be as follows:

- 11/03/15 Setting the public hearing
- 11/18/15 Consultation with affected taxing agencies
- 12/03/15 City Planning Commission Review
- 12/15/15 Public hearing and introduction of First Reading
- 1/12/16 Second and possible Third Reading

In order to collect tax increment generated within the proposed Miron Construction Urban Renewal Area, an ordinance is necessary. If established, proposed terms of a Development Agreement will be presented to City Council for consideration at a future date.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** November 3, 2015

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION DETERMINING THE NECESSITY AND SETTING DATES OF A  
PUBLIC HEARING, CONSULTATION WITH AFFECTED TAXING ENTITIES, AND  
REFERRAL TO PLANNING COMMISSION FOR A REPORT AND  
RECOMMENDATION ON THE PROPOSED URBAN RENEWAL PLAN FOR THE  
MIRON CONSTRUCTION URBAN RENEWAL AREA

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 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, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an Urban Renewal Area under Iowa Law and has caused there to be prepared a proposed Urban Renewal Plan for the Miron Construction Urban Renewal Area described therein which proposed Plan is attached hereto as Exhibit A; and

WHEREAS, this proposed Urban Renewal Area includes and consists of an area commonly known as 335 French Court SW and specifically described as follows:

**LOT 5, Roger L. French Addition to the City of Cedar Rapids, Linn County,  
Iowa**

WHEREAS, the Iowa statutes require the City Council to submit the proposed Plan for the Miron Construction Urban Renewal Area 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 Urban Renewal Plan, and further provides that the recommendations thereon shall be submitted to this Council within thirty (30) days of its receipt of such proposed Plan; and

WHEREAS, the Iowa statutes further require the City Council to notify all affected taxing entities of the consideration being given to the proposed Plan for the Miron Construction Urban Renewal Area 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 further require the City Council to hold a Public Hearing on the proposed Plan for the Miron Construction Urban Renewal Area 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 Urban Renewal Plan, and shall outline the general scope of the Urban Renewal project 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 Plan for the Miron Construction Urban Renewal Area before City Council at its meeting which commences at 4:00 p.m. on December 15, 2015 in the Council Chambers, City Hall, 101 First Street SE, 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 Plan for the Miron Construction Urban Renewal Area required by Section 403.5(2) of the Code of Iowa, as amended, shall be held at 10:00 a.m. on November 18, 2015 in the Kranse Conference Room at City Hall, 101 First Street SE, Cedar Rapids, Iowa, 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 Plan for the Miron Construction Urban Renewal Area.
5. That the proposed Plan for the Miron Construction Urban Renewal Area, attached hereto as Exhibit A, for the proposed Urban Renewal Area described therein is hereby officially declared to be the proposed Plan for the Miron Construction Urban Renewal Area 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 Plan for the Miron Construction Urban Renewal Area 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



# **URBAN RENEWAL PLAN**

for the

## **MIRON CONSTRUCTION URBAN RENEWAL AREA**

**As Approved by City Council**

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

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

## **INTRODUCTION**

This Urban Renewal Plan (the "Urban Renewal Plan") has been prepared by the City of Cedar Rapids, Iowa (the "City") to provide for the development of the Miron Construction Urban Renewal Area (the "Project Area") of the City, and to stimulate, through public actions, financings and commitments, private investment in the urban renewal Project Area. In order to achieve these objectives, the City shall undertake the urban renewal actions specified in this Urban Renewal Plan, pursuant to the powers granted to it under Chapters 403 and 15A of the Code of Iowa, 2015, as amended (the "Code").

### **I. URBAN RENEWAL PLAN OBJECTIVES**

The City has designated the Project Area as an "economic development area" as defined under Chapter 403. The primary objectives of this Urban Renewal Plan for the Project Area are as follows:

1. To stimulate through public action and commitment, private investment in new commercial and manufacturing development;
2. To plan and provide sufficient land for new and expanding private development;
3. To attract new businesses to the City and to encourage the expansion of existing City businesses;
4. To provide a more marketable and attractive investment climate through the use of various federal, state and local incentives;
5. To ensure that the Project Area is adequately served with public facilities, roadways, utilities and services; and
6. To achieve a diversified, well-balanced economy providing a desirable standard of living, creating job opportunities for City residents and strengthening the property tax base of the City.

### **II. DESCRIPTION OF PROJECT AREA**

The Project Area is an "urban renewal area" as defined in the Code and is located within the City of Cedar Rapids, Linn County, Iowa. The boundaries of the Project Area are illustrated on the Project Area Map attached hereto as Exhibit A.

The Project Area consists of an approximately 5.27 acres, in the City of Cedar Rapids, Iowa and being described as follows:

***LOT 5, ROGER L. FRENCH ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY IOWA***

### **III. PROJECT AREA ACTIVITIES**

As a means of assisting in the development of the Project Area and fulfilling the objectives of this Urban Renewal Plan, the City may determine:

1. To undertake and carry out urban renewal project activities through the execution of contracts and other instruments;
2. To arrange for or cause to be provided the construction or repair of public infrastructure improvements, including street, water, sanitary sewer and storm sewer systems, traffic signals, and public utilities or other facilities in connection with urban renewal projects;
3. To acquire property through a variety of means (purchase, lease, exchange, condemnation, donation or otherwise) and to hold, clear or prepare the property for redevelopment;
4. To dispose of property so acquired (by sale, lease, exchange or otherwise) for purposes of private redevelopment;
5. To provide financing to pay a portion of the cost of construction of new facilities and developments;
6. To undertake or cause to be undertaken the construction of specific site improvements, such as grading and site preparation activities, access roads and parking, fencing, utility connections and related activities, in connection with the disposition of property;
7. To make loans or grants to private persons or businesses for economic development purposes on such terms as may be determined by the City Council;
8. To borrow money and provide security therefor;
9. To establish and enforce controls, standards and restrictions on land use and buildings;
10. To make or have made surveys and plans necessary for the implementation of the urban renewal program and specific urban renewal project activities;
11. To use tax increment financing to provide for necessary physical improvements and infrastructure, and to fund other urban renewal project costs; or
12. To use any and all other powers, without limitation, granted by the Code to develop and provide for improved economic conditions in the City of Cedar Rapids, Iowa.

### **IV. SPECIAL FINANCING ACTIVITIES**

To meet the objectives of this Urban Renewal Plan and to encourage private investment in and the development of the Project Area, the City may determine to provide financial assistance to qualified private businesses through the making of loans or grants under Chapter 15A of the Code and through the use of tax increment financing under Chapter 403 of the Code.



A. Chapter 15A Loans or Grants. The making of loans or grants of public funds to private businesses within the Project Area may be deemed necessary or appropriate for economic development purposes (as defined in Chapter 15A of the Code) and to aid in the planning, undertaking and carrying out of urban renewal project activities authorized under this Urban Renewal Plan and the Code. Accordingly, in furtherance of the objectives of this Urban Renewal Plan, the City may determine to issue general obligation bonds, tax increment revenue bonds or other such obligations, or loan agreements for the purpose of making loans or grants of public funds to private businesses located in the Project Area. Alternatively, the City may determine to use available funds, including tax increment revenues from the Project Area, for making such loans or grants. In determining qualifications of recipients and whether to make any such individual loan or grant, the City shall consider, among other things, one or more of the factors set forth in Section 15A.1 of the Code on a case-by-case basis.

B. Tax Increment Financing. The City intends to utilize tax increment financing as a means to help pay for the costs associated with the development of the Project Area. General obligation bonds, tax increment revenue bonds or other such obligations or loan agreements may be issued by the City, and tax increment reimbursement may be sought for, among other things, the following costs (if and to the extent incurred by the City):

1. The construction of public improvements, such as streets, sanitary sewers, storm sewers, water mains or sidewalks;
2. The funding of the "local match" required under State programs providing financial assistance to private developers; and
3. The making of loans or grants to private businesses under Chapter 15A of the Code, including debt service payments on any bonds or notes issued to finance such loans or grants.

Nothing herein shall be construed as a limitation on the power of the City to exercise any lawful power granted to the City under Chapter 15A, Chapter 403, Chapter 427B, or any other provision of the Code in furtherance of the objectives of this Urban Renewal Plan.

## **V. PROPERTY ACQUISITION**

All of the properties located within the Project Area are owned by CHIMiron Cedar Rapids, LLC, and the City does not presently intend to acquire any land in the Project Area for purposes of private development. Areas may be identified for acquisition in the future for the following purposes:

1. To provide sites for needed private and public improvements or facilities in proper relationship to the projected demand for such facilities and in accordance with accepted criteria for the development of such facilities;
2. To assemble land into parcels of adequate size and shape to meet contemporary development needs and standards and to allow new construction to meet the objectives of this Urban Renewal Plan; or
3. To acquire any and all interests in any property within the Project Area which in any way dominates or controls usage of other real property proposed to be acquired.

## **VI. CLEARANCE AND DISPOSITION OF PROPERTY**

All of the properties located within the Project Area are owned by CHIMiron Cedar Rapids, LLC and being built by and leased to Miron Construction, Inc. and the City does not presently intend to clear or dispose of property in the Project Area. If the City makes improvements in preparation for redevelopment or transfer of land to private developers, all improvements will be accomplished in accordance with the goals and objectives of this Urban Renewal Plan and in concert with other actions to ensure timely improvement of the land.

The City may advertise and solicit development proposals, may negotiate directly with prospective developers, and may dispose of all or a portion of any property acquired by it for the purpose of redevelopment in accordance with the goals and objectives of this Urban Renewal Plan. The property so disposed of may include vacated right-of-way and other lands under public ownership which are not needed for public purposes.

The City may subdivide, vacate or otherwise change the recorded arrangement of property under its control to accomplish the goals and objectives of this Urban Renewal Plan.

## **VII. LAND USE DEVELOPMENT**

The planning criteria to be used to guide the physical development of the Project Area are those standards and guidelines contained within the City's Comprehensive Plan – EnvisionCR approved on January 27, 2015, as amended from time to time.

## **VIII. DEVELOPER REQUIREMENTS**

In consideration of the efforts to be made by the City in furthering the development of the Project Area, developers who purchase land in the Project Area may be required to observe the land use requirements of this Urban Renewal Plan and to enter into a contractual agreement with the City in order to assure that the objectives of this Urban Renewal Plan are furthered or achieved.

Developers will not be permitted to defer the start of construction for a period longer than that required to prepare architectural plans, obtain satisfactory financing, and the review and approval of such plans by the City in order to establish their conformance with the provisions of this Urban Renewal Plan. In addition, it is expected that the following provisions will be included in agreements with developers:

1. Developers will submit plans and schedules for the proposed development to the City and will keep the City informed regarding progress on implementing these plans;
2. Any land purchased from the City can only be used for the purpose of development, and not for speculation;
3. Any ownership parcel made up in part of land acquired from the City will be built upon and improved in conformity with the objectives and provisions of this Urban Renewal Plan;

4. Construction of improvements will be initiated and completed within a reasonable time; and

5. There will be no discrimination against any person or group of persons on account of race, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use of enjoyment of the premises therein conveyed, nor will the developers themselves, or any claiming under or through them, establish or permit such practices of discrimination or segregation with respect to the selection, location, number, use or occupancy of tenants, lessees, or sub lessees in the premises therein conveyed.

The contract and other disposition documents to be executed by the developer will set forth, in detail, the provisions, standards and criteria for achieving the objectives and land use requirements established in this Urban Renewal Plan.

## **IX. PROJECT AND CITY INDEBTEDNESS**

The City may agree to make economic development grants to the developer in consideration for certain employment commitments and other covenants expected to be made by the developer. As such, the eventual level of City participation in both private and public improvements for the economic development of the Project Area cannot be fully determined at this time. However, to the extent that new tax increment revenues are generated and other appropriate funding sources are identified, the City may undertake other project-related activities in the future.

At the present time, it is anticipated that future City tax increment collections for project-related activities within the Project Area will not exceed \$1,000,000.00 in aggregate amount during the term of this Urban Renewal Plan. Proceeds of such tax increment collections are currently expected to be used to make economic development grants to the developer and to reimburse the City for any other project-related costs incurred in connection with the development of the Project Area.

As of June 30, 2015, the City's outstanding general obligation indebtedness was \$337,485,000. Article XI, Section 3 of the Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five percent (5%) of the value, as shown by the last certified state and City tax list, of all taxable property within the City. Based upon the actual value for fiscal year 2014/2015 (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 \$463,611,401.00 of general obligation indebtedness.

## **X. STATE AND LOCAL REQUIREMENTS**

All provisions necessary to conform to state and local law will be complied with by the City in implementing this Urban Renewal Plan and its supporting documents.

## **XI. SEVERABILITY**

In the event one or more provisions contained in this Urban Renewal Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, or lack of authorization or enforceability shall not affect any other provision of this Urban Renewal Plan, and this Urban Renewal Plan shall be construed and implemented as if such provisions had never been contained herein.

## **XII. AMENDMENT OF URBAN RENEWAL PLAN**

This Urban Renewal Plan may be amended from time to time to respond to development opportunities. Any such amendment shall conform to the requirements of Chapter 403 of the Code. Any change affecting any property or contractual right will be effectuated only in accordance with applicable state and local law.

## **XIII. EFFECTIVE DATE**

This Urban Renewal Plan shall be effective upon adoption by the City Council of the City of Cedar Rapids, Iowa, and shall remain in full force and effect until amended or rescinded by the City Council. However, the use of tax increment financing revenues (including the amount of loans, advances, indebtedness or bonds which qualify for payment from the division of revenue provided in Section 403.19 of the Code) by the City for activities carried out under this Urban Renewal Plan shall be limited as deemed appropriate by the City Council and consistent with all applicable provisions of law, including Iowa Code Section 403.17(10).

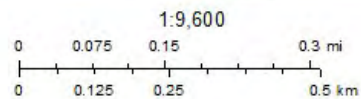
## ATTACHMENT A

### Proposed Miron Construction Urban Renewal Area

#### Property Map for Tax Parcel ID 193337700100000



October 28, 2015



City of Cedar Rapids (2014)

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## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** David Houg  
**E-mail Address:** daveh@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5168

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** Motions setting public hearings

Motion setting a public hearing for November 17, 2015 to consider granting a change of zone from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1727 2<sup>nd</sup> Street SW as requested by Scallon Custom Homes and Joseph W. Zachar III.

CIP/DID # RZNE-022098-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The request for rezoning of this property will be reviewed by the City Planning Commission on November 5, 2015. Their recommendation will be noted in the City Council cover sheet for the public hearing.

The property is currently undeveloped and in the Southwest Area Neighborhood. The applicant wishes to develop the property as 2 lots with single-family homes, 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.

**Action/Recommendation:** City staff recommends setting the public hearing.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

## Location Map





## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** David Houg  
**E-mail Address:** daveh@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5168

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** Motions setting public hearings

Motion setting a public hearing for November 17, 2015 to consider granting a change of zone from R-3, Single Family Residence Zone District to R-TN, Traditional Neighborhood Residence Zone District for property at 1766 and 1770 Mallory Street SW as requested by Scallon Custom Homes, City of Cedar Rapids and Z Fin 20.  
 CIP/DID # RZNE-022169-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The request for rezoning of this property will be reviewed by the City Planning Commission on November 5, 2015. Their recommendation will be noted in the City Council cover sheet for the public hearing.

The property is currently undeveloped and in the Southwest Area Neighborhood. The applicant wishes to develop the property as 2 lots with single-family homes, 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.

**Action/Recommendation:** City staff recommends setting the public hearing.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

## Location Map







## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

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

**E-mail Address:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Alternate Contact Person:** Jennifer Pratt

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

**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Description of Agenda Item:** Motions setting public hearings

Motion setting a public hearing for December 15, 2015 to consider an Ordinance relating to collection of tax increment within the proposed Miron Construction Urban Renewal Area at 335 French Court SW.

CIP/DID #TIF-0003-2015

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

### Background:

The City has received a request for City participation under the High Quality Jobs and Green Building Programs from Miron Construction Co., Inc. and Commercial Horizons for the construction of an office and warehouse building at 335 French Ct SW.

The proposed project includes construction of a 12,000 square foot LEED-certified office building and 6,800 square foot warehouse facility to house the office and construction operations of Miron Construction, Inc. with a total estimated investment of \$4.0 million. Miron's project will consolidate its eastern Iowa office and construction operations, part of which is located within Cedar Rapids' corporate limits. The site will allow for future expansion capabilities.

The next steps will include establishing an Urban Renewal Area/TIF District at the site based on the following schedule:

- 11/03/15 Setting the public hearing
- 11/18/15 Consultation with affected taxing agencies
- 12/03/15 City Planning Commission Review
- 12/15/15 Public hearing and introduction of First Reading
- 1/12/16 Second and possible Third Reading

To qualify for City assistance, Miron must add 10 or more employees whose pay is at or above the State's labor shed wage threshold for the High Quality Jobs program. Additionally, to receive the incentive boost provided under the City's Green Building program, the development is required to be LEED certified, as is being proposed.

**Action/Recommendation:** City staff recommends setting the public hearing.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** NA

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Nate Kampman

**Phone Number/Extension:** 5628

**E-mail Address:** n.kampman@cedar-rapids.org

**Alternate Contact Person:** Kevin Vrchoticky, PE **Phone Number/Extension:** 5896

**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Description of Agenda Item:** Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 17, 2015 and advertising for bids by publishing notice to bidders for the Veterans Memorial Stadium Ribbon Message Board project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 18, 2015 (estimated cost is \$290,000).

CIP/DID #314354-03

**EnvisionCR Element/Goal:** InvestCR Goal 3: Reinvest in the city's business corridors and districts.

**Background:** Veterans Memorial Stadium currently has message boards that are in need of repair, and the existing technology no longer exists. The Veterans Memorial Stadium Ribbon Message Board project would include the installation of a new video message board using the structure behind the right field wall. The Stadium would salvage the existing parts for future repairs to extend the lifespan of the existing message boards behind the outfield wall. This project is a jointly funded project between the Cedar Rapids Kernels Organization and Veterans Memorial Stadium.

**Action/Recommendation:** The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 17, 2015 and advertising for bids by publishing notice to bidders for the project.

**Alternative Recommendation:** Work would be deferred until after the 2016 Kernels season.

**Time Sensitivity:** Normal

**Resolution Date:** November 17, 2015

**Budget Information:** 314/314000/314354 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



**VETERANS MEMORIAL STADIUM  
RIBBON MESSAGE BOARD**



Cadd File Name: W:\PROJECTS\GIS\314354 Ribbon Message Board\314354 Council Map.dwg





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Nate Kampman

**Phone Number/Extension:** 5628

**E-mail Address:** n.kampman@cedar-rapids.org

**Alternate Contact Person:** Kevin Vrchoticky, PE **Phone Number/Extension:** 5896

**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Description of Agenda Item:** Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 17, 2015 and advertising for bids by publishing notice to bidders for the 2015 Sidewalk Ramp Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on November 25, 2015 (estimated cost is \$117,079).

CIP/DID #3016016-02

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** This project is to install pedestrian ramps at various locations in the northeast quadrant of the City to bring sidewalk ramps into current Americans with Disabilities Act (ADA) compliance, and is partially funded by ADA bonds. The project is scheduled for a spring construction with 70 working days. This project addresses sidewalk ramps included in the Department of Justice settlement.

**Action/Recommendation:** The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for **November 17, 2015** and advertising for bids by publishing notice to bidders for the project.

**Alternative Recommendation:** Work would be deferred and considered as part of a future sidewalk ramp repair program.

**Time Sensitivity:** Normal

**Resolution Date:** November 17, 2015

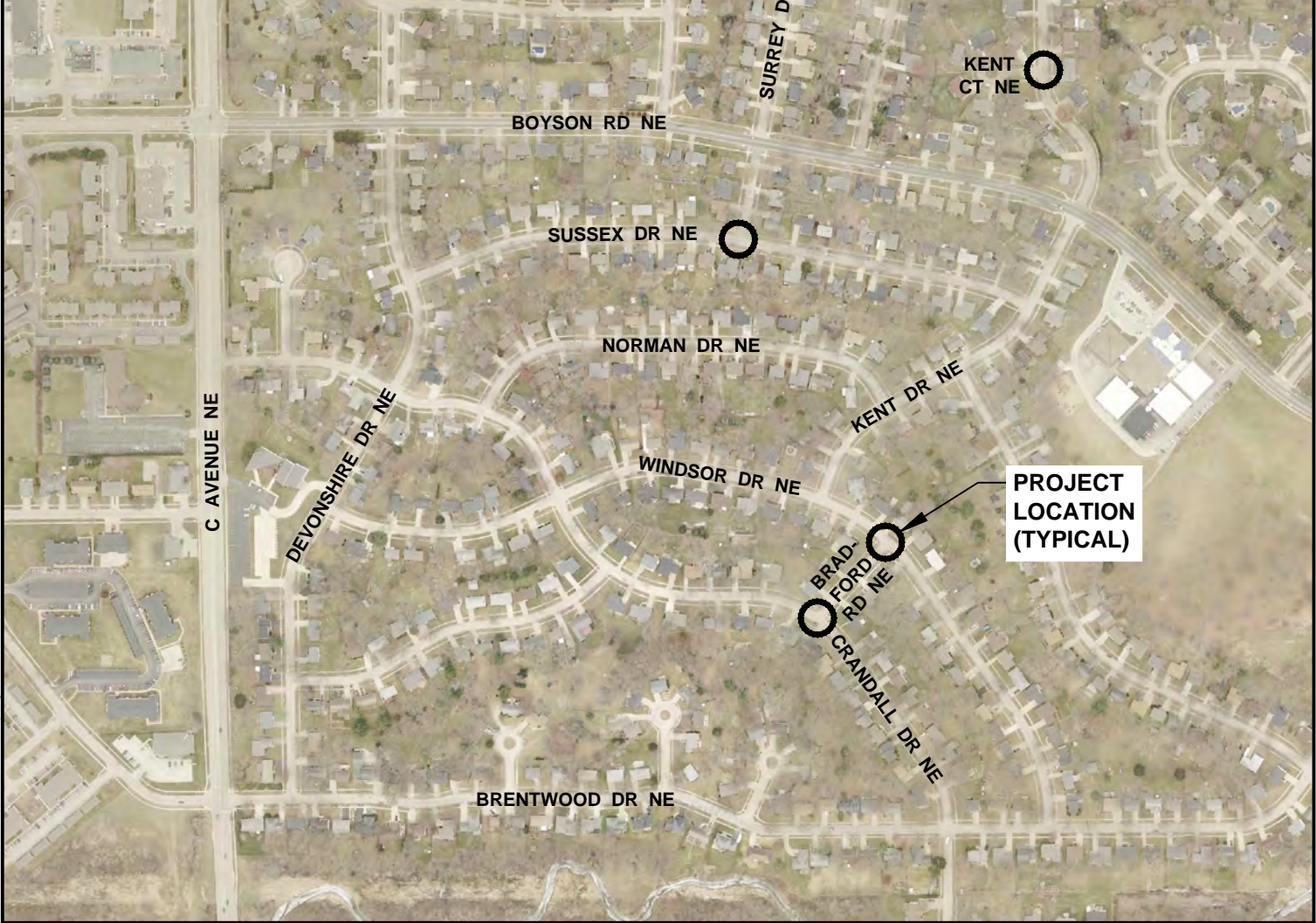
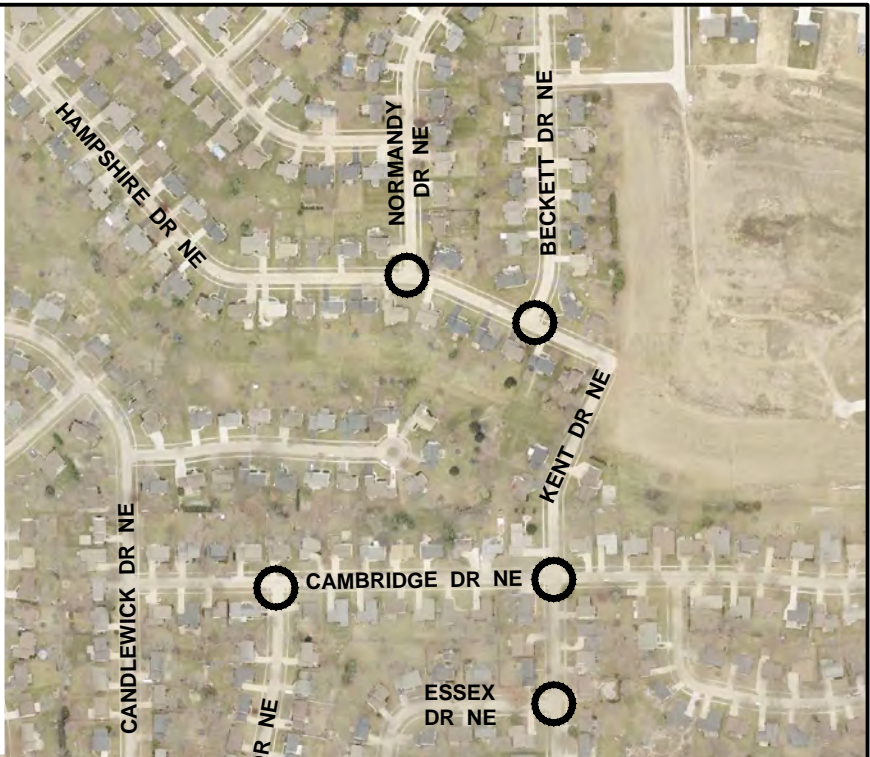
**Budget Information:** \$89,266 301/301000/3016016 NA, \$90,155 301/301000/18401/3016016 ADA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



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2015 SIDEWALK RAMP IMPROVEMENTS PROJECT







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandy Pumphrey, PE, CFM  
**E-mail Address:** s.pumphrey@cedar-rapids.org

**Phone Number/Extension:** 5363

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

**Phone Number/Extension:** 5814

**Description of Agenda Item:** Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 17, 2015 and advertising for bids by publishing notice to bidders for the Sanitary Sewers Quadrant Flood Repairs Northeast and Southeast Lining Package #7 project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on December 9, 2015 (estimated cost is \$1,480,000) **(Flood)**.  
 CIP/DID #SSD102-08

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** This project will repair damage to sanitary sewer infrastructure, experienced as a result of the 2008 flood, and is funded by FEMA. Work is to expected to be completed by late summer 2016.

