

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

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, January 26, 2016 at 4:00 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
 - ❖ Proclamation – Democracy Day (Emily Felton, Joe Aossey, Reenie Montgomery)

PUBLIC HEARINGS

1. A public hearing will be held to consider granting a change of zone from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District for property at 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle (Johnny Alcivar). CIP/DID #RZNE-022431-2015
 - a. First Reading: Ordinance granting a change of zone from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District for property at 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle.
2. A public hearing will be held to consider the vacation of a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC (Rita Rasmussen). CIP/DID #EASE-022390-2015
 - a. Resolution vacating a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC.
3. A public hearing will be held to consider the disposition of excess City-owned property at 1766 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of Single Family New Construction Program (Amanda Vande Voorde). **(Flood)** CIP/DID #OB540257

4. A public hearing will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the Czech Bohemia Overlay District with design standards and guidelines (Kirsty Sanchez). CIP/DID #OB715322
5. ~~A public hearing will be held to consider amending Ordinance No. 073-15 to correct the legal description of the Czech Village-New Bohemia Self-Supported Municipal Improvement District (SSMID).~~ **(PUBLIC HEARING IS CANCELLED AND WILL BE RESCHEDULED)**
CIP/DID #CD-0005-2015
6. A public hearing will be held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2016 to June 30, 2017 (Paula Mitchell). CIP/DID #OB246513
7. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project (estimated cost is \$1,388,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012120-04
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project.
8. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project (estimated cost is \$89,000) (Dave Wallace). CIP/DID #304391-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project.
9. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project (estimated cost is \$528,000) (Dave Wallace). CIP/DID #304396-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project.
10. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project (estimated cost is \$5,420,000) (Steve Hershner). CIP/DID #615148-03
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade 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.

11. Motion to approve minutes.
12. Resolution in support of proposed National Register of Historic Places landmark designation for the Sinclair Building-Smulekoff's Furniture Store located at 97 3rd Avenue SE. CIP/DID #OB1369853
13. Resolution authorizing up to \$1,000,000 in Relocation Assistance benefits and protective rent payments to be drawn from an allocated program for various properties to be acquired for the Cedar River Flood Control System program. CIP/DID #3311200-00
14. Resolution accepting the established fair market value in the amount of \$6,200 for the partial acquisition of a Permanent Drainage Easement and a Temporary Grading Easement for Construction from Duane K. and Darlus J. Selken from land located at 5225 Beverly Road SW in connection with the Beverly Road SW Culvert Replacement project. CIP/DID #304421-00
15. Resolution adopting and levying the final schedule of assessments and providing for the payment thereof for the 2013 Northeast Side School Routes Sidewalk Improvements project. CIP/DID #325012-00
16. Resolution accepting work and fixing amount to be assessed for the FY 2015 Curb Repair Project – Contract 2 project. **(Paving for Progress)** CIP/DID #301998-00
17. Resolution authorizing the Fire Chief or the Chief's designee to execute Agreements for Use, Release, and Indemnification for properties used for Non-Burn Exercises and Live Fire Training through December 31, 2017. CIP/DID #FIR0116-0008
18. Resolution authorizing the establishment of the Safe, Equitable and Thriving (S.E.T.) Communities Task Force. CIP/DID #CM003-16

19. Resolution authorizing the addition of one full-time or part-time employee in the Public Works Department for the duration of the Paving for Progress program to assist with management and design of the program. **(Paving for Progress)** CIP/DID #49-16-006
20. Resolution authorizing the addition of .70 FTE in the City Manager's Office through September 30, 2016 to support the Blue Zones Project and Wellbeing Advisory Committee. CIP/DID #HR0004
21. Resolution authorizing a 3.85 percent pay increase for the City Attorney effective January 1, 2016. CIP/DID #HR0006
22. Resolution authorizing a 4 percent pay increase for the City Clerk effective January 1, 2016. CIP/DID #HR0005
23. Resolution setting a public hearing for February 23, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project. CIP/DID #325008-00
24. Motions setting public hearing dates for:
 - a. February 9, 2016 – to consider granting a change of zone for property at 5820 Dry Creek Lane NE from I-1, Light Industrial Zone District, to C-3, Regional Commercial Zone District as requested by Joseph J. & Rita A. Bertsch Rev Trust. CIP/DID #RZNE-022419-2015
 - b. February 9, 2016 – to consider granting a change of zone for property at 7708 6th Street SW from A, Agriculture Zone District, to I-2, General Industrial Zone District as requested by TH Development, LLC, and Louis L. and Margaret Ellen Barta. CIP/DID #RZNE-022246-2015
 - c. February 9, 2016 – to consider the vacation of public ways and grounds in and to the property described as a 5.3 acre parcel of vacant City-owned land known as Osborn Park, and a 40-foot wide strip of unused right-of-way located southeasterly of 15th Avenue SE and formerly known as First Street SE, as requested by the City of Cedar Rapids in connection with the Cedar Rapids Flood Control System project. CIP/DID #ROWV-022220-2015
 - d. February 9, 2016 – to consider the continuation of the disposition of excess City-owned property described as a one acre parcel of vacant land located easterly of and adjacent to 3425 and 3435 3rd Avenue SE. CIP/DID #PRD-022224-2015
 - e. February 23, 2016 – to consider annexation of territory south of Wright Brothers Boulevard SW and east of I-380 as requested by the A-J-B LP. CIP/DID #ANNX-022394-2015
 - f. March 8, 2016 – to consider an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC. CIP/DID #URTE-0006-2016
 - g. March 22, 2016 – to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) 5-Year Plan Amendments, Annual Plan, and Administrative Plan, which includes the Family Self-Sufficiency Action Plan and the Homeownership Option Plan for the City of Cedar Rapids, Iowa. CIP/DID #OB363680

25. 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:
- February 9, 2016 – B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project, with bid opening February 10, 2016 (estimated cost is \$2,600,000). **(Paving for Progress)** CIP/DID #3012091-02
 - February 9, 2016 – 400 1st Avenue NE – Five Seasons Parkade Structural Repairs Project, with bid opening February 17, 2016 (estimated cost is \$900,150). CIP/DID #635132-02
 - February 9, 2016 – Overhead Sign Structures on 7th Street NE from I-380 to 1st Avenue E project, with bid opening February 17, 2016 (estimated cost is \$100,000). CIP/DID #306228-01
 - February 9, 2016 – Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project, with bid opening February 24, 2016 (estimated cost is \$214,800). CIP/DID #6150015-02
26. Motion assessing \$300 civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
- Hy-Vee Food Store #1, 1843 Johnson Avenue NW. CIP/DID #CIG001851-05-2015
 - Road Ranger #5147, 1430 1st Avenue NE. CIP/DID #CIG001984-06-2015
 - Road Ranger #5151, 380 Blairs Ferry Road NE. CIP/DID #CIG001988-06-2015
 - Westside Lounge, 325 Edgewood Road NW. CIP/DID #CIG001798-04-2015
27. Motion assessing \$500 civil penalties for violation of State Code regarding the sale of alcohol to minors against:
- Point Liquor & Tobacco, 4107 Center Point Rd NE. CIP/DID #LIQR001409-07-2014
 - Sam Liquor & Tobacco, 1500 1st Avenue NE. CIP/DID #LIQR000760-12-2013
28. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
- Clarion Hotel & Convention Center, 525 33rd Avenue SW.
 - Club Basix, 3916 1st Avenue NE.
 - Fareway Store #151, 3717 1st Avenue SE.
 - Hy-Vee Food Store #7, 5050 Edgewood Road NE.
 - Kwik Shop #560, 3301 J Street SW.
 - Kwik Shop #561, 2904 Center Point Road NE.
 - Kwik Shop #563, 1001 1st Avenue SW.
 - Kwik Shop #565, 4201 Center Point Road NE.
 - Osaka Japanese Steakhouse & Sushi Bar, 5001 1st Avenue SE.
 - Silver Star Saloon, 2665 Edgewood Parkway SW.
 - St Matthew Church, 735 Prairie Drive NE (5-day permit for an event on February 6, 2016 at Regis Middle School, 735 Prairie Drive NE).
 - Stop on Bye, 1616 6th Street SW (new – previously Bulicek's Deli & Brew).
 - Tomaso's Pizza, 3234 Center Point Road NE.
 - Viking Lounge, 1971 16th Avenue SW.
29. Resolutions approving:
- Payment of bills. CIP/DID #FIN2016-01
 - Payroll. CIP/DID #FIN2016-02
 - Transfer of funds. CIP/DID #FIN2016-03

30. Resolution appointing, reappointing and thanking the following individuals:
- Appointing Tariq Baloch and reappointing Jasmine Almoayed, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Joe Mailander, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for a term of one year. CIP/DID #OB542014
31. Resolutions approving assessment actions:
- Levy assessment – Water Division – delinquent municipal utility bills – 12 properties. CIP/DID #WTR1215-001
 - Intent to assess – Water Division – delinquent municipal utility bills – 52 properties. CIP/DID #WTR01-26-16-001
 - Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-002-16
32. Resolution accepting subdivision improvements and approving Maintenance Bond:
- Water system improvements installed in Crescent View 4th Addition and 2-Year Maintenance Bond submitted by Abode Construction Inc. in the amount of \$65,112.90. CIP/DID #2015081-01
33. Resolution approving final plat:
- The Depot at Newbo First Addition for land located at 400 12th Avenue SE. CIP/DID #FLPT-021479-2015
34. Resolutions approving actions regarding purchases, contracts and agreements:
- Contract with LSL Planning for Consulting Services for New Zoning Code for the Community Development Department for an amount not to exceed \$265,089. CIP/DID #PUR0615-252
 - Contract with Universal Field Services, Inc. for Right of Way Acquisition Support Services for the Engineering Division for an amount not to exceed \$120,000. CIP/DID #PUR0515-222
 - Contract with St. Luke's Work Well Solutions for Health Services for the Human Resources Department for an annual amount not to exceed \$200,000. CIP/DID #PUR1015-070A
 - Contract with BladeWorks for 2016 Tree Planting for the Parks and Recreation Department for an amount not to exceed \$245,860. CIP/DID #PUR1115-089
 - Contract with Rehrig Pacific Company for Solid Waste Containers for Collection of Garbage, Recycling & Yard Waste for the Solid Waste & Recycling Division for an annual amount not to exceed \$230,000. CIP/DID #PUR0715-013
 - Amendment No. 2 to renew contract with ESCO Electric for Low and Medium Voltage Electrical Services for the Water Pollution Control Facility for two years for an annual amount not to exceed \$140,000 (original contract amount was \$140,000; renewal contract amount is \$140,000). CIP/DID #0112-126
 - Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed \$507,606 for the Kirkwood Standpipe Replacement Project. CIP/DID #6250040-01

- h. Amendment No. 4 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$2,400 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 \$143,665). CIP/DID #325008-01
- i. Amendment No. 27 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$147,175 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract amount was \$95,474,137; total contract amount with this amendment is \$124,865,638). **(Flood)** CIP/DID #3302500001-2
- j. Amendment No. 20 to Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) to clarify reporting requirements and extend the contract end date to December 31, 2016. CIP/DID #08-DRH-208
- k. Warranty Deed from Corridor Property Management, LLC, for dedication of street right-of-way for Blairs Ferry Road NE adjoining property at 4200 Blairs Ferry Road NE. CIP/DID #PLSV-022222-2015
- l. Assignment and Assumption of Development Agreement from S & J Homes, LLC to Robinson Construction, Inc. for property at 1003 3rd Street SW participating in the fourth round of the SFNC program. **(Flood)** CIP/DID #OB540257
- m. Amendment No. 1 to the Development Agreement with Cedar Valley Habitat for Humanity for disposition and redevelopment of City-owned property at 806 D Avenue NW through the Residential Property Disposition program. CIP/DID #OB565513
- n. Amendment No. 2 to the Agreement for Private Redevelopment with TrueNorth Real Estate, LC at 500 1st Street SE. **(Flood)** CIP/DID #OB1298825
- o. Development Agreement with Center Point Apartments, LLC for the development of 1427 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program. **(Flood)** CIP/DID #08-DRH-208
- p. Development Agreement with Creekside Apartments, LLC for the development of 1415 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program. **(Flood)** CIP/DID #08-DRH-208
- q. Payments to various non-profit special events held in Cedar Rapids for the fiscal year 2016 from the Special Event Public Safety Fund. CIP/DID #OB568164
- r. City Attorney execution of the Settlement Agreement with LWD PRP Group regarding the LWD Incinerator Site and authorizing payment of \$3,000. CIP/DID #ATT000003

REGULAR AGENDA

- 35. Report on bids for the Demolition Services of Buildings and Associated Materials – Sinclair Site project for the Building Services Department (John Riggs). **(Flood)** CIP/DID #PUR1115-098
 - a. Resolution awarding and approving contract for an amount not to exceed \$214,800, bond and insurance of DW Zinser Company for Demolition Services of Buildings and Associated Materials – Sinclair Site (estimated cost is \$350,000).

36. Report on bids for the 74th Street NE from White Ivy Place to C Avenue NE-Roadway Improvements project (estimated cost is \$2,044,000) (Doug Wilson). **(Paving for Progress)**
CIP/DID #3012050-02
37. Report on bids for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement–Grade and Replace project (estimated cost is \$2,329,537) (Doug Wilson).
CIP/DID #301500-06
38. Report on bids for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement–Grade and Replace project (estimated cost is \$2,313,000) (Doug Wilson).
CIP/DID #301612-04
39. Resolution with respect to the adoption of the Resolution of Necessity proposed for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project (Doug Wilson).
CIP/DID #3012004-00
40. Discussion and Resolution of support providing City participation under the City’s Historic Preservation Program for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC (Caleb Mason). CIP/DID #URTE-0006-2016

ORDINANCES

Third Reading

41. Ordinance relating to the collection of tax increment within the proposed Miron Construction Urban Renewal Area located at 335 French Court SW. CIP/DID #TIF-0003-2015

Second and Possible Third Readings

42. Ordinance amending Chapter 22A of the Municipal Code, Nuisance Property, by deleting Chapter 22A and enacting a new Chapter 22A in its place, establishing regulations relating to statement of public policy, nuisance activity, service of notice, prohibitions, and administrative appeals. CIP/DID #OB807542

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 Overland
5. Council member Poe
6. Council member Russell
7. Council member Shey
8. Council member Shields
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



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 for property 4600 20th Avenue SW as requested by Midwest 3PL and Rick Stickle from C-3, Regional Commercial Zone District, to I-1, Light Industrial Zone District.
 CIP/DID # RZNE-022431-2015

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

Background: The request for a Rezoning with a Preliminary Site Development Plan was reviewed by the City Planning Commission on January 7, 2016 and a portion of the minutes are attached.

This is a request to rezone 5.94 acres from the C-3 Zone District to the I-1 Zone District to allow for an expansion of the existing warehouse on the adjacent western property. The property is currently zoned C-3 and has not been previously developed. The property is identified as "Urban High-Intensity" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommends approval of the rezoning request.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on January 7, 2016 with approval by a vote of 9 to 0. A portion of the minutes will be included prior to the City Council public hearing. There were no objectors.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for January 26, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final.

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

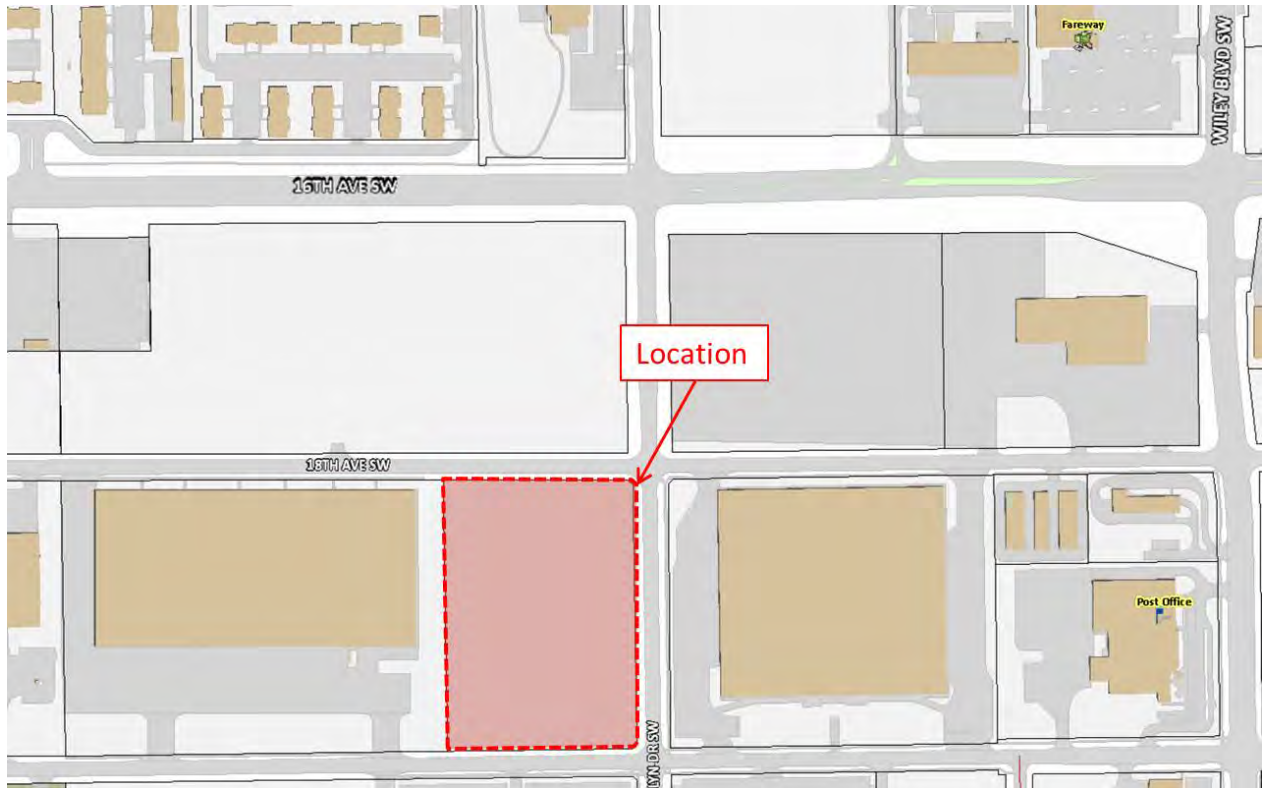
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map



<p style="text-align: center;">MINUTES OF CITY PLANNING COMMISSION MEETING, Thursday, January 7, 2016 @ 3:00 p.m. Cedar Rapids City Hall Council Chambers, 101 First Street SE</p>
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Members Present: Jim Halverson, Chair
 Richard Pankey, Vice Chair
 Carletta Knox-Seymour (Arrived at 3:05pm)
 Virginia Wilts
 Samantha Dahlby
 Kim King
 Dominique Blank
 Bill Hunse
 Anthony Brown

DSD Staff: Joe Mailander, Manager
 Vern Zakostelecky, Zoning Administrator
 Johnny Alcivar, Development Services Specialist

CD Staff: Seth Gunnerson, Planner
 Adam Lindenlaub, Planner
 Bill Micheel, Assistant Director
 Betty Sheets, Administrative Assistant

City Council Liaison: Justin Shields

Call Meeting to Order

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

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

Roll Call

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

A. Approval of the Minutes

Commissioner Halverson called for any additions or corrections to the minutes. Commissioner Halverson stated with no additions or corrections, the December 3, 2015 Minutes stand approved.

B. Adoption of the Agenda

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

C. Action Items

1. Case Name: 4600 20th Avenue SW (Rezoning)

Consideration of a change of zone from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District as requested by Midwest 3PL (Applicant/Titleholder)

Case No. RZNE-022431-2015; Case Manager: Johnny Alcivar

Mr. Alcivar stated this is a request to rezone 5.94 acres of vacant land currently zoned C-3, Regional Commercial Zone District, to the I-1, Light Industrial Zone District. The request is to allow for the expansion of an existing warehouse on the adjoining property west of the site. Mr. Alcivar presented a Location Map, General Information, Zoning, Revised Site Plan, Street View and Next Steps. Mr. Alcivar stated the rezoning would go to City Council for a public hearing on January 26th. The variance request would go to the Board of Adjustments on February 8th.

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

Commissioner Halverson called for a representative of the applicant.

Jacob Hahn, Anderson-Bogert Engineering, 790 11th Street, Marion, Iowa stated he did not have anything to add and that it was an expansion of the warehouse.

Commissioner Halverson called for questions of the applicant.

Commissioner Halverson asked since this is a revised site plan presented today, it appears that there is proposed extensive landscaping to screen that area along Jacolyn Drive. Mr. Hahn stated yes there will have to be special landscaping due to the fact this is a food grade warehouse.

Commissioner Halverson asked what landscaping was proposed. Mr. Hahn stated most will be evergreen and increased shrubs away from the building.

Commissioner Dahlby asked if there were changes being made to the stormwater runoff. Mr. Hahn stated the existing detention pond on site is not sized for the current site so proposing a new detention pond on the southeast corner.

Commissioner Halverson called for members of the public who wished to speak. No members of the public were present.

Commissioner Halverson called for a motion. Commissioner Knox-Seymour made a motion to approve the change of zone from C-3, Regional Commercial Zone District to I-1, Light Industrial Zone District. Commissioner Blank seconded the motion.

Commissioner Hunse asked if the walks coming out of the building would be ADA accessible. Mr. Hahn said ADA accessibility was provided.

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

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

The meeting was adjourned at 4:23 pm

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«CASE_TYPE_NUMBER»	

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 2, Keener Warehouse 1st Addition in the City of Cedar Rapids, Linn County, Iowa.

and located at 4600 20th Avenue SW, now zoned C-3, Regional Commercial Zone, and as shown on the "District Map," be rezoned and changed to I-1, Light Industrial Zone District, and that the property be used for such purposes as outlined in the I-1, Light Industrial 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. Said lots are to be combined with adjacent property so as to constitute a single zoning lot and tax parcel.

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 26th day of January, 2016.

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 8th day of January, 2016.

RICK D. STICKLE



Signature

Rick D. Stickle

Printed name

owner

Printed title



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

Phone Number/Extension: 5092

Description of Agenda Item: PUBLIC HEARINGS

Public hearing to consider the vacation of a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC.
 CIP/DID #EASE-022390-2015

Resolution vacating a 403 square-foot utility easement located at 4201 42nd Street NE as requested by 42nd and Edgewood LLC.

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

Background: 42nd and Edgewood LLC has requested that the City vacate a 403 square-foot portion of the existing utility easement located at 4201 Edgewood Road NE in order to accommodate the construction of a monument sign. There are no utilities located within this 403 square-foot area, and all City Departments and private utilities have approved this request.

Action/Recommendation: The Public Works Department recommends approving the vacation of this 403 square-foot utility easement.

Alternative Recommendation: If the Council does not vote to vacate this utility easement, the alternative is to require 42nd and Edgewood LLC to relocate their monument sign.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:
 Public Hearing Date and possible resolution passing: January 26, 2016

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

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

WHEREAS, the City of Cedar Rapids does possess a utility easement on the following described property:

Plat of Survey No. 1989 Parcel A

WHEREAS, 42nd and Edgewood LLC, P. O. Box 1826, Cedar Rapids, Iowa 52406, has requested the City of Cedar Rapids vacate the public's interest in and to a portion of said easement, and

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

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

1. The Council determines the 403 square-foot utility easement on Plat of Survey No. 1989 Parcel A as shown on "Exhibit A", attached hereto and made a part thereof no longer serves the public interest and said public interest and use held by the City of Cedar Rapids in and to the property herein described is hereby vacated.
2. The Council determines the fair consideration required for the aforescribed vacation is publication and recording fees plus a standard \$100 closing fee, payable to the City Treasurer.
3. The conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors and assigns as follows:
 - a. 42nd and Edgewood LLC shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation of said utility easement hereinbefore described to said property owner.
4. The grantee, 42nd and Edgewood LLC, shall pay the City Clerk all publication and recording fees associated with this easement vacation.

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

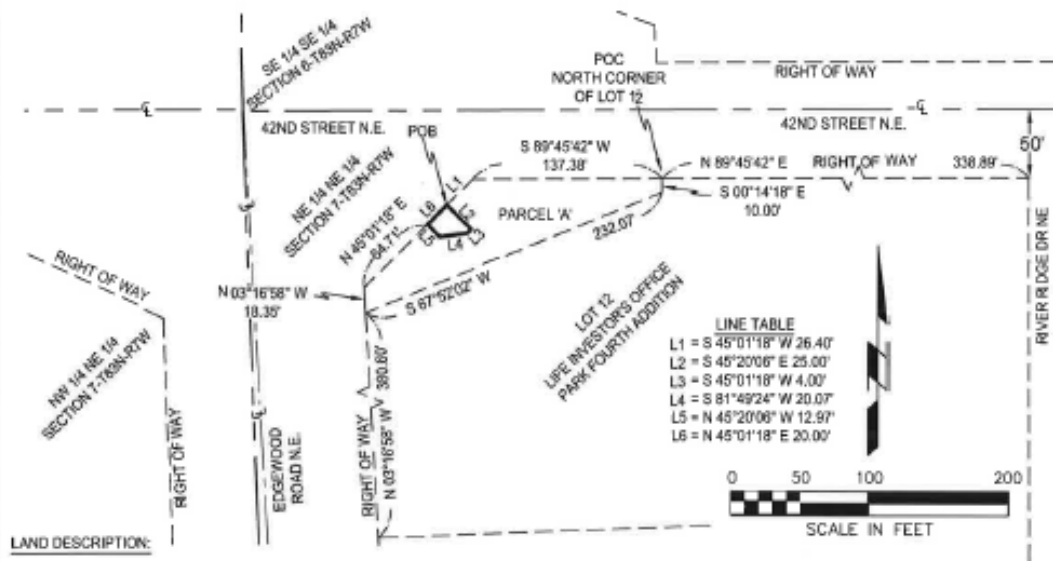
MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

EXHIBIT A
UTILITY EASEMENT VACATION
PART OF PARCEL 'A', PLAT OF SURVEY NO. 1989
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA



SURVEY LEGEND

PQB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
=====	VACATED UTILITY EASEMENT
-----	SECTION LINE
-----	CENTERLINE OF ROAD
-----	EXISTING LOT LINE

SURVEY WORK PERFORMED
03/27/2015

TOTAL AREA.
403 SQ.FT.
0.01 ACRES

LAND DESCRIPTION:

Part of the Northeast Quarter of the Northeast Quarter of Section 7, Township 83 North, Range 7 West of the 5th P.M., in the City of Cedar Rapids, Linn County, Iowa, also known as Parcel 'A', Plat of Survey No. 1989 in the City of Cedar Rapids, Linn County, Iowa, more particularly described as follows:

Commencing at the North corner of lot 12, Life Investor's Office Park Fourth Addition to Cedar Rapids, Iowa; Thence S 89°45'42" W along the North line of Parcel 'A', Plat of Survey No. 1989 to the Northwest corner of said Parcel 'A' a distance of 137.38 feet; Thence S 45°01'18" W along the Northwestern line of said Parcel 'A' to the Point of Beginning a distance of 26.40 feet; Thence S 45°20'06" E a distance of 25.00 feet; Thence S 45°01'18" W a distance of 4.00 feet; Thence S 81°49'24" W a distance of 20.07 feet; Thence N 45°20'06" W to said Northwestern line a distance of 12.97 feet; Thence N 45°01'18" E along said Northwestern line to the Point of Beginning a distance of 20.00 feet.

Said parcel contains 403 SQ.FT., 0.01 Acres, subject to easements and restrictions of record.

SURVEYOR / CONTACT:
WADE D. WAMRE, PLS
SHIVE-HATTERY, INC
316 SECOND ST. SE, SUITE 500
CEDAR RAPIDS, IOWA 52401
319-364-0227
wamre@shive-hattery.com

OWNER:
HUNTER COMPANIES
1625 1ST AVENUE S.E.
CEDAR RAPIDS, IOWA 52402
HUNTER PARKS

SURVEY PREPARED FOR:
CITY OF CEDAR RAPIDS
PUBLIC WORKS DEPARTMENT
500 15TH AVENUE S.W.
CEDAR RAPIDS, IOWA 52404

PROJECT NO. 061512
ON 12/31/04

EXHIBIT A UTILITY EASEMENT VACATION
PART OF PARCEL 'N' PLAT OF SURVEY NO. 1989
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA

SHEET NO.

DATE	12-21-2015	SCALE	1"=100'
DRAWN	cm	FIELD BOOK	1269
APPROVED		REVISION	TITLE

1 OF 1

SHIVE-HATTERY
ARCHITECTURE + ENGINEERING

<http://www.shiva-hofberg.com>



42ND STREET NE

EDGEWOOD RD NE

RIVER RIDGE DR NE

UTILITY EASEMENT VACATION

Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENRG\O\EA-EASE-022390-2015 4201 42nd St NE EASE-022390-2015 Council Map.dwg



UTILITY EASEMENT VACATION



EASE-022390-2015



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.: 319 286-5817

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

Phone Number/Ext.: 319 286-5852

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the disposition of excess City-owned property at 1766 Mallory Street SW acquired through the Voluntary Property Acquisition program in the Neighborhood Revitalization Area for the fourth round of Single Family New Construction Program (FLOOD).
 CIP/DID #OB540257

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

Background: The referenced city-owned property has been identified as a buildable lot for the fourth round of the Single Family New Construction Program (known locally as the ROOTs Program):

On November 9, 2010, by Resolution No. 1306-11-10 the City Council approved the Administrative Plan for the ROOTs Program. The administrative plan directs staff to use lots acquired by the City through the Voluntary Property Acquisition Program to be conveyed to the developer in consideration for the construction of the Single Family New Construction unit.

The referenced property meets the program criteria required to house a Single Family New Construction unit. A total of 187 properties have been identified by 21 developers in the current phase of property allocation for this program. Additional public hearings will be held to consider additional properties acquired by the City which have been identified by the approved developers.

Future City Council action related to this property will include a development agreement and conveyance of the property to an approved developer.

Action/Recommendation: City staff recommends holding the public hearing.

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

Time Sensitivity: N/A



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Kirsty Sanchez

Phone Number/Ext.: 319 286-5428

E-mail Address: k.sanchez@cedar-rapids.org

Alternate Contact Person: Seth Gunnerson

Phone Number/Ext.: 319 286-5129

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

Description of Agenda Item: PUBLIC HEARINGS

A public hearing and First Reading will be held to consider amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to clarify the Czech Bohemia Overlay District with design standards and guidelines (Kirsty Sanchez).