**Action/Recommendation:** The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for November 17, 2015 and advertising for bids by publishing notice to bidders for the project.

**Alternative Recommendation:** Repackage the work and pursue an alternative funding source.

**Time Sensitivity:** Critical. This is one of the last FEMA sanitary sewer repair projects from the flood of 2008 and needs to proceed in a timely manner to meet FEMA's deadline for completion and closeout.

**Resolution Date:** November 17, 2015

**Budget Information:** SSD102 FEMA (FLOOD) & State

**Local Preference Policy:** NA  
**Explanation:** CIP Project

**Recommended by Council Committee:** NA  
**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Chief Jerman  
**E-mail Address:** w.jerman@cedar-rapids.org

**Phone Number/Ext.:** 5374

**Alternate Contact Person:** Wanda Miller  
**E-mail Address:** wandam@cedar-rapids.org

**Phone Number/Ext.:** 5274

**Description of Agenda Item:** Alcohol licenses

- a. Aldi #61, 5425 Blairs Forest Boulevard NE.
- b. Aldi #62, 1860 Edgewood Road SW.
- c. The Cooler, 4920 Johnson Avenue NW.
- d. Fareway Store #963, 4220 16<sup>th</sup> Avenue SW.
- e. Flamingo, 1211 Ellis Boulevard NW (transfer to Veterans Memorial Coliseum, 50 2<sup>nd</sup> Avenue Bridge, for an event on November 28, 2015).
- f. Granite City Food & Brewery, 4755 1<sup>st</sup> Avenue SE.
- g. Hy-Vee Food Store #2, 279 Collins Road NE.
- h. Tornado's Grub & Pub, 315 14<sup>th</sup> Avenue SE.
- i. Vito's on 42<sup>nd</sup>, 4100 River Ridge Drive NE.
- j. Willy Woodburn's Cafe, 232 16<sup>th</sup> Avenue SW.

CIP/DID # OB1145716

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Per State Code, the local authority must provide approval prior to the State issuing the alcohol licenses to the applicants.

**Action/Recommendation:** Approve applications as submitted.

**Alternative Recommendation:** NA

**Time Sensitivity:** Normal

**Resolution Date:** NA

**Budget Information:** NA



**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

# Cedar Rapids Police Department Memorandum

To: Chief Jerman

From: Lt. Walter Deeds

Subject: Beer/Liquor License Applications Calls for Service Summary

Date: October 14, 2015

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Aldi #61 5425 BLAIRS FOREST BLVD NE	14	0	0	2
Aldi #62 1860 EDGEWOOD RD SW	38	0	0	2
Cooler, The 4920 JOHNSON AVE NW	5	0	0	1
Fareway Store #963 4220 16TH AVE SW	32	0	0	4
Flamingo 1211 Ellis BLVD NW	0	0	0	0
Granite City Food & Brewery 4755 1ST AVE SE	16	0	0	0
Hy-Vee Food Store #2 279 COLLINS RD NE	99	0	0	9
Tornado's Grub & Pub 315 14TH AVE SE	56	0	0	4
Vito's on 42nd 4100 RIVER RIDGE DR NE	11	0	0	1
Willy Woodburns Cafe 232 16TH AVE SW	8	0	0	1



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance

**Presenter at Meeting:** Casey Drew  
**E-mail Address:** c.drew@cedar-rapids.org

**Phone Number/Ext.:** 5097

**Alternate Contact Person:** Vicky Grover  
**E-mail Address:** v.grover@cedar-rapids.org

**Phone Number/Ext.:** 5007

**Description of Agenda Item:** Bills, payroll and funds  
 Resolutions approving:

- a. Payment of bills. CIP/DID #FIN2015-01
- b. Payroll. CIP/DID #FIN2015-02

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** The bi-weekly listings of bills and payrolls have been examined and approved by the proper departments.

**Action/Recommendation:** Authorize the Finance Department to issue payments and payroll checks as per the Resolution listings.

**Alternative Recommendation:** NA

**Time Sensitivity:** Normal

**Resolution Date:** 11-03 -15

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

## RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the following payrolls have 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 Finance Director be and is hereby authorized and directed to issue checks in favor of the holders thereof and for various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

<b>Department</b>	<b>Total</b>
Animal Control	\$ 22,526.14
Aquatics Operation	\$ 7,534.69
Attorney	\$ 21,886.93
Building Services Division	\$ 63,872.05
CD – Federal Programs	\$ 34,691.71
Cedar Rapids Public Library	\$ 114,902.43
City Manager	\$ 39,259.83
Civil Rights	\$ 12,274.13
Clerk	\$ 10,935.69
Community Development – DOD	\$ 30,577.55
Council	\$ 6,520.27
Development Services	\$ 38,738.26
Facilities Maintenance Service	\$ 42,845.94
Finance	\$ 14,283.35
Finance – Analysts	\$ 14,914.42
Financial Operations	\$ 41,193.60
Fire	\$ 408,310.66
Five Seasons Parking	\$ 7,154.40
Fleet Maintenance	\$ 75,263.52
Golf Operations	\$ 43,283.97
Human Resources	\$ 34,525.76
Information Technology	\$ 86,242.57
Joint Communications	\$ 59,222.76
Library Grants	\$ 7,578.41
Parks Operations	\$ 145,468.17
Police	\$ 657,275.64
Public Works	\$ 21,384.79
Public Works – Engineering	\$ 105,208.49
Purchasing Service	\$ 11,429.01
Recreation	\$ 29,665.81
Sewer Operations	\$ 51,977.11
Street Operations	\$ 131,112.19
Traffic Engineering	\$ 48,544.05
Transit	\$ 114,795.42
Treasury Operations	\$ 11,980.81
Utilities	\$ 12,940.72
Utilities – Solid Waste	\$ 91,549.26
Veterans Memorial	\$ 17,646.00
Water Operations	\$ 285,612.93
Water Pollution Control	\$ 178,317.48
<b>Grand Total</b>	<b>\$ 3,153,446.92</b>

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Amy Stevenson  
**E-mail Address:** AmyS@cedar-rapids.org

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

**Alternate Contact Person:** Bridget McMenomy  
**E-mail Address:** b.mcmenomy@cedar-rapids.org

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

**Description of Agenda Item:** Boards and commissions  
 Resolution thanking the following individual:

- a. Vote of thanks to Stephanie Logan for serving on the Parks, Waterways & Recreation Commission.

CIP/DID #OB1187380

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** This agenda includes a vote of thanks for a member who will no longer be serving on the Parks, Waterways & Recreation Commission.

**Action/Recommendation:** Approve resolution as presented

**Alternative Recommendation:**

**Time Sensitivity:** None

**Resolution Date:** November 3, 2015

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Stephanie Logan has devoted considerable time and effort as a member of the Parks, Waterways & Recreation Commission,

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

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

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Intent and levy assessments  
 Intent to Assess – Utilities – Water Division – delinquent municipal utility bills – 48 properties.  
 CIP/DID #WTR1103-001

**Routine business - EnvisionCR Does not apply**

**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 lien delinquent municipal utility bills.

**Time Sensitivity:** Normal

**Resolution Date:** 11/03/15

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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 15<sup>th</sup> day of December, 2015 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., December 15, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

# LIEN INTENTS (SPECIAL ASSESSMENTS) 11/03/15

LIEN INTENTS 11/03/15			
#		Balance Due	Premise Address
1		\$ 97.26	54 FLORIDA CT SW
2		\$ 107.71	122 31ST ST SW
3		\$ 207.11	162 WESTVIEW DR NW
4		\$ 93.04	206 3RD ST SW
5		\$ 61.25	245 23RD ST NW
6		\$ 137.76	326 MOOSE DR NW
7		\$ 123.58	420 18TH ST NE
8		\$ 222.57	430 LONGWOOD DR NE
9		\$ 163.88	440 WEST POST RD NW
10		\$ 295.61	716 8TH AVE SW
11		\$ 123.61	722 F AVE NW #1
12		\$ 131.91	724 5TH AVE SW
13		\$ 216.82	914 M ST SW #1
14		\$ 190.39	1015 10TH ST NW
15		\$ 89.35	1021 16TH ST NE
16		\$ 235.22	1025 CHEYENNE RD NW
17		\$ 137.13	1061 12TH ST NE
18		\$ 234.39	1101 J AVE NW
19		\$ 219.56	1114 E AVE NW
20		\$ 166.83	1117 HUBBARD AVE NE
21		\$ 222.50	1126 32ND ST NE
22		\$ 274.61	1307 30TH ST SE
23		\$ 324.97	1314 19TH AVE SW
24		\$ 258.37	1501 BEVER AVE SE
25		\$ 104.46	1802 C ST SW
26		\$ 114.03	1832 EDGEWOOD DR NW
27		\$ 99.36	2006 K ST SW
28		\$ 281.33	2011 O AVE NW
29		\$ 214.55	2022 LINMAR DR NE
30		\$ 193.15	2024 FRANKLIN AVE NE
31		\$ 271.64	2151 42ND ST NE
32		\$ 156.78	2208 MT VERNON RD SE
33		\$ 114.50	2517 33RD AVE SW
34		\$ 133.56	2911 RUSSELL DR NE
35		\$ 219.33	3015 TAMARA DR SW
36		\$ 176.98	3120 E AVE NE
37		\$ 139.49	3527 SOUTHLAND ST SW
38		\$ 92.14	3531 MARK ST NE
39		\$ 229.52	3533 REDBUD RD NE
40		\$ 131.76	4400 WENIG RD NE
41		\$ 221.19	4520 WALKER ST NE
42		\$ 325.08	4801 1ST AVE SE

				<b>LIEN INTENTS 11/03/15</b>
<b>#</b>		<b>Balance Due</b>		<b>Premise Address</b>
43		\$ 157.03		4840 FORD AVE NW
44		\$ 50.62		4910 WINDMILL DR SW
45		\$ 101.11		5607 1ST AVE SW
46		\$ 166.81		5720 BRIARWOOD ST SW
47		\$ 192.58		5931 MUIRFIELD DR SW #2
48		\$ 107.88		7102 COUNCIL ST NE
		<b>\$ 8,330.31</b>		<b>Grand Total</b>
		<b>48</b>		<b>Number of Properties</b>
		<b>\$ 50.62</b>		<b>Balance Due - Low</b>
		<b>\$ 325.08</b>		<b>Balance Due - High</b>



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

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

**Phone Number/Ext.:** 5902

**Description of Agenda Item:** Intent and levy assessments  
 Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 22 properties.  
 CIP/DID #WTR0922-001

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

### Background:

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 1379-09-15 on September 22, 2015.

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

**Action / Recommendation:** The Utilities Department – Water Division recommends that the Resolution to levy Special Assessments be approved.

**Alternative Recommendation (if applicable):** The City Council could decide not to lien delinquent municipal utility bills.

**Time Sensitivity:** Normal

**Resolution Date:** 11/03/15

**Budget Information:** N/A

**Local Preference Policy:** No  
**Explanation:** NA

**Recommended by Council Committee:** No  
**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

SPECIAL ASSESSMENTS

WHEREAS, the City Council of the City of Cedar Rapids, Iowa has heretofore passed a Resolution of Intent to Assess various properties in the City of Cedar Rapids, Iowa for delinquent municipal utility service charges (water, sewer and storm sewer), penalties and Iowa sales tax, and

WHEREAS, a listing of the various properties for said delinquent utility service charges has been filed with the City Clerk and notice of assessment has been given to the property owners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against various properties for the amounts shown on the attached listing and made a part of this resolution, and

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

## SPECIAL ASSESSMENTS (TO BE LIENED) 11/03/15

			<b>SPECIAL ASSESSMENTS 11/03/15</b>
			<b>LIEN INTENTS 9/22/15</b>
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>
1	\$	125.73	62 16TH AVE SW - UPPER
2	\$	246.94	279 JACOLYN DR NW
3	\$	166.95	410 14TH ST SE
4	\$	206.12	418 A AVE NW
5	\$	93.54	507 16TH AVE SW
6	\$	145.53	1051 DANIELS ST NE
7	\$	182.74	1100 33RD ST NE
8	\$	189.72	1103 18TH ST SW
9	\$	134.72	1217 WALDENWOOD LN NE
10	\$	268.82	1524 7TH AVE SE
11	\$	68.75	1721 9TH ST NW
12	\$	119.63	1730 PARK AVE SE
13	\$	105.48	1740 LINMAR DR NE
14	\$	38.70	1746 RICHMOND RD NE
15	\$	131.71	1815 8TH AVE SE
16	\$	50.19	2205 C ST SW #3
17	\$	72.38	2415 WILSON AVE SW
18	\$	104.03	2520 12TH AVE SW
19	\$	219.21	2525 MEADOWBROOK DR SE
20	\$	148.34	2821 CORY CT SW #12
21	\$	164.44	3230 EDEN LN SW
22	\$	94.76	5025 1ST AVE SW #16
	\$	<b>3,078.43</b>	<b>Grand Total</b>
		<b>22</b>	<b>Number of Properties</b>
	\$	<b>38.70</b>	<b>Balance Due - Low</b>
	\$	<b>268.82</b>	<b>Balance Due - High</b>



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** SteveHe@cedar-rapids.org

**Phone Number/Ext.:** 5281

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

**Phone Number/Ext.:** 5926

**Description of Agenda Item:** Maintenance bonds

Water system improvements installed in Knollwood Park 4th Addition and approving the 2-Year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$16,048.40.

CIP/DID #2015076-01

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first two years in service. This bond helps to insure proper installation of infrastructure that will allow the city to provide quality water service.

The Developer, Horn Land LLC., was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Knollwood Park 4th Addition (Project No. 2015076). The Contractor, Rathje Construction Co., has installed 274 feet of 8-inch DIP water main, services and appurtenances on Flat Bush Court NE.

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

**Action/Recommendation:** The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Knollwood Park 4th Addition (Project No. 2015076) and the Contractor's 2-year Maintenance Bond (#54206101) in the amount of \$16,048.40 submitted by Rathje Construction Co.

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

**Time Sensitivity:** None, routine item

**Resolution Date:** 11/03/2015

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Horn Land LLC, was granted permission to install 274 feet of 8-inch water main, services, and appurtenances on Flat Bush Court NE, all in KNOLLWOOD PARK 4TH ADDITION (Project No. 2015076) to the City of Cedar Rapids, Iowa, by the Utilities Department – Water Division, and

WHEREAS, said work has now been completed and Rathje Construction Co. of Marion, Iowa, as Principal, has filed a 2-Year Maintenance Bond (Bond No. 54206101) executed by United Fire & Casualty Company, as Surety, in the sum of \$16,048.40 (Sixteen Thousand Forty Eight Dollars and 40/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services, and appurtenances installed in KNOLLWOOD PARK 4TH ADDITION (Project No. 2015076) be hereby accepted, and

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** SteveHe@cedar-rapids.org

**Phone Number/Ext.:** 5281

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

**Phone Number/Ext.:** 5926

**Description of Agenda Item:** Maintenance bonds

Water system improvements installed in Airport Commerce Park 10th Addition - Atlantic Drive SW Extension and 2-Year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$61,162.

CIP/DID #2013042-02

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** Developers/Contractors are required to furnish and install water distribution systems to serve new developments. Upon completion of these public system improvements, a maintenance bond is required, covering the first two years in service. This bond helps to insure proper installation of infrastructure that will allow the city to provide quality water service.

The Developer, Primus Inc., was granted permission by the Water Division to install 10-inch and 6-inch water mains, services, and appurtenances in Airport Commerce Park 10th Addition (Project No. 2013042). The Contractor, Dave Schmitt Construction Company, Inc., has installed 856 feet of 10-inch DIP water main, service stubs and appurtenances for the Atlantic Drive SW extension. The Capital Drive SW extension was completed at an earlier date.

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

**Action/Recommendation:** The Utilities Department – Water Division is recommending acceptance of the water system improvements installed for Airport Commerce Park 10th Addition - Atlantic Drive SW Extension and the 2-Year Maintenance Bond (#54205759) in the amount of \$61,162 submitted by Dave Schmitt Construction Company, Inc.

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

**Time Sensitivity:** None, routine item

**Resolution Date:** 11/03/2015

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Primus Inc. was granted permission to install 10" and 6" water mains, services and appurtenances in Airport Commerce Park 10th Addition - Atlantic Drive SW Extension (Project No. 2013042), to the City of Cedar Rapids, Iowa, by the Cedar Rapids Utilities Department - Water Division, and

WHEREAS, said work has now been completed and Dave Schmitt Construction Company, Inc. of Cedar Rapids, Iowa, as Principal, has submitted a 2-Year Maintenance Bond (54205759) executed by United Fire & Casualty Company, as Surety, in the sum of \$61,162 (Sixty One Thousand One Hundred Sixty Two Dollars and 00/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains, services and appurtenances installed in Airport Commerce Park 10th Addition – Atlantic Drive SW Extension (Project No. 2013042) be hereby accepted, and

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting sanitary sewer in Airport Commerce Park Tenth Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$93,740.

CIP/DID #FLPT-008827-2014

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This item is for acceptance of a maintenance bond from Dave Schmitt Construction Company, Inc. for sanitary sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted from Dave Schmitt Construction Company, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** private development

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed sanitary sewer in Airport Commerce Park Tenth Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$93,740 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting storm sewer in Airport Commerce Park Tenth Addition and approving 2-year Maintenance Bond submitted by Dave Schmitt Construction Company, Inc. in the amount of \$40,869.

CIP/DID #FLPT-008827-2014

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This item is for acceptance of a maintenance bond from Dave Schmitt Construction Company, Inc. for storm sewer improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted from Dave Schmitt Construction Company, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** private development

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Dave Schmitt Construction Company, Inc. has constructed storm sewer in Airport Commerce Park Tenth Addition, and

WHEREAS, said work has now been completed, and Dave Schmitt Construction Company, Inc. has filed a 2-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$40,869 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition and approving 4-year Maintenance Bond submitted by City Wide Construction Corporation, Inc. in the amount of \$95,199.38.

CIP/DID #FLPT-008827-2014

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This item is for acceptance of a maintenance bond from City Wide Construction Corporation for Portland Cement Concrete improvements. The construction has been substantially completed in accordance with the approved plans and City standards, has been inspected by the Public Works Department, and is recommended for acceptance. The value of the bond provided represents the construction value of the infrastructure improvements based on the developer's contract price for the infrastructure improvements.

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted from City Wide Construction Corporation.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** private development

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, City Wide Construction Corporation has filed a Maintenance Bond executed by North American Specialty Insurance Company in the sum of \$95,199.38 for Portland Cement Concrete pavement in Airport Commerce Park Tenth Addition, now therefore

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

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Wright Brothers Blvd, LC, 2000 Progress Blvd, Hiawatha, IA 52233, of the responsibility for:

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

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke  
**E-mail Address:** p.wieneke@cedar-rapids.org

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Accept projects

Authorizing Change Order No. 5 (Final Revised) in the amount of \$207,663.22, plus three additional working days, accepting project, authorizing final payment in the amount of \$63,631.36, and approving 4-year Performance Bond submitted by Rathje Construction Company for the Flood Affected Areas Infrastructure Removals project (original contract amount was \$954,533.41; total contract amount with this amendment is \$1,272,627.28).

CIP/DID #301923-01

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work, and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions. The castings that were shown in the plans raised the grade so water would not drain, and different castings were needed. There were several areas that needed additional fill dirt and grading to allow positive drainages. There was also additional clearing and grubbing. The Time Check area needed additional storm sewer changes to eliminate ponding. There were several areas that had water ponding, so the contractor did some additional grading and storm work to eliminate the problem. The house on the corner of C Avenue and 20<sup>th</sup> Street had the ramp replaced, which left a steep bank and sod was replaced to stop erosion. The Time Check area had a lot of rubbish left on site from the demolition. The areas for the athletic fields needed this removed. The Contractor processed the top 6" to remove all rubbish. An additional 2" of topsoil was imported to cover any of the smaller items that were not removed in Item 50 (Process 6" of existing topsoil). This was only in the playing field area.

Construction has been substantially completed by Rathje Construction Company for the Flood Affected Areas Infrastructure Removals project. This is an approved Capital Improvements Project (CIP No. 301923-01) with a final construction contract amount of \$1,272,627.28. Funding resources for this project were approved in FY 16 and prior years and the project is completed within the approved budget.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 4, accepting the project and performance bond, and issuing final payment to the contractor in the amount of \$63,631.36.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** CIP 301923, 304338, 3015017, 6559998, 625906 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the Flood Affected Areas Infrastructure Removals project (Contract No. 301923-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated January 13, 2015 in the amount of \$944,533.41 covering said work filed by Rathje Construction Company and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 (Final Revised) in the amount of \$207,663.22, plus 3 working days, with Rathje Construction Company for the Flood Affected Areas Infrastructure Removals, Contract No. 301923-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$944,533.41
Original Incentive Value	10,000.00
Change Order No. 1	11,411.48
Change Order No. 2	27,709.36
Change Order No. 3	38,010.09
Change Order No. 4	33,299.72
Change Order No. 5 Final Revised	<u>207,663.22</u>
Amended Contract Amount	\$1,272,627.28

General ledger coding for this Change Order to be as follows: \$207,663.22; \$215,460.22 301-301000-30185-3017015; \$(6,425) 304-304000-30485-304338, \$(1,372) 301-301000-30185-3017015 NA

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the Flood Affected Areas Infrastructure Removals project, (Contract No. 3017015-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$63,631.36 to Rathje Construction Company as final payment.

The final contract price is \$1,272,627.28 distributed as follows: \$1,272,627.28; \$40,965 301-301000-30185-3017015, \$1,134,634.88 301-301000-30185-301923, \$58,778.40 304-304000-30485-304338, \$29,387 625-625000-625906, \$8,862 655-655000-65585-655998 NA, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

**Final cover sheet will not have a footer (it will be removed by PW Council Agenda staff). The copy in Onbase will not have a footer.**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting project, authorizing final payment in the amount of \$61,638.84 and approving the 4-year Performance Bond submitted by Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project (original contract amount was \$1,422,570.60; final contract amount is \$1,232,776.84).