CIP/DID #OB715322

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

Background: A public hearing will be held to consider deleting Section 32.03.010.C.6.c.i of the Municipal Code, Czech Bohemia Overlay District(CB-O), and enacting in its place a new section 32.03.010.C.6.c.i 0 Czech Bohemia (CB-O) Overlay District (CB-O) with design standards and guidelines. The proposed updates were taken to Development Committee on November 18, 2015 and to City Planning Commission on December 3, 2015. The overlay district meets several goals of EnvisionCR, including improving the quality and identity of neighborhoods and key corridors by creating enhanced design guidelines and a coordinated identity to development within the district.

Staff has met multiple times with the Czech Bohemia Design Review Technical Advisory Committee (DRTAC), which is comprised of technical experts, property owners and stakeholders, to review existing Overlay District standards and make recommendations for updates to those standards. The proposed updates were presented to stakeholder groups including the Oak Hill Jackson Neighborhood Association, the Czech Village Association, and the Executive Committee for the Main Street District. In addition, an open house was held for property owners in the Overlay District on November 4, 2015.

The proposed Czech Bohemia Overlay District standards will be similar to the MedQuarter Overlay District standards which were adopted in May 2015. Key differences between the current standards and the proposed standards include:

- More detailed design requirements.
- Greater attention to the pedestrian experience.
- The addition of standards regarding site furnishings and landscaping.
- Boundary changes to match the Czech Village-New Bohemia Self-Supporting Municipal Improvement District (SSMID).

- Additional design recommendations that will not be included in the ordinance language but will be part of a proposed Design Guide to give guidance to developers.

Each section of the guide contains a number of standards which all new development will be required to meet, along with recommendations on best practices. The draft recommendations cover four aspects of building and site design:

1. Building Massing, Orientation and Site Design – Requiring appropriate placement for urban infill development with an emphasis on pedestrian friendly design.
2. Building Design – Requiring high quality of design for new and renovated buildings.
3. Site Furnishings and Landscaping – Recommendations for elements that enhance site design.
4. Signage – Requirements for attractive building signage as well as permitting districtwide signage.

Action/Recommendation: City staff recommends holding the public hearing and approval of a possible First Reading.

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

Time Sensitivity: N/A

Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: Yes

Explanation: This item was reviewed and recommended by the Development Committee on November 18, 2015.

ORDINANCE NO. LEG_NUM_TAG

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING ORDINANCE, BY DELETING SECTION 32.03.010.C.6.C.I THEREFROM AND ENACTING IN ITS PLACE IN LIEU THEREOF A NEW SECTION 32.03.010.C.6.C.I – CZECH BOHEMIA OVERLAY DISTRICT WITH DESIGN STANDARDS AND GUIDELINES APPLICABLE TO NEW MULTI-FAMILY AND COMMERCIAL DEVELOPMENT APPLICATIONS AND BUILDING PERMITS WITHIN THE OVERLAY DISTRICT

WHEREAS, Ordinance No. 006-12, dated and approved February 14, 2012 establishes the Czech Bohemia Overlay District within the City to provide for enhanced design standards in identified districts, and

WHEREAS, the Czech Bohemia Design Review Technical Advisory Committee has worked with the City on developing a set of guidelines and recommendations for future development within the Czech Bohemia Overlay District, and

WHEREAS, the City notified all property owners within the Design Review Overlay District and held an open house to present the proposed updates on November 4, 2015, and

WHEREAS, the City Planning Commission reviewed the proposed amendment on December 3, 2015 and recommended approval;

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

Section 1. That Chapter 32, the Zoning Ordinance, is hereby amended by deletion of the Section 32.03.010.C.6.c.i – Czech Bohemia Overlay District (CB-O) and adoption of a new Section 32.03.010.C.6.c.i – Czech Bohemia Overlay District (CB-O).

i. Czech Bohemia Overlay District (CB-O)

The Czech Bohemia Overlay ("CB-O") District is hereby created. The Council finds that the CB-O District contains unique architecture that illustrates the history of urban development in the core of Cedar Rapids. The CB-O District contains a wide variety of architectural styles which reflect the first Czech settlements in Cedar Rapids, the Third Street commercial area, Czech Village, and the historic residential areas of the Oak Hill Jackson and the Czech Village neighborhoods. The purposes of the CB-O District are to ensure that the future development and reconstruction of commercial and multi-family buildings is compatible with the unique character of the CB-O District and to preserve its economic viability.

(A) District Boundaries

The CB-O District shall be an overlay for the entire area designated in Figure 32.03-1.

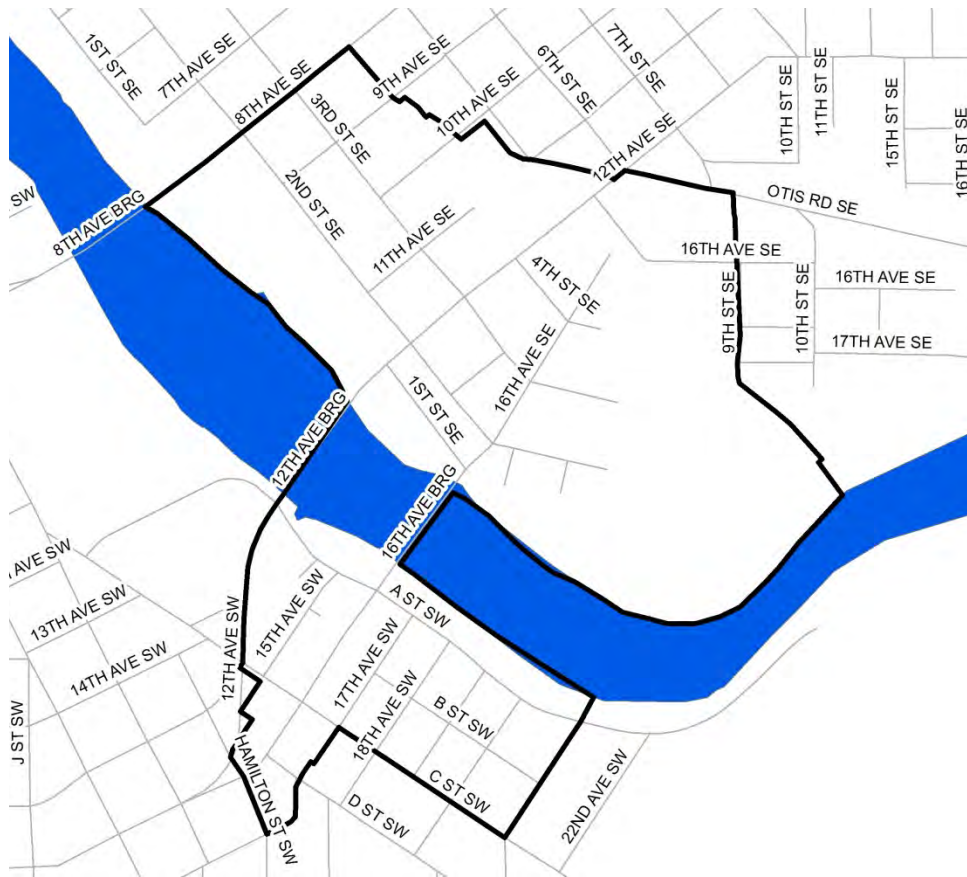


Figure 32.03-1 Czech Bohemia Overlay District

(B) CB-O District Standards and Guidelines

The CB-O Standards and Guidelines shall apply to new construction, additions to existing buildings and/or the exterior rehabilitation of buildings located within the boundaries of the CB-O District and that are submitted after February 9, 2016. The CB-O District Standards and Guidelines shall not apply to single-family and two-family dwellings.

(1) Building Massing, Orientation and Site Design

- (a) Commercial buildings shall be constructed with a 10 foot maximum setback (including building plinths). New construction should be pedestrian friendly.
- (b) Multi-family buildings shall be constructed with setbacks that lie within the established setback range of the district with care taken to existing buildings on the block.
- (c) Buildings shall be placed close to streets, drives and other buildings. Pedestrians shall be able to easily travel between buildings on clearly defined pedestrian paths, not parking lot driveways.
- (d) Service/loading areas should not be located near primary entrances to buildings.
- (e) Building shall be oriented towards the street with a pedestrian entrance facing the street encouraged.

- (f) Building scale and massing shall maintain a relationship with adjacent structures to create building street walls along streets, drives and sidewalks where possible. Building massing shall be consistent with the City's Comprehensive Plan, adjacent structures, and the character of the District.
- (g) Proposed facades wider than the established historic range of the block upon which the proposed development is to be located may be permitted, but design features shall be included to mimic traditional building widths of 50 feet or less. Changes in façade material, building height, window style or architectural detail are examples of techniques that may be permitted to break up a façade.
- (h) Multi-story buildings are encouraged. Single-story commercial buildings shall take adjacent building heights into consideration. These should be constructed with high ceilings or parapet walls to create a greater feeling of enclosure along the street and to compliment horizontal elements of adjacent buildings.
- (i) Buildings shall hold the corners of intersections where possible to enhance the sense of enclosure and pedestrian-orientation of the commercial area. Building heights at the corners of intersections may exceed those of the surrounding block.
- (j) The required screening of mechanical, loading, trash, and utilities shall complement materials used on the adjacent building. Brick or decorative stone in combination with decorative fencing and landscaping is preferred.
- (k) Site plans should conform to the Pedestrian Friendly Site Design standards of the Commercial and Office Building Placement Guidelines section of the ordinance.
- (l) Parking should be located behind buildings when feasible. Parking lots adjacent to sidewalks are discouraged. Additional landscaping and architectural elements shall be required for parking lots adjacent to sidewalks to help contribute to an attractive streetscape.
- (m) Where feasible, parking lots shall be linked between sites to reduce the need for district visitors to drive between adjacent stores and services. Shared parking between parcels is encouraged, and parking should be coordinated and signed appropriately to avoid user confusion

(2) Building Design

New and reconstructed elevations within the Czech Bohemia Overlay District shall comply with the requirements of this section. Provisions may be waived for existing structures if necessary to preserve the historic character of the building.

A high quality of design is expected of all new construction within the District. Criteria may vary whether an elevation is facing a street frontage, interior portions of a property, or are places close to a property line. The diagram and tables below shall be used to guide the application of Building Design requirements in the Overlay District.

(a) Description of Elevations

Table 32.03-3: Building Elevations, describes the three types of elevations; street-facing, interior, and lot-line, which comprise buildings within the district. Figure 32.03-6 shall be used as a reference in determining which standards apply to an existing or proposed building elevation. In the event where it is not clear which elevation standards apply, for example an elevation built at an angle facing both a street and interior side, the more stringent standards shall apply.

TABLE 32.03-3: Building Elevations		
Diagram Reference	Location	Description
A	Street elevation	Elevations along street frontages
B	Interior elevation	Elevations interior to the parcel which are visible from the street
C	Lot line elevation	Elevations without a public entrance which are located within 7' of a rear or side yard parcel boundary which may be obscured by future construction.

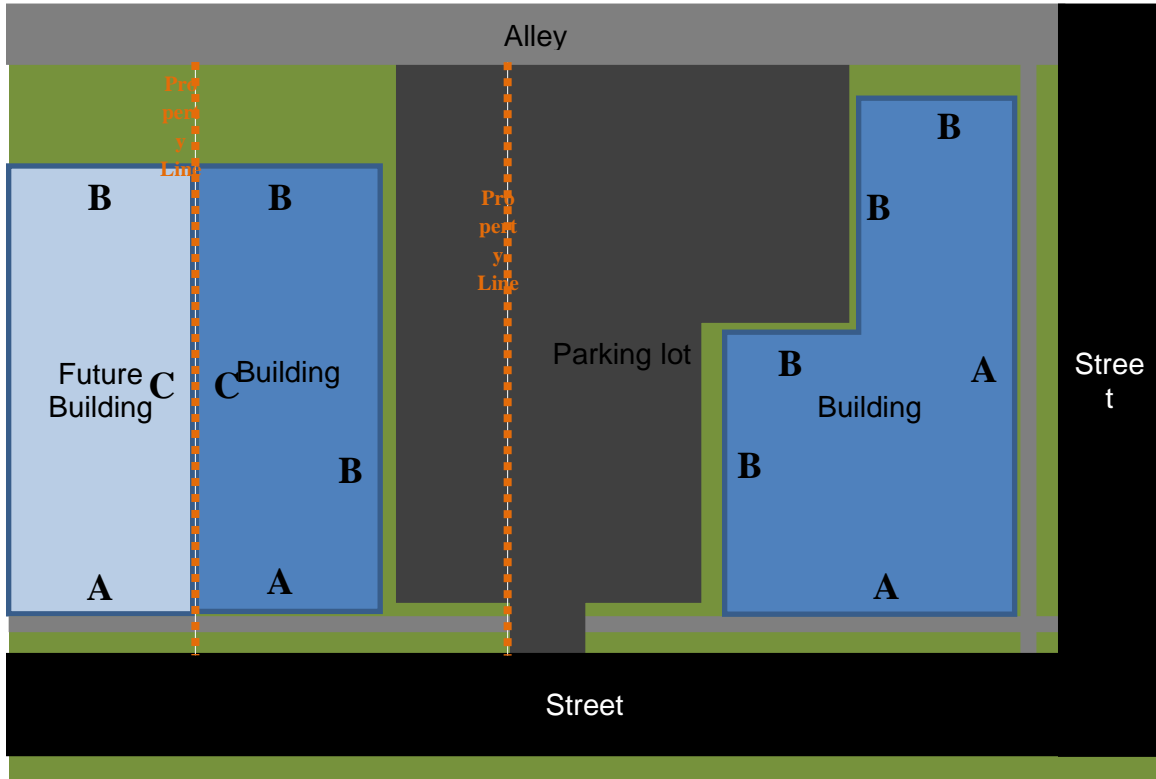


Figure 32.03-6: Building Elevation Reference

- (b) Explanation of Building Design Table Symbols
Table 32.03-4 below describes the symbols used in the Building Design Table.

TABLE 32.03-4: Description of Symbols for Table 32.03-5	
Symbol	Description
●	All new or reconstructed elevations must comply with this requirement.
◊	All new or reconstructed elevations are encouraged to comply with this requirement.
×	This requirement is not applicable to the elevation

- (c) Building Design Table
The Building Design Standards for the CB-O are described in Table 32.03-5.

TABLE 32.03-5: Czech Bohemia Building Design Table			
Czech Bohemia Overlay District Standards	Street Frontages	Interior	Lot line
a) Building design and architectural style create and enhance the character of the Czech Bohemia Overlay District for pedestrians and motorists. A range of architectural styles is preferred. However, all buildings should be designed with common elements: <ul style="list-style-type: none"> ○ Open glass storefronts (where retail is provided) or public entrances (other non-residential development); ○ Clearly defined entrances to ground and upper floors (if applicable); ○ Sign bands and awnings incorporated into the design and scale of the buildings; ○ Upper floor windows 	● ● ● ●	◊ ● ● ●	× × ◊ ×
b) Variations in rooflines are encouraged to add interest to buildings and reduce the massive scale of large buildings. Buildings which are taller than adjacent structures by more than 1 story should consider the use of upper-floor setbacks, dormers or other architectural features to soften the transition between structures.	●	◊	◊

c) The top edge of the building shall be defined by a cornice line or similar articulation.	●	●	◇
d) Windows and doors shall be located, spaced and aligned on the building facade in a manner consistent with the established context of the block.	●	◇	×
e) The sizes of windows and doors shall be consistent with the proportions of historic buildings in the District.	●	◇	×
f) Highly reflective, opaque or darkly tinted glass shall not be used for windows or doors around public entrances.	●	●	×
g) Rear building entrances and facades shall be designed in a manner consistent with the front and a side facade, especially when parking is behind buildings.	×	●	◇
h) Entrances into commercial buildings should not be recessed more than five feet from the exterior building wall	●	●	×
i) Buildings shall primarily be constructed of high-quality materials such as brick, stone, split face block masonry, architectural paneling, and glass. Exterior finish insulation systems (EFIS), stucco and vinyl may be used on upper floors but use should be limited on the ground level. Concrete block, metal or plywood should not be used on building facades or on walls that are visible from streets, driveways, sidewalks or parking areas.	●	●	◇
j) At a minimum 60% of the building elevation dedicated to non-residential uses should be windows, doors, and fenestration.	●	◇	×

(3) Site Furnishings and Landscaping

- (a) Visual continuity within the district is important. Site furnishings and other amenities significantly contribute to the overall image of the District. Site furnishings should be made of quality materials and complement the character of the District. These elements include benches, waste receptacles, planters, railings, bollards, bike racks, and tree grates.
- (b) Site furnishings are encouraged to be provided in pedestrian spaces such as building entrances, along walkways and in pedestrian plazas and seating areas.
- (c) Fencing shall be constructed of compatible materials that complement adjacent structures. The use of chain link fencing is not permitted within the Overlay District.

(4) Signage

- (a) New signage shall respect the size, scale, and design of the building to which it is attached, and the buildings of the surrounding District. New signage shall not obscure significant architectural details of a historic structure.
- (b) All freestanding signs shall be low in height and placed within planting areas that are coordinated with the overall design of the site. Small directional signs under 6 square feet are not required to be in planting areas.
- (c) Public art, sculpture, murals, etc. are encouraged in the Czech Bohemia Overlay District.
- (d) Acceptable forms of signage include signs integrated into or affixed flat against a building facade, wall signs, projecting signs and monument signs. Other types of signage, including pole signs, may be considered if compatible with the unique character of the District.

(C) *CB-O Design Manual*

The City Council shall adopt, by resolution, a Czech Bohemia Design Manual which shall include all of the CB-O District Standards included in this ordinance. In addition the Design Manual may include:

- Additional figures or tables helping explain the District Standards
- Design Recommendations which should be considered as part of the development of site plans and the design of buildings within the district. These recommendations include best practices along with suggested strategies to meet district standards and other aspects of the zoning ordinance.

The Czech Bohemia Design Manual may be updated by Resolution of the City Council but shall not alter or supersede the District Standards of the CB-O as described in this Code.

Section 2. That Chapter 32, the Zoning Ordinance, is hereby amended by deleting Section 32.03.010.C.6.c.i.(A) – District Boundaries, and the following Section 32.03.010.C.6.c.i.(A) here is hereby adopted in lieu of:

[illegible]

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 5. That the afore described Amended Chapter 32 shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

8

Introduced this 26th day of January, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Paula Mitchell
E-mail Address: p.mitchell@cedar-rapids.org

Phone Number/Ext.: 319 286-5852

Alternate Contact Person: Chrystal Shaver
E-mail Address: c.shaver@cedar-rapids.org

Phone Number/Ext.: 319 286-5182

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider public comments regarding identification of community development needs, program funding for development of proposed activities, and program performance for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs, prior to developing an Annual Action Plan for the period of July 1, 2016 to June 30, 2017 (Paula Mitchell).

CIP/DID #OB246513

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

Background: The City of Cedar Rapids is an "Entitlement Community" for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs administered by the U.S. Department of Urban Development (HUD). This means Cedar Rapids qualifies, based upon population, to receive an annual allocation of CDBG and HOME funding directly from HUD for use in the community. Funds are allocated based on a formula that considers factors such as population, degree of poverty, and age of housing stock, and are subject to the annual Congressional appropriations process. Though funds have not yet been officially allocated for FY16, estimated funding is approximately \$1,025,249 for CDBG and \$270,425 for HOME. This is similar to funding received in the current fiscal year, but a significant reduction from prior years, due to congressional cuts to discretionary funding.

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

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

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

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

This effort is specifically in regard to preparation of an Annual Actual Plan for the period from July 1, 2016 to June 30, 2017. Following the public hearing, the Grants and Programs committee will review applications and make funding recommendations for City Council's consideration in April or May of 2016. A second public hearing will be held prior to final approval of the Annual Action Plan.

Action/Recommendation: City staff recommends holding the public hearing.

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

Time Sensitivity: The City's Citizen Participation Plan calls for the first of two public hearings to be held in January, generally prior to the Grants and Programs Committee beginning their annual budgeting process.

Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA



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

Phone Number/Extension: 5153

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider proposed plans, specifications, form of contract, estimated costs, and advertising for bids by publishing notice to bidders for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project (estimated cost is \$1,388,000) **(Paving for Progress)**.

Resolution adopting plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project.
 CIP/DID #3012120-04.

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

Background: This project includes pavement reconstruction and storm sewer installation. The bid opening is scheduled for February 3, 2016. This is the northern section of a two-part project to repair West Post Road NW from Gordon Avenue NW to E Avenue NW. Construction of the southern section is expected to begin in fall of 2016.

Action/Recommendation: The Public Works Department recommends approval of the resolution to adopt plans, specifications, form of contract, estimated costs, setting a public hearing date for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: The alternative to this project is to defer construction of the project until a later season, direct staff to repackage the project into multiple smaller projects, or abandon the project.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 301/301000/3012120 SLOST

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 12, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the West Post Road NW from Plainview Drive NW to E Avenue NW Roadway Reconstruction project (Contract No. 3012120-04) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG





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: PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project (estimated cost is \$89,000).
 CIP/DID #304391-03

Resolution adopting plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project.

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

Background: The City has identified a 15-inch storm sewer located east of 1st Avenue East and south of 24th Street Drive SE that has partially collapsed. This project will abandon the existing storm sewer and construct a replacement 15-inch reinforced concrete pipe storm sewer within the right-of-way.

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: Defer the project to the future.

Time Sensitivity: Must be acted upon January 26, 2016 to maintain the project schedule, and which must occur ahead of the project's January 27, 2016 bid opening.

Resolution Date: January 26, 2016

Budget Information: Fund 304, Dept ID 304000, Project 304391 (\$101,222 NA)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 12, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 1st Avenue East South of 24th Street Drive SE Storm Sewer Improvements project (Contract No. 304391-03) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Cadd File Name: R:\PROJECT\SCIP\304391 23rd St SE Drainage\304391-03\304391 Council Map.dwg



**1ST AVENUE EAST SOUTH OF 24TH STREET DRIVE SE
STORM SEWER IMPROVEMENTS**





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: PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project (estimated cost is \$528,000).
 CIP/DID #304396-02

Resolution adopting plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project.

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

Background: The culvert under 27th Street SW between 28th Avenue and 29th Avenue has shown signs of significant deterioration. An analysis of the structure has also determined the existing structure is inadequately sized to meet current design standards. This project will replace the existing 11-foot steel plate culvert with a dual 12-foot by 8-foot reinforced concrete box culvert. The replacement culvert will be constructed to support a future urban section on 27th Street SW.

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: Defer the project to the future.

Time Sensitivity: Must be acted upon January 26, 2016 to maintain the project schedule, and which must occur ahead of the project's February 3, 2016 bid opening.

Resolution Date: January 26, 2016

Budget Information: Fund 304, Dept ID 304000, Project 304396 (\$625,588 NA)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 12, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the 27th Street SW Between 28th Avenue and 29th Avenue Culvert Replacement project (Contract No. 304396-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED_DAY_TAG

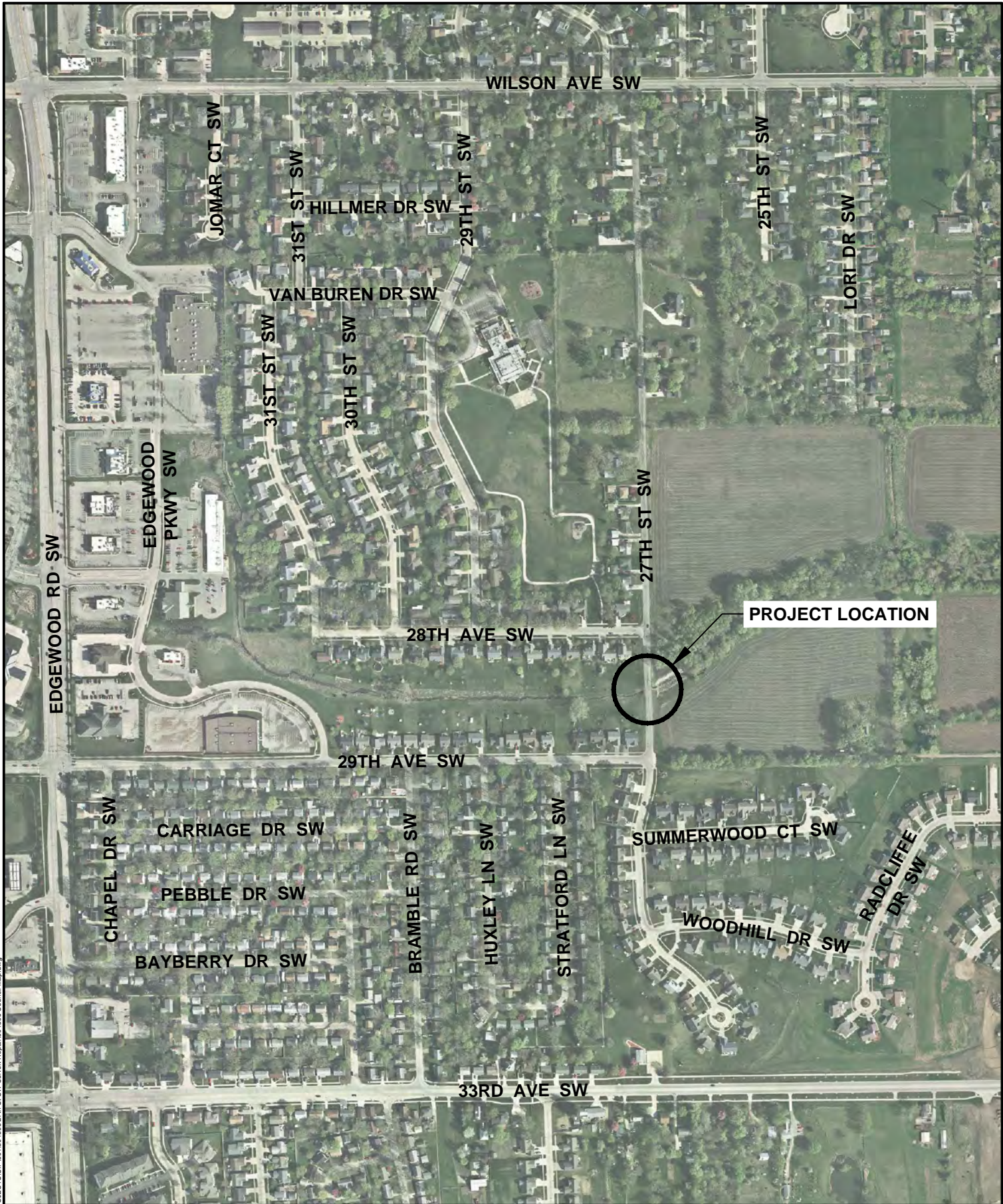
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



PROJECT LOCATION

Cadd File Name: W:\PROJECTS\CI\304396\27th St SW Culvert Repair\304396_Cornd Map.dwg



27TH STREET SW CULVERT REPLACEMENT PROJECT





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: Jim Flamming, PE
E-mail Address: j.flamming@cedar-rapids.org

Phone Number/Ext.: 5968

Description of Agenda Item: PUBLIC HEARINGS

To consider the plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project (estimated cost is \$5,420,000) (Steve Hershner).

Resolution adopting plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project.

CIP/DID #615148-03

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

Background: The existing chlorine equipment at the WPCF is dated and has been in operation for a long period of time. Until recently, there were minimal safety features at the WPCF: specifically, the facilities lacked chlorine shut-off valves or a chlorine scrubber. There is also limited redundancy in the existing system and the Disinfection Building HVAC system is in need of repair. This project generally consists of upgrades to the existing Disinfection Building and chlorine feed system. The Disinfection Building will be extended to the west to extend over the entire width of the Chlorine Contact Tank, which will allow for additional storage of chlorine cylinders. A new extension of the plant access road will be added to the east and south of the Chlorine Contact Tank, and a new dry scrubber system will be installed. Additional de-chlorination feed and storage system, hoist system, and other related piping, safety, HVAC, electrical and controls, and structural modifications will also be completed.

A mandatory pre-bid meeting was held on January 26, 2016 at the Water Pollution Control Facility at 10:00 a.m. A redundant mandatory pre-bid meeting will be held on January 28, 2016 at the Water Pollution Control Facility at 10:00 a.m. Bids will be opened and publicly announced on February 10, 2016.

Action/Recommendation: The Utilities Department – Water Pollution Control Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project.

Alternative Recommendation: None

Time Sensitivity: 01-26-16

Resolution Date: 01-26-16

Budget Information:

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY2016, FY2017, and FY2018 Water Pollution Control Division Capital Improvement Program budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$1,100,000 in the FY2016, \$1,500,000 in the FY2017, and \$1,500,000 in the FY2017 Capital Improvement Projects budget for the Water Pollution Control Division for the WPCF Chlorine System Upgrade project. Additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-615-615000-x-x-615148.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 26, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the WPCF Chlorine System Upgrade project (615148-03) 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 improvements 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: Community Development

Presenter at Meeting: Jeff Hintz

Phone Number/Ext.: 319 286-5781

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

Alternate Contact Person: Anne Russett

Phone Number/Ext.: 319 286-5075

E-mail Address: a.russett@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution in support of proposed National Register of Historic Places landmark designation for the Sinclair Building-Smulekoff's Furniture Store located at 97 3rd Avenue SE.

CIP/DID #OB1369853

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

Background: On January 14, 2016 the Cedar Rapids Historic Preservation Commission (HPC) recommended approval of proposed National Register of Historic Places landmark designation for the Sinclair Building-Smulekoff's Furniture Store located at 97 3rd Avenue SE.

As a Certified Local Government (CLG) with the state, the Cedar Rapids HPC and City Council are given the opportunity to recommend approval or denial to the State Nominations Review Committee (SNRC) of all National Register of Historic Places (NRHP) nominations in the corporate limits. The SNRC is a committee run through the State Historic Preservation Office (SHPO) and final decision on all NRHP submissions is determined by the National Park Service (NPS).

This nomination is being made by the future property owner and the City of Cedar Rapids is involved as a commenting party through the HPC and City Council.

NRHP designation is an honorary designation and lists the structure on NPS databases. Nationally recognized districts and landmarks do not offer local review of changes to properties by the Cedar Rapids HPC, unless locally designated a landmark or district by city ordinance. However, the NRHP does open the door for both State and Federal tax credits for eligible rehabilitation projects. To become eligible for these tax credits, work consistent with the Secretary of the Interior's Standards for Rehabilitation must take place. To receive tax credits, the proposed work on the property is reviewed at the State and Federal level to ensure work is done in harmony with approved standards.

The nomination form includes a historical summary of the property and rationale for the nomination. The Sinclair Building-Smulekoff's Furniture Store is significant in telling the story of the beginnings of downtown commerce along the river in Cedar Rapids. In addition, this nomination will help to complement the Downtown Commercial Historic District, which was recently listed on the NRHP in December of 2015.

Timeline

January 14, 2016 – HPC recommendation of approval

January 26, 2016 – Council Action

January 29, 2016 – Submission of HPC and Council actions to SHPO

February 12, 2016 – SNRC Meeting

Afterwards corrections and revisions are made and depending upon recommendation, properties advanced to NPS for final decision.

Action/Recommendation: City Staff recommends approval of the resolution.

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the future property owner has initiated this process and undertaken the necessary research and documentation to nominate the property to the National Register of Historic Places as an individual landmark, and

WHEREAS, the property is significant in telling the story of the beginnings of downtown commerce along the river in Cedar Rapids, and

WHEREAS, on January 14, 2016 the Cedar Rapids Historic Preservation Commission recommended approval of this property as a National Register of Historic Places Landmark to the State Nominations Review Committee, and

WHEREAS, the City Council desires to participate in the Certified Local Government Program and make comment on this proposal within the corporate boundaries of Cedar Rapids, and

WHEREAS, the City Council desires to express its support for the future property owner's proposal to have the property listed on the National Register of Historic Places,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that this City Council does hereby express its support for the Sinclair Building-Smulekoff's Furniture Store National Register of Historic Places listing, as proposed by the future property owner, as described herein, and the Mayor of Cedar Rapids, Iowa is hereby authorized to sign the State Historic Preservation Office form approving the National Register of Historic Places landmark on behalf of the Cedar Rapids City Council.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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 up to \$1,000,000 in Relocation Assistance benefits and protective rent payments to be drawn from an allocated program for various properties to be acquired for the Cedar River Flood Control System program.
 CIP/DID #3311200-00

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

Background: The properties required for the Cedar River Flood Control System will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). The residential and non-residential occupants of the proposed properties to be acquired are eligible for relocation assistance per the Uniform Act. It is estimated \$900,000 is required to fund the current proposed occupant relocations for properties listed on Exhibit "A" of the resolution to be acquired per the Uniform Act guidelines.

In addition, it is estimated \$100,000 is required to fund protective rent to owners of properties listed on Exhibit "A" of the resolution to be acquired. Tenants may be relocated at various times leaving the property owner with continued expenses. The protective rent secures the vacant unit from the threat of releasing until title is transferred to the City. The protective rent is based on the current unit lease rate for the affected property and vacancy period. The City will take possession of a property after it is vacated by the occupants.

The allocation of these funds will provide the ability to request draws directly from Finance and eliminate processing multiple claim requests by resolution through City Council.

Action/Recommendation: The Public Works Department recommends authorizing draw payments from the GRI funds in an amount not to exceed \$1,000,000 for occupant relocation assistance for related relocation expenses and for protective rent.

Alternative Recommendation: Have Council approve each property benefit claim on a case-by-case basis

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 331/331000/3311200, 3312200, 3313200, 3314200 GRI

Local Preference Policy: NA

Explanation: Local Preference Policy does not apply to the acquisition of properties and relocation benefits.

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Cedar River Flood Control Master Plan calls for acquiring properties in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Act), and

WHEREAS, the occupants of the following proposed properties to be acquired are eligible for Relocation Assistance as required by the Uniform Act

See Attached Exhibit "A"

, and

WHEREAS, it is estimated \$900,000 is required to be allocated from the Growth Reinvestment Initiative (GRI) fund to provide relocation assistance to the proposed residential and non-residential displaced occupants of property to be acquired per the Uniform Act guidelines, and

WHEREAS, Relocation Assistance benefits shall be requested by issuance to the Finance Department of a fully executed Relocation Claim form by the proposed displaced occupant and designated City Representative and shall not exceed the amount determined for each of the occupants to be available for Relocation Assistance provided under the Uniform Act, and

WHEREAS, as a typical part of the acquisition process with a rental property, tenants are relocated at various times leaving the property owner with continued expenses and a gap in rent revenues until all tenants are relocated, and

WHEREAS, the Uniform Act provides for the City to pay the property owner protective rent to keep the unit(s) vacant until all property tenants are relocated and title transferred to the City, and

WHEREAS, it is estimated \$100,000 is required to be allocated from the GRI fund for protective rent based on the vacancy period for the unit and current unit lease rate for the affected properties, and

WHEREAS, the Flood Control Program Manager recommends the City allocate \$1,000,000 from the GRI fund for Relocation Assistance and for Protective Rent as required by the Uniform Act, and

WHEREAS, amendments to the allocated \$1,000,000 and Exhibit "A" will come forward as additional properties are acquired, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Cedar Rapids Flood Control System (Fund 331, Dept ID 3311000, Project 3311200, 3312200, 3313200 and 3314200 GRI), now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Flood Control Program Manager or designee are hereby authorized to execute the Relocation Assistance Claim form, and

BE IT FURTHER RESOLVED, the City of Cedar Rapids Finance Director is hereby authorized and directed to issue payment necessary for relocation assistance and pay protective rent drawn from the GRI allocated relocation assistance funds of \$1,000,000 pertaining to the properties listed on the attached Exhibit "A" required for the Cedar River Flood Control System.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

EXHIBIT "A"

Cedar River Flood Control System

Property Acquisition Relocation Assistance & Rent Protection

Address	Owner	Property Type
65 20 th Avenue SW	Maria L. Ortega	Residential
65 & 67 21 st Avenue SW	Debbie Kula	Residential
20 22 nd Avenue SW	Cedar Rapids Transmission, Inc.	Commercial
2204 A Street SW	Patrick & Linda Lang	Commercial
1231 & 1250 2 nd Street NW	Roy T Saddler Rev Trust & Granma Saddlers Prop LLC	Commercial
1232 1 st Street NW	Saddler Brothers LTD	Commercial
1326 4 th Street NW	Larry & Ruth Van Duesen	Residential
1205 5 th Street NW	Andrew & Sabrina Holm	Residential
1124 1 st Street NW	Hubbard Industrial Park LC	Commercial
90 F Avenue NW	DeLong Development Co.	Commercial
1723 Ellis Blvd NW	Edward & Kathy Pettus	Residential



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

Phone Number/Extension: 5814

Description of Agenda Item: CONSENT AGENDA

Resolution accepting the established fair market value in the amount of \$6,200 for the partial acquisition of a permanent drainage easement and a temporary grading easement for construction from Duane K. and Darlus J. Selken from land located at 5225 Beverly Road SW in connection with the Beverly Road SW Culvert Replacement project.
 CIP/DID #304421-00

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

Background: These easements are required to accommodate the proposed Beverly Road SW Culvert Replacement project. The project will replace an existing culvert that was damaged in the 2014 flash flood event. The damaged culvert is being upsized to meet the current design standards and requires acquisition of a permanent drainage easement and a temporary grading easement for construction. At the request of the property owners, the Public Works Department worked with the property owners to reduce acquisition impacts; however, negotiations have come to an impasse between the City and the property owner to acquire the necessary easements.

The compensation amount of \$6,200 offered for the partial acquisition of a permanent drainage easement and a temporary grading easement for construction is based on an appraisal of the subject property, provided by a qualified Iowa-certified appraiser and a review appraiser's recommendation hired by the City.

The acceptance of establishing fair market value is the first of two steps in passing a resolution to refer to the Linn County Compensation Commission in accordance with the eminent domain proceedings to allow the City to obtain easement rights. This action is an expediency to maintain the construction schedule to protect the City's project letting. If the owner is willing, the City will remain available to negotiate to reach a mutually agreeable settlement to conclude this transaction. If an agreement is executed and approved by City Council prior to convening the Linn County Compensation Commission, the eminent domain proceedings will terminate.

Action/Recommendation: The Public Works Department recommends the City Council adopt the resolution accepting the established fair market value of \$6,200 for the partial acquisition of a permanent drainage easement and a temporary grading easement for construction from property located at 5225 Beverly Road SW required for the subject project.

Alternative Recommendation: Do not proceed with acquiring the proposed permanent drainage easement and temporary grading easement for construction under the eminent domain proceedings and direct City staff to abandon or reconfigure the project.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 304/304000/304421 NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Cook Appraisal Commercial Valuation Research Group prepared an appraisal to establish the fair market value in the amount of \$6,200 for the partial acquisition of a permanent drainage easement and a temporary grading easement for construction from Duane K. and Darlus J. Selken from land located at 5225 Beverly Road SW in connection with the Beverly Road SW Culvert Replacement project, and

WHEREAS, the Public Works Department recommends that the City Council accept the established fair market value of the above affected property as a result of the project, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Beverly Road SW Culvert Replacement project, (Fund 304, Dept ID 304000, Project 304421 NA),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council accept the fair market value in the amount of \$6,200 for a permanent drainage easement and a temporary grading easement for construction from land located at 5225 Beverly Road SW affected by the Beverly Road SW Culvert Replacement project.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Cadd File Name: W:\PROJECTS\304\304421 Beverly Road SW Culvert (FEMA_14)\304421 Council Map.dwg



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5153

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

Phone Number/Extension: 5628

Description of Agenda Item: CONSENT AGENDA

Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the 2013 Northeast Side School Routes Sidewalk Improvements project.
 CIP/DID #325012-00

EnvisionCR Element/Goal: CONNECTCR Goal 3: Establish a network of complete streets

Background: Construction has been fully completed by BWC Excavating, LC for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301928-01) with a total cost of completed work to date of \$169,840.81. Amount proposed to be assessed to 8 benefiting properties is \$23,270 (note: \$6,580 of Parcel 8 preliminary assessment was paid as part of a purchase agreement with the City on May 19, 2014 reducing the outstanding balance to \$16,410). The preliminary assessment amount of \$29,850 was approved by City Council on April 23, 2013. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements. In conformance with the provisions of the Iowa Code for special assessment (Chapter 384) proposes a resolution to levy the final assessment.

Action/Recommendation: The Public Works Department recommends adoption of the resolution.

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

Time Sensitivity: Must be acted on by January 26, 2016, due to assessment schedule per State code timeline.

Resolution Date: January 26, 2016

Budget Information: CIP No. 301928 NA, and CIP No. 325012, NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

That after full consideration of the final schedule of assessments and accompanying plat showing the assessments proposed to be made for the construction of the 2013 Northeast Side School Routes Sidewalk Improvements, within the City, under contract with BWC Excavating, LC, of Solon, Iowa, which final plat and schedule was filed in the office of the Clerk on the 14th day of January, 2016, said assessments are hereby corrected by making the following changes and reductions:

NAME OF PROPERTY OWNER AND DESCRIPTION OF PROPERTY	PROPOSED FINAL ASSESSMENT	PROPOSED FINAL CONDITIONAL DEFICIENCY, IF ANY	CORRECTED FINAL ASSESSMENT	CORRECTED FINAL CONDITIONAL DEFICIENCY, IF ANY
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None

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

BE IT FURTHER RESOLVED, that said assessments of an amount subject to the provisions of Section 384.60, Code of Iowa, shall be payable in ten (10) equal annual installments and shall bear interest at the rate of 9 percent per annum, the maximum rate permitted by law, from the date of the acceptance of the improvements; the first installment of each assessment, or total amount thereof, if it be less than the amount subject to the provisions of Section 384.60 Code of Iowa, with interest on the whole assessment from date of acceptance of the work by the Council, shall become due and payable on July 1, 2016; succeeding annual installments, with interest on the whole unpaid amount, shall respectively become due on July 1st annually thereafter, and shall be paid at the same time and in the same manner as the September semiannual payment of ordinary taxes. Said assessments shall be payable at the office of the City Treasurer, in full or in part and without interest within thirty days after the date of the first publication of the notice of the filing of the final plat and schedule of assessments to the County Treasurer of Linn County, Iowa.

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

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

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

NOTICE OF FILING OF THE FINAL PLAT AND SCHEDULE
OF ASSESSMENTS AGAINST BENEFITED PROPERTIES FOR
THE CONSTRUCTION OF THE 2013 NORTHEAST SIDE SCHOOL ROUTES
SIDEWALK IMPROVEMENTS
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE
2013 NORTHEAST SIDE SCHOOL ROUTES SIDEWALK IMPROVEMENTS WITHIN THE CITY
OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

141617601700000 TURNER'S 1ST	141617602100000 TURNER'S 1ST E 7.5'
141617601800000 TURNER'S 1ST (LESS E 7.5' S 100')	141617602200000 IRR SUR NE 16-83-7 E 380' S 175' N 231.7' & (LESS ST) E 241' S 267.26'
141617601900000 TURNER'S 1ST (LESS E 7.5') LOT 2 & E 7.5' S 100'	141525401500000 MOUND FARM (LESS ST) S 85' ON FRT LN BNG 100' IN REAR
141617602000000 TURNER'S 1ST (LESS E 7.5') LOT 1 & E 7.5'	1415302001600000 P.O.S. #1837 PARCEL A

The extent of the work completed on the 2013 Northeast Side School Routes Sidewalk Improvements is as follows:

Sidewalk construction located along the north side of J Avenue NE from Oakland Road to Maplewood Drive and along the south side of K Avenue NE from end of existing sidewalk to Prairie Drive

You are hereby notified that the final plat and schedule of assessments against benefited properties within the District described as the 2013 Northeast Side School Routes Sidewalk Improvements, for the construction of sidewalk improvements, has been adopted and levied by the Council of Cedar Rapids, Iowa, and that said plat and schedule of assessments has been certified to the County Treasurer of Linn County, Iowa. Assessments of \$500 or more are payable in ten (10) equal annual installments, with interest on the unpaid balance, all as provided in Section 384.65, City Code of Iowa. Conditional deficiency assessment, if any, may be levied against the applicable property for the same period of years as the assessments are made payable.

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

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

All properties located within the boundaries of the 2013 Northeast Side School Routes Sidewalk Improvements, above described have been assessed for the cost of the making of said improvements, the amount of each assessment, and the amount of any conditional deficiency assessment having been set out in the schedule of assessments and plat accompanying the same, which are now on file in the office of the County Treasurer of Linn County, Iowa. For further information you are referred to said plat and schedule of assessments.

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

ClerkSignature

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

STATE OF IOWA

COUNTY OF LINN

I, Amy Stevenson, Clerk of the City of Cedar Rapids, County of Linn, State of Iowa, do hereby certify that at a meeting of the Council of Cedar Rapids, Iowa, held on the 26th day of January, 2016, the said Council did levy special assessments for and on account of the cost of construction of the 2013 Northeast Side School Routes Sidewalk Improvements, under contract with BWC Excavating, LC, of Solon, Iowa, on the following or portions thereof, in said Municipality, to-wit:

141617601700000 TURNER'S 1ST	141617602100000 TURNER'S 1ST E 7.5'
141617601800000 TURNER'S 1ST (LESS E 7.5' S 100')	141617602200000 IRR SUR NE 16-83-7 E 380' S 175' N 231.7' & (LESS ST) E 241' S 267.26'
141617601900000 TURNER'S 1ST (LESS E 7.5') LOT 2 & E 7.5' S 100'	141525401500000 MOUND FARM (LESS ST) S 85' ON FRT LN BNG 100' IN REAR
141617602000000 TURNER'S 1ST (LESS E 7.5') LOT 1 & E 7.5'	1415302001600000 P.O.S. #1837 PARCEL A

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

2013 Northeast Side School Routes Sidewalk Improvements

I further certify that the said assessments of \$500 or more are payable in ten (10) equal annual installments, together with interest thereon at the rate of 9 percent per annum computed to December 1st following the due date of each installment. Interest commences on January 12, 2016, the date of acceptance of the work. The first annual installment, or the full amount of assessments less than \$500.00, are due and payable on July 1st following the date of levy of these assessments as set forth above (unless this certification is made within less than thirty days prior to July 1st) and is subject to the provisions of Section 384.65, City Code of Iowa, with respect to lien, delinquent dates, interest, penalties and years of payment.

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the 26th day of January, 2016.

ClerkSignature

I hereby certify that on the ____ day of _____, 20____, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on January 26, 2016.

County Treasurer

I hereby certify that on the ____ day of _____, 20____, there was filed with me as Building Permit Official of the City of Cedar Rapids, Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed street improvements in said Municipality, and a copy of the final plat and schedule of assessments and conditional deficiency assessments, referred to in the resolution levying said assessments, heretofore adopted by the City Council on January 26, 2016.

Building Permit Official of the City of Cedar
Rapids, Iowa

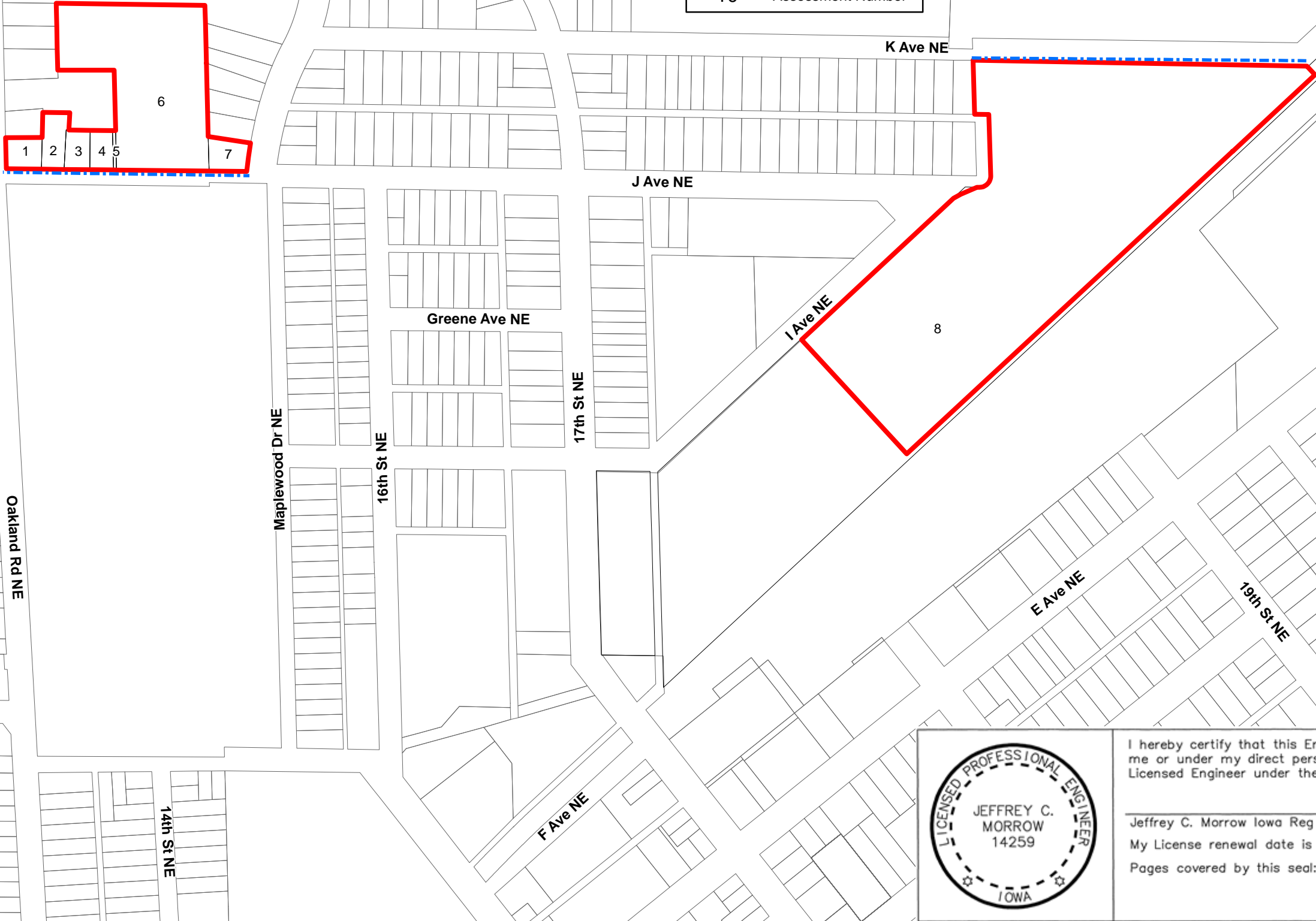
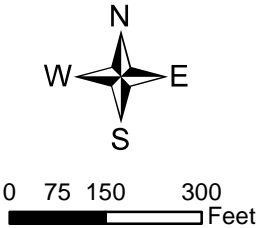
FINAL ASSESSMENT PLAT
2013 NORTHEAST SIDE SCHOOL ROUTES
SIDEWALK IMPROVEMENTS
CIP 325012-00

Legend

Assessment Boundary

Sidewalk Benefit

10Assessment Number



JEFFREY C. MORROW
14259
IOWA

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

Jeffrey C. Morrow Iowa Reg No. 14259

My License renewal date is December 31, 2017

Pages covered by this seal: _____



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5821

Description of Agenda Item: CONSENT AGENDA

Resolution accepting work and fixing amount to be assessed for the FY 2015 Curb Repair Project – Contract 2 project.
 CIP/DID #301998-00

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

Background: Construction has been completed by Ti-Zack Concrete, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 301998-07) with a final construction amount of \$538,900. Final amount proposed to be assessed to the benefited properties is \$5,720. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

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

Alternative Recommendation: Revise the current policy to something involving a City contribution, and in turn lower the assessment. The FY16 budget does not include additional funds for contributions, so a funding source would have to be identified if the Council wants to pursue.

Time Sensitivity: Must be acted on by January 26, 2016 due to assessment schedule per State code timeline.

Resolution Date: January 26, 2016

Budget Information: Dept ID 301000, Project 301998, SLOST

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 9, 2015, the City of Cedar Rapids, Iowa, entered into contract with Ti-Zack Concrete, Inc. of LeCenter, MN, for the construction of the FY 2015 Curb Repair Project – Contract 2 project within the City, as therein described; and

WHEREAS, said contractor has completed the construction of said improvements, known as the FY 2015 Curb Repair Project – Contract 2 project, in accordance with the terms and conditions of said contract and plans and specifications, as shown by the Certificate of the Engineer filed with the Clerk on January 20, 2016:

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 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 \$538,900.47.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$538,900.47.

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 curb 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 \$5,720 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.

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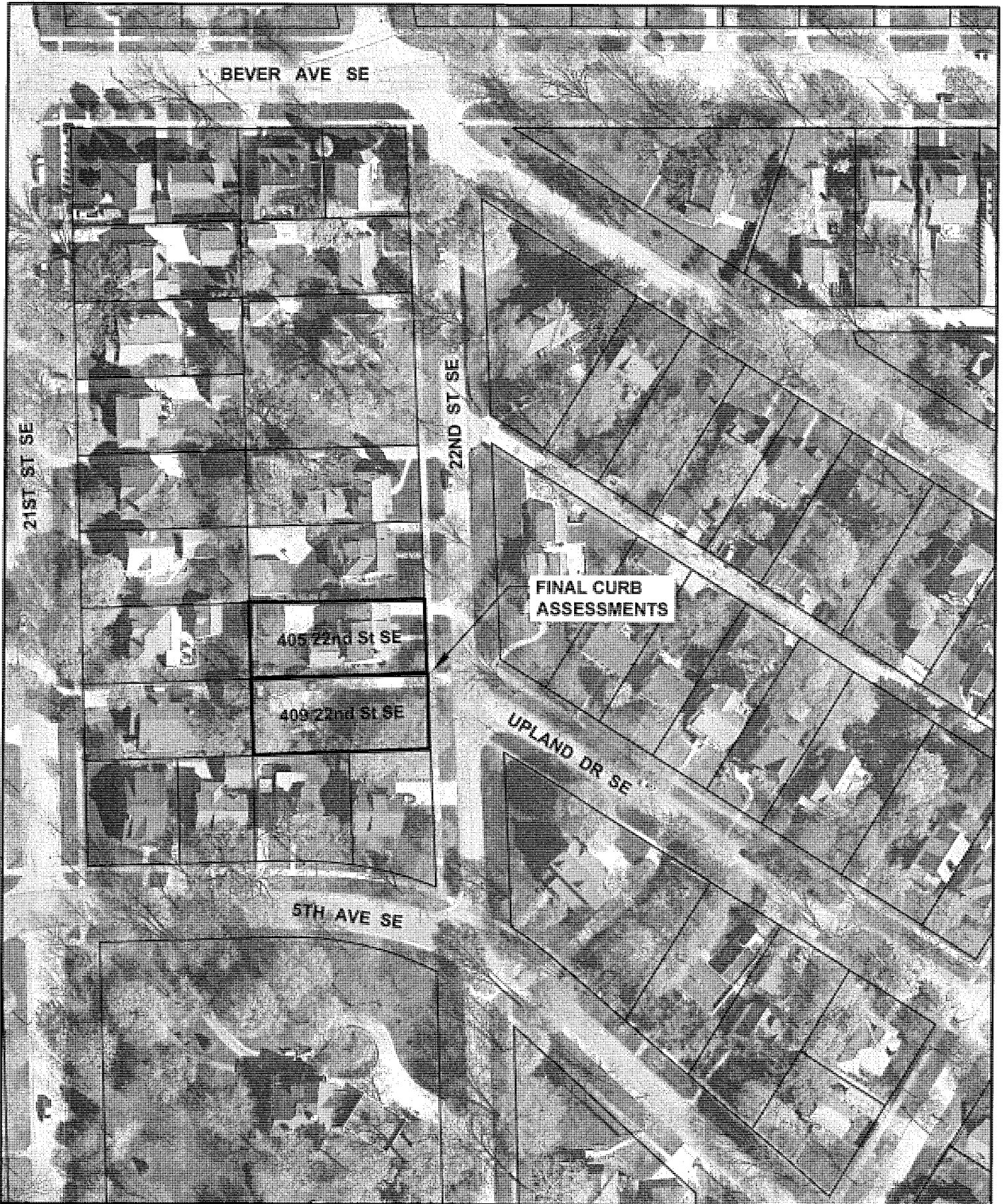
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MayorSignature

Attest:

ClerkSignature

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**FY 2015 CURB REPAIR PROJECT - CONTRACT 2
FINAL SIDEWALK ASSESSMENT**





Council Agenda Item Cover Sheet

Submitting Department: Fire

Presenter at Meeting: Mark A. English
E-mail Address: m.english@cedar-rapids.org

Phone Number/Ext.: 319-286-5220

Alternate Contact Person: Gregory Smith
E-mail Address: g.smith@cedar-rapids.org

Phone Number/Ext.: 319-286-5224

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing Fire Chief or the Chief's Designee to execute Agreements for Use, Release, and Indemnification Contracts on behalf of the Cedar Rapids Fire Department for Non-Burn Exercises and Life Fire Training through December 31, 2017.
 CIP/DID #FIR0116-0008

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

Background: The current Resolution authorizing the Fire Chief or Chief's Designee to execute the Agreement for Use, Release and Indemnification Contract on behalf of the Cedar Rapids Fire Department for Non-Burn Exercises and Life Fire Training expired on December 31, 2015. This allowed for donated property to be trained on quickly so the property can be removed and the property owner can move on in the construction process. These trainings provide invaluable practice to employees of the Cedar Rapids Fire Department.

Action/Recommendation: The Fire Department recommends approval of this resolution.

Alternative Recommendation: None.

Time Sensitivity: March 1, 2016

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: N/A
Explanation: N/A

Recommended by Council Committee:
Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids Fire Department requires suitable structures for field exercises to properly train and instruct its public safety employees in fireground tasks and techniques including the extinguishment of actual live fires (Non-Burn exercises and Live Fire Training), and

WHEREAS, the OWNERS are desirous of having the structure on the Property dismantled, destroyed, or otherwise demolished and has entered into a signed Agreement For Use, Release, and Indemnification Contract with the City for Fire Department use of the structure for Non-Burn Exercises and Live Fire Training, and

WHEREAS, the abovementioned Property has been properly prepared for destruction or demolition, including identification and removal of all asbestos-containing materials according to the requirements of the Iowa Department of Natural Resources, elimination of all utilities, including water, natural gas, electrical service, and communication services.,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fire Chief be authorized to execute Agreements For Use, Release, and Indemnification on behalf of the Cedar Rapids Fire Department until midnight on December 31, 2017.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: City Council

Presenter at Meeting: Mayor Corbett
E-mail Address: ron.corbett@cedar-rapids.org

Phone Number/Ext.: 286-5053

Alternate Contact Person: Angie Charipar
E-mail Address: a.charipar@cedar-rapids.org

Phone Number/Ext.: 286-5090

Description of Agenda Item: CONSENT AGENDA
 Resolution authorizing the establishment of the Safe, Equitable and Thriving (S.E.T.) Communities Task Force. CIP/DID #CM003-16

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

Background: The Cedar Rapids City Council desires to establish a task force to engage in a study and evaluation of ways to address poverty in Cedar Rapids in order to ensure that our communities will be a safer, more equitable, and a place where all people can thrive. The task force shall endeavor to determine the history, trends, and current status of the cycle of poverty in Cedar Rapids, study community strategies that address poverty at its system roots, decrease violent crime, eliminate barriers to education, close the achievement gap, address unemployment and underemployment, and address correlations between low-income housing practices and poverty. The task force shall further endeavor to evaluate available resources and provide recommendations for city government, the private sector, community and nonprofit organization, and citizens working in a cooperative way, to address poverty within the community. The task force shall consider the Cedar Rapids City Council Goals of StrengthenCR, GrowCR, ConnectCR, GreenCR, InvestCR, and ProtectCR throughout their work.