CIP/DID #SSD103-12

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Rathje Construction Company for the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project. This is an approved Capital Improvements Project (CIP No. SSD103-12) with a final construction contract amount of \$1,232,776.84. Funding resources for this project were approved in FY 16 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 \$61,638.84.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** FEMA PW #SSD103 FLOOD

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

finRESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project (Contract No. SSD103-12), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated May 27, 2014 in the amount of \$1,373,570.60 covering said work filed by Rathje Construction Company and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$1,373,570.60
Possible Incentive	49,000.00
Change Order No. 1	324.48
Change Order No. 2	6,953.12
Change Order No. 3	2,260.88
Change Order No. 4	2,471.00
Change Order No. 5	4,143.36
Change Order No. 6	467.04
Change Order No. 7	2,999.84
Change Order No. 8	19,904.54
Change Order No. 9 (Final)	(189,818.02)
Removal of Original Incentive	(24,000.00)
Disincentive/Liquidated Damages	<u>(15,500.00)</u>
Amended Contract Amount	\$1,232,776.84

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the 2008 Flood Area Sanitary Sewer Restoration, SW Quadrant, Phase 2, Part 3 project, (Contract No. SSD103-12) 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 \$61,638.84 to Rathje Construction Company as final payment.

The final contract price is \$1,232,776.84 distributed as follows: \$1,232,776.84 330-330210-18511-SSD103 FLOOD

, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Jason Junk

**Phone Number/Extension:** 5724

**E-mail Address:** j.junk@cedar-rapids.org

**Description of Agenda Item:** Accept projects

Resolution accepting project and approving the 4-year Performance Bond submitted by Boulder Contracting, LLC for the 11<sup>th</sup> Street NW South of N Avenue NW Box Culvert Improvements project (original contract amount was \$25,284; final contract amount is \$22,484).

CIP/DID #304429-01

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Boulder Contracting, LLC for the 11<sup>th</sup> Street NW South of N Avenue NW Box Culvert Improvements project. This is an approved Capital Improvements Project (CIP No. 304429-01) with a final construction contract amount of \$22,484. Funding resources for this project were approved in FY16 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 submitted by Boulder Contracting, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 304429 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the 11<sup>th</sup> Street NW South of N Avenue NW Box Culvert Improvements project (Contract No. 304429-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated August 21, 2015 in the amount of \$24,284 covering said work filed by Boulder Contracting, LLC and executed by Nationwide Mutual Insurance Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$24,284
Possible Incentive	1,000
Change Order No. 1	<u>(2,800)</u>
Amended Contract Amount	\$22,484

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the 11<sup>th</sup> Street NW South of N Avenue NW Box Culvert Improvements project, (Contract 304429-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$22,484 distributed as follows: \$22,484 304-304000-304429  
NA

, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





PROJECT LOCATION

Harrison  
Elementary  
School





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting project and approving the 4-year Performance Bond submitted by Boulder Contracting, LLC for the CeMar Trail at 27<sup>th</sup> Street NE Drainage Improvements project (original contract amount was \$53,399; final contract amount is \$51,099).

CIP/DID #304431-01

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Boulder Contracting, LLC for the CeMar Trail at 27<sup>th</sup> Street NE Drainage Improvements project. This is an approved Capital Improvements Project (CIP No. 304431-01) with a final construction contract amount of \$51,099. Funding resources for this project were approved in FY16 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 from Boulder Contracting, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 304431 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the CeMar Trail at 27<sup>th</sup> Street NE Drainage Improvements project (Contract No. 304431-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated February 16, 2015 in the amount of \$50,399 covering said work filed by Boulder Contracting, LLC and executed by Nationwide Mutual Insurance Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$50,399
Possible Incentive	3,000
Change Order No. 1	(550)
Removal of Original Incentive	<u>(1,750)</u>
Amended Contract Amount	\$51,099

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the CeMar Trail at 27<sup>th</sup> Street NE Drainage Improvements project, (Contract No. 304431-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$51,099 distributed as follows: \$51,099 304-304000-304431, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Alternate Contact Person:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Description of Agenda Item:** Accept projects

Resolution accepting project, authorizing final payment in the amount of \$5,797.08 and approving the 4-year Performance Bond submitted by BWC Excavating, LC for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project (original contract amount was \$129,493.50; final contract amount is \$115,941.63).

CIP/DID #3017015-01

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** Construction has been substantially completed by BWC Excavating, LC for the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1. This is an approved Capital Improvements Project (CIP No. 3017015-01) with a final construction contract amount of \$115,941.63. Funding resources for this project were approved in FY 16 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 \$5,797.08.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 3017015

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1 project (Contract No. 3017015-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated June 24, 2014 in the amount of \$125,993.50 covering said work filed by BWC Excavating, LC and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$125,993.50
Possible Incentive	3,500.00
Change Order No. 1	4,666.50
Change Order No. 2	3,540.84
Change Order No. 3	706.54
Change Order No. 4	1,539.00
Change Order No. 5	751.00
Change Order No. 6	2,251.00
Change Order No. 7 Final	(20,206.75)
Removal of Original Incentive	(3,500)
Disincentive/Liquidated Damages	<u>(3,300)</u>
Amended Contract Amount	\$115,941.63

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the FY 2015 Sidewalk and Ramp Repair Program – Contract No. 1, (3017015-01) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$5,797.08 to BWC Excavating, LC as final payment.

The final contract price is \$115,941.63 distributed as follows: 115,941.63 301-301000-30185-3017015 NA

, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

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

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting project and approving the 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. for the 3<sup>rd</sup> Street SE, East of 10<sup>th</sup> Avenue SE, Storm Sewer Improvements project (original contract amount was \$38,812; final contract amount is \$37,693.38).

CIP/DID #304435-01

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Dave Schmitt Construction Company, Inc. for the 3<sup>rd</sup> Street SE, East of 10<sup>th</sup> Avenue SE, Storm Sewer Improvements project. This is an approved Capital Improvements Project (CIP No. 304435-01) with a final construction contract amount of \$37,693.38. Funding resources for this project were approved in FY16 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 submitted by Dave Schmitt Construction Company, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** CIP 304435 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the 3<sup>rd</sup> Street SE, East of 10<sup>th</sup> Avenue SE, Storm Sewer Improvements project (Contract No. 304435-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated March 24, 2015 in the amount of \$35,812 covering said work filed by Dave Schmitt Construction Company, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$35,812.00
Possible Incentive	3,000.00
Change Order No. 1	1,881.38
Removal of Original Incentive	<u>(3,000.00)</u>
Amended Contract Amount	\$37,693.38

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the 3<sup>rd</sup> Street SE, East of 10<sup>th</sup> Avenue SE, Storm Sewer Improvements project, (Contract No. 304435-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$37,693.38 distributed as follows: \$37,693.38 304-304000-304435 NA

, 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.

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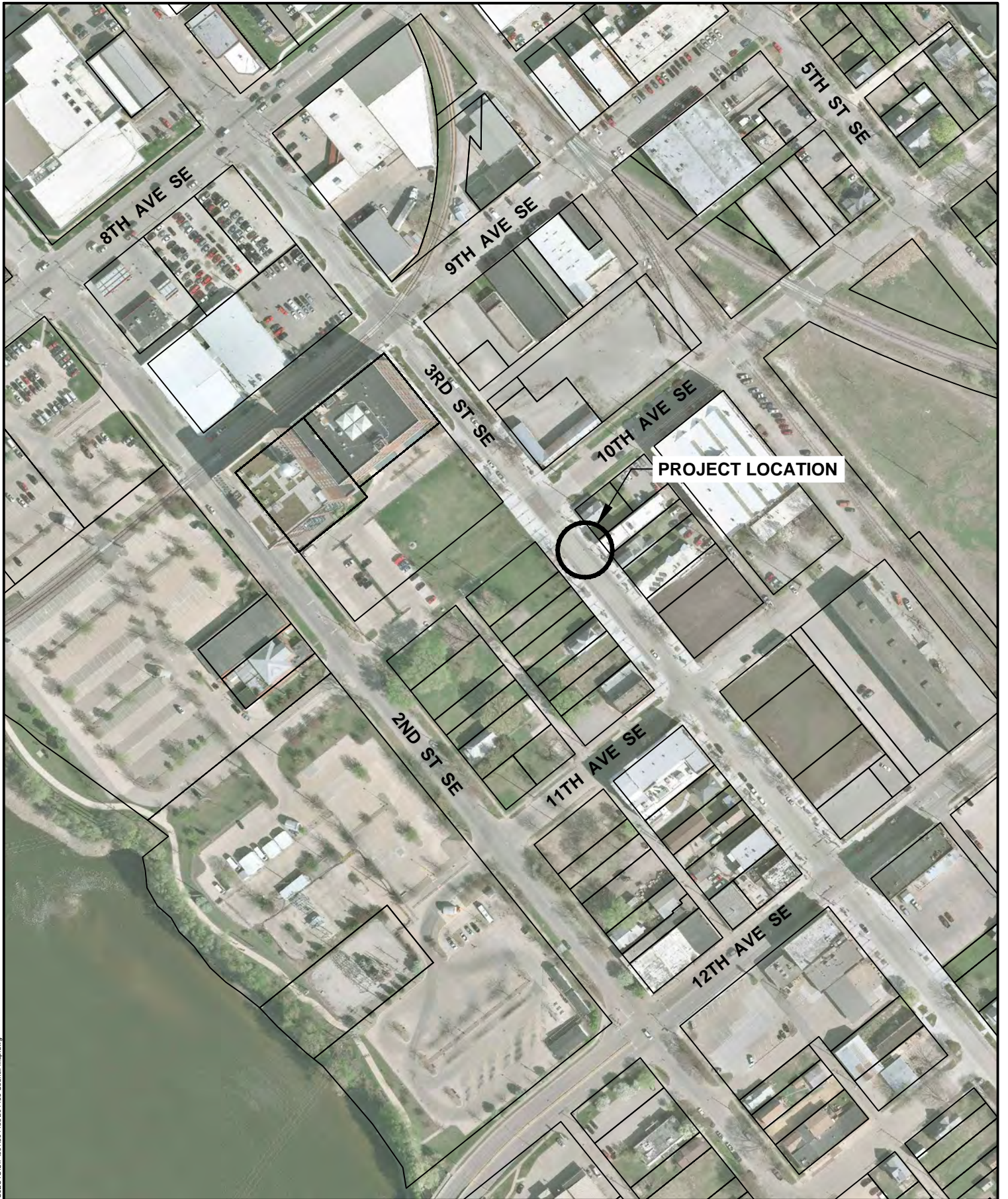
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ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting project and approving the 4-year Performance Bond submitted by Dave Schmitt Construction Company, Inc. for the Lakeview Drive SW Bank Restoration project (original contract amount was \$61,987.90; final contract amount is \$54,357.10).

CIP/DID #304433-01

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Dave Schmitt Construction Company, Inc. for the Lakeview Drive SW Bank Restoration project. This is an approved Capital Improvements Project (CIP No. 304433-01) with a final construction contract amount of \$54,357.10. Funding resources for this project were approved in FY 16 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 submitted by Dave Schmitt Construction Company, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 304433 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the Lakeview Drive SW Bank Restoration project (Contract No. 304433-01), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated April 14, 2015 in the amount of \$59,987.90 covering said work filed by Dave Schmitt Construction Company, Inc. and executed by United Fire & Casualty Company provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$59,987.90
Possible Incentive	2,000.00
Change Order No. 1	<u>(7,630.80)</u>
Amended Contract Amount	\$54,357.10

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the Lakeview Drive SW Bank Restoration project, (Contract No. 304433-01) be and the same is hereby accepted as being substantially completed.

The final contract price is \$54,357.10 distributed as follows: \$54,357.10 304-304000-304433 NA

, 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.

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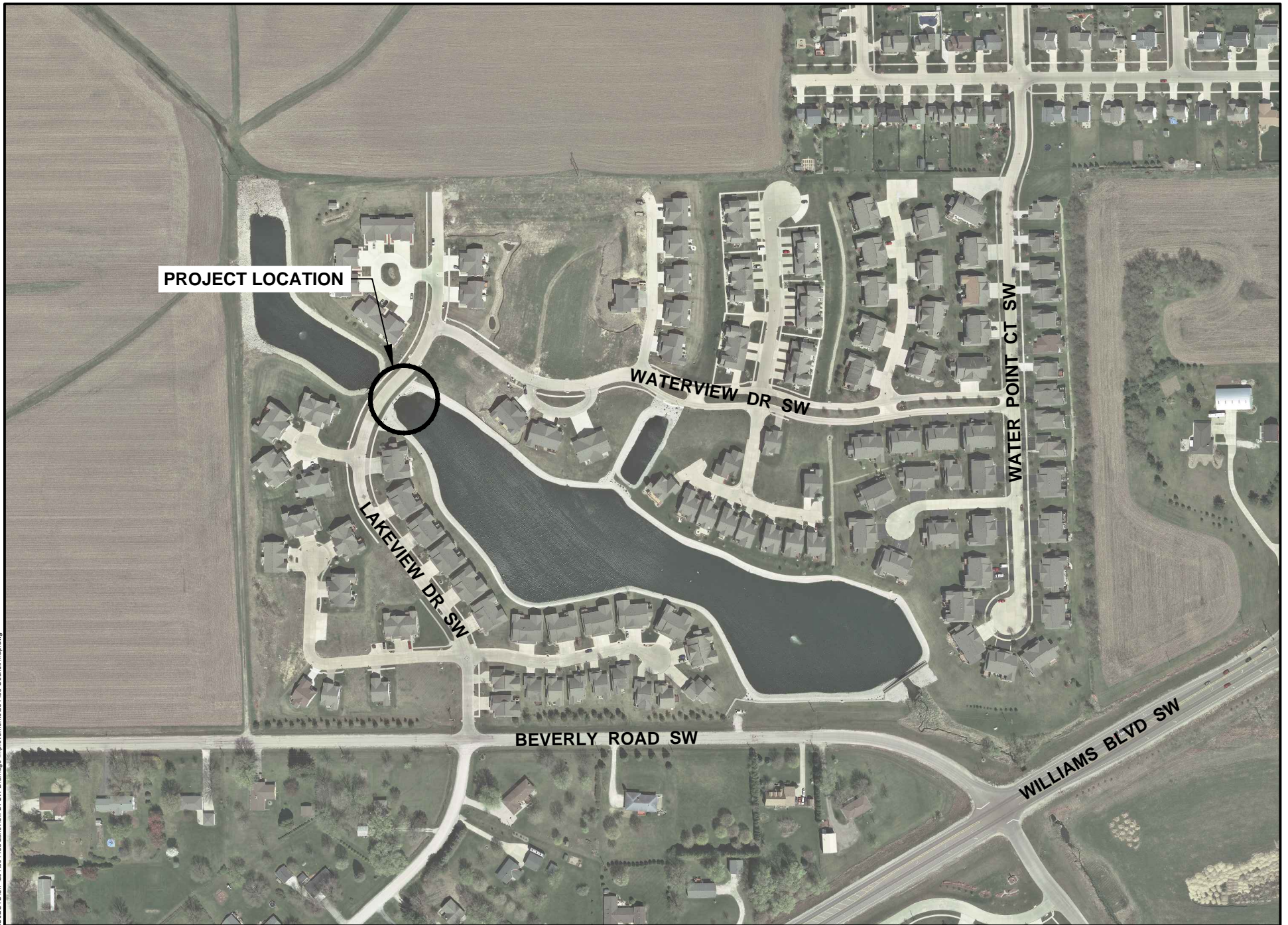
MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Accept projects

Resolution accepting project, authorizing final payment in the amount of \$5,396.37 and approving the 4-year Performance Bond submitted by Peterson Contractors, Inc. for the Vinton Ditch at Westwood Drive NW Channel Improvements project (original contract amount was \$111,556.15; final contract amount is \$107,927.39).

CIP/DID #304060-02

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** Construction has been substantially completed by Peterson Contractors, Inc. for the Vinton Ditch at Westwood Drive NW Channel Improvements project. This is an approved Capital Improvements Project (CIP No. 304060-02) with a final construction contract amount of \$107,927.39. Funding resources for this project were approved in FY16 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 \$5,396.37.

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

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information (if applicable):** CIP 304060: \$201,975 (CDBG: \$92,900, City: \$109,075)

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the Vinton Ditch at Westwood Drive NW Channel Improvements project (Contract No. 304060-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated December 16, 2014 in the amount of \$107,566.15 covering said work filed by Peterson Contractors, Inc. and executed by Travelers Casualty and Surety Company of America provides a 4-year correction period for defects in materials and workmanship, and

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

Original Contract Amount	\$107,556.15
Possible Incentive	4,000.00
Change Order No. 1	<u>(3,638.76)</u>
Amended Contract Amount	\$107,927.39

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the Vinton Ditch At Westwood Drive NW Channel Improvements project, (Contract 304060-02) 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 \$5,396.37 to Peterson Contractors, Inc. as final payment.

The final contract price is \$107,927.39 distributed as follows: \$107,927.39 304-304000-304060 NA

, 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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**VINTON DITCH AT WESTWOOD DRIVE NW  
CHANNEL IMPROVEMENTS**







## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Joe Mailander

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

**E-mail Address:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Alternate Contact Person:** John Reasoner

**Phone Number/Ext.:** 319-286-5806

**E-mail Address:** [j.reasoner@cedar-rapids.org](mailto:j.reasoner@cedar-rapids.org)

**Description of Agenda Item:** Final plats

Resolution approving the Final Plat of Brakers First Addition to Cedar Rapids for land located at 3401 E Avenue NW.

CIP/DID #FLPT-020763-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The property owner submitted the Final Plat of Brakers First Addition in conformance with the approved preliminary plat. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains of three (3) lots and a total plat area of 1.21 acres.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table this item and request further information.

**Time Sensitivity:** NA

**Resolution Date:** November 3, 2015

**Budget Information:** NA

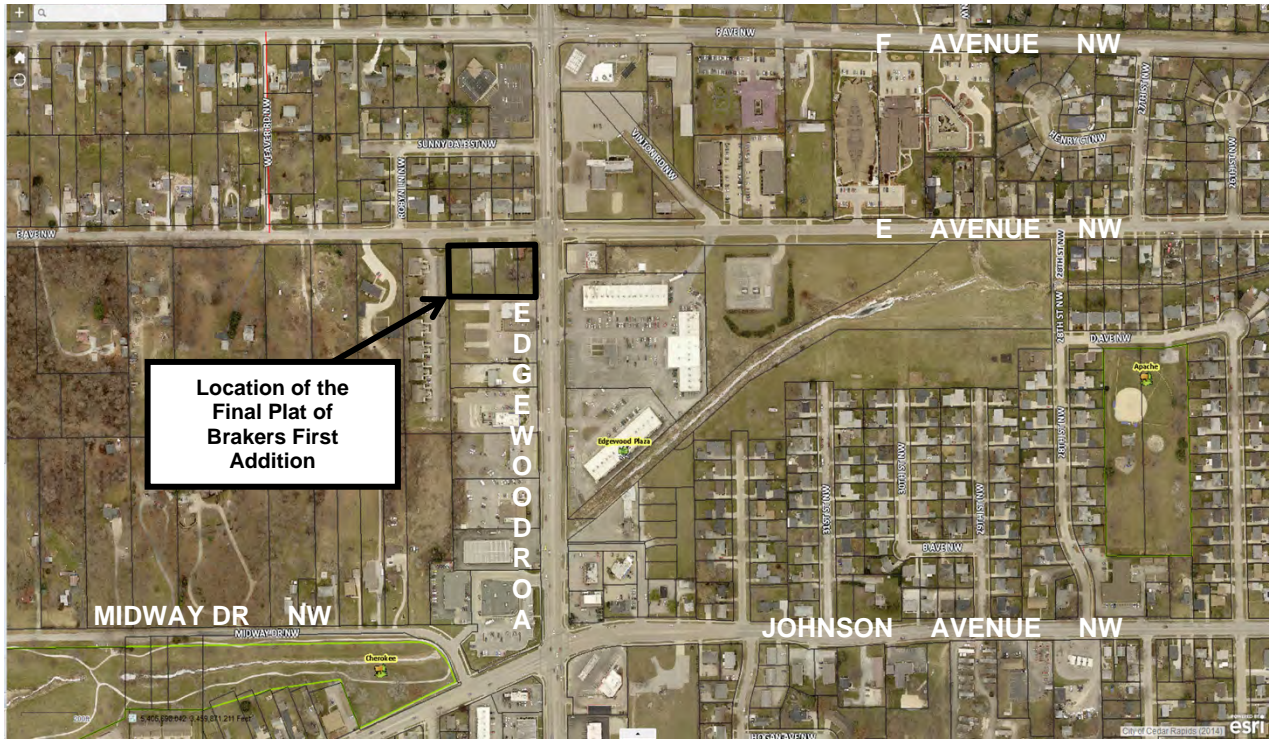
**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

## LOCATION MAP





RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, A PLAT OF BRAKERS FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Two (2) numbered lots, Numbered 1 and 2, and One (1) lettered lot Lettered 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. Agreement for Private Storm Water Detention and Private Storm Water Quality
3. Concrete Pavement Petition and Assessment Agreement

and

WHEREAS, the agreement(s) as submitted are recommended for approval by the Development Services Department,

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 Development Services Department, 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 Brakers First Addition in 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' (E Avenue NW) 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

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 3rd day of November, 2015.

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Joe Mailander

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

**E-mail Address:** [j.mailander@cedar-rapids.org](mailto:j.mailander@cedar-rapids.org)

**Alternate Contact Person:** John Reasoner

**Phone Number/Ext.:** 319-286-5806

**E-mail Address:** [j.reasoner@cedar-rapids.org](mailto:j.reasoner@cedar-rapids.org)

**Description of Agenda Item:** Final plats

Resolution approving the Final Plat of Northtowne Market First Addition for land located at 1201 Blairs Ferry Road NE.

CIP/DID #FLPT-018821-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

**Background:** The property owner submitted the Final Plat of Northtowne Market First Addition to Cedar Rapids, Iowa in conformance with the approved preliminary plat. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains of one (1) lot and a total plat area of 1.58 acres.

**Action/Recommendation:** City staff recommends approval of the resolution.

**Alternative Recommendation:** City Council may table this item and request further information.

**Time Sensitivity:** NA

**Resolution Date:** November 3, 2015

**Budget Information:** NA

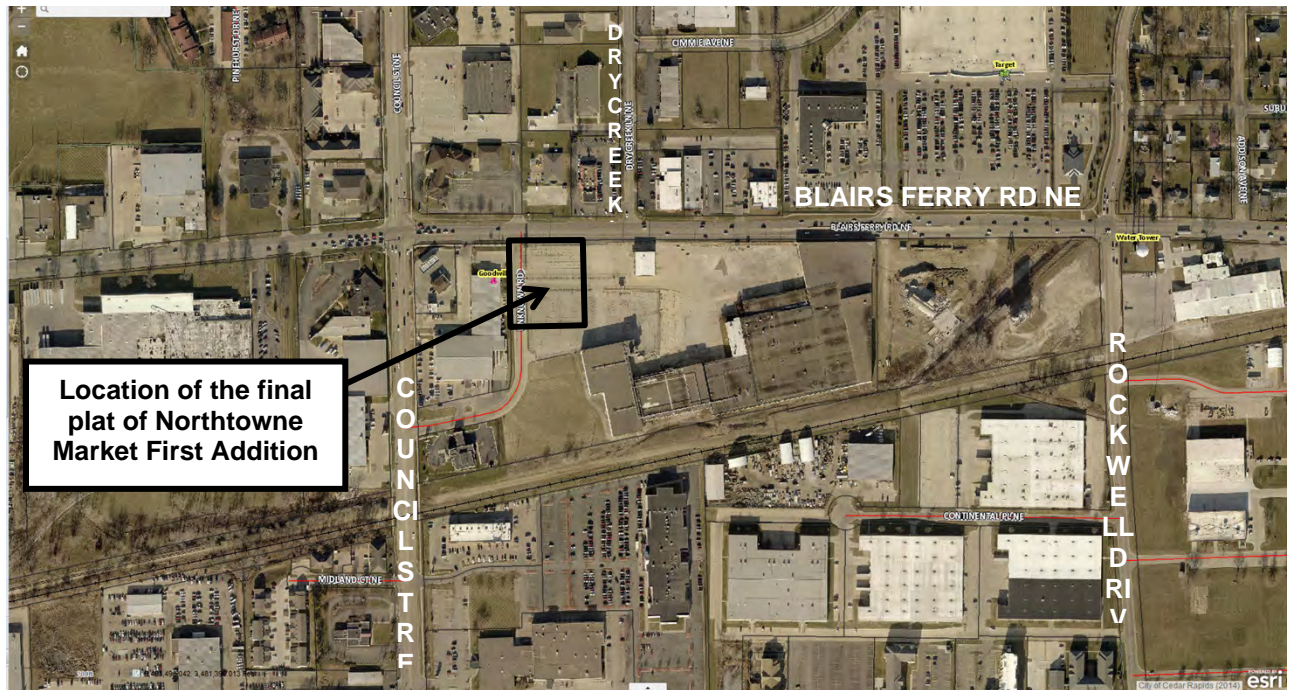
**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

## LOCATION MAP



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, A PLAT OF LOT 1, NORTHTOWNE MARKET FIRST ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing ONE (1) lot, Numbered 1, 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. Temporary Easement Agreement for Access and Public Utilities
3. Temporary Easement Agreement for Public Water Main
4. Temporary Easement Agreement for Sanitary Sewer

and

WHEREAS, the agreement(s) as submitted are recommended for approval by the Development Services Department,

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 Development Services Department, 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 Lot 1, Northtowne Market First 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 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

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 3rd day of November, 2015.