Action/Recommendation: Approve resolution

Alternative Recommendation: City Council may table and request additional information

Time Sensitivity:

Resolution Date: January 26, 2016

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, the Cedar Rapids City Council desires to establish a task force to engage in a study and evaluation of ways to address poverty in Cedar Rapids in order to ensure that our communities will be a safer, more equitable, and a place where all people can thrive; and

WHEREAS, the task force shall endeavor to determine the history, trends, and current status of the cycle of poverty in Cedar Rapids; and

WHEREAS, the task force shall further endeavor to study community strategies that address poverty at its systemic roots, decrease violent crime, eliminate barriers to education, close the achievement gap, address unemployment and underemployment, and address correlations between low-income housing practices and poverty; and

WHEREAS, the task force shall further endeavor to evaluate available resources and provide recommendations for city government, the private sector, community and nonprofit organizations, and citizens working in a cooperative way, to address poverty within the community, including within these areas:

- Early childhood strategies
- Role model mentoring programs
- Alternative activities and youth engagement
- Innovative approaches to education
- Addressing the mental health needs of underserved communities
- Best practices for low-income housing
- Prior offender re-entry programs
- Best practices for law enforcement
- Employment and job opportunities; and

WHEREAS, the Cedar Rapids City Council Goals, identified as elements within EnvisionCR, the City's Comprehensive Plan adopted on January 27, 2015, include StrengthenCR, GrowCR, ConnectCR, GreenCR, InvestCR, and ProtectCR. These elements each include components of the direction to this Task Force and should be considered throughout their work,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Safe, Equitable, and Thriving (S.E.T.) Communities Task Force, is hereby established and:

1. The Task Force shall be comprised of 19 members appointed by the Mayor and City Council.
2. The Task Force shall appoint a chair and vice chair from its members, and form relevant subcommittees as needed from the appointed members.
3. The Task Force shall report to the Cedar Rapids City Council its findings regarding the areas listed above by June 1, 2016, with a final report submitted by December 31, 2016.
4. The Task Force shall remain in effect until December 31, 2016, at which time the City Council may take action to extend it.
5. Reasonable resources to staff the task force shall be provided as approved by the City Manager.
6. Public information services shall be provided by the City of Cedar Rapids as approved by the City Manager.

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MayorSignature

Attest:

ClerkSignature

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

Phone Number/Extension: 5628

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the addition of one full-time or part-time employee in the Public Works Department for the duration of the Paving for Progress program to assist with management and design of the Paving for Progress program (**Paving for Progress**).
 CIP/DID #49-16-006

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

Background: In November of 2013, Cedar Rapids approved a one-cent Local Option Sales Tax (LOST) specifically for the maintenance, repair, construction, and reconstruction of roads (known as the Paving for Progress program) within Cedar Rapids. The approval of LOST funds is for a 10-year period that began on July 1, 2014. The City is currently under contract with an engineering consulting firm to assist with overseeing, managing, designing, and implementing the Paving for Progress program. The Public Works Department will require one additional project engineer to manage projects and eliminate the need for project management by the consulting firm. Addition of this position will reduce project management costs for the program.

Action/Recommendation: Approve creation of one full-time or part-time position.

Alternative Recommendation: Continue to outsource the assistance.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: Paving for Progress

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, in November of 2013, Cedar Rapids approved a one-cent Local Option Sales Tax (LOST) specifically for the maintenance, repair, construction, and reconstruction of roads (known as the Paving for Progress program) within Cedar Rapids, and

WHEREAS, the Public Works Department needs an additional employee to assist with overseeing, managing, designing and implementing the Paving for Progress program, and

WHEREAS, the Public Works Department will require one project engineer position to provide this assistance,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to establish one additional full-time or part-time employee in the Public Works Department for the duration of the Paving for Progress program.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA--Consent

Phone Number/Ext.: 5019

E-mail Address: c.huber@cedar-rapids.org

Alternate Contact Person: Heath Halverson

Phone Number/Ext.: 5110

E-mail Address: h.halverson@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the addition of .70 FTE in the City Manager's Office through September 30, 2016 to support the Blue Zones Project and Wellbeing Advisory Committee.

CIP/DID #HR0004

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

Background: Project management of the City of Cedar Rapids Wellbeing Advisory Committee will be staffed in the City Manager's Office for a time period not to exceed September 30, 2016. Budgetary dollars will be funded through the Blue Zones Project to create a .70 FTE.

Action/Recommendation: Approve creation of .70 FTE in the City Manager's Office.

Alternative Recommendation: Request staff complete additional research and provide additional options.

Time Sensitivity:

Resolution Date: 01/26/16

Budget Information: The Blue Zones Project will fund the .70 FTE.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the project management of the City of Cedar Rapids Wellbeing Advisory Committee will be staffed in the City Manager's Office for a time period not to exceed September 30, 2016, and

WHEREAS, budgetary dollars will be funded through the Blue Zones Project to create a .70 FTE within the City Manager's Office, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is hereby authorized to establish .70 FTE for project management of the City of Cedar Rapids Wellbeing Advisory Committee.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA--Consent

Phone Number/Ext.: 5019

E-mail Address: c.huber@cedar-rapids.org

Alternate Contact Person: Heath Halverson

Phone Number/Ext.: 5110

E-mail Address: h.halverson@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the City Council to approve a salary increase for the City Attorney by 3.85%.

CIP/DID #

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply

Background: City Council conducted their annual City Attorney Performance Evaluation on November 12, 2015. Upon recommendation of the City Council an increase in salary is granted for the salary of the City Attorney.

Action/Recommendation: Approve an increase of 3.85% to the City Attorney's salary.

Alternative Recommendation: N/A

Time Sensitivity:

Resolution Date: 1/26/16

Budget Information: 3.85% Salary Increase

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on or about January 12, 2016, the City Council completed a periodic performance evaluation for the City Attorney, and

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

1. Effective as of January 1, 2016, the salary shall be increased for James Flitz by 3.85%.
2. The appropriate city staff shall take whatever action is necessary to implement this Resolution.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Human Resources

Presenter at Meeting: NA--Consent

Phone Number/Ext.: 5019

E-mail Address: c.huber@cedar-rapids.org

Alternate Contact Person: Heath Halverson

Phone Number/Ext.: 5110

E-mail Address: h.halverson@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the City Council to approve a salary increase for the City Clerk by 4.00%.
CIP/DID #

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
--

Background: City Council conducted their annual City Clerk Performance Evaluation on November 12, 2015. Upon recommendation of the City Council an increase in salary is granted for the salary of the City Clerk.

Action/Recommendation: Approve an increase of 4.00% to the City Clerk's salary.

Alternative Recommendation: N/A

Time Sensitivity:

Resolution Date: 1/26/16

Budget Information: 4.00% Salary Increase

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on or about January 12, 2016, the City Council completed a periodic performance evaluation for the City Clerk, and

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

1. Effective as of January 1, 2016, the salary shall be increased for Amy Stevenson by 4.00%.
2. The appropriate city staff shall take whatever action is necessary to implement this Resolution.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5821

Description of Agenda Item: CONSENT AGENDA

Resolution setting a public hearing for February 23, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project.
 CIP/DID #325008-00

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

Background: This project proposes to construct a multiuse path along the east side of Edgewood Road from O Avenue to Ellis Road. Also included in the project is a sidewalk connection on both sides of 29th Street NW, east from Edgewood Road.

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

The proposed Resolution of Necessity before City Council is the fourth resolution in a series of resolutions which will lead to an assessment public hearing. This resolution is in accordance with Iowa Code Section 384 for special assessments.

A public hearing is proposed for February 23, 2016 to receive public comments. Property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

1. Adopt the Resolution of Necessity as proposed and proceed with the project and special assessment.
2. Amend the preliminary assessments, then adopt the Resolution of Necessity and proceed with the project.

3. Defer action until a specified later date
4. Abandon the special assessment

Action/Recommendation: The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on February 23, 2016 to receive public comments.

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

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: Dept ID 325000, Project 325008, NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION SETTING A PUBLIC HEARING DATE FOR FEBRUARY 23, 2016 TO
CONSIDER THE RESOLUTION OF NECESSITY (PROPOSED)

WHEREAS, preliminary plans and specifications and plat and schedule and estimate of cost are now on file in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, showing the boundaries of the District, containing the properties and lots to be assessed, locations of the improvements, each lot proposed to be assessed, together with a valuation of each lot as fixed by the Council, an estimate of the cost of the entire proposed improvements, stating the cost of each type of construction and kind of materials to be used, and an estimate of the amount proposed to be assessed against each lot, for the construction of the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road as hereinafter described, in Cedar Rapids, Iowa:

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road in Cedar Rapids, Iowa.

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

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

The method of construction shall be by contract.

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

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

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

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 4:00 p.m., on the 23rd day of February, 2016 at Council Chambers, City Hall, 3rd Floor, 101 First Street SE, in the City of Cedar Rapids, Iowa, for the purpose of hearing property owners subject to assessment and interested parties for or against the improvement, its cost, the assessment, or the boundaries of the district. Unless a property owner files objections with the Clerk at the time of the hearing on this Resolution, the property owner shall be deemed to have waived all

objections pertaining to the regularity of the proceedings and the legality of using special assessment procedure, and

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

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

NOTICE TO PROPERTY OWNERS

Notice is hereby given that there is now on file for public inspection in the Office of the City Clerk, located at 101 First Street SE, Cedar Rapids, Iowa, a proposed Resolution of Necessity, an estimate of costs and plat and schedule showing the amounts proposed to be assessed against each lot and the valuation thereof within District as approved by the Council of Cedar Rapids, Iowa, for an improvement, designated as the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road of the types and in the location as follows:

GPN & Legal Description:

141837701200000	WOODS EDGE 1 ST ADDITION LOT 15
141830300301000, 141830300301001 141830300301002, 141830300301003 141830300301004, 141830300301005 141830300301006, 141830300301007 141830300301008, 141830300301009 141830300301010, 141830300301011 141830300301012, 141830300301013 141830300301014, 141830300301015 141830300301016, 141830300301017 141830300301018, 141830300301019 141830300301020, 141830300301021 141830300301022, 141830300301023 141830300301024, 141830300301025 141830300301026, 141830300301027 141830300301028, 141830300301029 141830300301030, 141830300301031 141830300301032, 141830300301033 141830300301034, 141830300301035 141830300301036, 141830300301037 141830300301038, 141830300301039 141830300301040, 141830300301041 141830300301042, 141830300301043 141830300301044, 141830300301045 141830300301046, 141830300301047 141830300301048, 141830300301049 141830300301050, 141830300301051 141830300301052, 141830300301053 141830300301054, 141830300301055 141830300301056, 141830300301057 141830300301058, 141830300301059 141830300301060, 141830300301061 141830300301062, 141830300301063 141830300301064, 141830300301065 141830300301066, 141830300301067 141830300301068, 141830300301069 141830300301070, 141830300301071 141830300301072, 141830300301073	THE SOUTH 49.2308 RODS OF THE EAST 13 RODS OF THE NE ¼ OF THE SW ¼ OF SECTION 18-83- 7, LINN CO., IOWA, EXCEPTING THE PUBLIC HIGHWAY AND ALL THAT PART OF THE WEST 39 RODS OF THE EAST 64 RODS OF THE NE ¼ OF THE SW ¼ OF SECTION 18-83-7, LINN COUNTY, IOWA, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF EDGEWOOD ROAD NW AND THE WEST 12 RODS OF THE EAST

141830300301074, 141830300301075	25 RODS OF THE NE ¼ OF THE SW ¼ OF SECTION 18-83-7, LINN COUNTY, IOWA, EXCEPT THE NORTH 250 FEET THEREOF
141830300301076, 141830300301077	
141830300301078, 141830300301079	
141830300301080, 141830300301081	
141830300301082, 141830300301083	
141830300301084, 141830300301085	
141830300301086, 141830300301087	
141830300301088, 141830300301089	
141830300301090, 141830300301091	
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141830300301094, 141830300301095	
141830300301096, 141830300301097	
141830300301098, 141830300301099	
141830300301100, 141830300301101	
141830300301102, 141830300301103	
141830300301104, 141830300301105	
141830300301106, 141830300301107	

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

Construction of Portland Cement Concrete sidewalk and any necessary work such as grading, seeding, and removals to complete said construction.

The Cedar Rapids City Council will meet at 4:00 p.m. p.m., on the 23rd day of February, 2016 at the Cedar Rapids Council Chambers, 3rd floor of City Hall, 101 1st Street SE, Cedar Rapids, Iowa, at which time the owners of property subject to assessment for the proposed improvements, or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the District, the cost, the assessment against any lot, tract, or parcel of land, or the final adoption of a Resolution of Necessity. A property owner will be deemed to have waived all objections unless at the time of Hearing he has filed objections with the Clerk.

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

Amy Stevenson
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)



Cadd File Name: W:\PROJECTS\CP\251325008 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: Development Services

Presenter at Meeting: David Houg
E-mail Address: d.houg@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 February 9, 2016 to consider granting a change of zone for property at 5820 Dry Creek Lane NE from I-1, Light Industrial Zone District to C-3, Regional Commercial Zone District as requested by Joseph J. & Rita A. Bertsch Rev Trust.
 CIP/DID #RZNE-022419-2015

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 January 28, 2016. Their recommendation will be noted in the City Council cover sheet for the public hearing.

The applicant is requesting to change the zoning of this property to allow for commercial retail use of the existing building.

The site details are as follows:

- The use will occupy an existing 10,500 s.f. building
- Parking provided & required is 35 spaces

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

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

Time Sensitivity: N/A

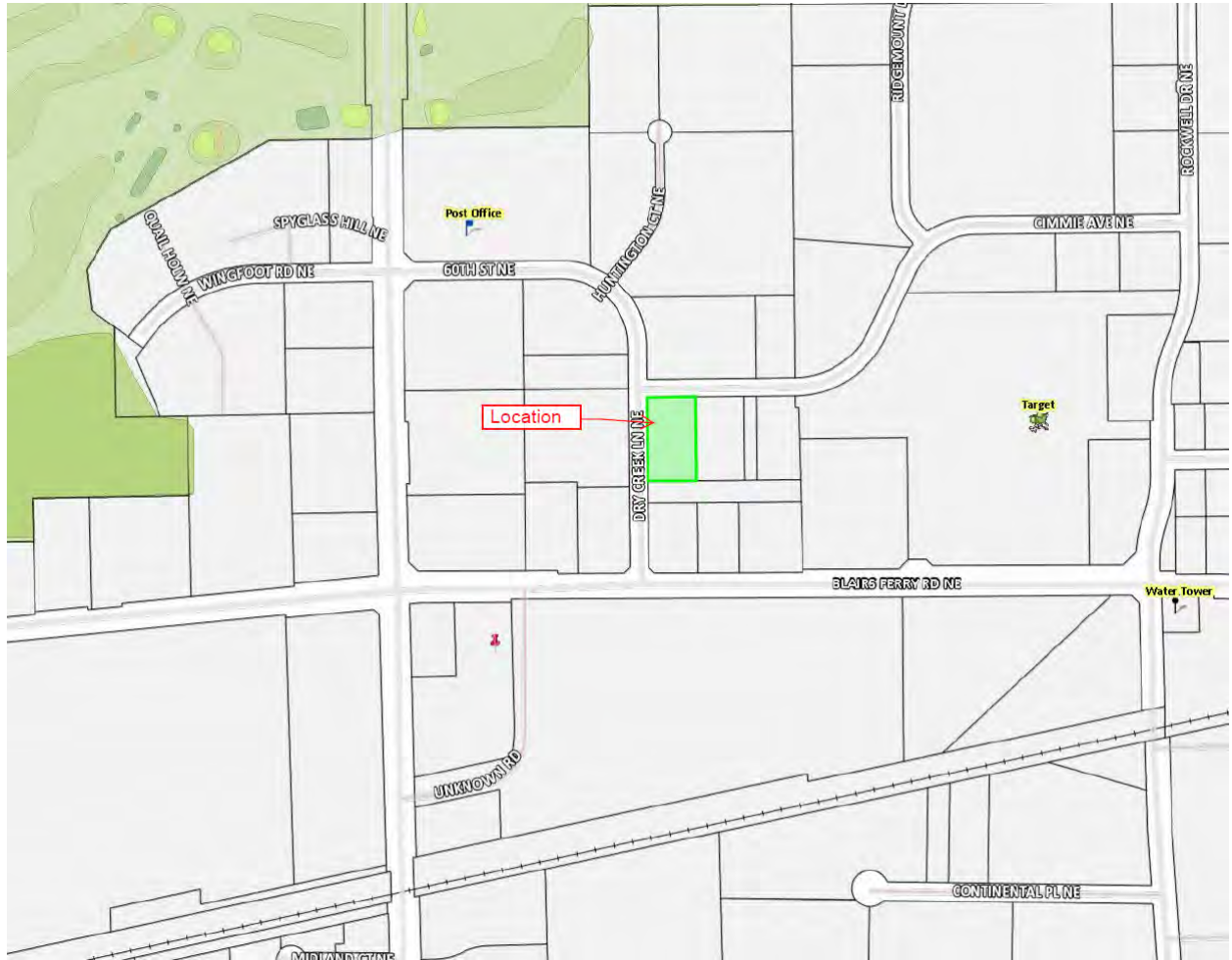
Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map





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: Motions setting public hearings

Motion setting a public hearing for February 9, 2016 to consider granting a change of zone for property at 7708 6th Street SW from A, Agriculture Zone District, to I-2, General Industrial Zone District as requested by TH Development, LLC, and Barta Louis L and Margaret Ellen.
 CIP/DID # RZNE-022246-2015

<p>EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.</p>

Background: The request for a Rezoning without a Preliminary Site Development Plan was reviewed by the City Planning Commission on January 7, 2016 and approval was recommended unanimously.

The property is currently zoned A, Agriculture Zone District, and I-2, General Industrial Zone District. This is a request to rezone a portion of the area currently zoned A, to the I-2 Zone District to correct a boundary discrepancy and allow for the development of a semi-trailer sales and service facility. The property is identified as "Industrial" on the City's Future Land Use Map in EnvisionCR, the City's Comprehensive Plan.

Application Process/Next Steps:

Actions	Comments
City staff review	<ul style="list-style-type: none"> City staff reviewed the application and recommends holding a Public Hearing and possible approval of the First Reading.
City Planning Commission review	<ul style="list-style-type: none"> The City Planning Commission reviewed the application on January 7, 2016 and recommended approval on a 9 to 0 vote. A portion of the minutes will be included prior to the public hearing.
City Council consideration	<ul style="list-style-type: none"> A Public Hearing to allow for public input and the First Reading of the Ordinance to be scheduled for February 9, 2016. Two additional readings of the Ordinance by City Council are required by State law before approval of the rezoning is final. Approval of the rezoning will be subject to the conditions stated in the Ordinance.

Action/Recommendation: City staff recommends setting a Public Hearing.

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

Time Sensitivity: NA

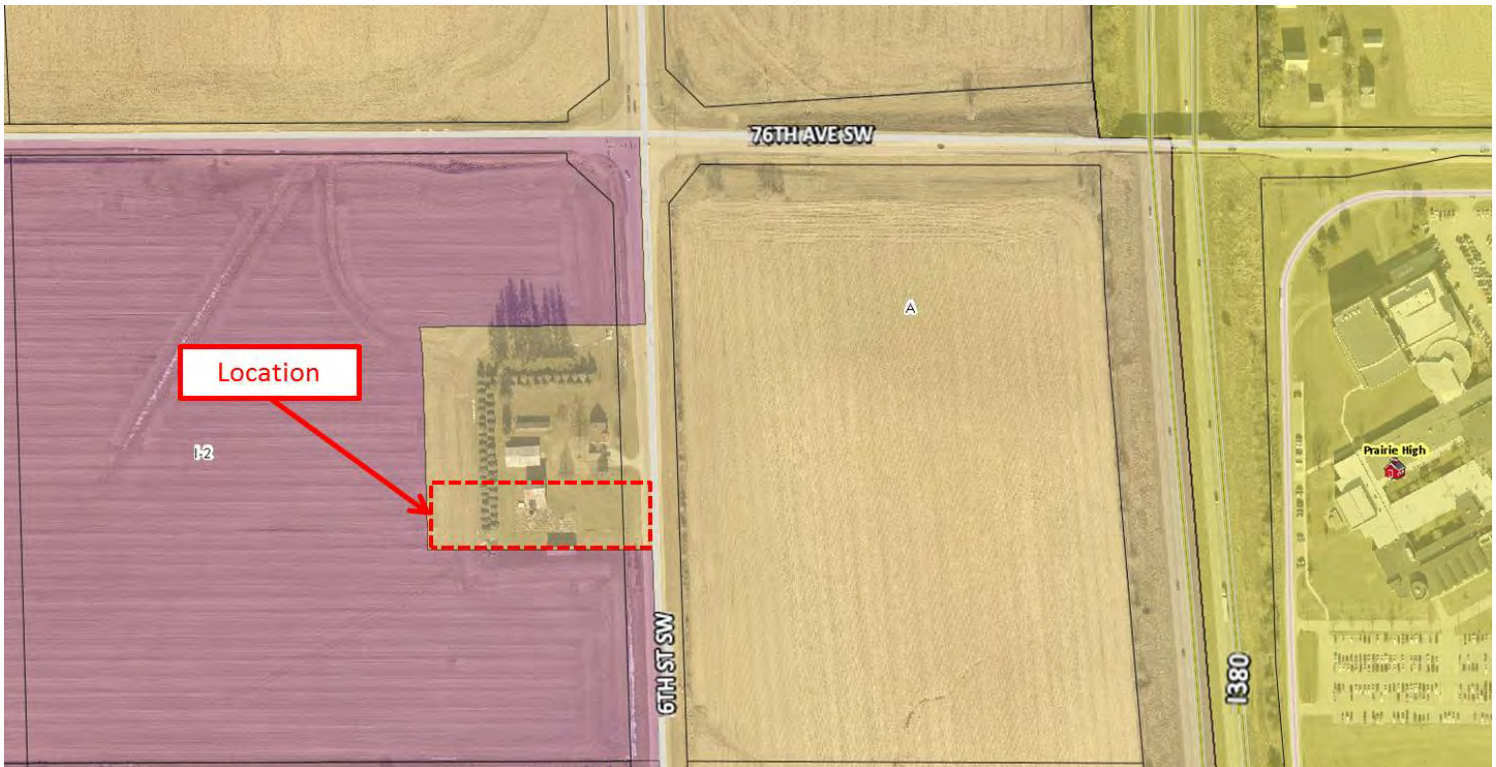
Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

Location Map





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen

Phone Number/Extension: 5807

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

Alternate Contact Person: Carol Morgan

Phone Number/Extension: 5092

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

Description of Agenda Item: Motions setting public hearings

Motion to set a public hearing for February 9, 2016 to consider the vacation of public ways and grounds in and to the property described as a 5.3 acre parcel of vacant City-owned land known as Osborn Park, and a 40-foot wide strip of unused right-of-way located southeasterly of 15th Avenue SE and formerly known as First Street SE, as requested by the City of Cedar Rapids in connection with the Cedar Rapids Flood Control System project.

CIP/DID #ROWV-022220-2015

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

Background: The City of Cedar Rapids would like to utilize this vacant parcel of land and unused strip of right-of-way for the construction of the NewBo/Sinclair levee. This request is consistent with the Cedar River Flood Control System Master Plan which was approved by City Council on June 23, 2015.

Action/Recommendation: The Public Works Department recommends holding the first reading of the ordinance to vacate this 5.3 acre parcel of vacant City-owned land and 40-foot wide strip of unused right-of-way.

Alternative Recommendation: If the Council does not vote to vacate this excess City-owned vacant parcel and right-of-way, the alternative is to modify the City's plans for a flood control levee at this location.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible 1st reading of Ordinance: February 9, 2016

2nd reading of Ordinance, possible 3rd reading and possible resolution passing: February 23, 2016

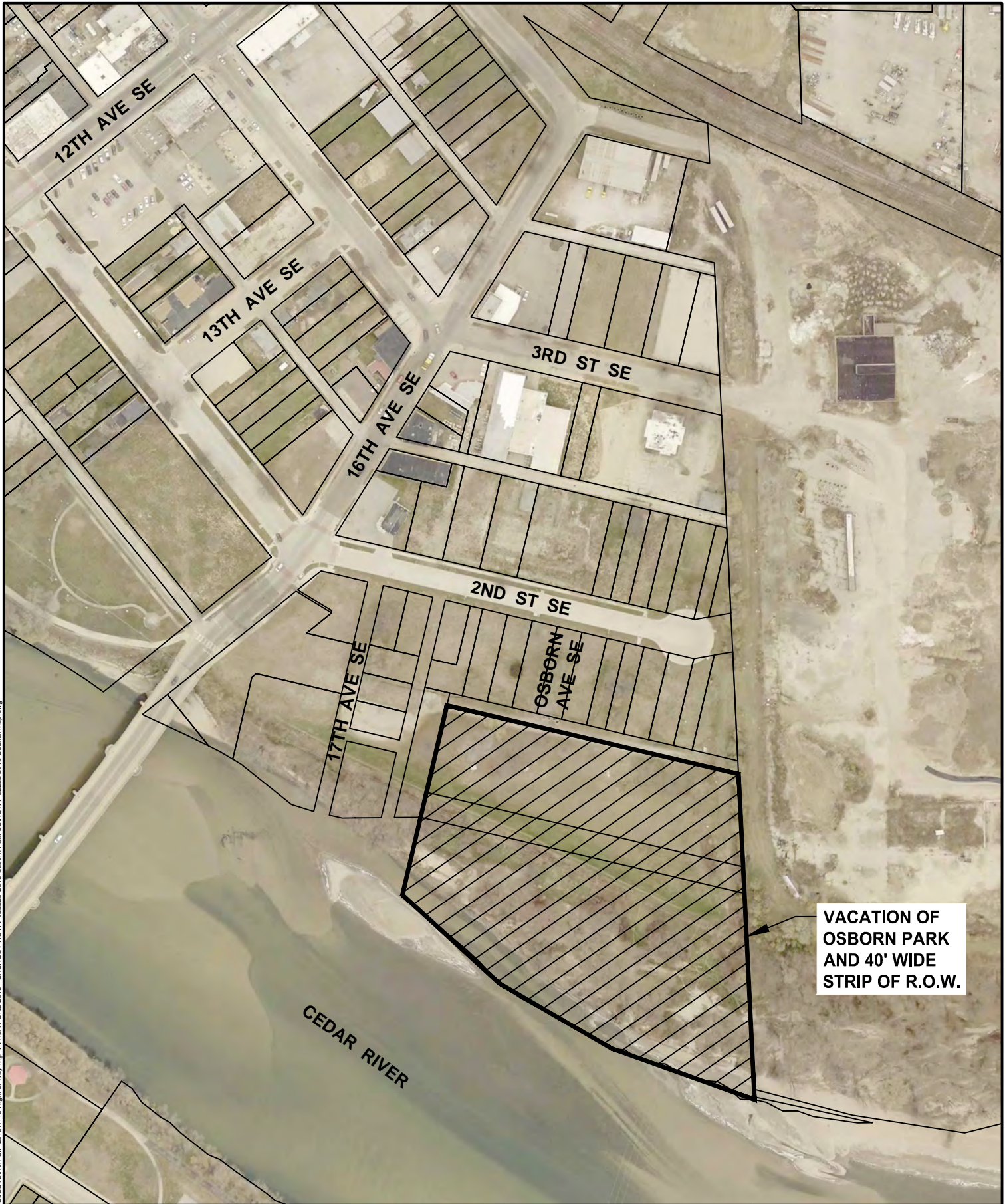
Budget Information: NA

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



Cadd File Name: W:\PROJECTS\Non-CIP\2015\4115 Right of Way Mgmt\VACATIONS 2015 - ENERGY\ROWV-022220-2015 Osborn Park SE ROW-022220-2015 Council Map.dwg



**VACATION OF OSBORN PARK AND
40' WIDE STRIP OF RIGHT-OF-WAY**



ROWV-022220-2015



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

Phone Number/Extension: 5092

Description of Agenda Item: Motions setting public hearings
 Motion to set a public hearing for February 9, 2016 to consider the continuation of the disposition of excess City-owned property described as a one acre parcel of vacant land located easterly of and adjacent to 3425 and 3435 3rd Avenue SE.
 CIP/DID #PRD-022224-2015

EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.

Background: This parcel was originally acquired by the town of Kenwood Park in 1916 and became a part of the City of Cedar Rapids when it was annexed in 1926. Because this non-purposeful parcel is landlocked, it will be offered for sale by sealed bid only to adjacent parcel owners, and must be combined with the new owner's parcel to form one tax parcel. Additionally, an easement will be established prior to disposition to accommodate existing City sanitary sewer facilities at this location. As determined by the City Assessor, the current value is \$5,400, which will be the list price for the disposition process.

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

Action/Recommendation: The Public Works Department recommends approving the resolution continuing the disposition of this excess parcel of non-purposeful vacant land.

Alternative to Recommendation: Continue to maintain the property and opt not to receive the benefit of property taxes on this parcel.