ClerkSignature





## Council Agenda Item Cover Sheet

**Submitting Department:** Finance - Purchasing

**Presenter at Meeting:** Mike Duffy  
**E-mail Address:** m.duffy@cedar-rapids.org

**Phone Number/Ext.:** 5873

**Alternate Contact Person:** Diane Muench  
**E-mail Address:** d.muench@cedar-rapids.org

**Phone Number/Ext.:** 5023

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 5 to the contract with L.L. Pelling Company for Asphalt Products for citywide purchases to reflect the additional cost of asphalt product purchases for an amount not to exceed \$125,000 (original contract amount was \$650,000; total contract amount with this amendment is \$775,000).  
 CIP/DID #0112-130

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** L.L. Pelling Company provides asphalt products on an as-needed basis for the City. Due to an increase in the volume of asphalt product purchased, an additional \$125,000 is being added to the contract. The contract is in effect from May 1, 2015 through April 30, 2016.

**Contract Summary:**

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0519-04-12	05/01/2012 - 04/30/2013
Amendment No. 1 to renew Contract	Resolution No. 0469-03-13	05/01/2013 - 04/30/2014
Amendment No. 2 to renew Contract	Resolution No. 0363-03-14	05/01/2014 - 04/30/2015
Amendment No. 3 to add FEMA language	Signed by the CITY 09/24/14	Effective 05/01/2014
Amendment No. 4 to renew Contract	Resolution No. 0421-03-15	05/01/2015 - 04/30/2016
Amendment No. 5 to reflect volume increase	Pending	Effective 10/1/2015

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 5 as described herein.

**Alternative Recommendation:** None

**Time Sensitivity:** Medium

**Resolution Date:** November 3, 2015

**Budget Information:**

**Local Preference Policy:** Yes  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and L.L. Pelling Company are parties to a contract for the annual as-needed purchase of asphalt products for all City departments; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in volume of asphalt product purchased in the amount of \$125,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (05/01/15 - 04/30/16) shall increase from \$650,000 to \$775,000; and

WHEREAS, the history of the contract to date is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0519-04-12	05/01/2012 - 04/30/2013
Amendment No. 1 to renew Contract	Resolution No. 0469-03-13	05/01/2013 - 04/30/2014
Amendment No. 2 to renew Contract	Resolution No. 0363-03-14	05/01/2014 - 04/30/2015
Amendment No. 3 to add FEMA language	Signed by the CITY 09/24/14	Effective 05/01/2014
Amendment No. 4 to renew Contract	Resolution No. 0421-03-15	05/01/2015 - 04/30/2016
Amendment No. 5 to reflect volume increase	Pending	Effective 10/1/2015

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 authorized to execute Amendment No. 5 to amend the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Rebecca Johnson  
**E-mail Address:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

**Phone Number/Ext.:** x5062

**Alternate Contact Person:** Rebecca Johnson  
**E-mail Address:** [r.johnson2@cedar-rapids.org](mailto:r.johnson2@cedar-rapids.org)

**Phone Number/Ext.:** x5062

**Description of Agenda Item:** Purchases, contracts and agreements  
 Contract with Copyworks for Printing & High-Speed Copying as needed citywide for an annual amount not to exceed \$120,000.  
 CIP/DID #PUR0715-014

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
---

**Background:** Proposals were solicited by the Purchasing Services Division for printing and high-speed copying services on an as-needed citywide basis with six (6) vendors responding. Award is recommended to Copyworks as the vendor who submitted the most responsive and responsible proposal with the most competitive overall pricing.

The term of the contract will be November 1, 2015 through October 31, 2016 with four (4) one-year renewal options available. The annual amount of the contract will not exceed \$120,00.

Proposals were submitted by the following vendors (comparable total dollar amounts are not available because each proposal offers different printing services and quantities are unknown):

Allegra - Cedar Rapids, IA  
 Copyworks – Cedar Rapids, IA  
 Huk Printing Co. Inc. – Marion, IA  
 Iowa Prison Industries – Anamosa, IA  
 J & A Printing Inc. – Hiawatha, IA  
 Rapids Reproductions, Inc. – Cedar Rapids, IA

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute the Contract as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** medium

**Resolution Date:** November 3, 2015

**Budget Information:** Printing and high-speed copying are budgeted by each department that utilizes the services provided under this Contract.

**Local Preference Policy:** Yes

**Explanation:** Local preference applies but did affect award. Copyworks is a certified local business.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Proposal for as-needed Printing & High-Speed Copying services citywide; and

WHEREAS, proposals were received from six vendors; and

WHEREAS, a committee has carefully evaluated and ranked each proposal based on the evaluation criteria and recommends that the contract be awarded to Copyworks for an annual amount not to exceed \$120,000; and

WHEREAS, a contract with the option of four one-year renewal periods has been prepared for as-needed printing and high-speed copying services for the contract period November 1, 2015 through October 31, 2016.

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 authorized to execute the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Water Pollution Control

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

**Alternate Contact Person:** Mark Potter  
**E-mail Address:** m.potter@cedar-rapids.org

**Phone Number/Ext.:** 5288

**Description of Agenda Item:** Purchases, contracts and agreements  
 Purchase order in the amount of \$130,288 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a New Lightnin 40HP Model 780Q40CMX Gearbox and a New Lightnin 75 HP Model 780Q75 Triple Reduction Gearbox at the Water Pollution Control Facility.

CIP/DID #WPC110315-01

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** These gearboxes are used on the CAS and NAS decks to mix oxygen into our primary sludge to keep the bacteria alive. These gearboxes will be replacing current gearboxes.

Lightnin is the manufacturer of these gearboxes and Trident Process, Inc. is the sole Lightnin representative for the state of Iowa (see attached sole source justification form).

The Water Pollution Control Facility requested a quote from Trident Process, Inc. for the gearbox. Trident Process, Inc. submitted a quote in the amount of \$130,288 for labor, parts, materials, and round trip freight.

**Action/Recommendation:** The Water Pollution Control Facility staff recommends approval of the Resolution authorizing a purchase order to Lightnin-SPX Flow Tech. C/O Trident Process, Inc., for a New Lightnin 40HP Model 780Q40CMX Gearbox and a New Lightnin 75 HP Model 780Q75 Triple Reduction Gearbox in the amount of \$130,288.

**Alternative Recommendation:** n/a

**Time Sensitivity:** 11-3-15

**Resolution Date:** 11-3-15

**Budget Information:** Funded from FY2016 services and operations budget and coded to 533101-611-611002-611016.

**Local Preference Policy:** No  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Lightnin is the manufacturer of the gearboxes and Trident Process, Inc. is the sole Lightnin representative for the state of Iowa, and

WHEREAS, the Water Pollution Control Facility's gearboxes are used on the CAS and NAS decks to mix oxygen into the primary sludge to keep the bacteria alive, and this gearbox is for replacement of the current gearbox, and

WHEREAS, the Water Pollution Control Facility requested a quote from Trident Process, Inc. for two new gearboxes, and

WHEREAS, Trident Process, Inc. submitted a quote in the amount of \$130,288 for labor, parts, materials, and round trip freight, and

WHEREAS, the Water Pollution Control Facility's staff recommends that a purchase order be issued in the amount of \$130,288 to Lightnin-SPX Flow Tech. C/O Trident Process, Inc. for the two new gearboxes,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Water Pollution Control Facility be hereby authorized to issue a purchase order to Lightnin-SPX Flow Tech. C/O Trident Process, Inc. in the amount of \$130,288 for a New Lightnin 40HP Model 780Q40CMX Gearbox and a New Lightnin 75 HP Model 780Q75 Triple Reduction Gearbox for the Water Pollution Control Facility. To be funded from Water Pollution Control Facility's FY2016 services and operations budget and coded to 533101-611-611002-611016.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Joy Huber  
**E-mail Address:** j.huber@cedar-rapids.org

**Phone Number/Ext.:** 5886

**Alternate Contact Person:** Heather Mell  
**E-mail Address:** h.mell@cedar-rapids.org

**Phone Number/Ext.:** 5117

**Description of Agenda Item:** Purchases, contracts and agreements  
 Fleet Services Division purchase of one used portable air compressor from Mid Country Machinery in the amount of \$70,900.  
 CIP/DID #PUR0915-060

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
--

**Background:** Purchasing Services solicited bids on behalf of Fleet for the purchase and delivery of one (1) used portable air compressor. Mid Country Machinery was the only bidder to submit a bid.

Bids were received from:

Mid Country Machinery	Fort Dodge, IA	\$70,900
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**Action/Recommendation:** Authorize the Fleet Services Division to purchase the used portable air compressor as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** low

**Resolution Date:** November 3, 2015

**Budget Information:** 073-073000-073002

**Local Preference Policy:** Yes  
**Explanation:** No local vendors submitted a bid

**Recommended by Council Committee:** NA  
**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for the purchase of one (1) used portable air compressor on behalf of the Fleet Services Division; and

WHEREAS, bids were received from one Vendor; and

WHEREAS, the Fleet Services Division recommends that this bid be awarded to Mid Country Machinery as the overall lowest responsive and responsible bidder, in the amount of \$70,900.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fleet Services Division is authorized to purchase the used portable air compressor as described herein.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**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:** Kevin Vrchoticky  
**E-mail Address:** k.vrchoticky@cedar-rapids.org

**Phone Number/Extension:** 5896

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing execution of a Purchase Agreement in the amount of \$14,000 and accepting a warranty deed for right-of-way and a temporary grading easement for construction from Schillig Limited Partnership from vacant land located on the east side of Wiley Boulevard SW between 18<sup>th</sup> Avenue SW and 20<sup>th</sup> Avenue SW in connection with the 2015 Sidewalk Infill project.

CIP/DID #3012074-00

**EnvisionCR Element/Goal:** ConnectCR Goal 3: Establish a network of complete streets.

**Background:** City Council approved funding towards the 2015 Sidewalk Infill project. The right-of-way is required to accommodate the proposed infill project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and 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 \$14,000 and accepting a warranty deed and a temporary grading easement for construction from Schillig Limited Partnership.

**Alternative Recommendation:** Do not proceed with acquiring the proposed right-of-way and temporary grading easement and direct City staff to abandon or reconfigure the 2015 Sidewalk Infill Project.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 301/3010000/3012074 NA

**Local Preference Policy:** NA

**Explanation:** Local Preference Policy does not apply to the acquisition of right-of-way.

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined the need for right-of-way and a temporary grading easement for construction exists in order to accommodate the proposed facilities, and

WHEREAS, Schillig Limited Partnership, 3611 1<sup>st</sup> Avenue SW, Cedar Rapids, IA 52405, OWNER, of the real property known and described as:

See Attached Acquisition Plat Exhibit A

has agreed to convey the necessary right-of-way and a temporary grading easement for construction from vacant land located on the east side of Wiley Blvd SW between 18<sup>th</sup> Avenue SW and 20<sup>th</sup> Avenue SW, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$13,000
Temporary Easement	<u>\$ 1,000</u>
TOTAL	\$14,000

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and a 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 2015 Sidewalk Infill project (Fund 301, Dept ID 3010000, Project 3012074 NA),

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 Groundwater Hazard Statement from Schillig Limited Partnership be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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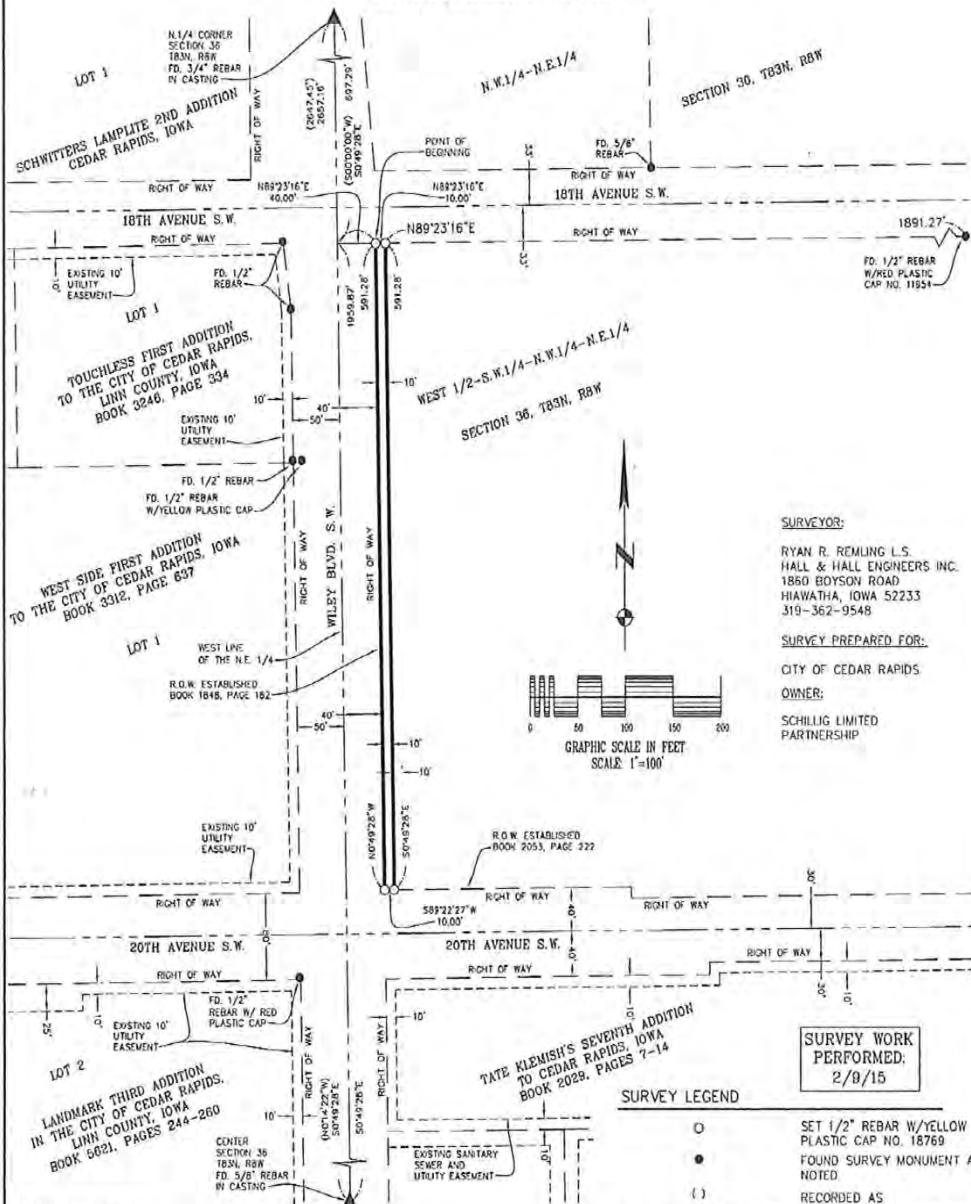
MayorSignature

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ClerkSignature

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**EXHIBIT A  
ACQUISITION PLAT**  
PART OF THE W. 1/2-S.W. 1/4-N.W.1/4-N.E.1/4, SECTION 36, T83N, R8W  
CEDAR RAPIDS, LINN COUNTY, IOWA



**SURVEYOR:**  
RYAN R. REMUNG L.S.  
HALL & HALL ENGINEERS INC.  
1860 BOYSON ROAD  
HAWAIIA, IOWA 52233  
319-362-9548

**SURVEY PREPARED FOR:**  
CITY OF CEDAR RAPIDS

**OWNER:**  
SCHILLIG LIMITED PARTNERSHIP

**SURVEY WORK PERFORMED:**  
2/9/15

**SURVEY LEGEND**

○	SET 1/2" REBAR W/YELLOW PLASTIC CAP NO. 18769
●	FOUND SURVEY MONUMENT AS NOTED
( )	RECORDED AS
—	PLAT OR SURVEY BOUNDARY
- - -	EXISTING LOT LINE
- - -	SECTION LINE
- - -	1/4 SECTION LINE
- - -	1/4-1/4 SECTION LINE

**LEGAL DESCRIPTION:**  
PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 83 NORTH, RANGE 8 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 36; THENCE S04°49'28"E 697.29 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36; THENCE N89°23'16"E 40.00 FEET TO THE EAST RIGHT OF WAY OF WILEY BOULEVARD S.W. AND THE POINT OF BEGINNING; THENCE CONTINUING N89°23'16"E 10.00 FEET ALONG THE SOUTH RIGHT OF WAY OF 18TH AVENUE S.W.; THENCE S04°49'28"E 591.28 FEET TO THE NORTH RIGHT OF WAY OF 20TH AVENUE S.W.; THENCE S89°22'27"W 10.00 FEET ALONG SAID SOUTH RIGHT OF WAY TO SAID EAST RIGHT OF WAY; THENCE N04°49'28"W 591.28 FEET ALONG SAID EAST RIGHT OF WAY TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,913 SQ.FT., 0.14 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

I hereby certify that this land surveying document was prepared and field 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.

Signature: *[Signature]* Date: 10/21/15

RYAN R. REMUNG L.S. 18769  
My license expires on December 31, 2015

Pages in sheets covered by this seal: *THIS SHEET only*

Project Number: 9569-14-1	Sheet: 1 of 1	Scale: 1"=100'	Field Book No: 221	Date: 10/21/15	Sheet Title: <b>EXHIBIT A ACQUISITION PLAT</b> PART OF THE W. 1/2-S.W. 1/4-N.W.1/4-N.E.1/4, SECTION 36, T83N, R8W CEDAR RAPIDS, LINN COUNTY, IOWA	<b>HALL &amp; HALL ENGINEERS, INC.</b> <i>Land to Land Engineering Since 1983</i> 1860 BOYSON ROAD, HAWAIIA, IOWA 52233 PHONE: (319) 362-9548 FAX: (319) 362-7558 CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE LAND SURVEYING • LAND DEVELOPMENT PLANNING Designed by:RRR Drawn by:DLK Checked by: L
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## Council Agenda Item Cover Sheet

**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:** Robert Davis  
**E-mail Address:** RobD@cedar-rapids.org

**Phone Number/Extension:** 5808

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a Supplemental Agreement to the Total Acquisition Purchase Agreement with Robert V. Bertling, increasing the purchase amount by \$4,500 for land located at 74 18<sup>th</sup> Avenue SW in connection with the Parks Greenway Acquisition project (original total acquisition purchase amount was \$15,200; purchase amount with this supplemental agreement is \$19,700).  
 CIP/DID #307028-00

**EnvisionCR Element/Goal:** GreenCR Goal 2: Have the best parks, recreation and trails system in the region.

**Background:** Resolution No. 0068-01-15 was previously approved January 13, 2015 to acquire the property located at 74 18<sup>th</sup> Avenue SW, owned by Robert V. Bertling. The original Total Acquisition Purchase Agreement was in the amount of \$15,200; this proposed Supplemental Agreement revises the purchase price an additional \$4,500, to equal the current property assessment of \$19,700 for conveyance of the property to the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Supplemental Agreement in the amount of \$4,500 from Robert V. Bertling for a total acquisition cost of \$19,700.

**Alternative Recommendation:** Not acquire the property.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 307/307000/307028

**Local Preference Policy:** NA

**Explanation:** Local Preference Policy does not apply to the acquisition of right-of-way.

**Recommended by Council Committee:** NA

**Explanation:** NA





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RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on January 13, 2015, Resolution No. 0068-01-15 approved a Total Acquisition Purchase Agreement in the amount of \$15,200 to acquire the real property located at 74 18<sup>th</sup> Avenue SW from Robert V. Bertling, Owner of the real property known and described as:

Lot 10, Block 22, Hulls Resurvey of Blocks 15 and 16 of L S May's Addition to West Cedar Rapids, Linn County, Iowa

WHEREAS, the City agrees to revise the previously approved total acquisition purchase agreement by an additional \$4,500 to equal the current property assessment value, for a total acquisition cost of \$19,700, and

WHEREAS, the Public Works Director recommends the City enter into an supplemental agreement to amend the purchase price to acquire the property in accordance with the terms set forth in the Supplemental Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Northwest Flood Mitigation Acquisition project (Fund 307, Dept ID 307000, Project 307028), 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 Supplemental Agreement as described herein, and

BE IT FURTHER RESOLVED that the Supplemental 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 to issue payment(s) necessary per the terms of the Total Acquisition Purchase Agreement and the Supplemental Agreement to Robert V. Bertling, Linn County Treasurer and lien holders, if applicable, per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that upon receipt, the Warranty Deed, Groundwater Hazard Statement and all other documents from Robert V. Bertling be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Amanda Vande Voorde  
**E-mail Address:** a.vandevoorde@cedar-rapids.org

**Phone Number/Ext.:** 5817

**Alternate Contact Person:** Paula Mitchell  
**E-mail Address:** p.mitchell@cedar-rapids.org

**Phone Number/Ext.:** 5852

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing execution of Development Agreement with Scallon Custom Homes, L.L.C. for property at 0 Vacant Lot SW (GPN 143313800300000) participating in the fourth round of the Single Family New Construction Program (**FLOOD**).  
 CIP/DID #OB540257

**EnvisionCR Element/Goal:** StrengthenCR Goal 4: Create a city that is affordable and accessible to all members of the community.

**Background:** The resolution for City Council consideration provide for the execution of Development Agreement with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement to allow construction on the home to begin. To date, 99 such agreements for privately-owned property have been executed for the fourth round of 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 30 days of the execution of the Development Agreement, and complete all projects prior to the program's anticipated end date of December 31, 2016;
- 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; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

- Builders will be eligible to be allocated a maximum of 1 unit outside Tier 1 for every unit they have constructed in a previous program round. Actual allocation outside Tier 1 will be subject to application review and funding availability.
- Shovel readiness will receive scoring consideration.
- The order of priority for allocation will be lots in Tier 1, followed by lots in Tier 2, with lots in Tier 3 receiving the lowest point value for location.
- Ongoing process for reallocation of lots that do not move forward to ensure full expenditure of grant resources.

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives 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 201 properties have been identified by 24 developers in the current phase of property allocation for this program.

**Action/Recommendation:** City staff recommends approval of the resolution

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** November 3, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, on April 12, 2015, the City Council passed Resolution 0336-03-15 which modified the administrative plan (Amendment No. 2) and local program guidelines to allow for development in Tier 1, 2, and 3 boundary areas under specific circumstances; and

WHEREAS, the Developer agrees to construct two single-family dwellings on the privately-owned property at 0 Vacant Lot SW (GPN 143313800300000), for which the City will provide down payment assistance to the home buyers 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 Scallon Custom Homes, L.L.C. for property at 0 Vacant Lot SW (GPN 143313800300000).

PASSED\_DAY\_TAG

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

**Alternate Contact Person:** Tariq Baloch  
**E-mail Address:** k.kirchner@cedar-rapids.org

**Phone Number/Ext.:** 5283

**Description of Agenda Item:** Purchases, contracts and agreements

Joint Funding Agreement with the U.S. Department of Interior, Geological Survey (USGS) for the continuing "Assessment of Ground-Water Flow and Quality for the Cedar Rapids Alluvium" for the period of October 1, 2015 through September 30, 2016 for a project cost of \$219,735 (project cost to be shared on a 38/62 basis with the City's share being \$135,735).