Time Sensitivity: Normal

Resolution Date: February 9, 2016

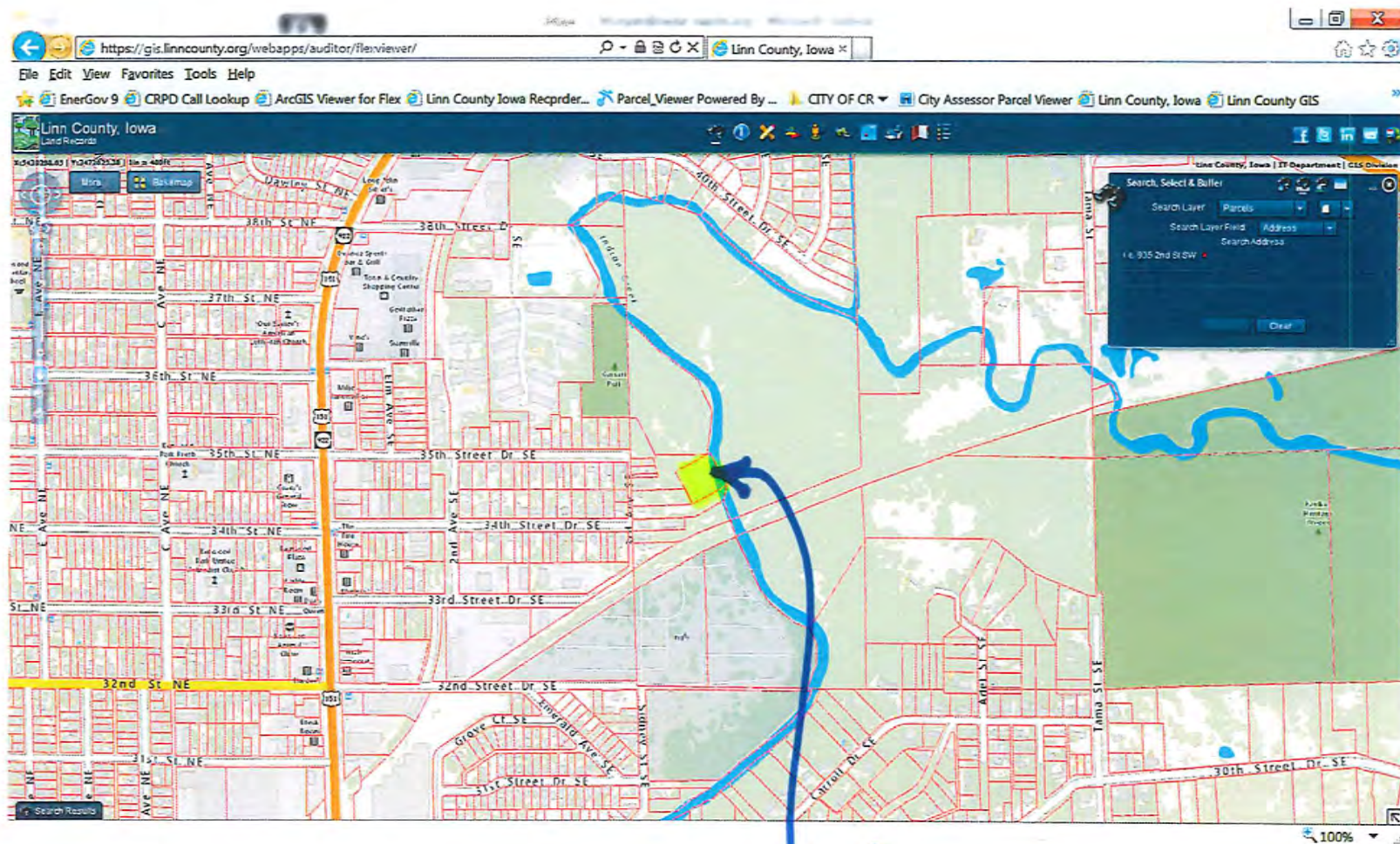
Budget Information: NA

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA



City-owned
One acre parcel



Linn County, Iowa

Date Printed: 10/30/2015 4:34:05 PM



0 25 50 Feet
1 inch = 50 feet

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Linn County Auditor's Department
505 2nd St SW
Oscar Rapids, IA 52404
(319) 892-5300





Linn County, Iowa | IT Department | GIS Data

Linn County, Iowa

Date Printed: 10/30/2015 4:35:01 PM



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1 inch = 50 feet

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Linn County Auditor's Department
33 S. 2nd St. SW
Order Reports, IA 52604
(319) 892-1500





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

Alternate Contact Person: Joe Mailander

Phone Number/Ext.: 319 286-5822

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

Description of Agenda Item: Motions setting public hearings

Motion setting a public hearing for February 23, 2016 to consider annexation of territory south of Wright Brothers Boulevard SW and east of I-380 as requested by the A-J-B LP.

CIP/DID # ANNX-022394-2015

EnvisionCR Element/Goal: ProtectCR Goal 2: Manage growth and development to balance costs and serviceability to neighborhoods.

Background:

Property Owner, AJB-LP submitted a written application for voluntary annexation to the City of Cedar Rapids. The total area to be annexed is approximately 88.3 acres. There is County right-of-way including half street right-of-way for Walford Road that needs to be included in the annexation, which consists of .89 acres. The owners wish to annex at this time to allow for marketing the property for future development. City sanitary sewer and water are available to the site. All other City services including Police and Fire protection, street maintenance, and garbage and recycling collection are also available since this site is adjacent to the City limits. The application has been reviewed by City staff and no major issues were identified.

Notices were mailed and published in accordance with State Code requirements. The annexation will require approval by the Iowa Department of Economic Development City Development Board since the property is within two miles of Shueyville, Iowa. There is no non-consenting property owners involved in the annexation. If approved by City Council Resolution the application will be sent to the City Development Board for review and action.

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

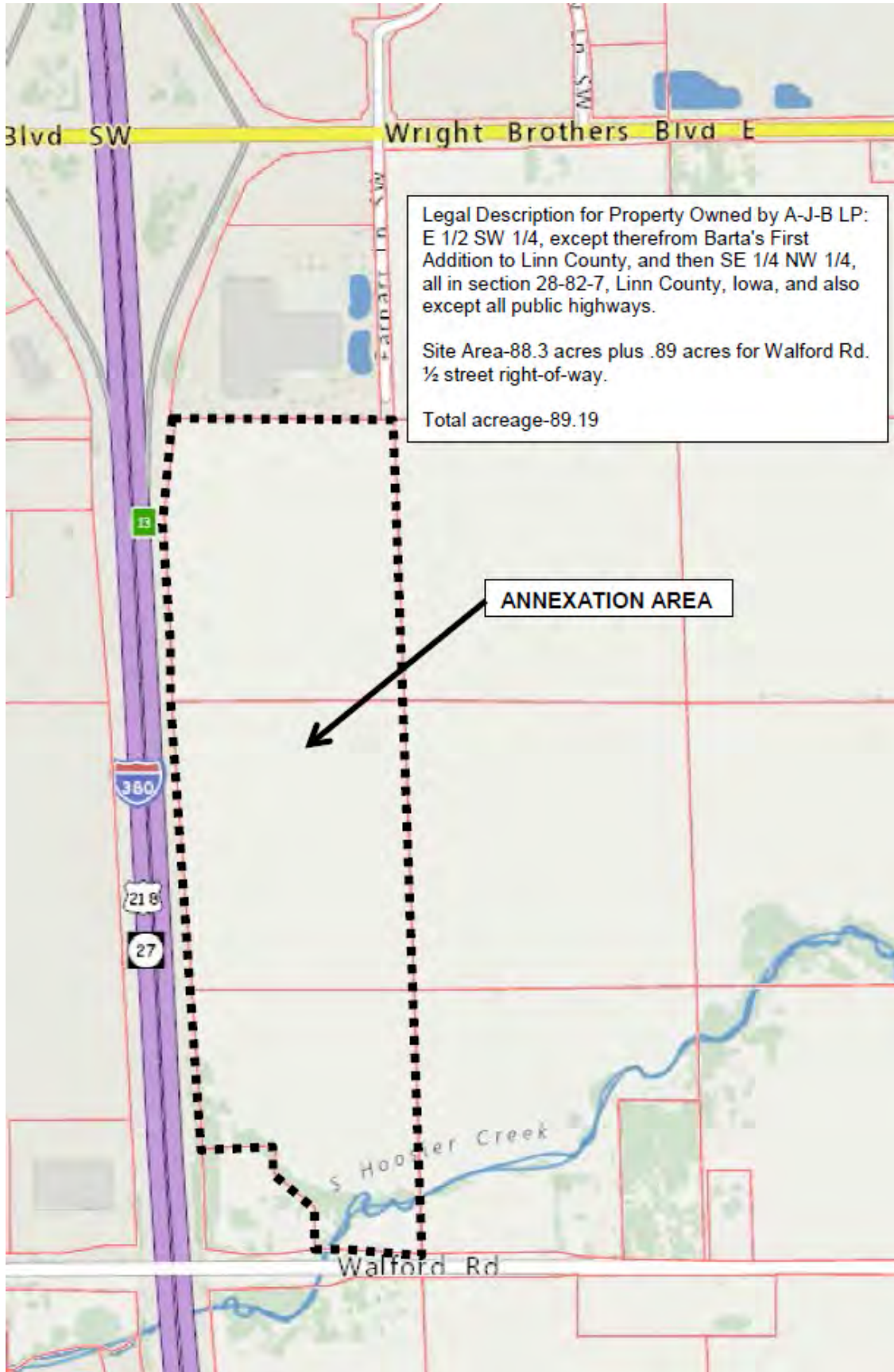
Local Preference Policy: NA

Explanation: N/A

Recommended by Council Committee: NA

Explanation: N/A

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

Alternate Contact Person: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

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

Description of Agenda Item: Motions setting public hearings

Motion setting a public hearing for March 8, 2016 to consider an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC
CIP/DID #URTE-0006-2016

<p>EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.</p>

Background:

A request has been submitted by Jelinek Companies LLC for an Urban Revitalization Property Tax Exemption designation for the proposed rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE. The project qualifies for the City's Historic Preservation – Economic Development Program.

Project Details:

- Renovation of the existing 3,824 sq. ft. commercial building following Secretary of Interior's Standards for Historic Preservation
- Total investment of \$700,000
- Clear-span open layout for banquet and event hall

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. The combined 2015 assessed value of the properties is \$96,000. Based on the scope of the proposed project, an additional value of \$119,000 is estimated to be added. This assessed value would generate \$7,388 in property tax revenue annually. Under the sliding scale URTE schedule the project will generate an estimated \$58,219 in total tax revenues and \$19,072 deferred as tax exempt over the 10-year period.

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

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

Time Sensitivity: NA

Resolution Date: March 6, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation:

Recommended by Council Committee: NA
Explanation:



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Sara Buck
E-mail Address: s.buck@cedar-rapids.org

Phone Number/Ext.: (319)286-5192

Alternate Contact Person: Laura Shaw
E-mail Address: l.shaw@cedar-rapids.org

Phone Number/Ext.: (319)286-5184

Description of Agenda Item: Motions setting public hearings
 Motion setting a public hearing for March 22, 2016 to consider amendments to the Section 8 Housing Choice Voucher (HCV) Program Public Housing Agency (PHA) 5-Year Plan Amendments, Annual Plan, and Administrative Plan, which includes the Family Self-Sufficiency Action Plan and the Homeownership Option Plan for the City of Cedar Rapids, Iowa.
 CIP/DID #OB363680

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

Background: The City of Cedar Rapids Housing Services Office administers the Section 8 Housing Choice Voucher (HCV) Program as the Public Housing Authority (PHA) of Linn and Benton Counties. The program is federally funded by the U.S. Department of Housing & Urban Development (HUD) and is designed to accommodate very low-income families and individuals with rental assistance for decent, safe, and sanitary housing, provided by private owners and rental agents. On average, the program assists 1,200 families with rent assistance per year.

Annually HUD requires Public Housing Authorities to amend their 5-Year, Annual, and Administrative Plans to meet current regulation. Amendments must be listed and submitted to HUD along with any discretionary policy changes.

HUD requires a 45-day public comment period and public hearing on the proposed amendments prior to adoption. The proposed amendments to the plan will be available for review from February 1, 2016 – March 21, 2016

Action/Recommendation: 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

Recommended by Council Committee: NA



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

Phone Number/Extension: 5153

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 9, 2016 and advertising for bids by publishing notice to bidders for the B Avenue NW from Highland Drive NW to 8th Street NW Roadway Improvements project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on February 10, 2016. (estimated cost is \$2,600,000) (**Paving for Progress**).
 CIP/DID #3012091-02

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

Background: This project includes pavement reconstruction, water main and storm sewer installation. The bid opening is scheduled for February 10, 2016. This is the second letting for this project. After the original letting in spring 2015, the need for water main work was identified. These additional needs have been addressed in the updated design.

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 February 9, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: Defer action on the motion setting the public hearing for the resolution to adopt plans and specifications, form of contract and estimated cost or abandon the project, direct staff to repackage the project into multiple smaller projects, or abandon the project.

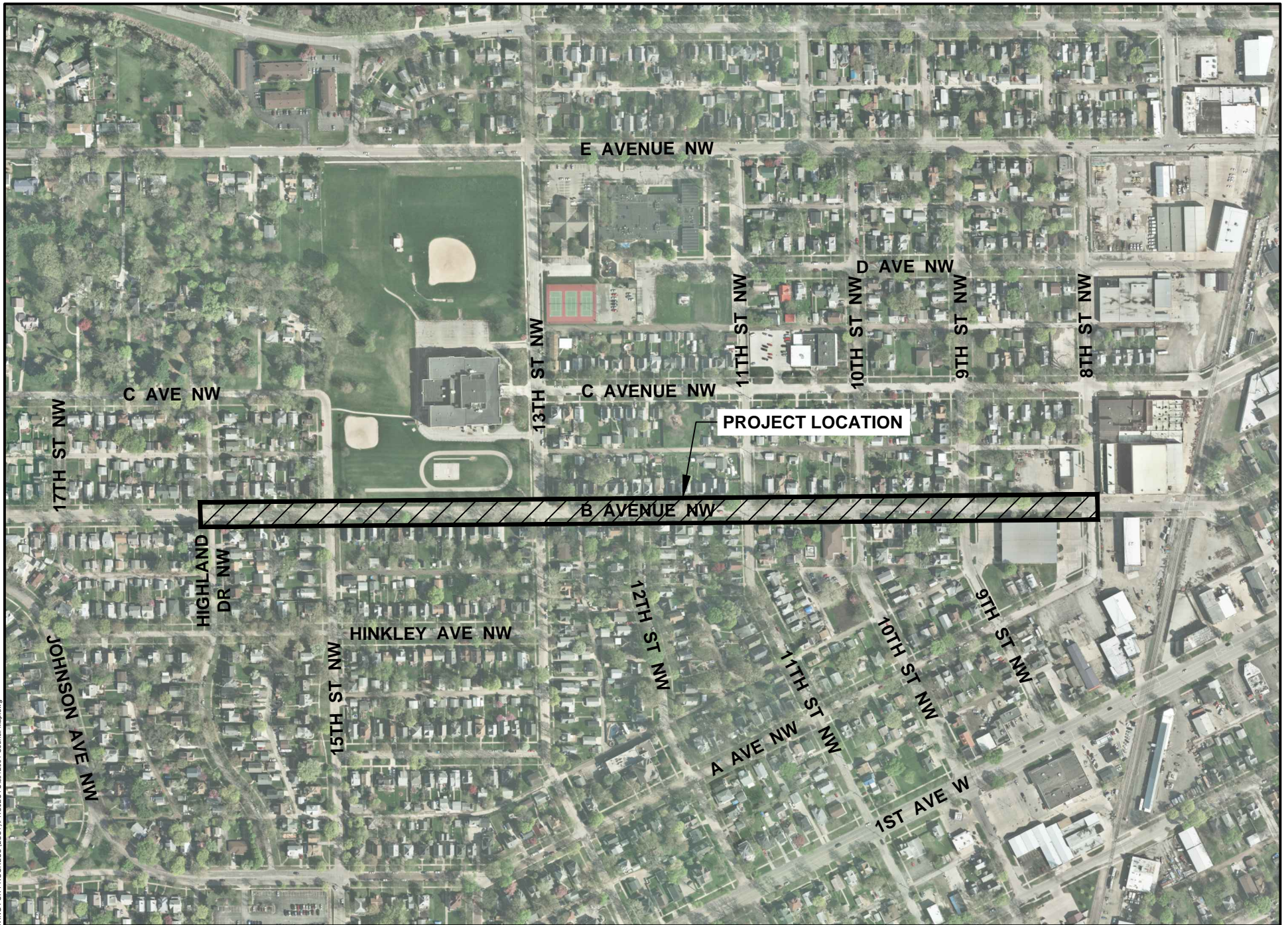
Time Sensitivity: Normal

Resolution Date: February 9, 2016

Budget Information: 301/301000/3012091 (SLOST)
 625/6250000/6250051-625016014 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nathan Kampman, PE
E-mail Address: n.kampman@cedar-rapids.org

Phone Number/Extension: 5628

Alternate Contact Person: Kevin Vrchoticky, PE
E-mail Address: k.vrchoticky@cedar-rapids.org

Phone Number/Extension: 5896

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 9, 2016 and advertising for bids by publishing notice to bidders for the 400 1st Avenue NE – Five Seasons Parkade Structural Repairs Project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on February 17, 2016 (estimated cost is \$900,150).

CIP/DID #635132-02

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

Background: The Five Seasons Parkade was built in 1977. Shive-Hattery completed a study of the all the parkades, including the Five Seasons Parkade, in 2011. The study shows that the Five Seasons Parkade is in need of life safety maintenance, which will increase the life of the Parkade. Without this maintenance, the Parkade could reach the end of its useful life in the next 5-10 years and be in need of full reconstruction.

The Five Seasons Parkade repair project is funded through an agreed amount as outlined in the Parking asset and lease agreement between the City of Cedar Rapids and Downtown Parking Management Inc. to address the Deferred Maintenance items including life safety and code compliance.

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 February 9, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: If the resolution is not approved on February 9, 2016 the maintenance and safety work would be deferred.

Time Sensitivity: Normal

Resolution Date: February 9, 2016

Budget Information: 635/635000/635132 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



Cadd File Name: X:\CIP\635132\02COUNCIL_AGE\DA\635132_Council Map.dwg





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nathan Kampman
E-mail Address: n.kampman@cedar-rapids.org

Phone Number/Extension: 5628

Alternate Contact Person: Kevin Vrchoticky, PE
E-mail Address: k.vrchoticky@cedar-rapids.org

Phone Number/Extension: 5896

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for February 9, 2016 and advertising for bids by publishing notice to bidders for the Overhead Sign Structures on 7th Street NE from I-380 to 1st Avenue E project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on February 17, 2016 (estimated cost is \$100,000).

CIP/DID #306228-01

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

Background: The Iowa DOT Commission has approved Traffic Safety Improvement Program (TSIP) funding in the amount of \$35,000 for upgrading of the pavement markings and two overhead sign structures on 7th Street NE from 1st Avenue E to north of I-380. One overhead sign structure will be located on 7th Street NE between 1st Avenue E and A Avenue NE, and the second overhead sign structure will be located on 7th Street NE between I-380 and A Avenue NE. The TSIP funding was approved to resolve safety issues at the 1st Avenue E & 7th Street intersection and on 7th Street NE between 1st Avenue E and I-380.

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 February 9, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: Defer the project and continue with the driver confusion and with the frequency of traffic collisions within the project area.

Time Sensitivity: Normal

Resolution Date: February 9, 2016

Budget Information: 306/306000/306228 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



PROJECT LOCATION

7TH STREET NE FROM 1ST AVENUE E
TO NORTH OF I-380 PROJECT



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: Jim Flamming, PE
E-mail Address: j.flamming@cedar-rapids.org

Phone Number/Ext.: 5968

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated cost, setting a public hearing date for February 9, 2016 and advertising for bids by publishing notice to bidders for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project and authorizing the Utilities Director, or designee, to receive and open the bids and publicly announce the results on February 24, 2016 (estimated cost is \$214,800).

CIP/DID #6150015-02

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

Background: The City of Cedar Rapids Utilities Department wants to improve right turn safety on to Bertram Road from Iowa Highway 13. The project is intended to enhance the safety of through traffic on Highway 13, vehicles making deliveries to the WPCF and general traffic slowing to make a right turn on to Bertram Road from Highway 13.

Bids will be opened and publicly announced on February 24, 2016.

Action/Recommendation: The Utilities Department – Water Pollution Control Division staff recommend that the plans and specifications be filed with the City Clerk on January 26, 2016 and a Notice of Hearing and Letting be published on January 30, 2016. A Public Hearing is scheduled for February 9, 2016 and bids will be opened on February 24, 2016.

Alternative Recommendation: None

Time Sensitivity: 01-26-16

Resolution Date: 01-26-16

Budget Information:

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY2016 and FY2017 Water Pollution Control Division Capital Improvement Program budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$100,000 in the FY2016, and

\$100,000 in the FY2017 Capital Improvement Projects budget for the Water Pollution Control Division for the Southbound Right Turn Lane, IA-13 and Bertram Rd project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-615-615000-x-x-6150015.

3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA



Council Agenda Item Cover Sheet

Submitting Department: City Clerk

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

Phone Number/Ext.: 5374

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

Phone Number/Ext.: 5272

Description of Agenda Item: CONSENT AGENDA

Motion assessing a \$300 civil penalty for violation of the State Code regarding the sale of tobacco/vapor products to a minor against:

- a. Hy-Vee Food Store #1, 1843 Johnson Avenue NW.

CIP/DID #CIG001851-05-2015

- b. Road Ranger #5147, 1430 1st Avenue NE.

CIP/DID #CIG001984-06-2015

- c. Road Ranger #5151, 380 Blairs Ferry Road NE.

CIP/DID #CIG001988-06-2015

- d. Westside Lounge, 325 Edgewood Road NW.

CIP/DID #CIG001798-04-2015

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

Background: These violations occurred on December 2, 2015 (Road Ranger #5147, Road Ranger #5151) and on December 9, 2015 (Hy-Vee Food Store #1, Westside Lounge) and have been processed through the Clerk of the District Court. The store attendants were found guilty. The permit holders have signed the consent to the assessment and waived their right to a hearing.

Action/Recommendation: Assess the civil penalty to continue the process for accurate record keeping/documentation.

Alternative Recommendation: If the local authority does not pursue the civil penalty, the state will do so. However, they will also keep the money from the civil penalties. These permit holders have paid their civil penalties to the City of Cedar Rapids. Per Iowa State Code the civil penalties are mandatory.

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

Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

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:

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

- a. Point Liquor & Tobacco, 4107 Center Point Rd NE. LIQR001409-07-2014
- b. Sam Liquor & Tobacco, 1500 1st Avenue NE. LIQR000760-12-2013

Background:

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

On March 25, 2015, Osman Sliman Anoo pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 2159534-201504117 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about March 24, 2015 on the premises at Point Liquor & Tobacco, 4107 Center Point Road NE.

On April 29, 2015, Salaman Abbas pled guilty to selling alcohol to persons under 21 years old in the Sixth Judicial District Court, Docket No. CR 2159446-201506065 of violation Iowa Code Section 123.49(2)(h). (sale of alcohol to a person under the legal age) The said offense occurred on or about April 28, 2015 on the premises at Sam Liquor & Tobacco, 1500 1st Avenue NE.

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

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

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

CIP/DID # LIQR001409-07-2014 - LIQR000760-12-2013

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: Assess civil penalty (All licensees have already submitted payment of the civil penalty.)

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

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

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: December 9, 2015

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Cedar River Landing 301 F AVE NW	64	0	1	6
CJ's Sports Bar & Grill 62 17TH AVE SW	58	0	0	10
EL Rancho Mexican Restaurant 2747 16TH AVE SW	1	0	0	0
Ernie's Avenue Tavern 69 16TH AVE SW	12	0	1	3
Hy-Vee #7 Club Room 616 A AVE NE	0	0	0	0
Jersey's Pub & Grub Downtown 200 1ST AVE NE	24	0	0	4
Keg, The 719 5TH ST SE	6	0	0	2
L J's Catering at Shores Event Center 700 16TH ST NE	10	0	0	0
Little Bohemia 1317 3RD ST SE	4	0	0	0
Quarter Barrel Arcade & Brewery 616 2ND AVE SE	0	0	0	0
Road Ranger #5148 550 WILSON AVE SW	225	0	1	16
Union Station 1724 16TH AVE SW	36	0	0	9
Westdale Bowling Center 2020 SCOTTY DR SW	16	0	0	3
WineStyles Tasting Station 4201 42ND ST NE	0	0	0	0



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. Clarion Hotel & Convention Center, 525 33rd Avenue SW.
- b. Club Basix, 3916 1st Avenue NE.
- c. Fareway Store #151, 3717 1st Avenue SE.
- d. Hy-Vee Food Store #7, 5050 Edgewood Road NE.
- e. Kwik Shop #560, 3301 J Street SW.
- f. Kwik Shop #561, 2904 Center Point Road NE.
- g. Kwik Shop #563, 1001 1st Avenue SW.
- h. Kwik Shop #565, 4201 Center Point Road NE.
- i. Osaka Japanese Steakhouse & Sushi Bar, 5001 1st Avenue SE.
- j. Silver Star Saloon, 2665 Edgewood Parkway SW.
- k. St Matthew Church, 735 Prairie Drive NE (5-day permit for an event on February 6, 2016 at Regis Middle School, 735 Prairie Drive NE).
- l. Stop on Bye, 1616 6th Street SW (new – formerly Bulicek's Deli & Brew).
- m. Tomaso's Pizza, 3234 Center Point Road NE.
- n. Viking Lounge, 1971 16th 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: Jan 26, 2015

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Clarion Hotel & Convention Center 525 33RD AVE SW	98	0	1	12
Club Basix 3916 1ST AVE NE	29	0	0	4
Fareway Store #151 3717 1ST AVE SE	21	0	0	1
Hy-Vee Food Store #7 5050 EDGEWOOD RD NE	135	0	0	2
Kwik Shop #560 3301 J ST SW	139	0	0	6
Kwik Shop #561 2904 CENTER POINT RD NE	75	0	0	2
Kwik Shop #563 1001 1ST AVE SW	270	0	2	8
Kwik Shop #565 4201 CENTER POINT RD NE	275	0	1	11
Osaka Japanese Steakhouse & Sushi Bar 5001 1ST AVE SE	3	0	0	0
Silver Star Saloon 2665 EDGEWOOD PKWY SW	19	0	0	2
St Matthew Church 735 PRAIRIE DR NE	0	0	0	0
Stop on Bye 1616 6TH ST SW	0	0	0	0
Tomaso's Pizza 3234 CENTER POINT RD NE	6	0	0	0
Viking Lounge 1971 16TH AVE SW	18	0	0	4



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 #FIN2016-01
- b. Payroll. CIP/DID #FIN2016-02
- c. Transfer of funds. CIP/DID #FIN2016-03

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: The bi-weekly listings of bills, payrolls and fund transfers have been examined and approved by the proper departments.

Action/Recommendation: Authorize the Finance Department to issue payments and payroll checks and transfer funds as per the resolution listings.

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: 1-26-2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

FIN	CLK	VET
WTR	WPC	STR
REC	TED	FIR
PD	TRS	EIA
FIN2016-03		

RESOLUTION NO. LEG_NUM_TAG

TRANSFER OF FUNDS

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	AJEADS201	To transfer funds for correction of pos 2751 allocations	571100	621		19,620.60
2015-12-31	AJEADS201	To transfer funds for correction of pos 2751 allocations	571100	621		(19,620.60)
2015-12-31	AJEADS201	To transfer funds for correction of pos 2751 allocations	483001	101		6,540.20
2015-12-31	AJEADS201	To transfer funds for correction of pos 2751 allocations	571100	621		(6,540.20)
	AJEADS201 Total					-
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3313201	(150.00)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3313300	(3,652.28)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3315300	(3,009.03)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3316200	(6.95)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3316300	(4,335.03)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3317300	(2,453.60)
2015-12-31	AJEHJS201	To transfer funds of GRI	571100	7972		166,712.02
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3313200	(5,854.03)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3312300	(2,415.89)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3311300	(4,865.10)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3311200	(117,037.11)
2015-12-31	AJEHJS201	To transfer funds of GRI	483001	331	3311201	(22,933.00)
	AJEHJS201 Total					(0.00)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3312300	(1,346.37)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3311400	(26,444.80)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3313200	(3,815.15)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3313300	(2,568.27)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3313400	(27,246.15)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3315300	(1,584.31)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3315400	(106,087.72)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3316200	(78.00)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3316300	(3,829.02)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3316400	(126,993.72)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3317300	(1,514.99)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3317400	(80,853.97)
2015-12-31	AJEHJS202	To transfer funds for GRI	571100	7972		467,924.14
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3311300	(5,289.66)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3311201	(52.00)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3311200	(53,775.21)
2015-12-31	AJEHJS202	To transfer funds for GRI	483001	331	3312400	(26,444.80)
	AJEHJS202 Total					0.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012092	(23,740.21)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012081	(25,451.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012131	(26,248.75)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012116	(32,005.90)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012125	(39,464.27)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301998	(49,942.67)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301379	(67,821.54)

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301240	(168,351.63)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012080	(225,280.76)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012120	(302,420.18)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012111	(333,533.76)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		(750.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		0.98
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		8.05
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		14.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		55.40
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		62.75
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		720.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		1,129.88
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		1,322.19
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		2,742.53
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		2,918.50
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		2,941.50
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		2,970.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		2,997.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		3,286.27
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		4,067.90
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		4,986.94
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		5,028.77
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		7,500.50
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		7,955.50
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		14,917.61
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		15,056.25
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		18,352.95
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		23,403.15
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		23,740.21
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		25,451.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		26,248.75
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		32,005.90
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		39,464.27
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		49,942.67
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		67,821.54
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		168,351.63

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		225,280.76
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		302,420.18
2015-12-31	AJERRJ201	To transfer funds of Street LOST	571100	7970		333,533.76
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012087	750.00
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012127	(0.98)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012083	(8.05)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012144	(14.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012094	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012095	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012096	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012097	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012100	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012101	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012102	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012103	(55.40)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012098	(62.75)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012152	(720.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012133	(1,129.88)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012141	(1,322.19)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301695	(2,742.53)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012008	(2,918.50)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301689	(2,941.50)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012153	(2,970.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012149	(2,997.00)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012136	(3,286.27)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012099	(4,067.90)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012128	(4,986.94)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	301500	(5,028.77)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012126	(7,500.50)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012129	(7,955.50)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012157	(14,917.61)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012050	(15,056.25)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012115	(18,352.95)
2015-12-31	AJERRJ201	To transfer funds of Street LOST	483001	301	3012132	(23,403.15)
	AJERRJ201 Total					(0.00)
2015-12-31	AJERRJ202	To transfer funds for positions 2522 and 2758 November 2015	571100	7957		7,724.60
2015-12-31	AJERRJ202	To transfer funds for positions 2522 and 2758 November 2015	483001	101		(7,417.28)
2015-12-31	AJERRJ202	To transfer funds for positions 2522 and 2758 November 2015	571100	7957		7,417.28
2015-12-31	AJERRJ202	To transfer funds for positions 2522 and 2758 November 2015	483001	101		(7,724.60)
	AJERRJ202 Total					-
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	325	325008	(2,947.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	325	325012	(908.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	325	325031	(68.00)

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	325	325050	(98.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	571100	301	301995	4,021.50
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304060	(79.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304110	(10.40)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304141	(538.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304160	(624.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304224	(857.40)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304257	(88.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304286	(1,620.90)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304287	(1,054.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304355	(6,847.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304361	(2,332.80)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304363	(309.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304378	(140.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304391	(2,295.20)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304396	(66.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304421	(2,221.20)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304423	(1,089.80)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304425	(111.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304427	(84.20)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304429	(510.30)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304430	(44.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304431	(134.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304432	(458.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304433	(320.20)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304434	(197.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304435	(108.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304436	(152.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304437	(93.60)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304438	(331.40)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304439	(728.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304440	(217.10)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304441	(1,088.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304442	(11.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304443	(11.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304444	(11.00)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304446	(598.50)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304990	(546.90)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	483001	304	304998	(42.80)
2015-12-31	PWSTAFF	To transfer funds PW staff time and record associated charges	571100	671		25,976.30
	PWSTAFF Total					-
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304141	(250.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	571100	301	301995	2,165.10

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304163	(44.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304224	(476.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304286	(513.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304287	(26.60)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304355	(5,440.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304361	(812.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304363	(10.40)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304391	(1,202.70)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304396	(20.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304421	(700.90)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304423	(1,927.80)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304425	(75.80)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304429	(15.60)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304431	(15.60)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304432	(496.40)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304433	(15.60)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304434	(93.40)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304436	(418.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304437	(5.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304438	(343.40)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304439	(265.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304440	(334.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304441	(28.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304442	(27.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304443	(27.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304444	(44.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304446	(232.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304447	(152.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304990	(391.60)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304998	(5.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	571100	671		14,787.60
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	325	325008	(1,414.90)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	325	325012	(624.70)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	325	325031	(5.50)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	325	325050	(120.00)
2015-12-31	PWSTAFF3	To transfer funds PW staff and record associated charges	483001	304	304160	(375.30)
	PWSTAFF3 Total					0.00
2015-12-31	RECUR008	To transfer funds from road use tax	571100	7300		1,063,500.00
2015-12-31	RECUR008	To transfer funds from road use tax	483001	101		(4,037.50)
2015-12-31	RECUR008	To transfer funds from road use tax	483001	101		(828,720.84)
2015-12-31	RECUR008	To transfer funds from road use tax	483001	101		(30,500.00)
2015-12-31	RECUR008	To transfer funds from road use tax	483001	101		(111,000.00)
2015-12-31	RECUR008	To transfer funds from road use tax	483001	301	301872	(33,333.33)

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	RECUR008	To transfer funds from road use tax	483001	301	301240	(55,908.33)
	RECUR008 Total					-
2015-12-31	RECUR010	To transfer funds of property tax revenue for Police and Fire Health Services	483001	101		(27,479.46)
2015-12-31	RECUR010	To transfer funds of property tax revenue for Police and Fire Health Services	483001	101		(591.34)
2015-12-31	RECUR010	To transfer funds of property tax revenue for Police and Fire Health Services	571100	211		591.34
2015-12-31	RECUR010	To transfer funds of property tax revenue for Police and Fire Health Services	571100	221		27,479.46
	RECUR010 Total					-
2015-12-31	RECUR014	To transfer funds of property tax revenue for health benefits	571100	240		814,909.50
2015-12-31	RECUR014	To transfer funds of property tax revenue for health benefits	483001	101		(814,909.50)
	RECUR014 Total					-
2015-12-31	RECUR016	To transfer funds of property tax revenue for FICA	483001	101		(197,876.25)
2015-12-31	RECUR016	To transfer funds of property tax revenue for FICA	571100	240		197,876.25
	RECUR016 Total					-
2015-12-31	RECUR017	To transfer funds of property tax revenue for IPERS	483001	101		(197,876.25)
2015-12-31	RECUR017	To transfer funds of property tax revenue for IPERS	571100	240		197,876.25
	RECUR017 Total					-
2015-12-31	RECUR106	To transfer funds of property tax revenue to police and fire for pension costs	483001	101		(150,597.00)
2015-12-31	RECUR106	To transfer funds of property tax revenue to police and fire for pension costs	483001	101		(214,277.00)
2015-12-31	RECUR106	To transfer funds of property tax revenue to police and fire for pension costs	571100	221		214,277.00
2015-12-31	RECUR106	To transfer funds of property tax revenue to police and fire for pension costs	571100	211		150,597.00
	RECUR106 Total					-
2015-12-31	RECUR124	To transfer funds for City Hall or City Services facility projects	483001	330	PWE006	(12,500.00)
2015-12-31	RECUR124	To transfer funds for City Hall or City Services facility projects	571100	085	085201	12,500.00
	RECUR124 Total					-
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7506		2,712.16
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7508		95,091.50
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7515		31,937.39
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7516		4,369.38
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7520		35,209.04
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7521		27,221.53
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7522		6,654.80
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7523		3,703.72
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7525		68,609.51
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7526		19,757.26
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7965		21,560.48
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7993		3,033.76
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	438		(51,643.13)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	439		(19,979.17)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	440		(40,509.96)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	442		(6,291.54)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	443		(29,159.38)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	444		(9,621.03)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	445		(28,291.67)

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	446		(293.33)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	447		(20,301.22)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	450		(74,345.42)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	452		(33,533.76)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	453		(11,357.92)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	455		(100.00)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	457		(37,702.91)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	532		(205,510.89)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	542		(7,543.20)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	552		(24,110.83)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	572		(123,777.21)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	632		(31,417.38)
2015-12-31	RECUR131	To transfer funds for Debt Payment	483001	692		(24,746.88)
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	440		14,701.89
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	444		120.04
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	447		4,960.28
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	448		30,727.39
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	451		50,895.93
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	452		4,964.66
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	454		39,517.44
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	456		29,667.19
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	458		6,456.98
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	499		42,751.75
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	631		34,609.92
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7501		200,107.00
2015-12-31	RECUR131	To transfer funds for Debt Payment	571100	7503		895.83
	RECUR131 Total					(0.00)
2015-12-31	RECUR143	To transfer funds for the Risk Manager and Attorney salary	483001	101		(15,916.67)
2015-12-31	RECUR143	To transfer funds for the Risk Manager and Attorney salary	483001	101		(9,275.38)
2015-12-31	RECUR143	To transfer funds for the Risk Manager and Attorney salary	571100	011		25,192.05
	RECUR143 Total					-
2015-12-31	RECUR144	To transfer funds for Attorney and Nurse salary	571100	012		22,781.93
2015-12-31	RECUR144	To transfer funds for Attorney and Nurse salary	483001	101		(4,825.00)
2015-12-31	RECUR144	To transfer funds for Attorney and Nurse salary	483001	101		(17,956.93)
	RECUR144 Total					-
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	101		(1,666.67)
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	101		(2,083.33)
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	440		(3,624.73)
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	532		(37,716.25)
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	552		(24,110.83)
2015-12-31	RECUR158	To transfer funds from hotel motel	483001	572		(37,500.00)
2015-12-31	RECUR158	To transfer funds from hotel motel	571100	7401		102,951.81
2015-12-31	RECUR158	To transfer funds from hotel motel	571100	7401		3,750.00

TRANSFER RESOLUTION: December 2015

FISCAL YEAR: 2016

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Director is hereby authorized and directed to transfer funds as follows:

Journal Date	Journal ID #	Long Description	Account	Fund	Project	Debit / (Credit)
		RECUR158 Total				-
2015-12-31	RECUR173	To Transfer funds from TIF to SSMID Downtown District	571100	7501		16,227.67
2015-12-31	RECUR173	To Transfer funds from TIF to SSMID Downtown District	483001	7701		(18,621.09)
2015-12-31	RECUR173	To Transfer funds from TIF to SSMID Downtown District	571100	7525		1,867.25
2015-12-31	RECUR173	To Transfer funds from TIF to SSMID Downtown District	571100	7520		526.17
		RECUR173 Total				-
2015-12-31	RECUR178	To transfer funds for shared administrative position	571100	081		3,353.36
2015-12-31	RECUR178	To transfer funds for shared administrative position	483001	071		(3,353.36)
		RECUR178 Total				-
2015-12-31	RECUR181	To transfer funds from Utilities to City Manager for Position 2590 and \$2k in discretionary expenses relating to Communication services	483001	101		(6,849.55)
2015-12-31	RECUR181	To transfer funds from Utilities to City Manager for Position 2590 and \$2k in discretionary expenses relating to Communication services	571100	621		6,849.55
		RECUR181 Total				-
2015-12-31	RECUR186	To Transfer funds from TIF to SSMID Medical District	571100	7525		2,481.50
2015-12-31	RECUR186	To Transfer funds from TIF to SSMID Medical District	483001	7703		(11,677.67)
2015-12-31	RECUR186	To Transfer funds from TIF to SSMID Medical District	571100	7520		2,511.25
2015-12-31	RECUR186	To Transfer funds from TIF to SSMID Medical District	571100	7521		6,684.92
		RECUR186 Total				-
2015-12-31	RECUR188	To transfer funds from Water to Development SVCS for Position 1009 \$2k discr	483001	101		(8,228.80)
2015-12-31	RECUR188	To transfer funds from Water to Development SVCS for Position 1009 \$2k discr	571100	621		8,228.80
		RECUR188 Total				-
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	571100	101		20,833.33
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	483001	7957		(20,833.33)
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	571100	621		20,833.33
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	571100	611		20,833.33
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	483001	7957		(20,833.33)
2015-12-31	RECUR189	To transfer funds for Economic Development contribution from Enterprise and General Fund	483001	7957		(20,833.33)
		RECUR189 Total				-
2015-12-31	RECUR191	Funding from Transit to Police for security at GTC	483001	101		(4,166.67)
2015-12-31	RECUR191	Funding from Transit to Police for security at GTC	571100	661		4,166.67
		RECUR191 Total				-
2015-12-31	RECUR193	Funding from Water for IT Sys Analyst III Pos 2751	483001	101		(6,540.20)
2015-12-31	RECUR193	Funding from Water for IT Sys Analyst III Pos 2751	571100	621		6,540.20
		RECUR193 Total				-
		Grand Total				(0.00)



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 appointing and reappointing the following individuals:

- a. Appointing Tariq Baloch and reappointing Jasmine Almoayed, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Joe Mailander, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for a term of one year.

CIP/DID #OB542014

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

Background: Annually, per the Corridor Metropolitan Planning Organization's by-laws, the City of Cedar Rapids must designate individuals to serve as alternate representatives that shall be authorized to participate and vote in all matters before the Corridor MPO in the absence of a regular member representative.

Action/Recommendation: Approve resolution as presented

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: January 26, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

A P P O I N T M E N T

I, Ron Corbett, Mayor of the City of Cedar Rapids, in accordance with Section 2.06 of the Home Rule Charter, and subject to the advice and consent of the Cedar Rapids City Council hereby appoint and reappoint the following individuals to serve as Alternate Representatives on the Corridor Metropolitan Planning Organization for the term of one year or until a successor is appointed and qualified:

Alternate Representatives

Jasmine Almoayed
Tariq Baloch
Angie Charipar
Ron Corbett
Brad DeBrower
Kris Gulick
Sven Leff
Joe Mailander
Ann Poe
Pat Shey
Justin Shields
Amy Stevenson

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the advice and consent of the City Council to the Mayor's appointment of Tariq Baloch and reappointment of Jasmine Almoayed, Angie Charipar, Ron Corbett, Brad DeBrower, Kris Gulick, Sven Leff, Joe Mailander, Ann Poe, Pat Shey, Justin Shields and Amy Stevenson as Alternate Representatives on the Corridor Metropolitan Planning Organization for the term indicated above is hereby given.

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
 Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 12 properties.
 CIP/DID #WTR1215-001

EnvisionCR Element/Goal: 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 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. 1770-12-15 on December 15, 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: 1/26/16

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

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) 1/26/16

				SPECIAL ASSESSMENTS 01/26/16
				LIEN INTENTS 12/15/15
#		Balance Due		Premise Address
1		\$ 49.59		125 21ST ST NE
2		\$ 93.52		215 23RD ST NW
3		\$ 322.82		545 10TH ST SW
4		\$ 146.02		930 E AVE NW
5		\$ 169.58		1003 6TH ST SE
6		\$ 1,294.29		1106 E AVE NW
7		\$ 69.81		1230 6TH ST NW
8		\$ 218.93		1233 10TH ST NW
9		\$ 79.73		1321 10TH ST NW
10		\$ 207.98		1420 J ST SW
11		\$ 200.00		5025 1ST AVE SW #16
12		\$ 39.09		5135 GORDON AVE NW
		\$ 2,891.36		Grand Total
		12		Number of Properties
		\$ 39.09		Balance Due - Low
		\$ 1,294.29		Balance Due - High



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 – 52 properties.
 CIP/DID #WTR01-26-16-001

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: 01/26/16

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 23rd day of February, 2016 and notice was given by mailing to the owners of the properties, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:00 p.m., February 23, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LIEN INTENTS (SPECIAL ASSESSMENTS) 1/12/16

LIEN INTENTS 1/26/16			
#	Balance Due	Premise Address	
1	\$ 107.30	80 MILLER AVE SW #1	
2	\$ 216.07	140 21ST AVE SW #1	
3	\$ 122.98	242 11TH ST NW	
4	\$ 555.94	333 30TH STREET DR SE	
5	\$ 377.49	353 7TH AVE SW	
6	\$ 78.16	375 26TH AVE SW	
7	\$ 121.08	441 4TH AVE SW	
8	\$ 65.09	615 35TH ST SE	
9	\$ 60.21	713 3RD ST SW #6	
10	\$ 44.73	811 10TH ST SW	
11	\$ 87.40	851 10TH ST SW	
12	\$ 171.12	910 7TH ST SE #220	
13	\$ 136.80	911 C AVE NW - LOWER	
14	\$ 65.24	913 18TH AVE SW - UPPER	
15	\$ 115.90	914 6TH ST SW	
16	\$ 119.44	945 19TH AVE SW	
17	\$ 75.92	947 12TH ST NE	
18	\$ 190.91	1001 C AVE NW	
19	\$ 183.51	1016 32ND ST SE	
20	\$ 195.34	1110 16TH AVE SW	
21	\$ 102.32	1122 REGENT ST NE	
22	\$ 104.66	1123 ELLIS BLVD NW	
23	\$ 253.25	1208 L ST SW	
24	\$ 217.08	1219 33RD ST SE	
25	\$ 128.97	1316 6TH ST NW	
26	\$ 51.46	1328 M AVE NE	
27	\$ 40.10	1409 K ST SW	
28	\$ 177.30	1413 3RD ST SW	
29	\$ 52.15	1414 4TH AVE SE	
30	\$ 327.78	1505 5TH AVE SE	
31	\$ 194.09	1547 C AVE NE	
32	\$ 63.18	1610 12TH AVE SW	
33	\$ 174.29	1626 ELAINE DR NW	
34	\$ 137.72	1811 B AVE NE #3	
35	\$ 188.20	1901 13TH ST SW	
36	\$ 110.27	1953 4TH AVE SE	
37	\$ 43.55	2028 WASHINGTON AVE SE	
38	\$ 214.60	2040 SPOON CREEK CT SE	
39	\$ 670.05	2055 NORTH TOWNE LN NE	
40	\$ 87.38	2348 COLDSTREAM AVE NE	
41	\$ 188.80	2527 WISCONSIN ST SW	
42	\$ 154.56	2610 O AVE NW	

				LIEN INTENTS 1/26/16
#		Balance Due		Premise Address
43		\$ 232.47		3124 EMERALD AVE SE
44		\$ 232.44		3210 CARRIAGE DR SW
45		\$ 198.76		3315 29TH AVE SW
46		\$ 188.15		3719 NORTHWOOD DR NE
47		\$ 36.20		4312 MT VERNON RD SE
48		\$ 154.09		4316 REGAL AVE NE
49		\$ 56.34		5301 HARBET AVE NW
50		\$ 371.85		5618 DOSTAL DR SW
51		\$ 210.39		6617 KIOWA TRACE NE
52		\$ 181.56		7540 NORMANDY DR NE
		\$ 8,634.64		Grand Total
		52		Number of Properties
		\$ 36.20		Balance Due - Low
		\$ 670.05		Balance Due - High



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

Phone Number/Ext.: 4791

E-mail Address: M.Jones@cedar-rapids.org

Alternate Contact Person: Sarah Augustine

Phone Number/Ext.: 4786

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

Description of Agenda Item: CONSENT AGENDA

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

CIP/DID #SWM-002-16

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

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

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

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

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

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

Alternative Recommendation: The City Council could decide not to assess.

Time Sensitivity:

Resolution Date: 1/26/16

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: No

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

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

NUISANCE ABATEMENTS

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 pm, February 24, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

INTENT TO ASSESS 1/26/16

INTENT TO ASSESS 1/26/16			
#		Balance Due	Premise Address
1		\$279.75	428 18 th St SE
2		\$417.25	1212 8 th St NW
3		\$25.00	1817 B Ave NE
		\$722.00	Grand Total
		3	Number of Properties



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 Crescent View 4th Addition and 2-Year Maintenance Bond submitted by Abode Construction, Inc. in the amount of \$65,112.90.

CIP/DID #2015081-01

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, Abode Construction, Inc., was granted permission by the Water Division to install 8-inch and 6-inch water mains, services, and appurtenances in Crescent View 4th Addition (Project No. 2015081). The Contractor, Abode Construction, Inc., has installed 847 feet of 8-inch DIP water main, 429 feet of 6-inch DIP water main, services and appurtenances on Crescent View Drive 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 Crescent View 4th Addition (Project No. 2015081) and the Contractor's 2-year Maintenance Bond (No. 2204425) in the amount of \$65,112.90 submitted by Abode Construction, 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: 01/26/2016

Budget Information: N/A

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, Abode Construction, Inc., was granted permission by the Utilities Department - Water Division to install 847 feet of 8-inch DIP water main, 429 feet of 6-inch DIP water main, services and appurtenances on Crescent View Drive NE, all in CRESCENT VIEW 4TH ADDITION (Project No. 2015081), to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Abode Construction, Inc. of Marion, Iowa, as Principal, has filed a 2-Year Maintenance Bond (Bond No. 2204425) executed by North American Specialty Insurance Company, as Surety, in the sum of \$65,112.90 (Sixty Five Thousand One Hundred Twelve Dollars and 90/100) 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 CRESCENT VIEW 4TH ADDITION (Project No. 2015081), be hereby accepted, and

BE IT FURTHER RESOLVED that the 2-Year Maintenance Bond submitted by Abode Construction, Inc., as Principal, and executed by North American Specialty Insurance 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: Development Services

Presenter at Meeting: Joe Mailander

Phone Number/Ext.: 319-286-5822

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

Alternate Contact Person: John Reasoner

Phone Number/Ext.: 319-286-5806

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

Description of Agenda Item: Final plats

Resolution approving the Final Plat of The Depot at Newbo First Addition for land located at 400 12th Avenue SE

CIP/DID #FLPT-021479-2015

<p>EnvisionCR Element/Goal: GrowCR Goal 1: Encourage mixed-use and infill development.</p>

Background: The property owner submitted the Final Plat of The Depot at Newbo 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 five (5) lots and a total plat area of 6.05 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: January 26, 2016

Budget Information: NA

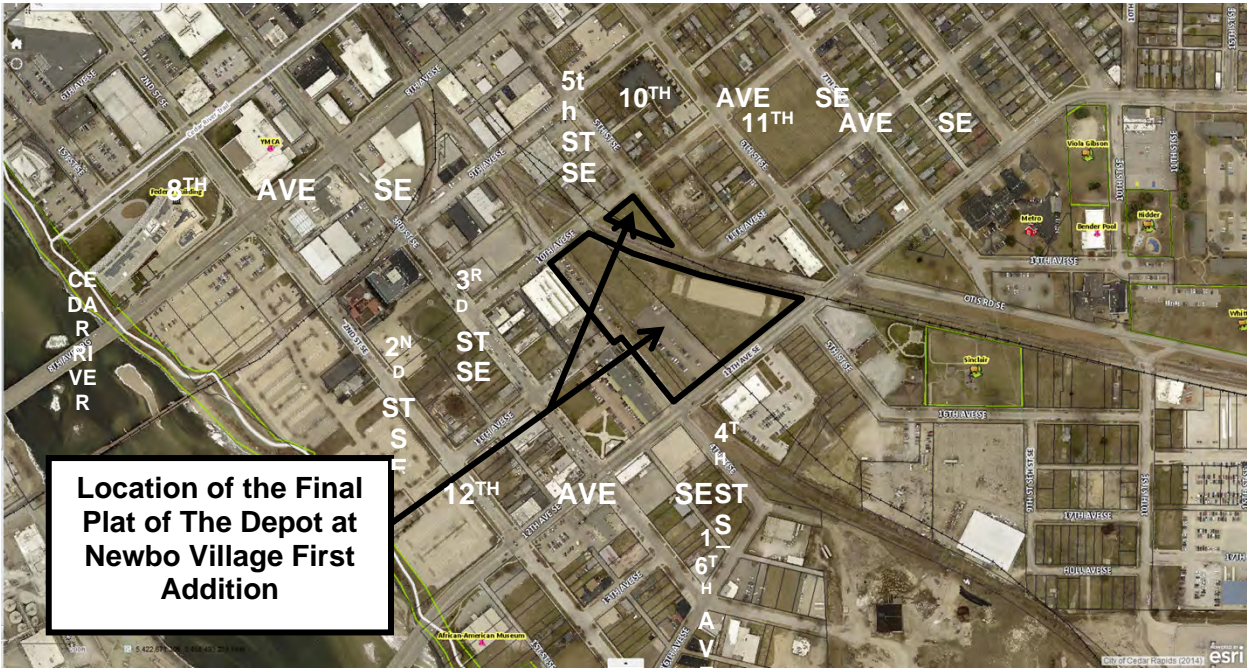
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF THE DEPOT AT NEWBO VILLAGE FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Four (4) numbered lots, Numbered 1 through 4, 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
3. Agreement to Dedicate Street Right-of-Way

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 The Depot at Newbo Village 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 Lot 'A' (for right of way for Recreational Trail and other Public Purposes) is hereby approved 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 26th day of January, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Anne Russett

Phone Number/Ext.: x5075

E-mail Address: a.russett@cedar-rapids.org

Alternate Contact Person: Rebecca Johnson

Phone Number/Ext.: x5062

E-mail Address: r.johnson2@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Contract with LSL Planning for Consulting Services for New Zoning Code for the Community Development Department for an amount not to exceed \$265,089.

CIP/DID #PUR0615-252

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

Background: The Purchasing Services Division solicited proposals on behalf of the Community Development Department for Consultant Services for New Zoning Code with six (6) firms responding. Following an in-depth evaluation process and interviews with the top two firms, the evaluation committee recommends the contract be awarded to LSL Planning as the most responsive and responsible proposer for the following reasons:

1. Extensive experience with zoning codes for other municipalities similar in size, including specific experience with form-based codes, public right-of-way and streetscaping standards, and green infrastructure and landscaping requirements
2. Tailored approach that is sensitive to the City's regulatory philosophy, City Council goals/vision, and staff resources available for implementation
3. Understanding of the City's request to complete both the text and map amendments as part of the project scope
4. Competitive financial proposal with added value of iZone™ digital format
5. References confirm proven track record of quality and timeliness for projects of similar scale

The contract will begin on the date it is executed and continue through January 31, 2018 for a total amount not to exceed \$265,089.

Proposals were submitted by the following firms:

Code Studio	Austin, TX	\$249,710
Duncan Associates	Chicago, IL	\$365,750
Kendig Keast	Sugarland, TX	\$262,670
RDG Planning & Design	Omaha, NE	\$224,000
LSL Planning	Loveland, CO	\$265,089
Shive Hattery	Cedar Rapids, IA	\$196,500

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 115200-330330

Local Preference Policy: Yes

Explanation: Local preference applies but did not impact the award decision.

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 Consulting Services for New Zoning Code on behalf of the Community Development Department; and

WHEREAS, proposals were received from six (6) Consultants; and

WHEREAS, a committee has carefully evaluated and ranked each proposal based on the evaluation criteria and recommends that the contract be awarded to LSL Planning for an amount not to exceed \$265,089; and

WHEREAS, a contract has been prepared for Consultant Services for New Zoning Code for a contract period beginning on the execution date and continuing through January 31, 2018.

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

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

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

Phone Number/Ext.: 5807

Alternate Contact Person: Diane Rodenkirk
E-mail Address: d.rodenkirk@cedar-rapids.org

Phone Number/Ext.: 5023

Description of Agenda Item: Purchases, contracts and agreements
 Contract with Universal Field Services, Inc. for Right of Way Acquisition Support Services for the Engineering Division for an amount not to exceed \$120,000.
 CIP/DID #PUR0515-222

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

Background: The City currently has contracts with Stanley Consultants, Inc., ProSource Technologies, LLC and A&R Land Services Inc. for right of way acquisition support services. The amount of services required by the City is increasing, so the Engineering Division is recommending award of another contract to Universal Field Services, Inc.

Universal Field Services previously submitted a proposal for RFP #PUR0515-222. The contract period is January 27, 2016 through March 31, 2016 for an amount not to exceed \$120,000. This contract contains four additional one-year renewal options.

Proposal Results from PUR0515-222

Company Name	Location	Price
A&R Land Services, Inc.	Ames	\$85/hour
ProSource Technologies, LLC	Cedar Rapids	\$79/hour
Snyder & Associates	Ankeny	\$90/hour
Ulteig Engineers	Fargo, ND	\$150/hour
Universal Field services, Inc.	Urbandale	\$75/hour

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

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: January 26, 2016

Budget Information: 301 and 655 – charged to various CIP projects

Local Preference Policy: Yes

Explanation: Universal Field Services, Inc. is not a certified local vendor

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Public Works Department - Engineering Division currently has three contracts for right of way acquisition support services with Stanley Consultants, Inc., ProSource Technologies, LLC and A&R Land Services, Inc.; and

WHEREAS, the amount of services required continues to increase, so the Engineering Division is recommending award of another contract to Universal Field Services, Inc.; and

WHEREAS, Universal Field Services previously submitted a proposal for RFP #PUR0515-222; and

WHEREAS, the contract period is January 27, 2016 through March 31, 2016 for an amount not to exceed \$120,000, with four additional one-year renewal options.

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

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Marilyn Fitzgerald
E-mail Address: marilyn@cedar-rapids.org

Phone Number/Ext.: x5056

Alternate Contact Person: Rebecca Johnson
E-mail Address: r.johnson2@cedar-rapids.org

Phone Number/Ext.: x5062

Description of Agenda Item: Purchases, contracts and agreements
 Contract with St. Luke's Work Well Solutions for Health Services for the Human Resources Department for an annual amount not to exceed \$200,000.
 CIP/DID #PUR1015-070A

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

Background: Purchasing Services solicited bids on behalf of the Human Resources Department for health services for City employees with five (5) vendors responding.

Following consideration of all bids, the Human Resources Department is recommending award to St. Luke's Work Well Solutions for physicals and testing, vaccinations and injury care and to Weland Clinical Laboratories for Drug and Alcohol Testing. Pricing, service locations, and business hours were all taken into consideration in reaching a decision regarding this recommendation for award.

The contract period with St. Luke's Work Well Solutions for physicals, testing, vaccinations, and injury care will be February 1, 2016 through January 31, 2017 with four (4) one-year renewal options available. Total annual expenditure cannot be determined because services will be provided on an as-needed basis but will not exceed \$200,000 for the initial contract period.

Bids were received from the following providers, in alphabetical order (total bid amounts cannot be determined because volume of services is unknown and each vendor provided pricing for a different mix of services):

C.J. Cooper & Associates – Hiawatha, IA
 Chiropractic Clinic of Iowa – Cedar Rapids, IA
 MercyCare Service Corporation & Affiliates – Cedar Rapids, IA
 St. Luke's Work Well Solutions – Cedar Rapids, IA
 Weland Clinical Laboratories, P.C. – Cedar Rapids, IA

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: Funded by individual department budgets or covered by the workers compensation fund.

Local Preference Policy: Yes

Explanation: Local preference applies but has no impact on award. All bidders are local.

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 Health Services on behalf of the Human Resources Department; and

WHEREAS, bids were received from five providers; and

WHEREAS, the Human Resources Department recommends that the contract for health services including physicals and testing, vaccinations, and injury care be awarded to St. Luke's Work Well Solutions as the provider who offers the best value for the City for an annual amount not to exceed \$200,000; and

WHEREAS, a one-year contract with the option of four one-year renewal periods has been prepared for the contract period February 1, 2016 through January 31, 2017.

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

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Todd Fagan

Phone Number/Ext.: 5616

E-mail Address: t.fagan@cedar-rapids.org

Alternate Contact Person: Heather Mell

Phone Number/Ext.: 5117

E-mail Address: h.mell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Contract with BladeWorks for 2016 Tree Planting for the Parks and Recreation Department for an amount not to exceed \$245,860.

CIP/DID #PUR1115-089

EnvisionCR Element/Goal: (Click here to select)
--

Background: Purchasing Services solicited bids on behalf of the Parks and Recreation Department for the purchase and installation of trees for 2016 receiving 3 bids back. BladeWorks was the lowest bidder with their total of \$245,860.

Bids were received from:

BladeWorks	Cedar Rapids, IA	\$245,860.00
Soil-Tek	Grimes, IA	\$316,678.10
Meyer Landscape & Design	Moline, IL	\$527,680.00

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

Alternative Recommendation:

Time Sensitivity: low

Resolution Date: January 26, 2016

Budget Information: 309995

Local Preference Policy: Yes

Explanation: Awarded vendor is a certified local vendor.

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 2016 Tree Planting on behalf of the Parks And Recreation Department; and

WHEREAS, bids were received from three Vendors; and

WHEREAS, the Parks and Recreation Department recommends that the contract be awarded to BladeWorks as the overall lowest responsive and responsible bidder, in the amount of \$245,860; and

WHEREAS, a contract has been prepared for 2016 tree planting for the contract period January 26, 2016 through November 30, 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

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

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

Phone Number/Ext.: x5281

Alternate Contact Person: Mark Jones
E-mail Address: m.jones@cedar-rapids.org

Phone Number/Ext.: x5897

Description of Agenda Item: Purchases, contracts and agreements
 Contract with Rehrig Pacific Company for Solid Waste Containers for Collection of Garbage, Recycling & Yard Waste for the Solid Waste & Recycling Division for an annual amount not to exceed \$230,000.
 CIP/DID #PUR0715-013

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
--

Background:

Bids were solicited by the Purchasing Services Division for the as-needed purchase and delivery of solid waste containers for collection of garbage, recycling & yard waste on behalf of the Solid Waste & Recycling Division with three (3) vendors responding. In the past the City has maintained three separate contracts, one for each type of cart, all of which expired in 2015 with no renewal options available. The decision was made to consolidate all carts into one solicitation in order to maximize efficiency and volume pricing.