CIPDID #625044-16

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

### Background:

Since 1992, the Utilities Department Water Division and the USGS have conducted an ongoing cooperative study to evaluate the hydrogeology and water quality of the alluvial aquifer that supplies all of our drinking water wells and the Cedar River, which is the ultimate source of 95% or more of the recharge to these wells.

The initial focus of the cooperative study was on the City's wells and their hydraulic connection to the Cedar River. The general goals were to develop an understanding of the aquifer, including how water flows through the aquifer and the factors that affect the quantity and quality of our water supplies. This research has been an essential component of the development and implementation of best management practices and source water protection programs for our wells.

The study has confirmed that the Cedar River is the primary influence on both the quantity and quality of our ground-water resource. Elevated nutrients (e.g. nitrate) and other contaminants (e.g. pesticides and microbial organisms such as *Cryptosporidium*) in the river can potentially threaten the quality of our drinking water supplies. Consequently, in 2001 the USGS and the City expanded the study to include the Cedar River watershed. For example, research is now being done on the source, transport and fate of potential contaminants in the watershed. Similarly, we are researching strategies to mitigate these potential threats to include optimization of riverbank filtration and the use of wetlands to reduce nutrient levels. The study also includes investigation of the potential presence and mitigation strategies for viruses and emerging contaminants such as personal and protective care products (e.g. pharmaceuticals) and nitrosamine compounds (e.g. NDMA).



The USGS has the expertise to properly sample for and evaluate waterborne viruses and will be a valuable asset in documenting source water levels of virus in order to fine tune the operation of the UV units.

It is imperative that the City continue to research, develop and implement strategies to protect its water supplies and that these efforts encompass the entire Cedar River watershed. It is unfortunate, but the reality is that no other agency will take the lead in doing so.

**Action / Recommendation:** The Utilities Department Water Division recommends the City Council approve the USGS Funding Agreement and authorize the City Manager to execute said agreement.

**Alternative Recommendation (if applicable):**

If the Agreement is not approved by City Council, there would be a reduction or elimination of the on-going research relative to the Utilities Department Water Division well fields, wetlands and major portions of research pertaining to the Cedar River watershed.

**Time Sensitivity:** Normal

**Resolution Date:** 11/03/15

**Budget Information:** To be funded from the FY16 Utilities Department - Water operations and maintenance budget and coded to 521104-621-621011.

**Local Preference Policy:** NA

**Explanation:** N/A

**Recommended by Council Committee:** NA

**Explanation:** N/A

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the U.S. Geological Survey, U.S. Department of the Interior, (USGS) has submitted the Joint Funding Agreement for the continuing "Assessment of Ground Water Flow and Quality for the Cedar Rapids Alluvium" for the period of October 1, 2015 through September 30, 2016. The project costs of \$219,735 will be funded on a 38/62 percent basis (USGS/City) with the City's share being \$135,735. There is no change in the City's share from last year's project cost.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Joint Funding Agreement between the U.S. Department of Interior, Geological Survey (USGS) and the City of Cedar Rapids for the period beginning October 1, 2015 through September 30, 2016 be hereby approved and that City Manager be hereby authorized to execute the Joint Funding Agreement committing the City to reimburse the U.S. Department of the Interior, Geological Survey (USGS) \$135,735 for the City's share of the cost for fiscal year 2016. To be funded from the Utilities Department – Water Division FY16 operations and maintenance budget and coded to 521104-621-621011.

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MayorSignature

Attest:

ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandy Pumphrey, PE  
**E-mail Address:** s.pumphrey@cedar-rapids.org

**Phone Number/Extension:** 5363

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

**Phone Number/Extension:** 5814

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing submission of an Urban Waters Small Grants application to the Environmental Protection Agency (EPA), to assist with the funding of watershed education and planning initiatives.  
 CIP/DID #304990-00

**EnvisionCR Element/Goal:** GreenCR Goal 1: Be stewards for the environment, promoting economic and social growth while restoring the relationship between the city and the natural environment.

**Background:** City Staff have identified the potential for flood mitigation and water quality initiatives in multiple locations across the City that appear to meet the objectives of this grant program and stormwater goals under iGreenCR.

**Action/Recommendation:** Staff recommends the City Council authorize execution of the grant application.

**Alternative Recommendation:** Not proceed with the project

**Time Sensitivity:** The deadline for this grant is November 20, 2015.

**Resolution Date:** November 3, 2015

**Budget Information:** This grant would provide up to \$60,000. The local match is \$4,000.

**Local Preference Policy:** NA

**Explanation:** This is a grant, and is not yet tied to a procurement process

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, through the iGreenCR initiative, the City of Cedar Rapids is committed to “implementing practices designed to reduce runoff and convey less polluted water into our creeks”, and

WHEREAS, the Environmental Protection Agency (EPA), hereafter “grantor”, has advertised a grant opportunity that aligns with that goal, providing up to \$60,000 to successful grantees, and

WHEREAS, City Staff have identified the potential for flood mitigation and water quality initiatives in multiple locations across the City that appear to meet the objectives of this grant program and stormwater goals under iGreenCR, and

WHEREAS, the portion of the match provided by the City would be \$4,000, and

WHEREAS, the grant, if awarded, will require a signed contract with the grantor,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk authorize submission of an Urban Waters Small Grants application to the Environmental Protection Agency (Federal Funding Opportunity Number: EPA-OW-IO-15-01), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to sign and take future action pertaining to this grant with the Environmental Protection Agency (EPA) associated with this project.

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MayorSignature

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ClerkSignature

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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Doug Wilson, PE      **Phone Number/Extension:** 5141  
**E-mail Address:** d.wilson@cedar-rapids.org

**Alternate Contact Person:** Glenn Vosatka, PE      **Phone Number/Extension:** 5821  
**E-mail Address:** glennv@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of Amendment No. 3 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$19,080 for design services in connection with the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road NW project (original contract amount was \$78,590; total contract amount with this amendment is \$141,265).  
 CIP/DID #325008-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** This project is the addition of a multi-use pathway along Edgewood Road NW from the end of the Ellis Trail at Ellis Road to O Avenue. The work will include design for construction and associated improvements.

This amendment covers design for modifications to additional traffic signals and pedestrian ramps at the intersection of O Avenue NW and Edgewood Road NW, resulting in an accessible intersection fully compliant with the American with Disability Act (ADA).

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 3 of the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$19,080.

**Alternative Recommendation:** Delay the modifications and risk being non-compliant with ADA regulations.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** Dept ID 325000, Project 325008, NA

**Local Preference Policy:** Yes

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, McClure Engineering Co. has been providing design services for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road NW project, and

WHEREAS, the City is adding the design of modifications to additional traffic signals and pedestrian ramps at the intersection of O Avenue NW and Edgewood Road NW, 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. 3 to the professional services agreement with McClure Engineering Co. in the amount of \$19,080 for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road NW project (Contract No. 325008-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$78,590
Amendment No. 1	\$35,015
Amendment No. 2	\$8,580
Amendment No. 3	\$19,080
	<hr/>
Amended Contract Amount	\$141,265

General ledger coding for this amendment to be as follows:

Fund 325, Dept ID 325000 Project 325008, NA	\$19,080
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MayorSignature

Attest:

ClerkSignature

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Cadd File Name: W:\PROJECTS\CP\325\325008 Edgewood Trail O Ave to Ellis Blvd\325008 Council Map.dwg



**EDGEWOOD ROAD NW MULTIUSE PATHWAY  
FROM O AVENUE TO ELLIS ROAD NW**







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5141

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

**Phone Number/Extension:** 5816

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing execution of a Professional Services Agreement with YTT Design Solutions, LLC for an amount not to exceed \$22,124 for engineering design and evaluation services in connection with the 30<sup>th</sup> Street SE From Mount Vernon Road to Pioneer Avenue Roadway Evaluation project (**Paving for Progress**).

CIP/DID #3012156-01

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**Background:** 30<sup>th</sup> Street SE from Seely Avenue SE to Crestview Drive SE is recommended for rehabilitation in 2015 in the Paving for Progress Master Plan. After their evaluation, Public Works/Street Operations determined roadway condition is such that it cannot be adequately rehabilitated by City forces. With its evaluation, the Engineering Division recommended extending the 30<sup>th</sup> Street SE work limits from Mount Vernon Road to Pioneer Avenue.

Since various rehabilitation or reconstruction options are possible for 30<sup>th</sup> Street SE, the Engineering Division recommends having a qualified engineering consultant perform detailed review of existing roadway and site conditions, and develop various options with associated costs, for the Engineering Division to review and make a recommendation. After a recommendation has been considered and selected, a second Professional Services Agreement to develop construction contract documents based on the selected option will follow. Preparation of construction contract documents are not considered a part of this agreement.

Taking qualifications and workload into consideration, the Engineering Division of the Public Works Department determined YTT Design Solutions, LLC is capable and available to develop construction contract documents.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with YTT Design Solutions, LLC.

**Alternative Recommendation:** The City of Cedar Rapids does not currently have the staff resources to design this project internally. The alternatives are to delay a project City staff is currently designing, or delay this project until City Staff has the resources available to proceed with design.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** FY 2016 3012156 SLOST

**Local Preference Policy:** NA

**Explanation:** Professional services

**Recommended by Council Committee:** NA

**Explanation:** Portions of roadway are included in Paving For Progress 10-Year Plan for work in 2015.

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the 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 City Engineer has determined YTT Design Solutions, LLC is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$22,124, and

WHEREAS, the City Engineer recommends the City enter into Contract No. 3012156-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds for 30<sup>th</sup> Street SE From Mount Vernon Road To Pioneer Avenue Roadway Evaluation project (Fund 301, Dept ID 301000, Project 3012156 SLOST),

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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012156 - 30th St SE fr. Mt. Vernon Rd to Pioneer Ave\3012156 Council Map.dwg



**30TH STREET SE FROM MOUNT VERNON ROAD  
TO PIONEER AVENUE ROADWAY EVALUATION**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Michael Duffy  
**E-mail Address:** m.duffy@cedar-rapids.org

**Phone Number/Extension:** 5873

**Alternate Contact Person:** Nate Kampman  
**E-mail Address:** n.kampman@cedar-rapids.org

**Phone Number/Extension:** 5628

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing execution of a 28E Agreement with Linn County Secondary Road Department for normal and routine maintenance along joint corporate limits.  
 CIP/DID #80-16-019

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** The Shared Road Maintenance Agreement (28E Agreement) with Linn County includes such work as granular surface grading, shoulder repair, minor surface repairs such as pothole repair, debris removal, pavement markings, illegal dumping clean up, and dead animal disposal. It does not include paving, sign replacement, seal coating, rock surfacing, full depth patching, scarification of seal coat surface, and grading.

**Action/Recommendation:** The Streets Division of the Public Works Department recommends the resolution authorizing the 28E Agreement with Linn County Secondary Road Department is approved.

**Alternative Recommendation:** If the resolution is not approved, there will not be a formal agreement in place between the City and the County on which jurisdiction maintains roadways in joint corporate limits, which may cause issues when maintenance is required.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:**

**Local Preference Policy:** (Click here to select)  
**Explanation:** NA

**Recommended by Council Committee:** (Click here to select)  
**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, for the benefit of the traveling public and the mutual benefit of the City of Cedar Rapids and Linn County, and

WHEREAS, to effectively deal with common street and road maintenance problems which occur on shared portions and are considered to be of a normal and routine nature, to enhance consistency of related traffic control measures and to provide a more cost effective maintenance program, and

WHEREAS, the City of Cedar Rapids desires to enter into a 28E Agreement with Linn County Secondary Road Department for normal and routine maintenance along joint corporate limits,

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 Shared Road Maintenance Agreement with the Linn County Secondary Road Department for normal and routine maintenance along joint corporate limits,

BE IT FURTHER RESOLVED, that this agreement shall supersede any previous shared road maintenance agreements and be in effect from the date of approval by the City Council and the Linn County Board of Supervisors and shall remain in effect until 30 days following either party providing a written notice for termination.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** [p.wieneke@cedar-rapids.org](mailto:p.wieneke@cedar-rapids.org)

**Alternate Contact Person:** Loren Snell

**Phone Number/Extension:** 5804

**E-mail Address:** [l.snell@cedar-rapids.org](mailto:l.snell@cedar-rapids.org)

**Description of Agenda Item:** Purchases, contracts and agreements

Resolution authorizing Change Order No. 11 in the amount of \$27,778.34 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2 project (original contract amount was \$1,815,564.20; total contract amount with this amendment is \$1,857,516.21) (**FLOOD**).

CIP/DID #SSD103-11

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 10 submitted by Ricklefs Excavating, Ltd.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3 2015

**Budget Information:** FEMA SSD103 FLOOD

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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. 11 in the amount of \$27,778.34 with Ricklefs Excavating, Ltd. for the SW Quadrant, 2008 Flood Area Sanitary Sewer Restoration, Phase 2, Part 2, project 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
Change Order No. 2	4,527.17
Change Order No. 3	3,708.77
Change Order No. 4	2,758.80
Change Order No. 5	7,378.14
Change Order No. 6	22,610.59
Change Order No. 7	17,537.97
Change Order No. 8	70,785.98
Change Order No. 9	9,487.10
Change Order No. 10	1,161.05
Change Order No. 11	27,778.34
Disincentive/Liquidated Damages	<u>(157,750.00)</u>
Amended Contract Amount	\$1,857,516.21

General ledger coding for this Change Order to be as follows: \$27,778.34 330-330210-18511-SSD103 FLOOD

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

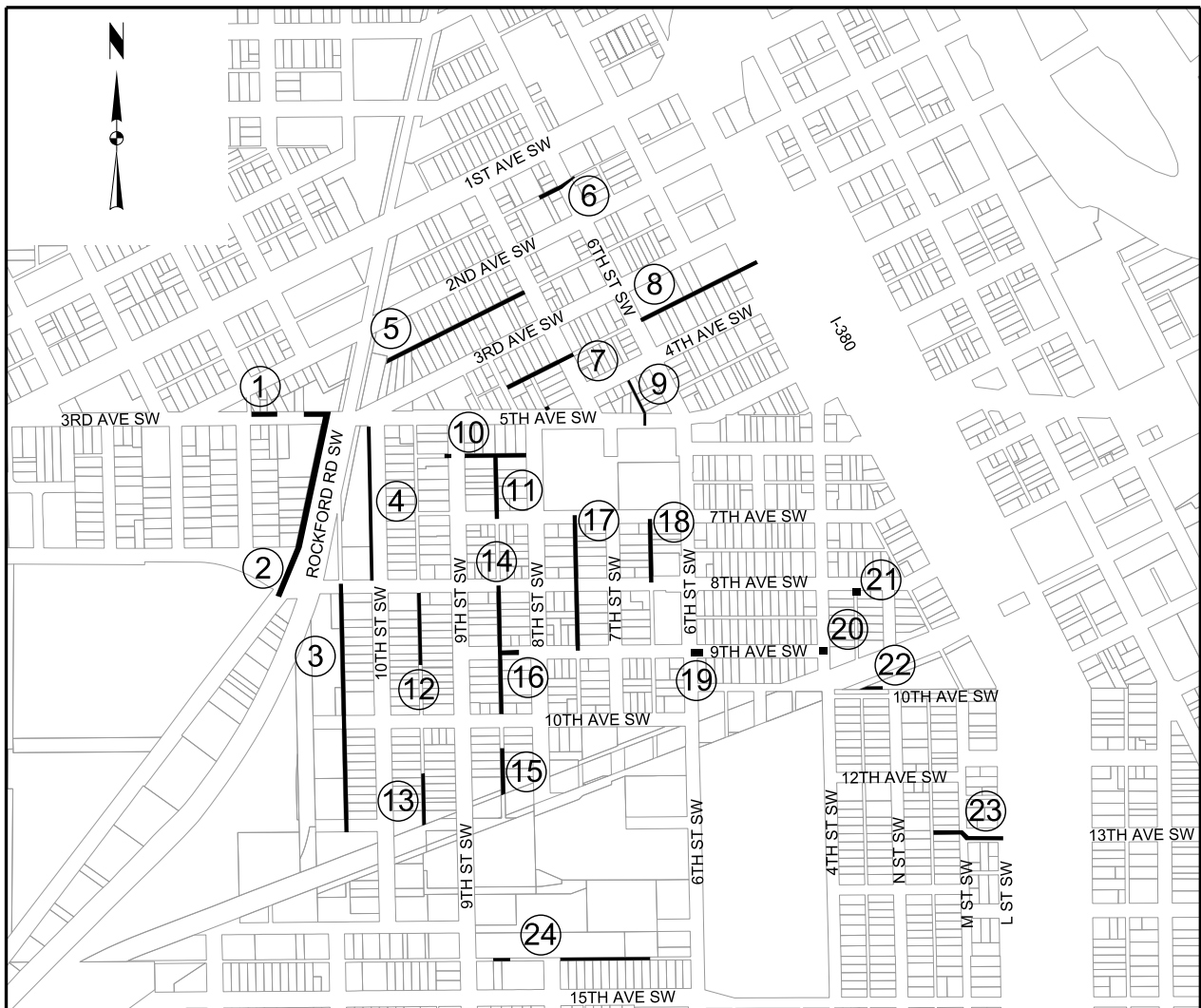
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# SW QUADRANT, 2008 FLOOD AREA SANITARY SEWER RESTORATION, PHASE II, PART 2

CONTRACT NUMBER SSD103-11

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

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



PROJECT LOCATION  
MAP & TABLE REFERENCE



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Description of Agenda Item:** Purchases, contracts and agreements

Authorizing Change Order No. 6 in the amount of \$15,584.54 with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project (original contract amount was \$874,227.25; total contract amount with this amendment is \$941,828.65) **(Flood)**.

CIP/DID #SSD102-05

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**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. 10" Portland Cement Pavement Repair increased because the manhole replacements on E Avenue and Code Road needed more room to perform the task due to unknown utilities.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 6 submitted by Dave Schmitt Construction Co., Inc.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** FEMA PW #SSD102 FLOOD

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$15,584.54, plus three additional working days with Dave Schmitt Construction Co., Inc. for the NE Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 1 project, Contract No. SSD102-05. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$841,227.25
Possible Incentive Value	33,000.00
Change Order No. 1	4,262.17
Change Order No. 2	3,095.25
Change Order No. 3	1,855.71
Change Order No. 4	9,890.65
Change Order No. 5	32,913.08
Change Order No. 6	<u>15,584.54</u>

Amended Contract Amount	\$941,828.65
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General ledger coding for this Change Order to be as follows: \$15,584.54 330-330210-18511-SSD102 FLOOD

PASSED\_DAY\_TAG

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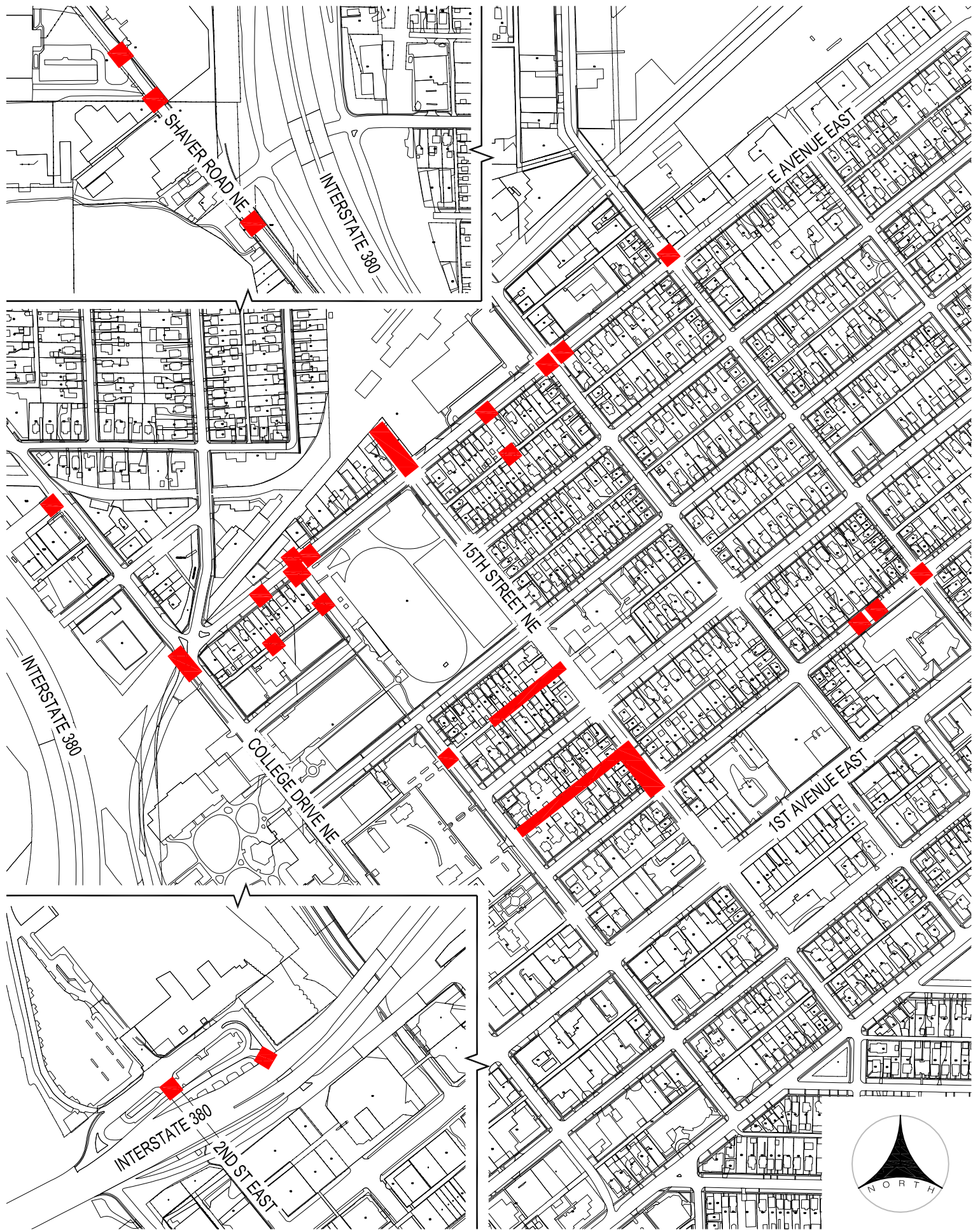
MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke  
**E-mail Address:** p.wieneke@cedar-rapids.org

**Phone Number/Extension:** 5848

**Alternate Contact Person:** Loren Snell, PE  
**E-mail Address:** l.snell@cedar-rapids.org

**Phone Number/Extension:** 5804

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing Change Order No. 5 in the amount of \$67,081.48 with Pirc-Tobin Construction, Inc. for the 4<sup>th</sup> Avenue SE Pavement Rehabilitation from 5<sup>th</sup> Street SE to 19<sup>th</sup> Street SE project (original contract amount was \$2,219,444.15; total contract amount with this amendment is \$2,709,315.83) **(Paving for Progress)**.  
 CIP/DID #3012080-02

**EnvisionCR Element/Goal:** ConnectCR Goal 4: Improve the function and appearance of our key corridors.

**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 Portland Cement Concrete (PCC) Driveway and Radius replacement was necessary to correct drainage and allow for ADA accessibility. The additional Hot Mix Asphalt (HMA) was necessary to match the new curb and gutter grades on the north side of 4<sup>th</sup> Avenue. A design change raised the grades of the new curb requiring additional asphalt to fill in the height change.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 5 submitted by Pirc-Tobin Construction, Inc.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 3012080-SLOST

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$67,081.48, with Pirc-Tobin Construction, Inc. for the 4<sup>th</sup> Avenue SE Pavement Rehabilitation from 5<sup>th</sup> Street SE to 19<sup>th</sup> Street SE project, Contract No. 3012080-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,189,444.15
Original Incentive Value	30,000.00
Change Order No. 1	181,628.65
Change Order No. 2	69,127.70
Change Order No. 3	44,383.96
Change Order No. 4	127,649.89
Change Order No. 5	<u>67,081.48</u>
Amended Contract Amount	\$2,709,315.83

General ledger coding for this Change Order to be as follows: \$67,081.48; \$62,772.48 301-301000-7970-3012080 SLOST, \$4,309 625-625000-625542-6252015055

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG









## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Alternate Contact Person:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements

Authorizing Change Order No. 3 in the amount of \$1,627.84 with BWC Excavating, LC for the Northeast Side School Routes Sidewalk Improvement Project (original contract amount was \$170,054; total contract amount with this amendment is \$214,440.61).

CIP/DID #301928-01

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 3 submitted by BWC Excavating, LC.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** CIP No. 301928 NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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. 3 in the amount of \$1,627.84 with BWC Excavating, LC for the Northeast Side School Routes Sidewalk Improvement Project, Contract No. 301928-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$165,954.00
Original Incentive Value	4,100.00
Change Order No. 1	10,362.91
Change Order No. 2	32,395.86
Change Order No. 3	1,627.84
Amended Contract Amount	<hr/> \$214,440.61

General ledger coding for this Change Order to be as follows: \$1,627.84 301-301000-30185-301928 NA

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





Cadd File Name: W:\PROJECTS\GIS\301928\301928-01\28-01\28-01 Council Map.dwg







## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

**Alternate Contact Person:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Description of Agenda Item:** Purchases, contracts and agreements  
 Change Order No. 3 specifying a Contract increase in the amount of \$9,327 with WRH, Inc. for the Cedar River East Floodwall PepsiCo/Quaker Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project (original contract amount was \$993,000; contract amount with this Change Order is \$1,074,577.82).  
 CIP/DID #330260-04

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** The City Council passed Resolution No. 1773-12-14 awarding the contract for the Cedar River East Floodwall PepsiCo/Quaker Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project. The Utilities Department intends to install connection points 'live' on the existing 36-inch Prairie Valley transmission main in advance of the construction of the east side floodwall. The floodwall plan proposes to incorporate a segment of 36-inch transmission main along the base of the wall which will need to connect to the existing transmission main.

The proposed Change Order includes 2 items. The items are for changes to the scope of work as defined in the Contract Documents including costs associated with additional rent for securing open excavations, traffic control, and temporary facilities due to postponement of work. It also covers cost to extend an existing valve for probable future use

Each contractor proposal (CAR) was reviewed by the Owner's and Engineer's designated representatives to ensure that the scope of the proposal is appropriate, and the pricing is reasonable.

**Action/Recommendation:** The Utilities Department – Water Division staff recommends approval of Change Order No. 3 in the amount of \$9,327 with WRH, Inc. for the Cedar River East Floodwall PepsiCo/Quaker Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project and that the City Manager and City Clerk be authorized to execute said Change Order.

**Alternative Recommendation:** None

**Time Sensitivity:** November 2, 2015

**Resolution Date:** November 2, 2015

**Budget Information:** This CIP project will be grant funded out of the CDBG / IDED Contract # 08-DRIEF-200CR and coded to 330-330260-18517-3302600006

**Local Preference Policy:** No

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, WRH, Inc. was awarded the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project (Contract No. 330260-04) by Resolution No. 1773-12-14 on December 16, 2014, and

WHEREAS, the Utilities Department – Water Division requested changes to the contract plans and specifications for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project, and

WHEREAS, Change Order No. 3 specifies a net increase in the amount of 9,327 for the additional work requested and includes two items. The items are for changes to the scope of work as defined in the Contract Documents including costs associated with additional rent for securing open excavations, traffic control, and temporary facilities due to postponement of work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order No. 3 in the amount of \$9,327 with WRH, Inc. for the Cedar River East Floodwall PepsiCo/Quaker Oats Area, Phase1 - Transmission Main Pressure Connections and Service Line Valve Installation project (Contract No. 330260-04) be hereby approved and that the City Manager and City Clerk be authorized to execute Change Order No. 3. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$ 993,000.00
Change Order No. 1	+ 24,734.82
Change Order No. 2	+ 47,516.00
Change Order No. 3	+ <u>9,327.00</u>
Amended Contract Amount	\$1,074,577.82

The project will be grant funded out of the CDBG / IDED Contract # 08-DRIEF-200CR and coded to 330-330260-18517-3302600006.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Steve Hershner  
**E-mail Address:** s.hershner@cedar-rapids.org

**Phone Number/Ext.:** 5281

**Alternate Contact Person:** Bruce Jacobs  
**E-mail Address:** b.jacobs@cedar-rapids.org

**Phone Number/Ext.:** 5913

**Description of Agenda Item:** Purchases, contracts and agreements  
 Change Order No. 3 in the amount of \$101,016.16 with Tricon General Construction for the J Avenue Water Plant Process Improvements – Phase 1 project (original contract amount was \$7,276,000; total contract amount with this amendment is \$7,455,483.33).  
 CIP/DID #6250026-02

**EnvisionCR Element/Goal:** ProtectCR Goal 3: Maintain and provide quality services to the community.

**Background:** The J Avenue Water Treatment plant was originally constructed in 1929. Additions were made to the plant in 1949, 1969, and 2009. Sound maintenance practices have kept the plant in good operating condition throughout its service life. However, the plant is starting to experience age related issues that are not readily correctable through preventative maintenance.

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

The proposed Change Order includes 12 items. The items are for changes to the scope of work as defined in the Contract Documents. Justification for each item is briefly described on the Change Order.

Each contractor proposal (COR) was reviewed by the Owner's and Engineer's designated representatives to ensure that the scope of the proposal is appropriate, and the pricing is reasonable.

**Action / Recommendation:** The Utilities Department – Water Division staff recommends approval of Change Order No. 3 in the amount of \$101,016.16 with Tricon General Construction for the J Avenue Water Plant Process Improvements – Phase 1 project and that the City Manager and City Clerk be authorized to execute said Change Order.

**Alternative Recommendation:** None

**Time Sensitivity:** November 2, 2015

**Resolution Date:** November 2, 2015

**Budget Information:** This CIP project is coded to 553000-625-625000-6250026.

**Local Preference Policy:** No

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

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Tricon General Construction was awarded the J Avenue Water Plant Process Improvements – Phase 1 public improvement project (Contract No. 6250026-02) by Resolution No. 0138-01-14 on January 28, 2014, and

WHEREAS, the Utilities Department – Water Division requested changes to the contract plans and specifications for the J Avenue Water Plant Process Improvements – Phase 1 project, and

WHEREAS, Change Order No. 3 specifies a net increase in the amount of \$101,016.16 for the additional work requested and includes 12 items. The items are for changes to the scope of work as defined in the Contract Documents.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Change Order No. 3 in the amount of \$26,626.41 for the J Avenue Water Plant Process Improvements – Phase 1 project (Contract No. 6250026-02) be hereby approved and that the City Manager and City Clerk be authorized to execute Change Order No 3. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$7,276,000.00
Change Order No. 1	+ 51,840.76
Change Order No. 2	+ 26,626.41
Change Order No. 3	+ 101,016.16
Amended Contract Amount	\$7,455,483.33

The Phase 1 project is included in FY14 thru FY16 Utilities Department - Water CIP budgets and funded from 553000-625-625000-6250026.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Loren Snell, PE

**Phone Number/Extension:** 5804

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

**Alternate Contact Person:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** p.wieneke@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements

Authorizing Change Order No. 3 in the amount of \$35,917.97 with Horsfield Construction, Inc. for the 19th Street SE Roadway & Utility Improvements from Mount Vernon Road SE to Glenway Drive SE project (original contract amount was \$1,212,355.30; total contract amount with this amendment is \$1,275,705.30) **(Paving for Progress)**.

CIP/DID #3012081-03

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**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 base 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 sidewalk replacement was necessary to correct noncompliant sidewalk facilities in the project area. This additional work was required to provide ADA compliant facilities along 19th Street and at the intersection with Mt. Vernon Road.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 3 submitted by Horsfield Construction, Inc.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** 3012081 Street LOST 7970

**Local Preference Policy:** NA

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

**Recommended by Council Committee: NA**  
**Explanation: NA**

RESOLUTION NO. LEG\_NUM\_TAG

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. 3 in the amount of \$35,917.97 with Horsfield Construction, Inc. for the 19th Street SE Roadway & Utility Improvements From Mount Vernon Road SE To Glenway Drive SE, Contract No. 3012081-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,172,355.30
Original Incentive Value	40,000.00
Change Order No. 1	5,412.00
Change Order No. 2	22,020.03
Change Order No. 3	<u>35,917.97</u>
Amended Contract Amount	\$1,275,705.30

General ledger coding for this Change Order to be as follows: \$31,917.97; \$31,409.37 301-301000-7970-3012081 SLOST, \$4,508.60 625-625000-625884-6252014090

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG

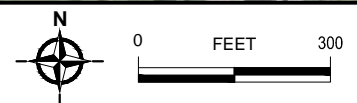




Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012081 - 19th St SE, Bever Ave SE, Garden Dr SE\3012081 Council Map.dwg



19TH STREET SE FROM  
MOUNT VERNON ROAD TO GLENWAY DRIVE SE  
IMPROVEMENT PROJECT







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Pat Wieneke

**Phone Number/Extension:** 5848

**E-mail Address:** [p.wieneke@cedar-rapids.org](mailto:p.wieneke@cedar-rapids.org)

**Alternate Contact Person:** Jason Junk

**Phone Number/Extension:** 5724

**E-mail Address:** [j.junk@cedar-rapids.org](mailto:j.junk@cedar-rapids.org)

**Description of Agenda Item:** Purchases, contracts and agreements

Authorizing Change Order No. 1 in the amount of \$56,244.47 with Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 2 project (original contract amount was \$496,955; total contract amount with this amendment is \$553,199.47) **(Paving for Progress)**.  
CIP/DID #301998-07

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**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 base 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 curb replacement was added on both sides of 16<sup>th</sup> St NW between 1<sup>st</sup> Avenue and Maple Drive. Additional sidewalk on Lasalle Drive NW was added to the contract. Increased topsoil due to added curb and sidewalk.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 1 submitted by Ti-Zack Concrete, Inc.

**Alternative Recommendation:** If Council does not approve the change order, payments due to the Contractor will accrue interest until approval of the Change Order occurs and payment is made.

**Time Sensitivity:** Normal

**Resolution Date:** November 3, 2015

**Budget Information:** Dept ID 301000, Project 301998, Street SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

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 \$56,244.47 with Ti-Zack Concrete, Inc. for the FY 2015 Curb Repair Project – Contract 2, Contract No. 301998-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$492,455.00
Original Incentive Value	4,500.00
Change Order No. 1	56,244.47
Amended Contract Amount	<hr/> \$553,199.47

General ledger coding for this Change Order to be as follows: \$56,244.47 301-301000-7970-301998 SLOST

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Sandy Pumphrey, PE, CFM  
**E-mail Address:** s.pumphrey@cedar-rapids.org

**Phone Number/Extension:** 5363

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

**Phone Number/Extension:** 5814

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$7,735,968.40 plus incentive up to \$120,000, bond and insurance of Municipal Pipe Tool Company, Inc. for the East Side Sanitary Sewer Interceptor Repairs project (estimated cost is \$6,500,000).  
 CIP/DID #SSD013-04

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Municipal Pipe Tool Company, Inc., Hudson, IA	\$7,735,944.62
Lametti & Sons, Inc., Hugo, MN	\$8,276,300.00
SAK Construction, LLC, O'Fallon, MO	\$9,364,795.00

Municipal Pipe Tool Company, Inc. submitted the lowest of the bids received on October 28, 2015 for the East Side Sanitary Sewer Interceptor Repairs project. Construction work is expected to begin this winter and anticipated to be completed by July 29, 2016.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Municipal Pipe Tool Company, Inc. was corrected to be \$7,735,968.40, based on the unit prices submitted and the correct bid quantity totals.

Municipal Pipe Tool Company, Inc., Hudson, IA	\$7,735,968.40
Incentive up to	<u>\$ 120,000.00</u>
Total	\$7,855,968.40

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$7,735,968.40 plus incentive up to \$120,000, bond and insurance of Municipal Pipe Tool Company, Inc. for the East Side Sanitary Sewer Interceptor Repairs project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after November 3, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** November 3, 2015

**Budget Information:** FEMA

**Local Preference Policy:** NA  
**Explanation:** CIP Project

**Recommended by Council Committee:** NA  
**Explanation:** NA



October 28, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the East Side Sanitary Sewer Interceptor Repairs, Contract Number SSD013-04

Dear City Council:

Bids were received on October 28, 2015 for the East Side Sanitary Sewer Interceptor Repairs project as follows:

Municipal Pipe Tool Company, Inc., Hudson, IA	\$7,735,944.62
Lametti & Sons, Inc., Hugo, MN	\$8,276,300.00
SAK Construction, LLC, O'Fallon, MO	\$9,364,795.00

The engineers cost opinion for this work is \$6,500,000. 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 "Sandy Pumphrey".

Sandy Pumphrey, P.E., CFM  
Project Engineer II – Flood Mitigation

SJP/cap

cc: Jennifer L. Winter, P.E. Public Works Director  
Nathan Kampman, P.E., City Engineer

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 6, 2015 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the East Side Sanitary Sewer Interceptor Repairs (Contract No. SSD013-04) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 10, 2015 pursuant to which a public hearing was held on October 20, 2015, and

WHEREAS, the following bids were received, opened and announced on October 28, 2015 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on November 3, 2015:

Municipal Pipe Tool Company, Inc., Hudson, IA	\$7,735,944.62
Lametti & Sons, Inc., Hugo, MN	\$8,276,300.00
SAK Construction, LLC, O'Fallon, MO	\$9,364,795.00

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of Municipal Pipe Tool Company, Inc. was corrected to be \$7,735,968.40, based on the unit prices submitted and the correct bid quantity totals, and

Municipal Pipe Tool Company, Inc., Hudson, IA	\$7,735,968.40
Incentive up to	<u>\$ 120,000.00</u>
Total	\$7,855,968.40

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$7,855,968.40 330-330240-18511-SSD013

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

1. The recitals contained hereinabove are found to be true and correct.
2. 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;
3. Municipal Pipe Tool 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;
4. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Municipal Pipe Tool Company, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Municipal Pipe Tool Company, Inc..
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;



BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





Cadd File Name: W:\PROJECTS\FLOODSSD013 - Historical Sewers\SSD013 Council Map.dwg





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Phone Number/Extension:** 5115

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$38,126.40 plus incentive up to \$4,800, bond and insurance of Pirc-Tobin Construction, Inc. for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair project (estimated cost is \$85,000). CIP/DID #6550019-01

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Pirc-Tobin Construction, Inc. Alburnett, IA	\$38,126.40
Incentive up to	\$ 4,800.00
Total	\$42,926.50
BG Brecke, Inc., Cedar Rapids, IA	\$54,992.02
Rathje Construction Co., Marion, IA	\$66,507.90
Borst Brothers Construction, Inc., Marion, IA	\$69,696.90
Ricklefs Excavating, Ltd., Anamosa, IA	\$78,025.00

Pirc-Tobin Construction, Inc. submitted the lowest of the bids received on October 21, 2015 for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair project. The bid is within the approved budget. Construction work is expected to begin this winter or spring 2016 and anticipated to be completed within 15 working days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$38,126.50 plus incentive up to \$4,800, bond and insurance of Pirc-Tobin Construction, Inc. for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after November 3, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** November 3, 2015

**Budget Information:** Fund 655, Dept ID 655000, Project 6550019 (\$105,130 NA)

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



October 21, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair, Contract Number 6550019-01

Dear City Council:

Bids were received on October 21, 2015 for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair project as follows:

Pirc Tobin Construction, Inc., Alburnett, IA	\$38,126.40
BG Brecke, Inc., Cedar Rapids, IA	\$54,992.02
Rathje Construction Co., Marion, IA	\$66,507.90
Borst Brothers Construction, Inc., Marion, IA	\$69,696.90
Ricklefs Excavating, Ltd., Anamosa, IA	\$78,025.00

The engineers cost opinion for this work is \$85,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in black ink, appearing to read "Garrett Prestegard".

Garrett Prestegard, P.E.  
Project Engineer I

GP/cap

cc: Jennifer L. Winter, P.E. Public Works Director  
Nathan Kampman, P.E., City Engineer

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 6, 2015 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 18<sup>th</sup> Street NW South of B Avenue Sanitary Sewer Point Repair (Contract No. 6550019-01) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 10, 2015 pursuant to which a public hearing was held on October 20, 2015, and

WHEREAS, the following bids were received, opened and announced on October 21, 2015 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on November 3, 2015:

Pirc-Tobin Construction, Inc. Alburnett, IA	\$38,126.40
Incentive up to	<u>\$ 4,800.00</u>
Total	\$42,926.50
 BG Brecke, Inc., Cedar Rapids, IA	 \$54,992.02
Rathje Construction Co., Marion, IA	\$66,507.90
Borst Brothers Construction, Inc., Marion, IA	\$69,696.90
Ricklefs Excavating, Ltd., Anamosa, IA	\$78,025.00

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$42,926.50 655-655000-6550019 NA;

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. Pirc-Tobin Construction, 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 Pirc-Tobin Construction, Inc. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Pirc-Tobin Construction, Inc.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and



BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

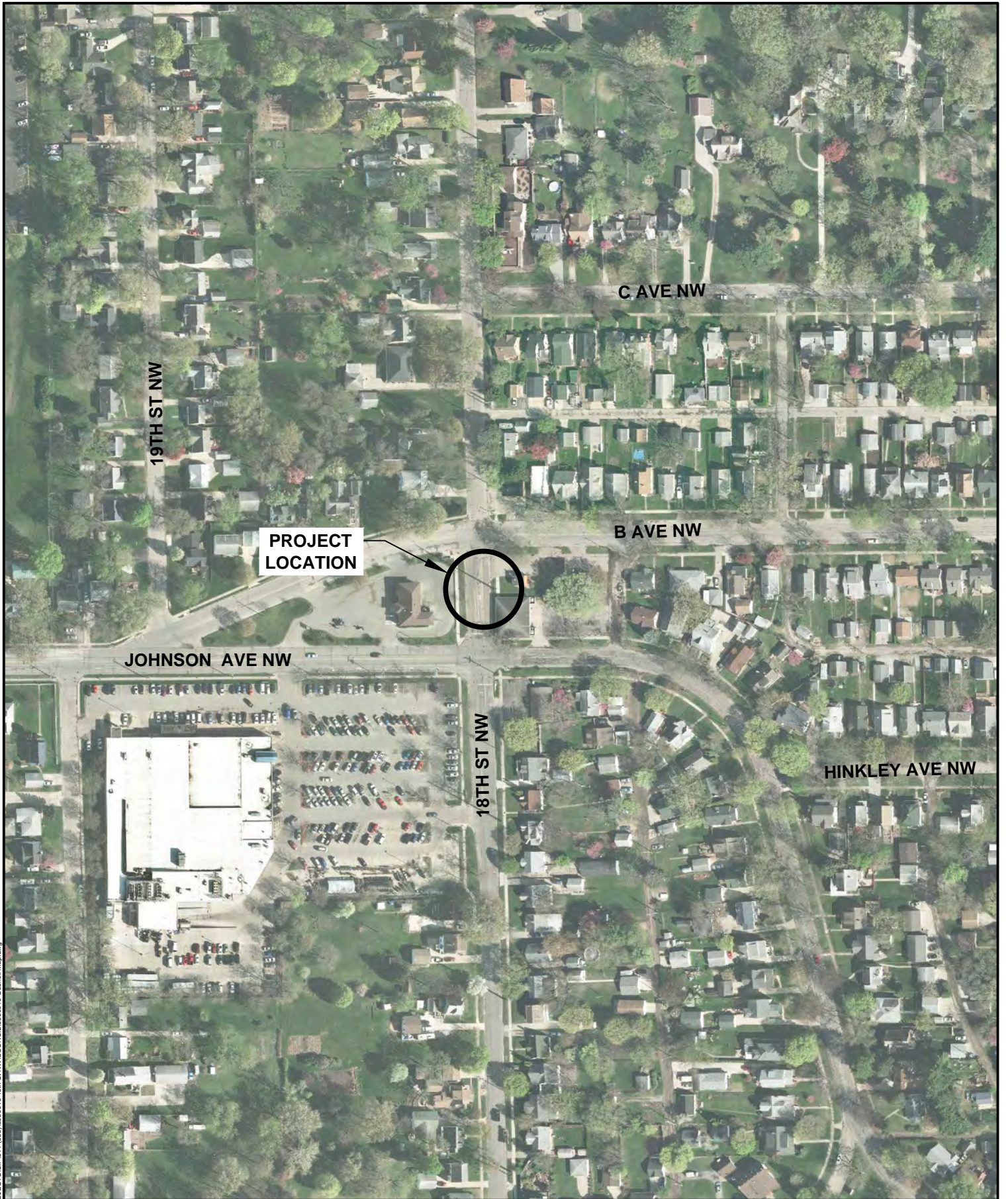
MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG





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## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

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

**Phone Number/Extension:** 5814

**Alternate Contact Person:** Garrett Prestegard, PE  
**E-mail Address:** g.prestegard@cedar-rapids.org

**Phone Number/Extension:** 5115

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$56,590 plus incentive up to \$2,000, bond and insurance of Ricklefs Excavating, Ltd. for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project (estimated cost is \$92,000).  
 CIP/DID #304440-02

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Ricklefs Excavating, Ltd., Anamosa, IA	\$56,590.00
Incentive up to	<u>\$ 2,000.00</u>
Total	\$58,590.00
Pirc-Tobin Construction, Inc., Alburnett, IA	\$67,821.05
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$72,264.58
Rathje Construction Company, Marion, IA	\$73,661.00
Zinser Grading & Excavating, LLC, Walford, IA	\$74,801.40
Dave Schmitt Construction, Cedar Rapids, IA	\$88,918.35
B.G. Brecke, Inc., Cedar Rapids, IA	\$91,965.35
Borst Brothers Construction, Inc., Marion, IA	\$92,357.50
Connolly Construction, Inc., Peosta, IA	\$98,965.55

Ricklefs Excavating, Ltd submitted the lowest of the bids received on October 28, 2015 for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project. The bid is within the approved budget. Construction work is expected to begin this spring 2016 and anticipated to be completed within 28 calendar days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$56,690 plus incentive up to \$2,000, bond and insurance of Ricklefs Excavating, Ltd. for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after November 3, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** November 3, 2015

**Budget Information:** Fund 304, Dept ID 304000, Project 304440 (\$132,245 NA)

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA



October 28, 2015

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements, Contract Number 304440-02

Dear City Council:

Bids were received on October 28, 2015 for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements project as follows:

Ricklefs Excavating, Ltd., Anamosa, IA	\$56,690.00
Pirc-Tobin Construction, Inc., Alburnett, IA	\$67,821.05
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$72,264.58
Rathje Construction Company, Marion, IA	\$73,661.00
Zinser Grading & Excavating, LLC, Walford, IA	\$74,801.40
Dave Schmitt Construction, Cedar Rapids, IA	\$88,918.35
B.G. Brecke, Inc., Cedar Rapids, IA	\$91,965.35
Borst Brothers Construction, Inc., Marion, IA	\$92,357.50
Connolly Construction, Inc., Peosta, IA	\$98,965.55

The engineers cost opinion for this work is \$92,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in black ink, appearing to read "Garrett Prestegard".

Garrett Prestegard, P.E.  
Project Engineer I

GCP/cap

cc: Jennifer L. Winter, P.E. Public Works Director  
Nathan Kampman, P.E., City Engineer



RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 16, 2015 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Jupiter Avenue NW West of Wiley Boulevard Drainage Improvements (Contract No. 304440-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 10, 2015 pursuant to which a public hearing was held on October 20, 2015, and

WHEREAS, the following bids were received, opened and announced on October 28, 2015 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on November 3, 2015:

Ricklefs Excavating, Ltd., Anamosa, IA	\$56,590.00
Incentive up to	<u>\$ 2,000.00</u>
Total	\$58,590.00
Pirc-Tobin Construction, Inc., Alburnett, IA	\$67,821.05
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$72,264.58
Rathje Construction Company, Marion, IA	\$73,661.00
Zinser Grading & Excavating, LLC, Walford, IA	\$74,801.40
Dave Schmitt Construction, Cedar Rapids, IA	\$88,918.35
B.G. Brecke, Inc., Cedar Rapids, IA	\$91,965.35
Borst Brothers Construction, Inc., Marion, IA	\$92,357.50
Connolly Construction, Inc., Peosta, IA	\$98,965.55

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$58,590 304-304000-304440 NA;

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Ricklefs Excavating, Ltd. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Ricklefs Excavating, Ltd. is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Ricklefs Excavating, Ltd.
4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

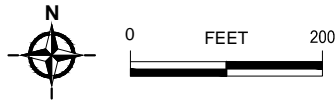
ClerkSignature

LEG\_TABLED\_TAG



PROJECT  
LOCATION

**JUPITER AVENUE NW WEST OF WILEY  
BOULEVARD DRAINAGE IMPROVEMENTS**







## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting** Dave Wallace, PE **Phone Number/Extension:** 5814  
**E-mail Address:** d.wallace@cedar-rapids.org

**Alternate Contact Person:** Loren Snell, P.E. **Phone Number/Extension:** 5804  
**E-mail Address:** [l.snell@cedar-rapids.org](mailto:l.snell@cedar-rapids.org)

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$2,220,183.50 plus incentive up to \$17,000, bond and insurance of Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project (estimated cost is \$2,690,000) **(FLOOD)**.