Award is recommended to Rehrig Pacific Company, the lowest bidder, for all carts for an initial contract period of February 1, 2016 through January 31, 2017 with four (4) one-year renewal options available. Total annual purchases shall not exceed \$230,000 annually.

The following bids were received:

Company Name	Unit Pricing per Container			
	35 gallon	65 gallon	65 gal, vented	95 gal, vented
Rehrig Pacific Company Pleasant Prairie, WI	\$32.54	\$38.92	\$41.42	\$46.55
Schaefer Systems International Charlotte, NC	\$35.50	\$42.65	\$43.65	\$48.65
Otto Environmental Systems Charlotte, NC	\$37.47	\$43.24	\$47.84	\$51.22

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information:

Solid Waste & Recycling operating budgets for collection of garbage, recycling yard waste

Local Preference Policy: Yes

Explanation: Local preference applies but there were no local bidders.

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 Solid Waste Containers for Collection of Garbage, Recycling & Yard Waste on behalf of the Solid Waste & Recycling Division; and

WHEREAS, bids were received from three vendors; and

WHEREAS, the Solid Waste & Recycling Division recommends that the contract be awarded to Rehrig Pacific Company as the lowest responsive and responsible bidder, for an amount not to exceed \$230,000 annually; and

WHEREAS, a contract has been prepared for Rehrig Pacific Company for the contract period February 1, 2016 through January 31, 2017 with four one-year renewal options.

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

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Purchasing

Presenter at Meeting: Bill Kiesel
E-mail Address: w.kiesel@cedar-rapids.org

Phone Number/Ext.: 5293

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. 2 to renew contract with ESCO Electric for Low and Medium Voltage Electrical Services for the Water Pollution Control Facility for two years for an annual amount not to exceed \$140,000 (original contract amount was \$140,000; renewal contract amount is \$140,000).

CIP/DID #0112-126

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
--

Background:

ESCO Electric provides low and medium voltage electrical services for the Water Pollution Control Facility. The contract period is March 1, 2016 through February 28, 2018. This is years five and six of the contract; no additional renewal options remain so these services will be rebid in 2018.

ESCO Electric increased their prices by 5%. The estimated annual expenditure is \$140,000 for a two-year contract total of \$280,000.

Pricing summary:

Low Voltage Electrical Services		
1	Standard Hourly Rate, 40 hour work week	
	Apprentice @ 75%	\$57.12
	Journeyman	\$64.49
	Foreman	\$67.62
	Testing Technician	\$99.75
	Testing Engineer	\$115.50
2	40+ Hours and Saturday	
	Apprentice @ 75%	\$83.61
	Journeyman	\$94.48
	Foreman	\$127.62
	Testing Technician	\$149.63
	Testing Engineer	\$173.25
3	Sundays and Holidays	
	Apprentice @ 75%	\$112.88
	Journeyman	\$127.62

	Foreman	\$133.88
	Testing Technician	\$199.50
	Testing Engineer	\$231.00
Medium Voltage Electrical Services		
4	Standard Hourly Rate, 40 hour work week	
	Apprentice @ 75%	\$57.12
	Journeyman	\$64.49
	Foreman	\$67.62
	Testing Technician	\$99.75
	Testing Engineer	\$115.50
5	40+ Hours and Saturday	
	Apprentice @ 75%	\$83.61
	Journeyman	\$94.48
	Foreman	\$127.62
	Testing Technician	\$149.63
	Testing Engineer	\$173.25
6	Sundays and Holidays	
	Apprentice @ 75%	\$112.88
	Journeyman	\$127.62
	Foreman	\$133.88
	Testing Technician	\$199.50
	Testing Engineer	\$231.00
7	Lead time for regular service calls	1 day
8	Lead time for emergency calls	2 hours
9	Minimum service call charge	\$150.00
10	Percent mark-up on material/equipment rental	10%
Actual travel time to and from the work location is not reimbursable under this contract		

Action/Recommendation: Authorize the City Manager and the City Clerk to execute Amendment No. 2 as described herein.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: January 26, 2016

Budget Information:

91438-521108-611-611035-61112 (25%);
91438-521108-611-611035-61122 (25%);
91438-521108-611-611035-61132 (25%);
91438-521108-611-611035-61142 (25%)

Local Preference Policy: Yes

Explanation: ESCO Electric is a certified local vendor

Recommended by Council Committee: (Click here to select)

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and ESCO Electric are parties to a contract for as-needed low and medium voltage electrical services for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional two-year period for an annual amount not to exceed \$140,000, for a two-year contract total of \$280,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 0285-02-12	03/01/12 - 02/28/14
Amendment No. 1 to renew Contract	Resolution No. 0109-01-14	03/01/14 - 02/29/16
Amendment No. 2 to renew Contract	Pending	03/01/16 - 02/28/18

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. 2 to renew 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: Water

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

Phone Number/Ext.: 5281

Alternate Contact Person: Jim Flamming
E-mail Address: j.flamming@cedar-rapids.org

Phone Number/Ext.: 5968

Description of Agenda Item: Purchases, contracts and agreements
 Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed \$507,606 for the Kirkwood Standpipe Replacement Project.
 CIP/DID #6250040-01

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

Background:

The existing Kirkwood Standpipe was constructed in 1976. It was inspected in detail in 1997, and again in 2007. In 2006, the City entered into an agreement with a cellular phone service provider to lease space on the top of the standpipe for ten years. That agreement expires in September 2016. The 2007 inspection revealed significant defects in the coating system and corrosion to some of the steel panels that make up the tank. The tank exhibited leakage in 2008 and has been out of service since October 2008. The flood of 2008 rendered replacing the tank a lower priority as staff was focused on flood recovery and higher priority projects.

A study of the service area in the vicinity of the tank was completed by Utilities Department staff in early 2014. In the course of the study staff concluded that it will be advantageous to build a new elevated storage tank at the site, with an overflow elevation that matches the overflow elevations of the Wilson Avenue tank and the Mt. Vernon Road tank at 993 feet USGS. This project will be coordinated with improvements to the Kirkwood Booster, and distribution system additions and reconfigurations that will connect the service area to the area north of the river currently served by the Mt Vernon Road tank. The Kirkwood / C Street service zone will be reduced in area as part of this program, reducing demand on the Bowling Street Booster. The goal of the project is to demolish the existing Kirkwood Standpipe and construct a new 2 million gallon elevated water storage tank on the site

Five engineering firms were contacted for Statements of Qualifications to perform the design. The five firms were: HDR, Inc., Black & Veatch Corporation, McClure Engineering Co., Dixon Engineering, Inc., and Strand Associates, Inc. Packets detailing the experience of the firm and the proposed schedule for the project were received from Black & Veatch Corporation, a team consisting of McClure Engineering Co. and Dixon Engineering, Inc., and Strand Associates, Inc. The Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Black & Veatch Corporation could bring to the project best met the needs of the Utilities Department.

Action/Recommendation: The Utilities Department – Water Division staff recommends approval of the Professional Services Agreement with Black & Veatch Corporation for the Kirkwood Standpipe Replacement Project and that the City Manager and City Clerk be authorized to execute said Agreement.

Alternative Recommendation: None

Time Sensitivity: Action needed 1-26-16

Resolution Date: 1-26-16

Budget Information:

1. **Included in Current Budget Year?** Yes. The project will be funded from the FY2016, FY2017, and FY2018 Water Division Capital Improvement Projects budget.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$75,000 in the FY2016, \$800,000 in the FY2017, and \$1,800,000 in the FY2018 Capital Improvement Projects budget for the Water Division for the Kirkwood Standpipe Replacement Project. If needed, additional funds are available by adjusting other items in the CIP budget or from reserves. The project will be coded to the following CIP fund: 553000-625-625000-x-x-6250040.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, statements of qualifications were requested from multiple engineering firms and evaluated by Utilities Department staff using objective criteria.

Local Preference Policy: Yes

Explanation: Consultant selection process gives preference to local firms.

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids Utilities Department – Water Department needs to replace the aging Kirkwood Standpipe on Kirkwood Blvd. SW, and

WHEREAS, the existing Kirkwood Standpipe was constructed in 1976. It was inspected in detail in 1997, and again in 2007. The 2007 inspection revealed significant defects in the coating system and corrosion to some of the steel panels that make up the tank. The tank exhibited leakage in 2008 and has been out of service since October 2008, and

WHEREAS, five engineering firms were contacted for Statements of Qualifications to perform the engineering and design services to demolish the existing Kirkwood Standpipe and construct a new 2 million gallon elevated water storage tank on the site, and

WHEREAS, the Utilities Department staff evaluated the qualifications of the responding firms and determined that the technical resources that Black & Veatch Corporation could bring to the project best met the needs of the Utilities Department – Water Division, and

WHEREAS, Black & Veatch Corporation has proposed to furnish these services for an amount not to exceed \$507,606.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Professional Services Agreement with Black & Veatch Corporation for an amount not to exceed \$507,606 for the Kirkwood Standpipe Replacement Project (Contract No. 6250040-01) be hereby approved and that the City Manager and City Clerk be authorized to execute said Agreement. To be funded from the Utilities Department – Water Division Fiscal Year 2016, Fiscal Year 2017 and Fiscal year 2018 CIP budgets and coded to 553000-625-625000-x-x-6250040-NA.

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MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG



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

Phone Number/Extension: 5821

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 4 to the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$2,400 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 \$143,665).

CIP/DID #325008-01

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

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 locating and marking all trees needing to be removed throughout the project. To comply with the federal Endangered Species Act, all trees must be removed before April and that work is being accomplished under a separate contract (CIP 301990-09). Given the number of trees involved, it is in the best interest of the City for the trees to be clearly marked by the project design firm, to make sure each tree removal is necessary.

Action/Recommendation: The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 4 of the Professional Services Agreement with McClure Engineering Co. specifying an increased amount not to exceed \$2,400.

Alternative Recommendation: Determine someone else who can mark the trees, who likely must be paid to do so and is far less familiar with the project, and risk having the wrong trees being removed.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

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 locating and marking of trees needing to be removed throughout the project, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 4 to the professional services agreement with McClure Engineering Co. in the amount of \$2,400 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
Amendment No. 4	\$2,400
	<hr/>
Amended Contract Amount	\$143,665

General ledger coding for this amendment to be as follows:

Fund 325, Dept ID 325000 Project 325008, NA	\$2,400
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MayorSignature

Attest:

ClerkSignature

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Cadd File Name: W:\PROJECTS\CP\251325008 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 Department

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

Phone Number/Extension: 5807

Alternate Contact Person: Jen Winter
E-mail Address: j.winter@cedar-rapids.org

Phone Number/Extension: 5803

Description of Agenda Item: Purchases, contracts and agreements

Resolution approving Amendment No. 27 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) reducing the grant award by an amount of \$147,175 for the voluntary property acquisition and demolition project funded under the Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program (original contract price was \$95,474,137; total contract amount with this amendment is \$124,865,638) (**FLOOD**).

CIP/DID #3302500001-2

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

Background:

On July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority (IEDA) a Community Development Block Grant (CDBG) Voluntary Property Acquisition/Demolition Application to voluntarily acquire and demolish flood-damaged properties. The City signed a contract on November 24, 2009 for a CDBG award amount of \$95,474,137 for 852 parcels.

As additional property owners registered their properties for the buyout program, the original grant had nine amendments increasing the grant amount from \$95,474,137 to \$166,865,594.

IEDA subsequently amended the contract for non-financial changes which include: extending the requirement on demolition timeline; amending contract end date to November 4, 2013; amending each Article in the contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A; reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity; and increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City.

IEDA requested a clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. The Amendment No. 15 to the original contract reduced the grant award from \$166,865,594 to \$147,759,190. Sufficient funds remain in the program to complete the outstanding acquisitions and demolitions.

Subsequent to Amendment No. 15 IEDA amended the contract for non-financial changes which include: Amending Article 5.11 to revise the existing language; amending contract end date to November 29, 2014; and amending each Article in the contract that refers to "Attachment A, Program Description and Budget" as "amended".

IEDA requested additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. Amendment No. 19 to the original contract reduced the grant award from \$147,759,190 to \$145,759,190 and Amendment 20 reduced the grant award from 145,759,190 to \$126,441,122.

IEDA amended the contract end date to November 30, 2015 under Amendment 21 and subsequently requested with Amendment 22, Amendment 23, and Amendment 24, additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program by reducing the grant award from \$126,441,122 to \$125,012,813. Amendment 26 amended the contract end date to May 29, 2017.

IEDA has requested additional clawback of available funds from the CDBG Voluntary Property Acquisition/Demolition program. Amendment 27 to the original contract will reduce the grant award from \$125,012,813 to \$124,865,638. This resolution will formally ratify Amendment No. 27 to the original Contract Agreement between the Iowa Economic Development Authority and the City of Cedar Rapids for administration under the Community Development Block Grant program. Specifically, it will authorize the execution of the amendment necessary to reduce the grant award \$147,175. Sufficient funds remain in the program to complete outstanding items for project closeout.

Action/Recommendation: The Public Works Department recommends adopting the resolution and executing Amendment No. 27 to the Contract Agreement with the Iowa Economic Development Authority (IEDA) to amend the award by reducing the amount from \$125,012,813 to \$124,865,638.

Alternative Recommendation: City Council may table this item at this time and request additional information.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 330/330000/330250/3302500001-2, 3302500002 & 3302500003 FLOOD

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION APPROVING AMENDMENT NO. 27 TO THE IOWA ECONOMIC
DEVELOPMENT AUTHORITY CONTRACT AGREEMENT FOR ADMINISTRATION OF THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, on July 31, 2009 the City of Cedar Rapids submitted to the Iowa Economic Development Authority a Community Development Block Grant Property Acquisition/Demolition Application to administer, voluntarily acquire and demolish flood-damaged properties, and

WHEREAS, the City signed the original contract on November 24, 2009 for a Community Development Block Grant award totaling \$95,474,137 for the voluntary property acquisition of flood-damaged properties, and

WHEREAS, numerous contract amendments followed with Amendment No. 8 & 9 being approved by City Council Resolution No. 0459-04-11 increasing the grant award amount to \$166,865,594, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

No. 10: Extending the requirement on demolition timeline

No. 11: Amending the contract end date to November 4, 2013

No. 12: Amending each Article in the Contract that refers to "Attachment A, Program Description and Budget" to add Low-Moderate Income as a national objective on the Attachment A

No. 13: Reallocating funds from urgent need and low-moderate income activity to the non-residential, urgent need activity

No. 14: Increasing the number of properties in the buyout program based on the final August 28, 2012 application submission by the City

, and

WHEREAS, Amendment No. 15 approved by City Council Resolution No. 0736-05-13, reduced the grant award amount from \$166,865,594 to \$147,759,190, and

WHEREAS, subsequently the City received several additional non-financial contract amendments that did not require City Council approval for the following:

No. 16: Amending Article 5.11 "Removal of Existing Building" by deleting the existing language and inserting; "Existing buildings and other structures located on acquired property that, in the sole discretion of the Department, are determined to be incompatible with the use of property after acquisition must be removed by demolition or relocation to an area outside the applicable Special Hazard Flood Area by the contract end date."

No. 17: Amend contract end date to November 29, 2014.

No. 18: Amend each Article in the contract that refers to "Attachment A, Program Description and Budget" to "Attachment A, Program Description and Budget, as amended."

, and

WHEREAS, Amendment No. 19 approved by City Council Resolution No. 0047-01-14, reduced the grant award amount from \$147,759,190 to 145,759,190, and

WHEREAS, Amendment No. 20 approved by City Council Resolution No. 0566-05.14, reduced the grant award amount from \$145,759,190 to \$126,441,122, and

WHEREAS, Amendment No. 21 extended the contract end date to November 30, 2015, and

WHEREAS, Amendment No. 22 approved by City Council Resolution No. 1565-11-14, reduced the grant award amount from \$126,441,122 to 125,929,407, and

WHEREAS, Amendment No. 23 approved by City Council Resolution No. 0508-04-15, reduced the grant award amount from \$125,929,407 to \$125,394,543, and

WHEREAS, Amendment No. 24 approved by City Council Resolution No. 1044-07-15, reduced the grant award amount from \$125,394,543 to \$125,012,813, and

WHEREAS, Amendment No. 25 was an IEDA internal contract amendment and Amendment No. 26 extended the contract end date to May 29, 2017, and

WHEREAS, the City received Amendment No. 27 to the original Contract Agreement to amend the grant award by reducing the amount from \$125,012,813 to \$124,865,638,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to sign Amendment No. 27 from the Iowa Economic Development Authority amending the City of Cedar Rapids Community Development Block Grant to an amount not to exceed \$124,865,638 to administer, voluntarily acquire and demolish the flood damaged properties (3302500001-2, 3302500002, and 3302500003), and the execution of said Amendment No. 27 is hereby ratified, and

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute Amendment No. 27 and such other documentation reasonably necessary between the Iowa Economic Development Authority and the City of Cedar Rapids, Iowa to efficiently administer the project grant.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Paula Mitchell
E-mail Address: e.kubly@cedar-rapids.org

Phone Number/Ext.: 319 286-5852

Alternate Contact Person: Erika Kubly
E-mail Address: e.kubly@cedar-rapids.org

Phone Number/Ext.: 319 286-5406

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of Amendment No. 20 to Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) to clarify reporting requirements and extend the contract end date to December 31, 2016.
 CIP/DID #08-DRH-208

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

Background: Amendment No. 20 is a zero-dollar amendment that clarifies certain reporting requirements and extends the contract end date from March 15, 2016 to December 31, 2016. In 2015, IEDA awarded five multi-family new construction projects to the City as part of the ongoing disaster recovery replacement housing effort. These projects required environmental review, and several incurred increased construction costs that required the developer to perform cost engineering or secure gap financing prior to commencing construction. As a result, the Iowa Economic Development Authority (IEDA) is extending the City's time of performance to complete construction of all program units. The new contract end date is December 31, 2016.

In April 2009, the City entered into a contract with the Iowa Economic Development Authority (IEDA) for CDBG disaster recovery funding for a variety of housing recovery activities, including the Rental Rehabilitation Programs and Multi-family New Construction. The contract has been amended previously from its original amount to add funding for additional activities, extend the contract term, or modify program guidelines. This zero-dollar extension will allow the City to expend its allocation, complete projects, and to manage market absorption of the remaining units.

Action/Recommendation: Staff recommends adoption of the resolution.

Alternative Recommendation: Table the resolution and request additional information.

Time Sensitivity: Current contract expiration date is March 15, 2016.

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids is party to Disaster Recovery Housing Contract 08-DRH-208 with the Iowa Economic Development Authority (IEDA) for local administration of Community Development Block Grant disaster recovery housing programs, and

WHEREAS, the City Council wishes to provide for continued assistance to flood-impacted citizens and additional resources for community recovery, and

WHEREAS, IEDA has provided to the City Amendment No. 20 to Contract 08-DRH-208, a zero-dollar amendment clarifying certain reporting requirements and extending the contract end date from March 15, 2016 to December 31, 2016,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Mayor is authorized to execute Amendment No. 20 to Contract 08-DRH-208 with the Iowa Economic Development Authority.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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

Alternate Contact Person: John Reasoner

Phone Number/Ext.: 319 286-5806

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution accepting a warranty deed by Corridor Property Management, LLC, for dedication of street right-of-way for Blairs Ferry Road NE adjoining property at 4200 Blairs Ferry Road NE.

CIP/DID #PLSV-022222-2015

<p>EnvisionCR Element/Goal: GrowCR Goal 2: Manage Growth.</p>
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Background: The property owner submitted the warranty deed as a requirement of a request to prepare a Plat of Survey for division of the subject property. The right-of-way dedication area includes an existing street easement area for Blairs Ferry Road NE. The warranty deed and dedication are in accordance with the classification of said street.

Action/Recommendation: City staff recommends approval of the resolution and acceptance of the Warranty Deed from Corridor Property Management, LLC.

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

Time Sensitivity: NA

Resolution Date: January 26, 2016

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

LOCATION MAP



Location of right-of-way
area being dedicated by
Corridor Property
Management, LLC

ENG DSD
RCR TED
FIN TRS
CD ASR
AUD FILE
PLSV-022222-2015

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, as a requirement of a request to prepare a Plat of Survey for division of property at 4200 Blairs Ferry Road NE, Corridor Property Management, LLC submitted to the City a Warranty Deed for dedication of right-of-way for Blairs Ferry Road NE adjoining said property at 4200 Blairs Ferry Road NE, and

WHEREAS, the Warranty Deed as submitted is recommended for approval by the Development Services Department, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the executed Warranty Deed as noted above be and the same is hereby accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

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.: 319 286-5817

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

Phone Number/Ext.: 319 286-5852

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing execution of Assignment and Assumption of Development Agreement from S & J Homes, LLC to Robinson Construction, Inc. for property at 1003 3rd Street SW participating in the fourth round of the SFNC 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 provides for the execution of Assignment and Assumption of Development Agreement with the above listed developers and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The Development Agreement and Special Warranty Deed previously executed on December 3, 2013, effectively conveyed City-owned property from the City of Cedar Rapids to S & J Homes, LLC. The process of assignment and conveyance to Robinson Construction, Inc. has been initiated as a result of S & J Homes, LLC opting to not pursue construction of a new home on this property through the ROOTs program. The Resolution provides that the City consents to this assignment as Robinson Construction, Inc. agrees to all terms and conditions of the original Development Agreement.

Highlights of the terms and conditions contained in the Agreement for Redevelopment 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 is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- c) Developer is responsible for maintaining the property in accordance with all City and state codes;
- d) Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

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

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

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information:

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on December 3, 2013, the City Council passed Resolution No. 1850-12-13, authorizing execution of a Development Agreement and Special Warranty Deed with S & J Homes, LLC for City-owned property at 1003 3rd Street SW participating in the fourth round of the Single Family New Construction Program, and

WHEREAS, S & J Homes, LLC has opted to not proceed with construction of a new single-family home on said property and seeks to convey the property to an alternate participating developer, Robinson Construction, Inc., and

WHEREAS, the City and participating Developers have come to mutual agreement as to the terms and conditions of the Assignment and Assumption of 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 Assignment and Assumption of Development Agreement with Robinson Construction, Inc.

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute the Assignment and Assumption of Development Agreement effectuating the conveyance of property at 1003 3rd Street SW to Robinson Construction, Inc. in accordance with the original Development Agreement and that the resolution and agreement be recorded in the Office of the Linn County Recorder.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Paula Mitchell
E-mail Address: p.mitchell@cedar-rapids.org

Phone Number/Ext.: 319 286-5852

Alternate Contact Person: Erika Kubly
E-mail Address: e.kubly@cedar-rapids.org

Phone Number/Ext.: 319 286-5406

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing execution of Amendment No. 1 to the Development Agreement with Cedar Valley Habitat for Humanity for disposition and redevelopment of City-owned property at 806 D Avenue NW through the Residential Property Disposition program.
 CIP/DID #OB565513

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

Background: On June 8, 2010, City Council adopted Resolution No. 0633-06-10, creating the Residential Property Disposition (RPD) Program. Through the program, builders and remodelers were able to acquire flood-damaged structures in the Neighborhood Revitalization Area and renovate those properties for sale to an owner-occupant. Approximately 38 properties ultimately participated in the program.

On March 8, 2011, the City Council approved a Development Agreement with Cedar Valley Habitat for Humanity for renovation of a home at 806 D Avenue NW through the RPD program. The developer's original projected sales price based upon estimated cost was \$53,871, based on projected costs of rehabilitation and resale, and the permitted developer's fee not to exceed 15 % of the total project cost. However, the developer has incurred additional costs beyond the original estimate because they have been unable to sell the property, which is a small 2-bedroom home, by drawing from the agency's existing pool of applicants and has therefore had to seek outside assistance from a real estate agent to list the property for sale. Cedar Valley Habitat for Humanity has therefore requested to amend the sales price in the Development Agreement to \$60,000 to reflect the increased cost. This sale price is consistent with market value for the property. Net proceeds to the developer from closing, after realtor fees and closing costs, are estimated at \$52,389. The cost to rehabilitate was approximately \$48,871, leaving approximately \$3,518 for a developer's fee, well below the 15% limit and less than the \$5,000 developer's fee that was originally projected in the Development Agreement.

Staff has reviewed this request and determined that it is in keeping with the intent of the program, which was to rebuild the City's housing stock in flood-impacted neighborhoods and to create home ownership opportunities that are affordable to entry-level buyers.

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

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

Time Sensitivity: Closing with a buyer is subject to approval of an amendment to the Development Agreement.

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on June 8, 2010, the City Council authorized Resolution No. 0633-06-10 creating the Residential Property Disposition Program, and

WHEREAS, on March 8, 2011 by Resolution No. 0252-03-11 the City Council authorized execution of a Development Agreement with Cedar Valley Habitat for Humanity for the rehabilitation and resale of City-owned property at 806 D Avenue NW, and

WHEREAS, whereas the costs of rehabilitation and resale have increased from the original estimate provided in the Development Agreement, which determined an estimated sale price of \$53,871, and

WHEREAS, the parties have agreed that it is in the best interests of the program to amend the development agreement to authorize an increased sale price of \$60,000 based upon these increased costs,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to execute Amendment No. 1 to the Development Agreement with Cedar Valley Habitat for Humanity, authorizing a sales price not to exceed \$60,000 for City-owned property at 806 D Avenue NW.

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 authorizing execution of Amendment No. 2 to the Agreement for Private Redevelopment with TrueNorth Real Estate, LC at 500 1st Street SE.

CIP/DID #OB1298825

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 Amendment No. 2 to the Agreement for Private Redevelopment (the "Amendment") with TrueNorth Real Estate, LC for redevelopment of the former public library at 500 1st Street SE. On October 20, 2015 the City Council authorized sponsorship of Business Financial Assistance for State funds and committed City financial participation under the City's Local Match program. The State and local resources serve to assist TrueNorth with the build-out of 14,700 sq. feet of office space within the existing facility footprint and creation of 57 new jobs that qualify under the State's High Quality Jobs program.

The Amendment memorializes the additional minimum improvements, job creation thresholds, and increased city participation. The annual salaries of the 57 new positions range from approximately \$21.50 to \$58.00 per hour or \$44,720 to \$120,640 annually, plus benefits. The total estimated project cost is \$2.72 million and is to be completed no later than July 1, 2016.

The following matrix provides amended city participation and job thresholds provided in the Amendment comparatively with the existing agreement:

Year	Existing Agreement		Amended Agreement	
	% TIF Paid to Developer	Full Time Employment Thresholds	% TIF Paid to Developer	Full Time Employment Thresholds
1	80%	120	80%	120
2	70%	120	70%	120
3	60%	120	60%	120
4	50%	170	50%	170
5	40%	170	40%	170
6	40%	170	40%	170
7	30%	170	40%	227
8	30%	170	40%	227
9	20%	170	30%	227
10	20%	170	20%	227

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

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 20, 2015 the City Council adopted Resolution No. 1521-10-15 authorizing sponsorship of an application to the State Program and negotiation of a Development Agreement, or renegotiation of an existing Development Agreement, to provide financial assistance to True North Real Estate, L.C. ("TrueNorth");

WHEREAS, the TrueNorth is undertaking the completion of approximately 17,000 square feet within the footprint of its facility with a cost estimated to be \$2.7 million, and will create 57 new jobs with annual salaries ranging from \$21.50 to \$58.00 per hour or \$44,720 to \$120,640 annually, plus benefits; and

WHEREAS, the project qualifies for the City's Local Match Program by leveraging State dollars through the Iowa Economic Development Authority's High Quality Job Program through the creation of new jobs which meet the State's threshold laborshed wage; and

WHEREAS, the following characteristics of the project are consistent with the City goals and, in their combination, establish the public purpose and overall benefit to the City:

- Infill redevelopment consistent with City Council goal of creating cost-effective use of existing infrastructure and City services;
- Creation of new, high-quality jobs;
- Investment in the City's core commercial district.

WHEREAS, the City and TrueNorth have negotiated terms and conditions of Amendment No. 2 to the Agreement for Private Redevelopment ("Amendment No. 2"), subject to City Council's approval, which has been prepared and is ready for execution on behalf of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk, or their designees, are authorized to execute Amendment No. 2 to the Agreement for Private Redevelopment with TrueNorth Real Estate, LC for property at 500 1st Street SE.

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: Purchases, contracts and agreements

Resolution authorizing execution of a Development Agreement with Center Point Apartments, LLC for the development of 1427 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program
CIP/DID #08-DRH-208

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

Background:

The Resolution authorizes execution of a Development Agreement to provide City participation in the Center Point development project at 1427 Center Point Road NE. On February 10, 2015 the City Council adopted a Resolution of support for the project to provide City participation as local match dollars required by the Workforce Housing Tax Credit program through the Iowa Economic Development Authority (IEDA). Additionally, the project is leveraging \$3.0 million in funding from IEDA through the sixth round of the Multi-Family New Construction (MFNC-6) program as well as a separate source for stormwater management funding was awarded for significant on and off-site stormwater management improvements.

The Development Agreement provides City participation through a reimbursement of an increase in taxes generated by the improvements. The City participation is a set \$35,000 per year for 10-years which is approximately 62% of the increased taxes expected generated by the improvements. The City participation amount was arrived at by filling the gap in the project's operation proforma to meet the debt-service ratio required by the MFNC-6 program.

Project Details:

- Total Investment - \$5.8 million
- 30 units – 16 market rate & 14 affordable units (80% Area Median Income)
- 10-year affordability period

Construction on the project is expected to begin in February 2016 with an approximately 10 month build out.