CIP/DID #SSD101-09

**EnvisionCR Element/Goal:** ProtectCR Goal 1: Protect Cedar Rapids from flooding and other hazards.

**Background:**

Rathje Construction Company, Marion, IA	\$2,220,183.50
Incentive up to	\$ 17,000.00
Total	\$2,237,183.50
 Tschiggfrie Excavating, Dubuque, IA	 \$2,983,051.45

Rathje Construction Company submitted the lowest of the bids received on October 28, 2015 for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project. The bid is within the approved budget. Construction work is expected to begin this winter and anticipated to be completed within 200 calendar days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$2,220,183.50 plus incentive up to \$17,000, bond and insurance of Rathje Construction Company for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after November 3, 2015 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** November 3, 2015

**Budget Information:** FEMA PW # SSD101-09 FLOOD (\$3,524,960)

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on October 6, 2015 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the NW Quadrant, 2008 Flood, Sanitary Sewer Repairs, Phase 2, Bid Package 3 (Contract No. SSD101-09) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on October 10, 2015 pursuant to which a public hearing was held on October 20, 2015, and

WHEREAS, the following bids were received, opened and announced on October 28, 2015 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on November 3, 2015:

Rathje Construction Company, Marion, IA	\$2,220,183.50
Incentive up to	\$ 17,000.00
Total	\$2,237,183.50

Tschiggfrie Excavating, Dubuque, IA	\$2,983,051.45
-------------------------------------	----------------

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$2,237,183.50 330-330240-18511-SSD101 FLOOD,

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 approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Rathje Construction Company is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to 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\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Caleb Mason

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

**E-mail Address:** [c.mason@cedar-rapids.org](mailto:c.mason@cedar-rapids.org)

**Alternate Contact Person:** Jennifer Pratt

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

**E-mail Address:** [j.pratt@cedar-rapids.org](mailto:j.pratt@cedar-rapids.org)

**Description of Agenda Item:** REGULAR AGENDA

Discussion and Resolution of support providing City participation under the City's High Quality Job and Green Building Program for the construction of a new office and warehouse facility at 335 French Court SW as requested by Miron Construction Co., Inc. and Commercial Horizons CIP/DID #TIF-0003-2015

**EnvisionCR Element/Goal:** InvestCR Goal 1: Expand economic development efforts to support business and workforce growth, market Cedar Rapids, and engage regional partners.

**Background:** The Resolution authorizes City participation of 10-years, 75% Tax Increment Financing to assist in the construction of a new office and warehouse facility at 335 French Court SW. The authorization of City participation is conditioned on establishing an Urban Renewal Area,

The City has received a request for City participation under the High Quality Jobs and Green Building Programs from Miron Construction Co., Inc. as tenant and Commercial Horizons the landlord.

The proposed project includes construction of a 12,000 square foot LEED-certified office building and 6,800 square foot warehouse facility to house the office and construction operations of Miron Construction, Inc. with a total estimated investment of \$4.0 million. Miron's project will consolidate its eastern Iowa office and construction operations, part of which is located within Cedar Rapids' corporate limits. The site will allow for future expansion capabilities.

To qualify for City assistance, Miron must add 10 or more employees whose pay is at or above the State's labor shed wage threshold for the High Quality Jobs program. Additionally, to receive the incentive boost provided under the City's Green Building program, the development is required to be LEED certified, as is being proposed.

The next steps will include establishing an Urban Renewal Area/TIF District at the site based on the following schedule:

- 11/03/15 Setting the public hearing
- 11/18/15 Consultation with affected taxing agencies

- 12/03/15 City Planning Commission Review
- 12/15/15 Public hearing and introduction of First Reading
- 1/12/16 Second and possible Third Reading

**Action/Recommendation:** City staff recommends approval of the Resolution.

**Alternative Recommendation:** City Council may table and request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** November 3, 2015

**Budget Information:** N/A

**Local Preference Policy:** NA  
**Explanation:**

**Recommended by Council Committee:** NA  
**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids has received a request by Miron Construction, Inc. and Commercial Horizons for City participation under the City's High Quality Jobs and Green Building programs for the construction of a new office building and warehouse facility; and

WHEREAS, the City Council supports such activities which promote and facilitate economic development objectives of the City, including growth of existing businesses; and

WHEREAS, the proposed financial assistance will be used to aid in the construction of a new 12,000 square foot LEED-certified office building and 6,800 square foot warehouse , and create at least ten (10) new jobs which qualify under the State's High Quality Jobs wage threshold;

WHEREAS, the estimated total investment in the project is \$4,000,000;

WHEREAS, the project qualifies for the City's High Quality Jobs and Green Building Program, subject to meeting all qualifications for the programs;

WHEREAS, the following project characteristics are consistent with City Council goals and combine to establish the public purpose and overall benefit to the community:

- Job creation
- Green building practices
- Economic grow in areas with existing infrastructure

WHEREAS, the City Council desires to express its support for the Miron Construction project as provided for herein.

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

1. The request for 10-year, 75% tax increment financing is approved, subject to meeting all required legislative procedures and requirements of the High Quality Jobs and Green Building programs, and approval of a Development Agreement.
2. The City Manager, or designee, is hereby authorized to initiate all applicable proceedings under Iowa Code to provide City financial support of 10-years, 75% tax increment financing.
3. The City Manager, or designee, is hereby authorized to negotiate a Development Agreement securing City participation in the project and at such time the terms and conditions of the agreement are clear and definite that it be brought to the City Council for consideration.



PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

Attest:

MayorSignature

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Kirsty Sanchez  
**E-mail Address:** [k.sanchez@cedar-rapids.org](mailto:k.sanchez@cedar-rapids.org)

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

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

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

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the T.U.S.K., LLC Urban Revitalization Area designation at 1010 3<sup>rd</sup> Street SE.  
 CIP/DID #URTE-0006-2015

**EnvisionCR Element/Goal:** GrowCR Goal 1: Encourage mixed-use and infill development.

### Background:

A request has been submitted by T.U.S.K., LLC for an Urban Revitalization Property Tax Exemption designation for the proposed rehabilitation and addition to the former White Elephant building at 1010 3<sup>rd</sup> Street SE. The project qualifies for the City's Core District Reinvestment Program.

### Project Details:

- Renovation of existing 1,200 square feet of commercial space
- Construction of 1,200 square feet of retail space and 2,400 square feet of office space
- 3 new jobs
- Finished project will be occupied by owner and new leasing tenants
- \$435,900 total investment

### Benefits to the Community:

- Infill redevelopment that utilizes existing infrastructure and services
- Rehabilitation of a historic building
- Commercial and retail redevelopment in the core district consistent with City Council goals of creating a vibrant community

The partial tax exemption is a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. Based on the scope of the proposed project, the increased assessed value for the facility is estimated at \$305,130. This assessed value would generate \$11,595 in property tax revenue annually. Under the sliding scale URTE schedule the project will generate an estimated \$64,932 in total tax revenues and \$51,018 deferred as tax exempt over the 10-year period.

The proposed project was reviewed by the Czech Bohemia Design Review Technical Advisory Committee on September 14, 2015. The Committee recommended installing windows on the

South East side of the building to provide more visual interest. City Planning Commission reviewed the Preliminary Site Development Plan for the project on September 24, 2015 and approved the Plan with the condition that the applicant adds windows to the South East side of the building.

**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:** October 20, 2015

**Budget Information:** Based on a projected increased taxable value of \$305,130 generated by the tenant improvements, the estimated total over the ten-year period is \$51,018 deferred as tax exempt and \$64,932 of new property tax generated.

**Local Preference Policy:** NA  
**Explanation:**

**Recommended by Council Committee:** NA  
**Explanation:**

Community Development  
101 First Street SE  
Cedar Rapids, IA 52401  
tel 319.286.5428



## Economic Development Program Application

### CONTACT INFORMATION

Who is the primary contact person for this application?

- ☒ the owner(s) of the property (fill in left section only)  
☐ different applicant (fill in both sections)

Property Owner/Business: T.U.S.K. LLC  
Contact Person: Jamey Stroschine, President  
Mailing Address: 3627 Honey Hill Dr. SE  
City/State/ZIP: Cedar Rapids, IA 52403  
Phone Number: 319-329-5098  
Email: jdstroschine@gmail.com

Applicant: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City/State/ZIP: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Email: \_\_\_\_\_

### PROJECT INFORMATION

What is the proposed use for the project?

- ☐ Residential ☒ Commercial / Industrial ☐ Mixed Use

Property Address: 1010 3rd St. SE  
Current Zoning: Commercial Proposed Zoning: \_\_\_\_\_  
Total Acreage: 0.1

Estimated Project Cost: \$435,900  
Construction Start Date: Sep. 2015 End Date: Apr. 2016  
# Jobs Created: 3 # Jobs Retained: \_\_\_\_\_

Describe project, including total square footage, whether the project is a new construction, addition, or remodel. For housing projects, describe whether the project is owner occupied or rental, # units, # bedrooms.

Project scope involves rehabilitation of former White Elephant building commercial structure (~1200 SF) and new construction of retail (~1200 SF) and office space (~2400 SF). Finished project will be occupied by owner and new leasing tenants.

Please Attach the Following:

- ☒ Colored Renderings (all 4 sides) ☒ Site Plan ☒ Detailed Legal Description ☐ Other Supporting Information

### INCENTIVE INFORMATION

What program does the project qualify for?

- ☐ Core District Reinvestment  
☐ High Quality Jobs  
☐ Large Site Master Plan  
☐ Historic Preservation  
☒ Brownfield/Grayfield  
☐ Commercial Reinvestment  
☐ Local Match  
☐ Green Building  
☐ Community Benefit (fill out section on right)

Explain how project qualifies for Community Benefit Program:

Project scope is to renovate a community landmark, the White Elephant building, and construct additional commercial space. Site is currently un-occupied and seriously dilapidated. Efforts will significantly improve the current visual aesthetic and increase property value by more than 800%

Are you applying for state or federal incentives? ☐ Yes ☒ No  
If yes, which program(s) \_\_\_\_\_

### SUBMITTAL

I have completed this form to the best of my knowledge and authorize the City of Cedar Rapids to process this application. I understand that an incomplete application may result in a delay. I acknowledge that the City reserves the right to require additional information. I understand that this application becomes public information once submitted to the City of Cedar Rapids.

Signature: Jamey Stroschine  
Date: 28 Aug 2015

PROJECT # URTE-0006-2015 RECEIVED ON 8/28/15 BY Kinty Gada







**West Elevation**

SCALE: 1/4" = 1'-0"



**East Elevation**

SCALE: 1/4" = 1'-0"



REVISION	DATE
1	8.24.2015

**White Elephant Addition and Restoration**

3rd St., SE, Cooke Springs, Iowa

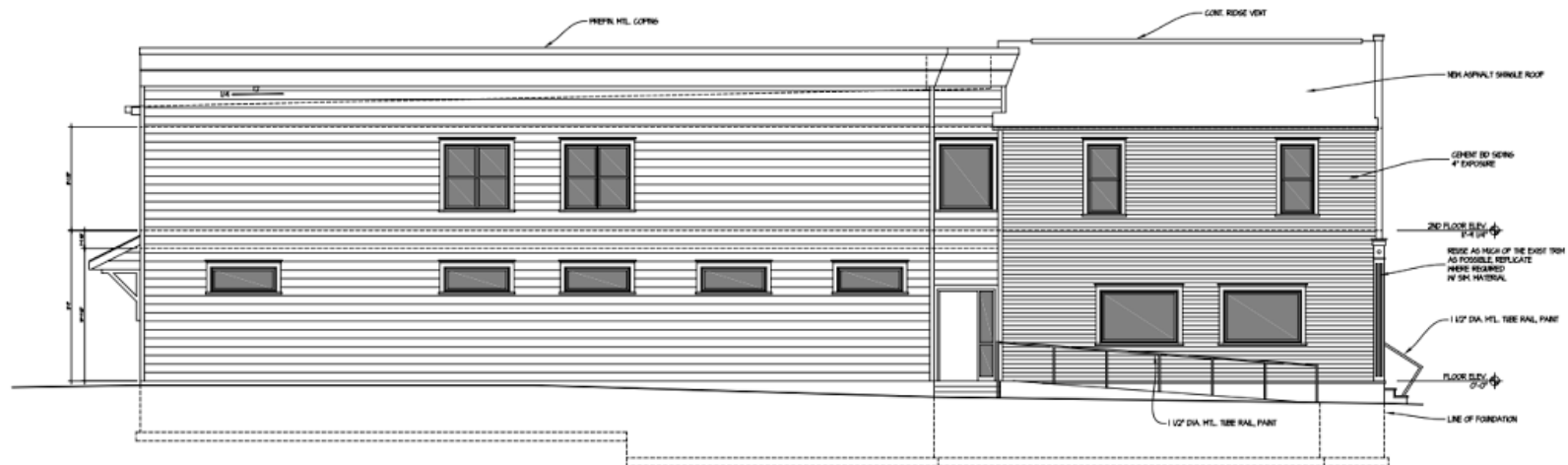
Design Drawings, Inc.  
1000 2nd Ave. SE, Suite 202  
Cooke Springs, Iowa 52403-2028  
Tel: 563-266-0400  
Fax: 563-266-0768  
E-mail: DDI@DesignDrawings, Inc.



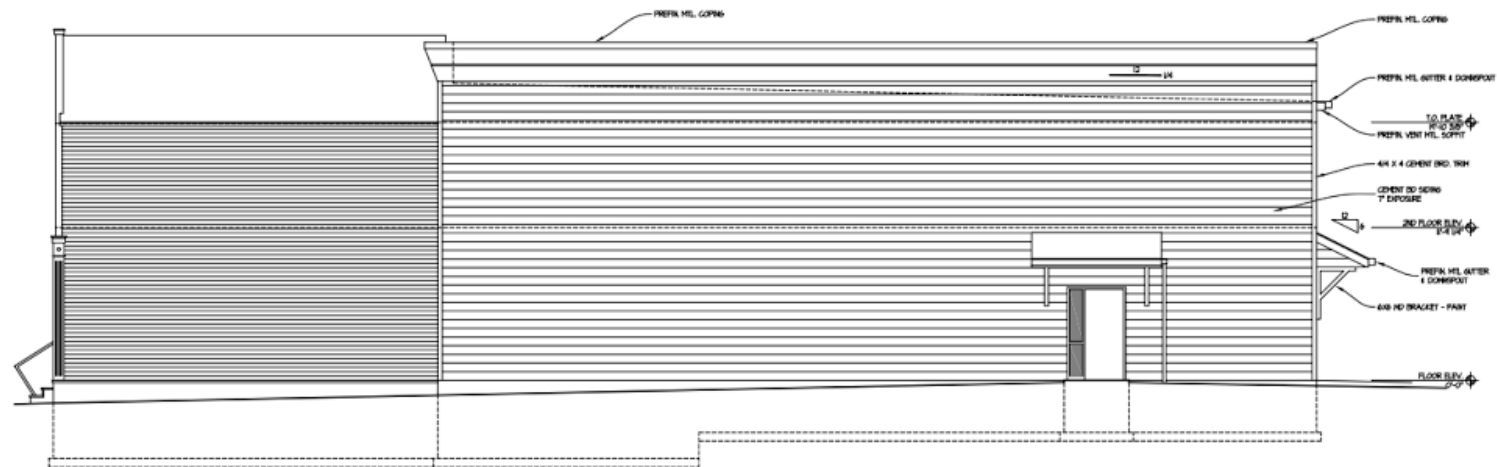
© 2011 Design Drawings, Inc.

PROJECT NO. ELEV-03645





North Elevation  
SCALE: 1/4" = 1'-0"



South Elevation  
SCALE: 1/4" = 1'-0"



White Elephant Addition and Restoration  
3rd St., SE, Cedar Rapids, Iowa

Design: [illegible]  
3000 2nd Ave., SE, Suite 202  
Cedar Rapids, IA 52402-2022  
Tel: 319.247.0000  
Fax: 319.247.0000  
Email: [illegible]



© 2015 Design Dynamics, Inc.  
ELEVATIONS  
A.6  
DESIGNED BY [illegible]  
08 MAY 2015

ORDINANCE NO. LEG\_NUM\_TAG

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 105 and the addition of a new Division 103 as follows:

“Division 105. T.U.S.K. LLC.” October 20, 2015 Resolution No. 1459-10-15

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 106 as follows:

“Division 106. (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 20th day of October, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Vern Zakostelecky  
**E-mail Address:** v.zakostelecky@cedar-rapids.org

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

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 Ordinance granting a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District with a Preliminary Site Development Plan for property at 107 and 109 4<sup>th</sup> Avenue SW, 404, 406, 416, 418, 422, 424 and 426 1<sup>st</sup> Street SW and 108 5<sup>th</sup> Avenue SW as requested by Hobart Historic Restoration and the City of Cedar Rapids.  
 CIP/DID # RZNE-021491-2015

<b>EnvisionCR Element/Goal:</b> GrowCR Goal 1: Encourage mixed-use and infill development.
--

**Background:** The request for rezoning of this property was reviewed by the City Planning Commission on September 24, 2015. The Commission unanimously recommended approval of the Rezoning and the Preliminary Site Development Plan.

The applicant is requesting rezoning to allow for development of a mixed use six story building. The development would include commercial uses on the ground floor and residential dwellings on the other five floors. The Future Land Use Map in EnvisionCR, the City's Comprehensive Plan shows the property as "Downtown" Land Use Typology Area.

The Preliminary Site Development Plan consists of the following:

- Total site is .963 acres.
- Total -11,480 s. f. of Commercial space on 1<sup>st</sup> floor.
- 37 residential dwelling units.
- Total parking provided is 95 spaces including 3 handi-capped spaces.
- Access is from the public alley.
- New 6' sidewalks provided along all three public streets.
- Underground storm water management.
- 

**Application Process/Next Steps:**

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on September 24, 2015 and recommended approval on a 6 to 0 vote. A portion of the minutes</li> </ul>

review	<p>are attached.</p> <ul style="list-style-type: none"> <li>• There were no objectors.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <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 approval of a Second and possible Third Reading.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** N/A

**Resolution Date:** N/A

**Budget Information:** N/A

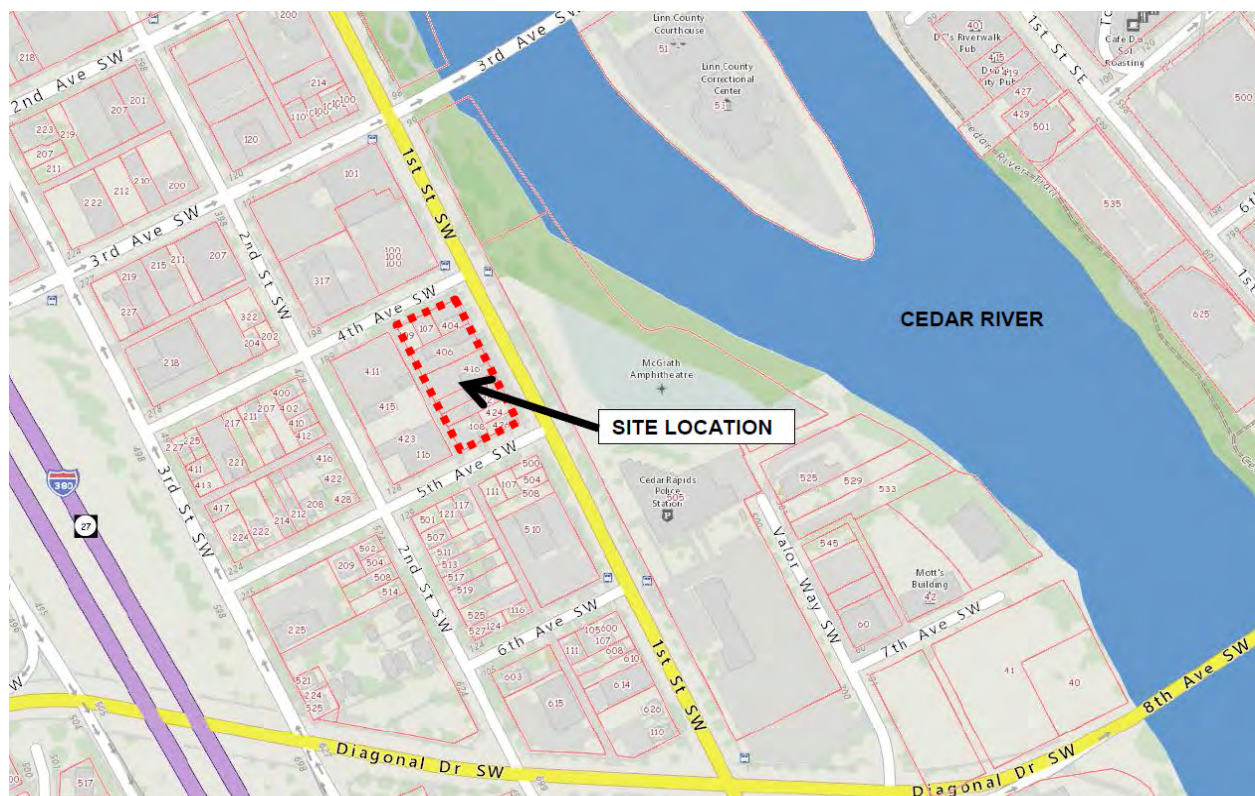
**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

### Location Map







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

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<p style="text-align: center;"><b>MINUTES OF CITY PLANNING COMMISSION MEETING Thursday, September 24, 2015 @ 3:00 p.m. Cedar Rapids City Hall Council Chambers, 101 First Street SE</b></p>
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Members Present:     Scott Overland, Chair  
                               Jim Halverson, Vice Chair  
                               Virginia Wilts  
                               Samantha Dahlby  
                               Richard Pankey  
                               Dominique Blank  
                               Bill Hunse

Members Absent:     Kim King  
                               Carletta Knox-Seymour

DSD Staff:             Joe Mailander, Manager  
                               Vern Zakostelecky, Zoning Administrator  
                               Dave Houg, Plats & Zoning Conditions Coordinator  
                               Chris Strecker, Civil Engineer  
                               Johnny Alcivar, Development Services Specialist

CD Staff:                Jeff Hintz, Planner  
                               Bill Micheel, Assistant Director  
                               Betty Sheets, Administrative Assistant

### **Call Meeting to Order**

The meeting was called to order at 3:03 p.m.

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

### **Roll Call**

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

### **A. Approval of the Minutes**

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the September 10, 2015 Minutes stand approved.

### **B. Adoption of the Agenda**

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

### **C. Action Items**

#### **1. Case Name: 107 and 109 4<sup>th</sup> Avenue SW; 404, 406, 416, 418, 422, 424 and 426 1<sup>st</sup> Street SW and 108 5<sup>th</sup> Avenue SW (Rezoning W/Preliminary Site Development Plan)**

Consideration of a change of zone from C-3, Regional Commercial Zone District to C-4, Central Business Zone District and approval of a Preliminary Site Development Plan as requested by Hobart Restoration (Applicant) and City of Cedar Rapids (Titleholders)  
***Case No: RZNE-021491-2015; Case Manager: Vern Zakostecky***

Mr. Zakostecky stated the applicant is requesting rezoning to allow for development of a mixed use six story building on City-owned property. The development would include commercial uses on the ground floor and residential dwellings on the other five floors. The Future Land Use Map in EnvisionCR, the City's Comprehensive Plan shows the property as "Downtown" Land Use Typology Area. Mr. Zakostecky presented General Information, Zoning Map, Aerial View, Site Plan, and two Renderings (front and back).

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

Commissioner Overland called for a representative of the applicant.

Mike Dryden, Ament Design 1428 29<sup>th</sup> Street NE, Al Varney, Ament Design, 625 32<sup>nd</sup> Avenue SW and B. J. Hobart, Hobart Restoration, 3330 Southgate

Commissioner Halverson left the meeting at 4:06 pm

Commissioner Overland called for questions of the applicant.

Commissioner Hunse asked how the deliveries to the commercial properties would be delivered. Mr. Varney stated that there is access through the elevator lobby in the back to a corridor inside the back of the building.

Commissioner Blank asked about the units being partially owner occupied. Mr. Varney stated that currently levels 2, 3 4 are rental and levels 5 and 6 are owner occupied.

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. Commissioner Hunse made a motion to approve change of zone from I-1, Light Industrial Zone District to R-3, Single Family Residence Zone District with a Preliminary Site Development Plan. Commissioner Blank 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.

New Business

- Storm Water Commission update – Stacie Johnson

The PowerPoint presentation was emailed to all Commissioners following the meeting for their information.

The meeting was adjourned at 4:40 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development

ORDINANCE NO. LEG\_NUM\_TAG

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

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

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

Lots 1 through 5, Block 14, West Cedar Rapids, formerly Village or Town of Kingston,  
Linn County, Iowa

and located at 107 and 109 4th Avenue SW; 404, 406, 416, 418, 422, 424 and 426 1st Street  
SW and 108 5th Avenue SW, now zoned C-3, Regional Commercial Zone District, and as  
shown on the "District Map," be rezoned and changed to C-4, Central Business Zone District,  
and that the property be used for such purposes as outlined in the C-4, Central Business Zone  
District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met  
or a variance must be obtained.
2. Landscaping and buffering/screening shall be provided per the Zoning Ordinance,  
Subsection 32.05.030.A.
3. 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. The location and design of each  
enclosure shall be shown on the Administrative Site Plan and shall be approved prior to  
issuance of structural building permits. Preliminary building permits for site preparation,  
installation of utilities, and foundations may be issued prior to approval of the enclosure.  
Please note that chain link with privacy slats does not satisfy this requirement.

4. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.
5. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
6. This site shall be developed in compliance with the provisions of the Flood Plain Management Ordinance.
7. The project requires review by the Kingston Village Overlay District Design Review Technical Advisory Committee.
8. Said lots are to be combined so as to constitute a single zoning lot and tax parcel.
9. Parking areas shall be screened on each side adjoining a public street.
10. 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.

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 20th day of October, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



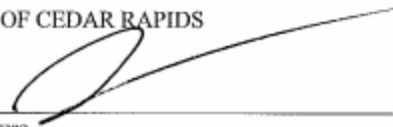
ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO. \_\_\_\_\_

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 25th day of September, 2015.

CITY OF CEDAR RAPIDS

  
\_\_\_\_\_  
Signature

Jeffrey A. Pomeranz  
\_\_\_\_\_  
Printed name

City Manager  
\_\_\_\_\_  
Printed title



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Johnny Alcivar  
**E-mail Address:** j.alcivar@cedar-rapids.org

**Phone Number/Ext.:** 319 286-5132

**Alternate Contact Person:** Joe Mailander  
**E-mail Address:** j.mailander@cedar-rapids.org

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

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
 Ordinance granting a change of zone from I-1, Light Industrial Zone District, and RMF-1, Residential Multi-Family Zone District, to C-2, Community Commercial Zone District with a Preliminary Site Development Plan for property at 1005 3<sup>rd</sup> Avenue SW and 328 Rockford Road SW as requested by JABAM LLC.  
 CIP/DID # RZNE-020591-2015

<p><b>EnvisionCR Element/Goal:</b> GrowCR Goal 1: Encourage mixed-use and infill development.</p>
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**Background:** The request for rezoning of this property was reviewed by the City Planning Commission on September 24, 2015 and approval was recommended unanimously.

This is a request to rezone 1.06 acres to the C-2 Zoning District to allow the property to be redeveloped for multi-use purposes. The properties are currently zoned I-1 and RMF-1, the proposed redevelopment plan is to allow a mix of commercial and residential uses. The property is identified as “Urban Medium-Intensity” on the City’s Future Land Use Map in EnvisionCR, the City’s Comprehensive Plan. The land has been utilized for commercial purposes currently housing a locksmith and was previously used as a convenience store and also a consignment store. The proposed uses will be a mix of retail, commercial and residential space. The proposed development includes 64 on-site parking spaces.

### Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> <li>City staff reviewed the application and recommended revisions, which were made.</li> </ul>
City Planning Commission review	<ul style="list-style-type: none"> <li>The City Planning Commission reviewed the application on September 24, 2015 and recommended approval on a 7 to 0 vote. A portion of the minutes are attached.</li> <li>There were no objectors.</li> </ul>
City Council consideration	<ul style="list-style-type: none"> <li>A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for October 20, 2015.</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 approval of a Second and possible Third Reading.

**Alternative Recommendation:** City Council may table and request further information.

**Time Sensitivity:** NA

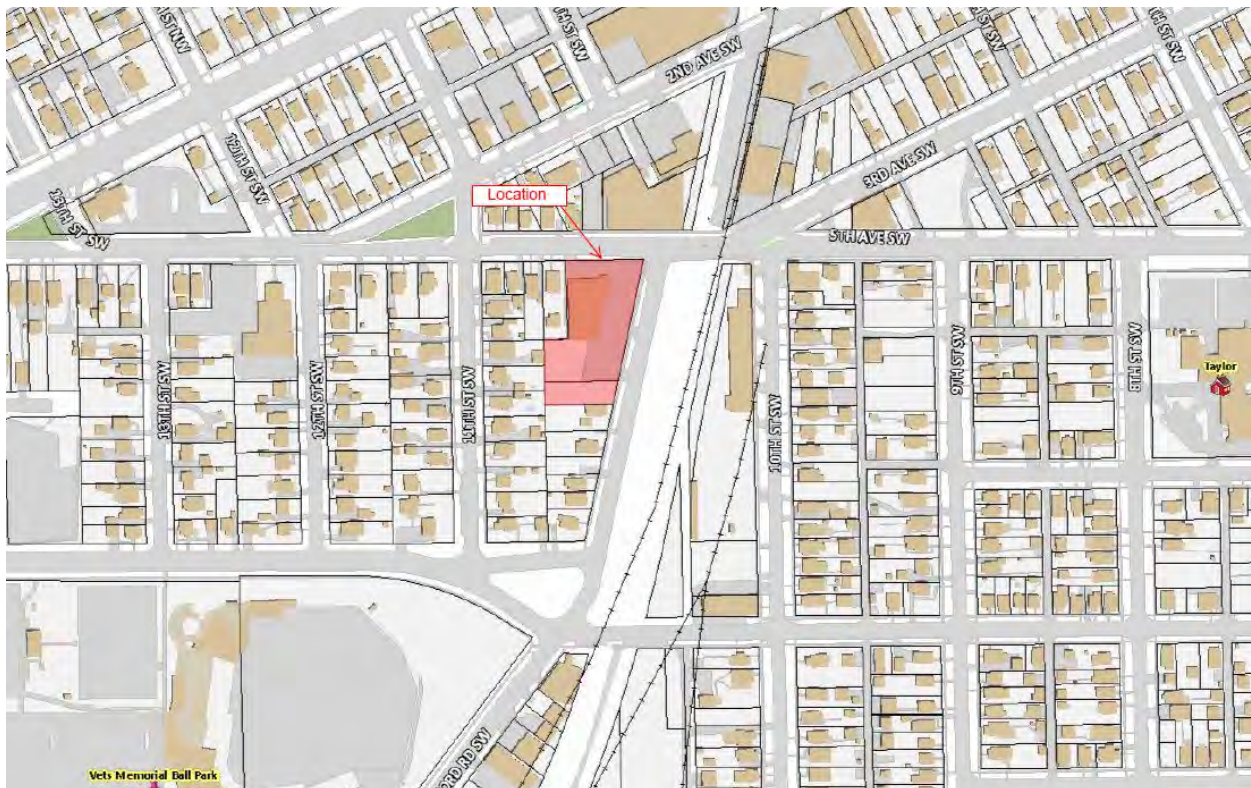
**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

### Location Map



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**MINUTES OF  
CITY PLANNING COMMISSION MEETING  
Thursday, September 24, 2015 @ 3:00 p.m.**

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

Members Present: Scott Overland, Chair  
Jim Halverson, Vice Chair  
Virginia Wilts  
Samantha Dahlby  
Richard Pankey  
Dominique Blank  
Bill Hunse

Members Absent: Kim King  
Carletta Knox-Seymour

DSD Staff: Joe Mailander, Manager  
Vern Zakostelecky, Zoning Administrator  
Dave Houg, Plats & Zoning Conditions Coordinator  
Chris Strecker, Civil Engineer  
Johnny Alcivar, Development Services Specialist

CD Staff: Jeff Hintz, Planner  
Bill Micheel, Assistant Director  
Betty Sheets, Administrative Assistant

**Call Meeting to Order**

The meeting was called to order at 3:03 p.m.

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

**Roll Call**

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

**A. Approval of the Minutes**

Commissioner Overland called for any additions or corrections to the minutes. Commissioner Overland stated with no additions or corrections, the September 10, 2015 Minutes stand approved.

## **B. Adoption of the Agenda**

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

## **C. Action Items**

### **1. Case Name: 1005 3<sup>rd</sup> Avenue SW and 328 Rockford Road SW (Rezoning W/Preliminary Site Development Plan)**

Consideration of a change of zone from I-1, Light Industrial Zone District and RMF-1, Multiple Family Residence Zone District to C-2, Community Commercial Zone District and approval of a Preliminary Site Development Plan as requested by JABAM, LLC (Applicants/Titleholders)

*Case No: RZNE-020591-2015; Case Manager: Johnny Alcivar*

Mr. Alcivar presented the criteria for a Rezoning and stated this is a request to rezone 1.06 acres to the C-2 Zone District to allow for the development of a two-story multi-use building and a one-story retail building. The properties are currently zoned I-1, Light Industrial Zone District and RMF-1, Multiple Family Residence Zone District but are currently used for commercial purposes. The existing building is currently used for general retail purposes housing a locksmith and has previously been used as a convenience store and consignment store. This rezoning request will be followed by a request for Conditional Use approval for ground floor residential in the C-2, Zoning District at the next City Planning Commission meeting. The applicant held a neighborhood meeting and no major issues were identified. Mr. Alcivar presented a Location Map, General Information, Aerial Photo, Zoning, Street View, Site Plan and a Concept plan.

Commissioner Overland called for questions of Mr. Alcivar.

Commissioner Hunse asked about sidewalk to the bus. Mr. Alcivar stated there were three doors to the sidewalk.

Commissioner Overland called for a representative of the applicant.

Bob Butschi, 375 Collins Road NE

Commissioner Overland called for questions of the applicant.

Commissioner Dahlby asked how many apartments would be on the upper level. Mr. Butschi said seven (7) apartments would be on the upper level. On the lower level two apartments and four commercial suites will be built.

Commissioner Hunse asked how the residents will get to the bus. Mr. Butschi said that they will walk out the back to the parking lot and to the bus on 3<sup>rd</sup> Avenue. Mr. Alcivar stated that City staff would work with the applicant to ensure that the sidewalk would access the street to the bus.

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. Commissioner Pankey made a motion to approve the change of zone from I-1, Light Industrial Zone District and RMF-1, Multiple Family

Residence Zone District to C-2, Community Commercial Zone District with a Preliminary Site Development Plan. 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.

#### New Business

- Storm Water Commission update – Stacie Johnson

The PowerPoint presentation was emailed to all Commissioners following the meeting for their information.

The meeting was adjourned at 4:40 pm

Respectfully Submitted,

Betty Sheets, Administrative Assistant  
Community Development



ORDINANCE NO. LEG\_NUM\_TAG

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

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

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

Lot 14, Block 1, Wood Lawn Park Addition to Cedar Rapids, Iowa

And

North 26 feet Lot 16 except the West 56 feet thereof and the East 44 feet of Lot 18 and  
all of Lot 19, Block 1, Wood Lawn Park Addition to Cedar Rapids, Iowa

And

Lot 15 and the South 32 feet of lot 16, Block 1, Wood Lawn Park Addition to Cedar  
Rapids, Iowa.

and located at 1005 3rd Avenue SW and 328 Rockford Road SW, now zoned I-1, Light  
Industrial Zone District and RMF-1, Multiple Family Residence Zone District, and as shown on  
the "District Map," be rezoned and changed to C-2, Community Commercial Zone District, and  
that the property be used for such purposes as outlined in the C-2, Community Commercial  
Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

That approval of this site development plan is subject to the Conditional Use Permit  
process and that no building permits shall be issued until such permit is approved by the Board  
of Adjustment (BOA).

1. The existing structures must be removed under appropriate permit and inspections conducted and approved. This includes review by the Historic Preservation Commission for structures 50-years old or older.
2. Said lots are to be combined with adjacent property so as to constitute a single zoning lot and tax parcel.
3. Commercial Design Standards and Guidelines as specified in Subsection 32.05.030.C. shall be met or a variance must be obtained.
4. Sites will need to comply with off-street parking requirement per Chapter 32; Subsection 32.05.020.B. or a variance must be obtained.
5. 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. The location and design of each enclosure shall be shown on the Administrative Site Plan and shall be approved prior to issuance of structural building permits. Preliminary building permits for site preparation, installation of utilities, and foundations may be issued prior to approval of the enclosure. Please note that chain link with privacy slats does not satisfy this requirement.
6. Roof top mechanicals shall be screened so as not to be visible from the street. Screening is not required for the top of the roof-top mechanicals. Acceptable exterior wall materials are brick, stone, and split face block masonry, cementitious siding, EIFS, glass, metal (flat, perforated, composite, or ribbed less than 8" OC), architectural paneling, or other similar high quality materials.
7. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties.

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 20th day of October, 2015.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG


ACCEPTANCE OF CONDITIONS OF REZONING

ORDINANCE NO. \_\_\_\_\_

I/we hereby agree to the terms and conditions set out in the Ordinance.

Dated this 29<sup>th</sup> day of SEPTEMBER, 2015.

JABAM, LLC

  
Signature

ROBERT L. BUTSELL - member  
Printed name

MEMBER  
Printed title



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Doug Wilson, PE

**Phone Number/Extension:** 5141

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

**Alternate Contact Person:** Glenn Vosatka, PE

**Phone Number/Extension:** 5821

**E-mail Address:** glennv@cedar-rapids.org

**Description of Agenda Item:** ORDINANCES – Second and possible Third Readings  
Ordinance changing the name of Loggerhead Road NE to Edgewood Road NE from Tower Terrace Road NE to the North City Limit as requested by the City of Hiawatha.  
CIP/DID #STREET-020924-2015

**EnvisionCR Element/Goal:** StrengthenCR Goal 2: Improve the quality and identity of neighborhoods and key corridors.

**Background:** On July 31, 2015, the City of Hiawatha submitted to the Public Works Department an application for street name changes for Miller Road NE to Edgewood Road NE from the Hiawatha City Limit to Tower Terrace Road NE, a distance of approximately 5,100 feet; and renaming Loggerhead Road NE from Tower Terrace Road NE to the North City Limit, a distance of approximately 1,300 feet. Per the requirements of City Ordinance No. 073-02, Section 33D.07.3 (c) of the Municipal Code (Procedures for Renaming Existing Streets), a public hearing will be held at City Council after receipt of the petition to rename a street. Per Section 33D.07 3. (d), the application, including any written or public comment from the public hearing, will then be forwarded to the Development Services Department for review and comment.

The proposed name of Edgewood Road NE was chosen because of plans to extend existing Edgewood Road NE to County Home Road, in accordance with the Connections 2040 Long Range Transportation Plan.

On September 8, 2015, a notice for a public hearing was approved by City Council. In further discussion with Kim Downs, City Administrator for the City of Hiawatha, on September 17, 2015 it was agreed that the street name of Miller Road NE from Tower Terrace Road NE southerly to the Hiawatha City Limits does not need to be changed to Edgewood Road NE, as it does not follow the proposed future alignment of Edgewood Road NE and would likely need to be renamed again after the Edgewood Road extension is built. Therefore, Miller Road NE within the City of Cedar Rapids City Limits is not being changed to Edgewood Road NE at this time. The City of Hiawatha still plans to change the name of Miller Road NE within their city limits (from Boyson Road northerly to the curve north of Grey Wolf Drive), as this section does follow the proposed alignment of the Edgewood Road extension.

The first reading of the Ordinance was held and passed on October 20, 2015.

**Action/Recommendation:** The Public Works Department recommends holding the second and possible third readings of the Ordinance.

**Alternative Recommendation:** This item may be tabled and Hiawatha notified of the schedule delay.

**Time Sensitivity:** Normal

**Ordinance Date:** Proposed timeline as follows:  
Second reading of Ordinance, possible third reading: November 3, 2015

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

**Budget Information:** NA

**Local Preference Policy:** NA  
**Explanation:** NA

**Recommended by Council Committee:** NA  
**Explanation:** NA

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LC AUD  
RCR  
VOTER REG  
FIN  
IT-GIS  
DSD  
WTR  
LC SHERIFF  
AMBULANCE  
STREET-020924-2015

ORDINANCE NO. LEG\_NUM\_TAG

**AN ORDINANCE CHANGING THE NAME OF “LOGGERHEAD ROAD NE”  
TO “EDGEWOOD ROAD NE”  
(For that portion of Loggerhead Road NE, from Tower Terrace Road to the  
North City Limit, a distance of approximately 1,300 feet)**

SECTION 1. Findings of the City Council of the City of Cedar Rapids, Iowa:

- a. The City of Hiawatha submitted a street name change application to the City Public Works Department in accordance with the requirements of Section 3. (b) of Ordinance No. 073-02 pertaining to renaming existing streets.
- b. The City Development Services Department recommends that Loggerhead Road NE from Tower Terrace Road NE to the North City Limit, a distance of approximately 1,300 feet, be renamed Edgewood Road NE.
- c. Per Section 33D.07 3. (b) of Ordinance 073-02, one (1) property has been identified abutting the above-described portion of Loggerhead Road NE.
- d. The adjoining property owner submitted no objections to the City concerning the proposed street renaming.
- e. As required by Section 33D.07 3. (c) of said Ordinance 073-02, a public hearing was held on September 22, 2015 to consider the street name change noted. No objections were received by the City.
- f. As required by Section 33D.07 3. (d) of said Ordinance 073-02, the application and public input were considered by the City Development Services Department on September 24, 2015, including a recommendation to City Council supporting the street name change proposed. Any objections filed against the street name changes are superseded by support of the City Council.

SECTION 2. That the street now named Loggerhead Road NE for the segment from Tower Terrace Road NE to the North City Limit, a distance of approximately 1,300 feet in Cedar Rapids, Iowa be renamed and designated as “Edgewood Road NE”.

SECTION 3. That the City Clerk shall certify and file this ordinance with the Linn County Recorder and Linn County Auditor and place on file with the City of Cedar Rapids Finance Director, the City Public Works Department, the Development Services Department, the Department of Community Development, the City Solid Waste and Recycling Division, the City Police Department, the City Fire Department, the City Building Services Division and City Information Technology Department.

SECTION 4. That all Ordinances or parts of Ordinances in conflict herewith are repealed.



SECTION 5. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 20th day of October, 2015.

PASSED\_DAY\_TAG

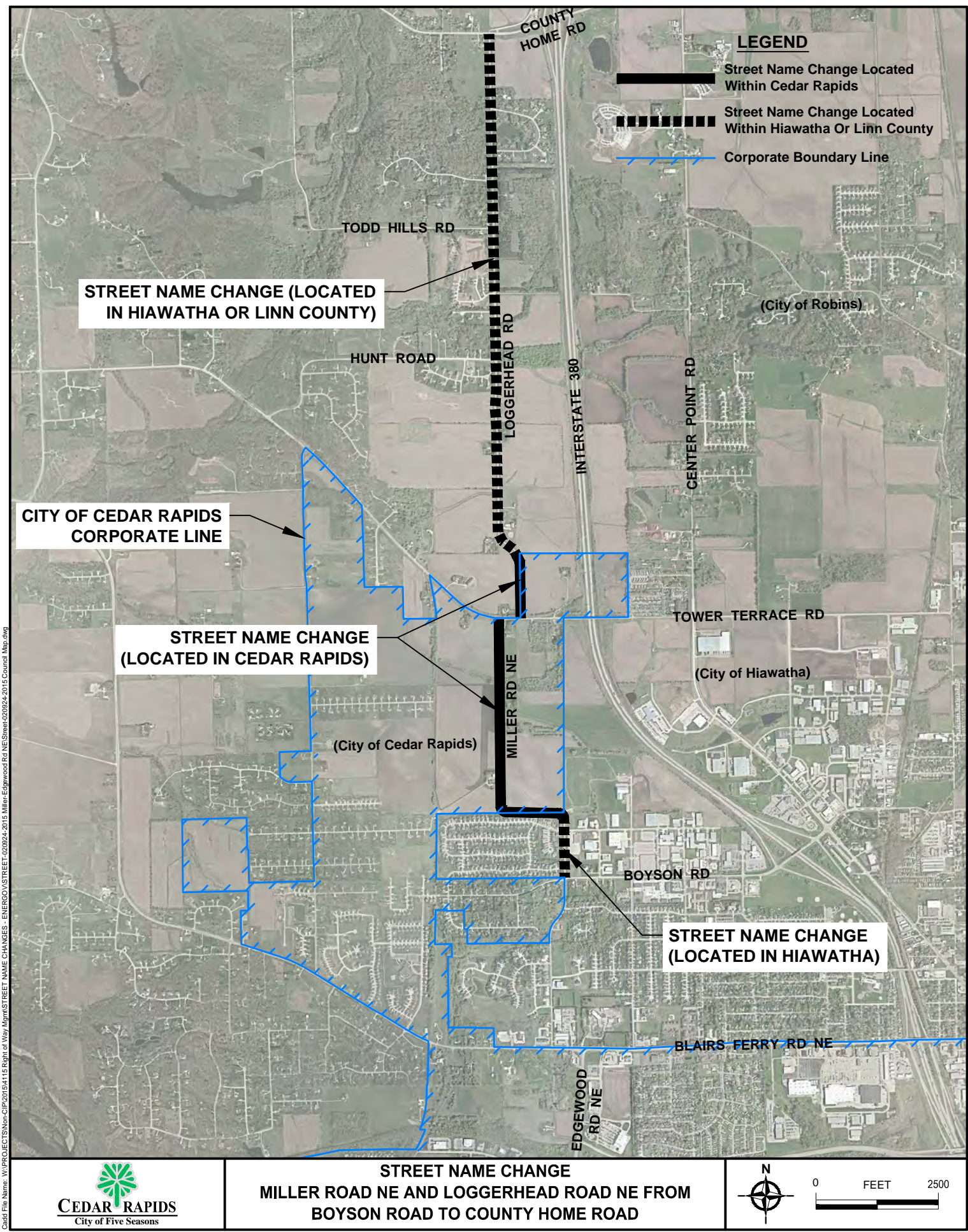
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LEG\_TABLED\_TAG



**LEGEND**

- Street Name Change Located Within Cedar Rapids
- Street Name Change Located Within Hiawatha Or Linn County
- Corporate Boundary Line

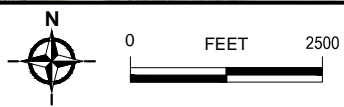
STREET NAME CHANGE (LOCATED IN HIAWATHA OR LINN COUNTY)

CITY OF CEDAR RAPIDS CORPORATE LINE

STREET NAME CHANGE (LOCATED IN CEDAR RAPIDS)

STREET NAME CHANGE (LOCATED IN HIAWATHA)

STREET NAME CHANGE  
MILLER ROAD NE AND LOGGERHEAD ROAD NE FROM  
BOYSON ROAD TO COUNTY HOME ROAD



Cadd File Name: W:\PROJECTS\Non-CIP\2015\115 Right of Way Mgmt\STREET NAME CHANGES - ENERGY\STREET-020924-2015 Miller-Edgewood Rd NE\Street-020924-2015 Council Map.dwg