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

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City received funding through the Iowa Economic Development Authority (IEDA) for the new construction of multi-family housing projects through the sixth round of the Multi-Family New Construction (MFNC-6) program; and

WHEREAS, Center Point Apartments, LLC is receiving funding through the MFNC-6 program for the construction of a new 30-unit multi-family facility at 1427 Center Point Road NE; and

WHEREAS, Center Point Apartments, LLC is also receiving funding through the Workforce Housing Tax Credits, as well as additional funding for storm water enhancements and improvements to serve the project and area; and

WHEREAS, on February 10, 2015 the City Council adopted Resolution No. 0191-02-15 which provides for City financial support of the project through a reimbursement of increased taxes generated by the improvements; and

WHEREAS, the City financial support has been determined to be \$35,000 in reimbursement of increased taxes generated by the improvements for a period of 10-years; and

WHEREAS, a Development Agreement has been prepared, subject to City Council approval, which memorializes the City participation in the project as provided herein and the Development Agreement, 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, as follows:

1. The City Manager and City Clerk, or their designees, are authorized to execute a Development Agreement with Center Point Apartments, LLC for the development of a 30-unit multi-family facility at 1427 Center Point Road NE in accordance with the MFNC-6 program.
2. The City Manager and City Clerk, or their designees, are authorized to execute a Memorandum of Development Agreement with Center Point Apartments, LLC and that the Memorandum of Development Agreement be recorded in the office of the Linn County, Iowa Recorder.

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: Purchases, contracts and agreements

Resolution authorizing execution of a Development Agreement with Creekside Apartments, LLC for the development of 1415 Center Point Road NE as part of the sixth round of the Multi-Family New Construction (MFNC) Program
CIP/DID #08-DRH-208

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

Background:

The Resolution authorizes execution of a Development Agreement to provide City participation in the Creekside development project at 1415 Center Point Road NE. On February 10, 2015 the City Council adopted a Resolution of support for the project to provide City participation as local match dollars required by the Workforce Housing Tax Credit program through the Iowa Economic Development Authority (IEDA). Additionally, the project is leveraging \$3.0 million in funding from IEDA through the sixth round of the Multi-Family New Construction (MFNC-6) program as well as a separate source for stormwater management funding was awarded for significant on and off-site stormwater management improvements.

The Development Agreement provides City participation through a reimbursement of an increase in taxes generated by the improvements. The City participation is a set \$35,000 per year for 10-years which is approximately 62% of the increased taxes expected generated by the improvements. The City participation amount was arrived at by filling the gap in the project's operation proforma to meet the debt-service ratio required by the MFNC-6 program.

Project Details:

- Total Investment - \$5.8 million
- 30 units – 16 market rate & 14 affordable units (80% Area Median Income)
- 10-year affordability period

Construction on the project is expected to begin in February 2016 with an approximately 10 month build out.

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

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City received funding through the Iowa Economic Development Authority (IEDA) for the new construction of multi-family housing projects through the sixth round of the Multi-Family New Construction (MFNC-6) program; and

WHEREAS, Creekside Apartments, LLC is receiving funding through the MFNC-6 program for the construction of a new 30-unit multi-family facility at 1415 Center Point Road NE; and

WHEREAS, Creekside Apartments, LLC is also receiving Workforce Housing Tax Credits, as well as additional funding for storm water enhancements and improvements to serve the project and area; and

WHEREAS, on February 10, 2015 the City Council adopted Resolution No. 0192-02-15 which provides for City financial support of the project through a reimbursement of increased taxes generated by the improvements; and

WHEREAS, the City financial support has been determined to be \$35,000 in reimbursement of in increased taxes generated by the improvements for a period of 10-years; and

WHEREAS, a Development Agreement has been prepared, subject to City Council approval, which memorializes the City participation in the project as provided herein and the Development Agreement, 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, as follows:

1. The City Manager and City Clerk, or their designees, are authorized to execute a Development Agreement with Creekside Apartments, LLC for the development of a 30-unit multi-family facility at 1415 Center Point Road NE in accordance with the MFNC-6 program.
2. The City Manager and City Clerk, or their designees, are authorized to execute a Memorandum of Development Agreement with Creekside Apartments, LLC and that the Memorandum of Development Agreement be recorded in the office of the Linn County, Iowa Recorder.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

Attest:

MayorSignature

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: City Manager

Presenter at Meeting: Angie Charipar
E-mail Address: a.charipar@cedar-rapids.org

Phone Number/Ext.: 319-286-5090

Alternate Contact Person:
E-mail Address:

Phone Number/Ext.:

Description of Agenda Item: Special events

Resolution authorizing payments to various non-profit special events held in Cedar Rapids for the fiscal year 2016 from the Special Event Public Safety Fund. CIP/DID #OB568164

Background:

Beginning in fiscal year 2011, the Cedar Rapids City Council put in place public safety funding to provide financial support to special events utilizing the services of the Cedar Rapids Special Duty Police program. Approximately 30-40 events per year hire special duty police to provide public safety, traffic control, and crowd management services at special events in Cedar Rapids.

On January 8, 2013, the Council approved Resolution No. 0024-01-13 authorizing the City Manager to implement the Special Event Public Safety Fund Policy to provide support for community special events as defined in the policy.

The criteria for special event applicants to receive Public Safety Funds includes:

- Events are provided funding for the amount invoiced from the Cedar Rapids Special Duty Police program, or \$1,000 per event, whichever is less.
- Organizations may receive a maximum of \$5,000 per fiscal year. Funding will be distributed twice annually.
- Organizations must be a non-profit, or the proceeds from the event must be directed toward a non-profit
- Organizations and/or special events to which the City contributes Hotel/Motel funding are not eligible.

This resolution is authorizing payment to four different non-profit special event applicants for a total of \$4,855.01 for FY16 funding (July 1, 2015 to June 30, 2016).

EnvisionCR Element/Goal: InvestCR Goal 4: Grow a sustainable, diverse economy by supporting businesses, fostering entrepreneurship, and targeting industry-specific growth.

Action/Recommendation: Approve payment to non-profit organizations for special events held in Cedar Rapids as indicated in resolution.

Alternative Recommendation:

Time Sensitivity: .

Resolution Date: January 26, 2016

Budget Information:

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cedar Rapids City Council approved Resolution No. 0024-01-13 which established the Special Event Public Safety Fund Policy to provide financial support for community special events, and

WHEREAS, four individual non-profit organizations have applied for reimbursement for their Special Duty Police officers utilized to provide public safety, traffic control and/or crowd management services at special events in Cedar Rapids during FY16 (July 1, 2015 to June 30, 2016).

Non-Profit Organization	Event Name	Event Dates	Amount
Kennedy High School	Homecoming Parade	9/9/15	258.00
Washington High School	Homecoming Parade	09/16/15	760.03
Coe College	Sport events and homecoming parade	9/5 to 12/4/15	3,706.69
McKinley Middle School	Winter vocal concert	12/10/15	130.29
Total			\$4,855.01

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Department is hereby authorized to issue payments to the above non-profit organizations for the amounts listed above from the public safety FY16 Fund [Fund 101, Dept ID 181000, class 13218].

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: City Attorney

Presenter at Meeting: James H. Flitz
E-mail Address: j.flitz@cedar-rapids.org

Phone Number/Ext.: 5025

Alternate Contact Person: None
E-mail Address: @cedar-rapids.org

Phone Number/Ext.:

Description of Agenda Item: CONSENT AGENDA

Resolution approving settlement with LWD PRP Group regarding the LWD Incinerator Site and authorizing the City Attorney to execute the Settlement Agreement and payment of \$3,000.

CIP/DID #ATT000003

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: In 1985 the old water pollution control plant caught on fire in an event that became known as "Toxic Tuesday." Over the course of several days the fire was extinguished. Debris from the site may have included hazardous materials some of which were hauled to the LWD Incinerator site in Calvert City, Kentucky. Records from the incinerator site show that materials from Cedar Rapids were taken there. This incinerator site became a "Superfund Site" and the owners and operators were required to clean it up. They in turn have sued all the parties who are believed to have contributed to the contamination, including Cedar Rapids. The lawsuit is pending in the Federal District Court in Western Kentucky. Cedar Rapids is a nominal defendant at best and a settlement agreement has been negotiated calling for the City to pay \$3,000 for a full and complete settlement and release of all claims. Cedar Rapids will be dismissed from the lawsuit with prejudice. The settlement is a compromise settlement and the City will not be admitting to any liability.

Action/Recommendation: Adopt resolution

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: January 26, 2016

Budget Information: NA

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

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

RESOLUTION NO. LEG_NUM_TAG

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

1. The "Settlement Agreement between LWD PRP Group and City of Cedar Rapids, Iowa for the LWD Incinerator Site" is hereby approved and the City Attorney is authorized to execute same on behalf of the City.
2. The payment of \$3,000 to LWD PRP Group in furtherance of this settlement is hereby approved and authorized.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: John Riggs
E-mail Address: j.riggs@cedar-rapids.org

Phone Number/Ext.: 5981

Alternate Contact Person:
E-mail Address: @cedar-rapids.org

Phone Number/Ext.:

Description of Agenda Item: REGULAR AGENDA

Report on bids for the Demolition Services of Buildings and Associated Materials – Sinclair Site project for the Building Services Department. (John Riggs)

- a. Resolution awarding and approving contract for an amount not to exceed \$214,800 bond and insurance of DW Zinser Company for Demolition Services of Buildings and Associated Materials – Sinclair Site (estimated cost is \$350,000).
 CIP/DID #PUR1115-098

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

Background: The Work to be performed under this project is to provide all-inclusive demolition services for two (2) large inter-connected concrete structures, one (1) steel bin structure, three (3) concrete accessory structures, old railroad grade materials, approximately 3,500 square yards of mixed material pavement (thickness varies 4" to 12") along with the associated parcel clean up. Payment for services rendered shall be based on a firm fixed price basis. The total estimated cost for this project is \$214,800.

Three (3) bids were received on January 13, 2016. The bids have been carefully reviewed and it is recommended that the contract be awarded to the responsible bidder who submitted the lowest responsive bid, which was submitted by DW Zinser Company. The cost of this demolition project is \$214,800.

DW Zinser Company	Walford, IA	\$ 214,800
JDA Construction	Marshalltown, IA	\$ 309,000
BWC Excavating	Solon, IA	\$ 332,000

The contract shall be effective on the date of issuance of the Notice to Proceed and shall end on April 1, 2016.

Action/Recommendation: Authorize the City Manager and the City Clerk to execute the Contract No. PUR1115-098 as described herein.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: January 26, 2016

Budget Information: GRI Project #3316509-11

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



January 26, 2016

City Council - City of Cedar Rapids

RE: Report on bids as read for Demolition Services of Buildings and
Associated Materials – Sinclair Site - RFB #PUR1115-098

Dear City Council:

Bids were received on January 13, 2016 to provide all-inclusive demolition services for two (2) large inter-connected concrete structures, one (1) steel bin structure, three (3) concrete accessory structures, old railroad grade materials, approximately 3,500 square yards of mixed material pavement (thickness varies 4" to 12") along with the associated parcel clean up. Funding is GRI Project #3316509-11.

Three bids were received. The bids have been reviewed by city staff and it is recommended the bid be awarded to DW Zinser Company for the amount not to exceed \$214,800.

DW Zinser Company	Walford, IA	\$ 214,800
JDA Construction	Marshalltown, IA	\$ 309,000
BWC Excavating	Solon, IA	\$ 332,000

Sincerely,

Judy Lehman

CITY OF CEDAR RAPIDS PURCHASING SERVICES DIVISION
Judy Lehman, CPPB
Manager, Purchasing Services

cc: John Riggs

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on December 15, 2015, the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the specifications, form of contract and cost estimate for the Demolition Services of Buildings and Associated Materials – Sinclair Site, public improvement project (Contract No. PUR1115-098) for the City of Cedar Rapids, Iowa; and

WHEREAS, said notice was published in the Cedar Rapids Gazette on December 19, 2015 pursuant to which a public hearing was held on January 12, 2016; and

WHEREAS, the following bids were received, opened and announced on January 13, 2016 by the City Purchasing Manager, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on January 26, 2016:

DW Zinser Company	\$ 214,800
JDA Construction	\$ 309,000
BWC Excavating LC	\$ 332,000

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: GRI Project #3316509-11

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

1. The previous delegation to the City Purchasing Manager, or designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. DW Zinser Company is the lowest responsive, responsible bidder on said work and the City Purchasing Manager, or designee, has recommended that the City accept its Bid and award the contract to it;

3. Subject to approval of the Equal Employment Opportunity Officer and registration with the Department of Labor, the Bid of Demolition Services of Buildings and Associated Materials – Sinclair Site, #PUR1115-098, is hereby accepted, and the contract for this public improvement is hereby awarded to DW Zinser 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; and

BE IT FURTHER RESOLVED, that the bid securities of the unsuccessful bidders have been returned to them by the City Clerk; and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

M:\P3391\ACAD\214087\DWG\FLOODWALL WORK.dwg 8-19-15 04:31:55 PM



NO.	REVISION	DESCRIPTION	APPROVED	DATE

Client:





Drawn By: MLS
Date: 8/7/15
Project No. 214087

Approved By: JHB
Scale: SEE BAR SCALE

FLOOD CONTROL SYSTEM

DEMOLITION

SHEET NO.
2
OF
2



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: Tim Mroch, PE

Phone Number/Extension: 5703

E-mail Address: t.mroch@cedar-rapids.org

Description of Agenda Item: REGULAR AGENDA

REPORT ON BIDS:

Bids were received on January 13, 2016 for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project (estimated cost is \$2,044,000). A report of bids received from the City officer conducting the bid opening is attached.

CIP/DID #3012050-02

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

Background: This project includes the reconstruction of 74th Street NE from White Ivy Place to C Avenue. The work includes pavement removal and replacement, storm sewer improvements and grading. This project is funded by the Local Option Sales Tax (LOST) approved for maintenance, repair, and reconstruction of City streets.

Action/Recommendation: Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: None

Budget Information: 301/3012050/3012050 SLOST

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



January 13, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the 74th Street NE from White Ivy Place to C Avenue NE
Roadway Improvements, Contract Number 3012050-02

Dear City Council:

Bids were received on January 13, 2016 for the 74th Street NE from White Ivy Place to C Avenue NE Roadway Improvements project as follows:

Horsfield Construction, Inc. (Epworth, IA)	\$1,225,252.34
Rathje Construction Co. (Marion, IA)	\$1,249,015.34
Ricklefs Engineering, Ltd. (Anamosa, IA)	\$1,436,631.87
Dave Schmitt Construction (Cedar Rapids, IA)	\$1,458,185.55
Pirc Tobin Construction, Inc. (Alburnett, IA)	\$1,488,788.65
E & F Paving Company, LLC (Cedar Rapids, IA)	\$1,705,873.80
Tschiggfrie Excavating (Dubuque, IA)	\$1,897,568.45

The engineers cost opinion for this work is \$2,044,000. 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 "Lee J. Tippe".

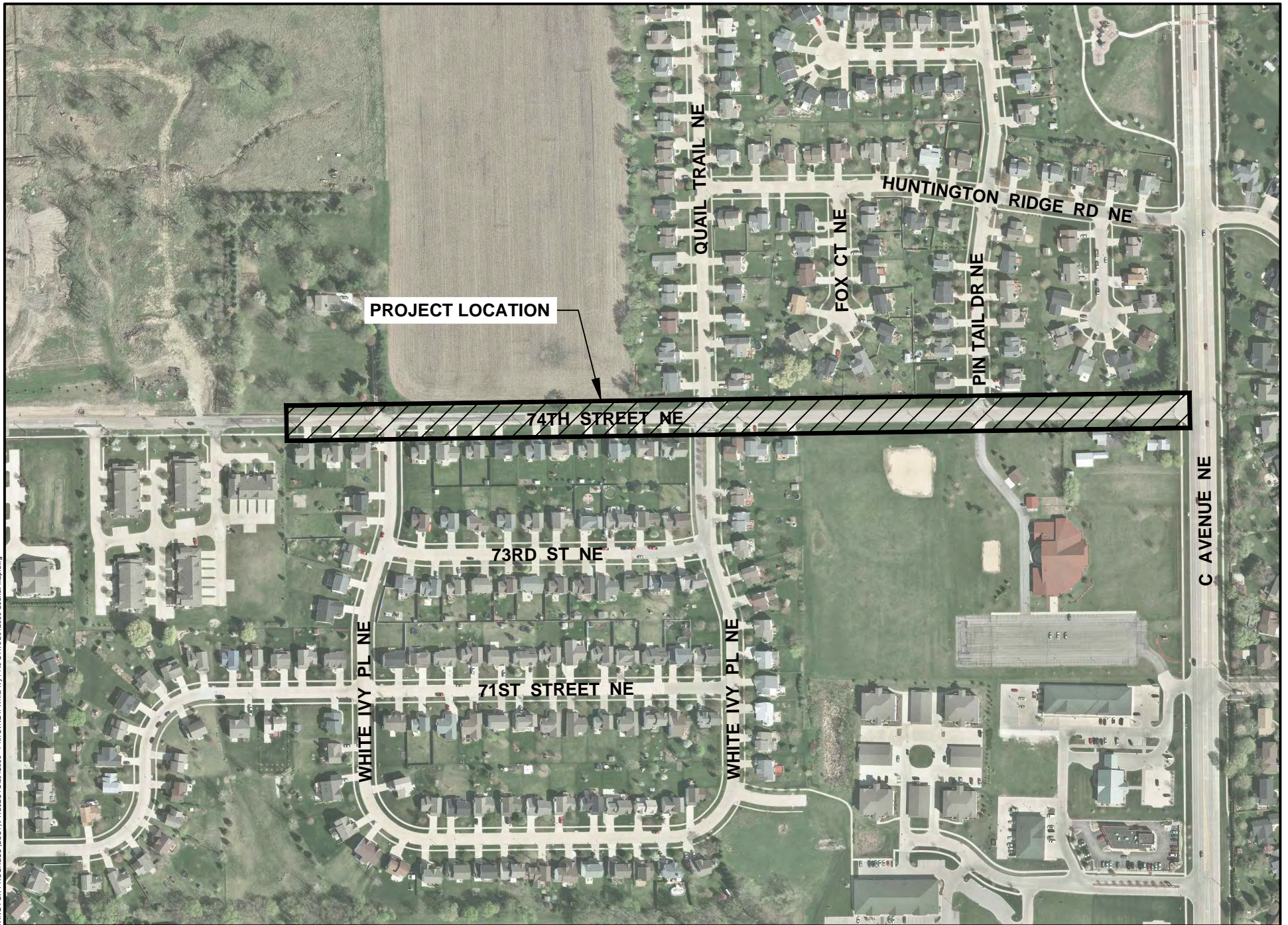
Lee J. Tippe, PE
Project Engineer II

LJT/lam

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

Public Works Department

500 15th Avenue S.W. • Cedar Rapids, Iowa 52404-5837 • (319) 286-5802 • FAX (319) 774-5653





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: Gary Petersen, PE

Phone Number/Extension: 5153

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

Description of Agenda Item: REGULAR AGENDA
REPORT ON BIDS:

Bids were received on January 20, 2016 in the office of the Iowa Department of Transportation, Ames, Iowa for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project (estimated cost is \$2,329,537). A report of bids received from the City officer conducting the bid opening is attached.
CIP/DID #301500-06

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

Background: This project is an extension of the existing 18th Street SW to connect 16th Avenue SW with Wilson Avenue SW, along with reconstruction of sections of the existing street and new sidewalk, storm sewer, water main and retaining wall improvements. Improvements will serve future development and improve roadway connectivity. This is the second phase of a two-phase project to complete improvements in this area.

Action/Recommendation: Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: None

Budget Information: 301/301000/301500

Local Preference Policy: No

Explanation: NA

Recommended by Council Committee: Yes

Explanation: NA



January 20, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace, Contract Number 301500-06

Dear City Council:

Bids were received on January 20, 2016 in the office of the Iowa Department of Transportation, Ames, Iowa for the 18th Street SW Extension from Wilson Avenue to 16th Avenue PCC Pavement – Grade and Replace project as follows:

METRO PAVERS, INC.	\$1,703,825.76
RATHJE CONSTRUCTION CO.	\$1,796,931.84
PIRC-TOBIN CONSTRUCTION, INC.	\$1,825,789.05
HORSFIELD CONSTRUCTION, INC. & SUBSIDIARY	\$1,937,405.69
TSCHIGGFRIE EXCAVATING CO.	\$2,150,092.65
RICKLEFS EXCAVATING, LTD.	\$2,417,559.89

The engineers cost opinion for this work is \$2,329,537. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

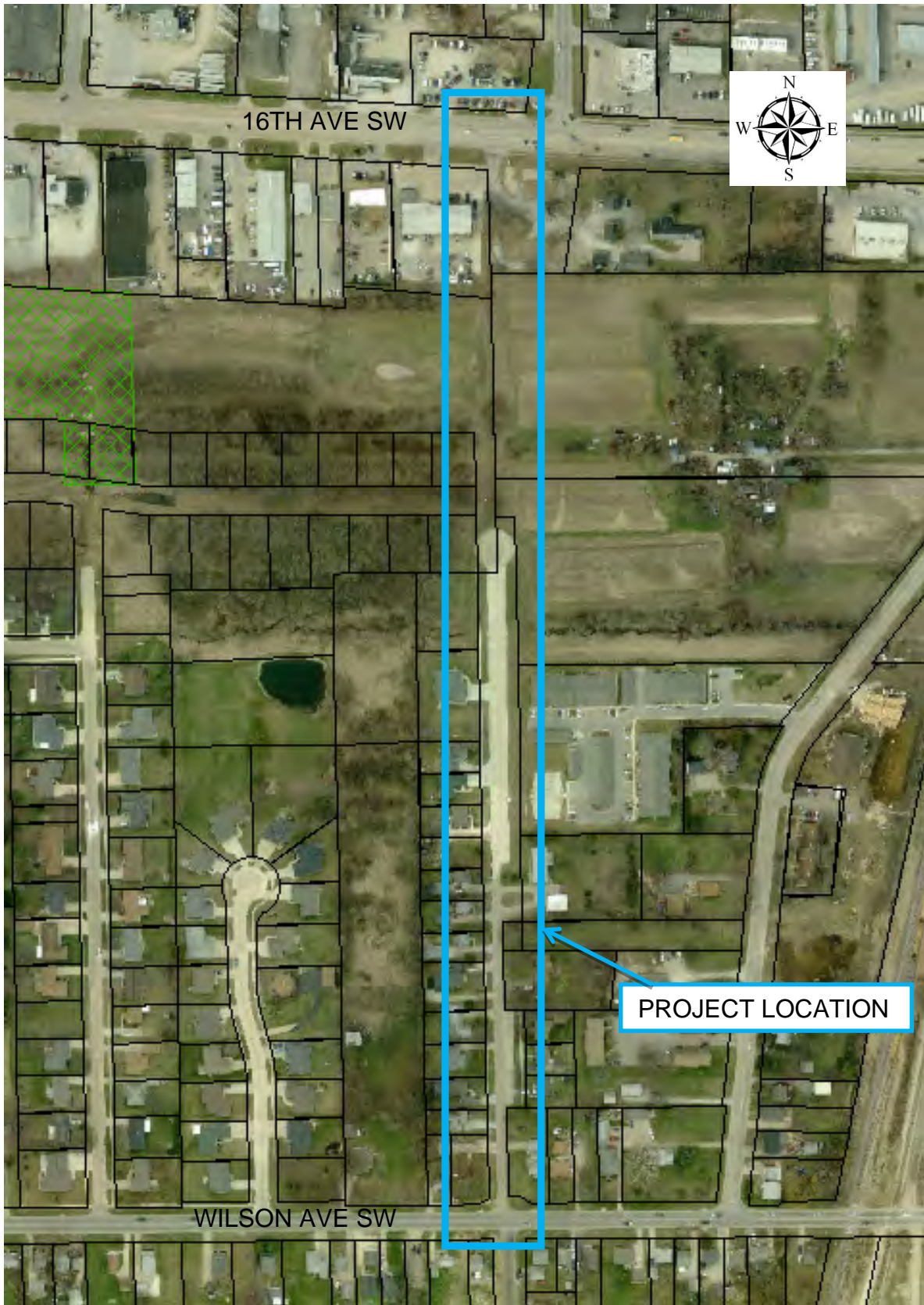
THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson", written over a horizontal line.

Doug Wilson, P.E.
Paving for Progress Program Manager

DDW/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer





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

Phone Number/Extension: 5153

Description of Agenda Item: REGULAR AGENDA
REPORT ON BIDS:

Bids were received on January 20, 2016 in the office of the Iowa Department of Transportation, Ames, Iowa for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace project (estimated cost is \$2,313,000). A report of bids received from the City officer conducting the bid opening is attached.
 CIP/DID #301612-04

EnvisionCR Element/Goal: ConnectCR Goal 2: Build a complete network of connected streets.

Background: The Collins Road NE (Hwy 100) Environmental Assessment document had identified traffic lane improvements for the intersection of Collins Road and C Avenue NE, that extended northerly on C Avenue NE from Collins Road to Blairs Ferry Road. In addition, the Corridor Metropolitan Planning Organization (CMPO) has approved \$2,033,000 of federal-aid funding for the C Avenue NE from Collins Road to Blairs Ferry Road Improvements project and the City Council approved Agreement No. 6-08-STPU-10, Federal Aid Agreement for Surface Transportation Program for this project on May 14, 2008.

Rockwell Collins, Inc. requested that the roadway improvements on C Avenue NE adjacent to their property be modified to conceptually fit with the aesthetics of their corporate campus, address their employee safety issues for crossing C Avenue NE, and to address the safety issues for ingress and egress to their property. In addition, Rockwell Collins, Inc. requested to substitute a traffic signal at the location of the existing pedestrian actuated warning flasher located on C Avenue NE between Collins Road and Blairs Ferry Road as a substitute public improvement for a pedestrian undercrossing of C Avenue NE. The City Council approved an Agreement with Rockwell Collins, Inc. on April 8, 2014 that defined the project improvements, access modifications, and financing of project improvements.

Project improvements include two northbound and two southbound through traffic lanes, left turn lanes at three Rockwell entrances, maintain the existing left turn lanes at Collins Road and Blaris Ferry Road, right turn lanes at three Rockwell entrances and Blairs Ferry Road, and a 42 ft. landscaped median. Rockwell Collins, Inc. will install and maintain the landscaped median through a separate Agreement with the City.

Contract No. 301612-03 completed construction of the trunk storm sewer improvements and cathodic protection for the 24 inch transmission water main in the summer of 2015. Subject to receipt of acceptable bids, construction is scheduled to begin in the spring of 2016 and be completed in the fall of 2016.

Action/Recommendation: Noted on attached bid report.

Alternative Recommendation: None

Time Sensitivity: Normal

Resolution Date: None

Budget Information:

CIP No. 301612, NA	\$2,364,180 *
CIP No. 306227, NA	\$ <u>212,990 **</u>
Total Construction Budget	\$3,466,595

* \$1,569,335 Surface Transportation Funding (STP)

** \$100,320 Iowa Clean Air Attainment Program (ICAAP)

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



January 20, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace, Contract Number 301612-04

Dear City Council:

Bids were received on January 20, 2016 in the office of the Iowa Department of Transportation, Ames, Iowa for the C Avenue NE Improvements from Collins Road to Blairs Ferry Road PCC Pavement – Grade and Replace project as follows:

HORSFIELD CONSTRUCTION, INC. & SUBSIDIARY	\$2,180,979.80
RATHJE CONSTRUCTION CO.	\$2,211,807.72
PIRC-TOBIN CONSTRUCTION, INC.	\$2,319,336.86
CROELL AND SUBSIDIARY	\$2,445,955.84
METRO PAVERS, INC.	\$2,460,804.73
HAWKEYE PAVING CORP.	\$2,859,512.20
TSCHIGGFRIE EXCAVATING CO.	\$3,121,913.65

The engineers cost opinion for this work is \$2,313,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson".

Doug Wilson, P.E.
Paving for Progress Program Mgr.

DFW/cap

cc: Jennifer L. Winter, P.E. Public Works Director
Nathan Kampman, P.E., City Engineer

BLAIRS FERRY ROAD NE

Rockwell Collins, Inc.

Rockwell Collins, Inc.

Rockwell Collins, Inc.

Rockwell Collins, Inc.

PROJECT LOCATION

C AVENUE NE

COLLINS ROAD NE



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5816

Description of Agenda Item: REGULAR AGENDA

Resolution with respect to the adoption of the Resolution of Necessity proposed for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project. CIP/DID #3012004-00

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

Background: On December 15, 2015 the Council deferred action on the Resolution of Necessity for this project to evaluate the assessment associated with the residential property at 2600 26th Street SW. The City has reached an agreement with the property owner that as long as the property is assessed as residential or agricultural the assessment will be deferred. The assessment schedule was amended and the assessment for 2600 26th Street SW property has been eliminated.

Action/Recommendation: The Public Works Department recommends adoption of the Proposed Resolution of Necessity as amended.

Alternative to the Recommendation:

If the resolution is not adopted as amended, assessment proceedings will not proceed further. The project will then require additional funding by TIF (Tax Incremental Financing), or general obligation bonds, or the project must be deferred or abandoned.

Alternative Recommendation: If the resolution is not adopted as amended, assessment proceedings will not proceed further. The project will then require additional funding by TIF (Tax Incremental Financing) and the STP (Surface Transportation Program) grant, or general obligation bonds, or the project must be deferred or abandoned.

Time Sensitivity: Normal

Resolution Date: January 26, 2016

Budget Information: 301/301000/3012004

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: Yes

Explanation: Infrastructure Committee agreed to recommendation to pursue an agreement to defer the assessment for 2600 26th Street SW.

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION WITH RESPECT TO THE ADOPTION OF THE RESOLUTION OF NECESSITY
PROPOSED FOR THE 26TH STREET SW IMPROVEMENTS FROM 60TH AVENUE SW TO
76TH AVENUE SW PROJECT (CIP NO. 3012004-00)

WHEREAS, this Council has proposed a Resolution of Necessity for the 26th Street SW Improvements from 60th Avenue SW to 76th Avenue SW Project, has given notice of the public hearing thereon as required by law, and

WHEREAS, the public hearing has been held, all persons offering objections have been heard and consideration given to all objections and is pending before this Council, and

WHEREAS, this is the time and place set as provided for the taking of action on the proposed Resolution of Necessity,

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

- ☐ Adopted, without amendment, and all objections filed or made having been duly considered and overruled.
- ☐ Adopted as amended by the Schedule of Amendments attached hereto as Exhibit A, and made a part thereof by reference. All objections filed or made having been duly considered are overruled.
- ☐ Deferred for later consideration to a Council meeting to be held on the day of , at o'clock , at this meeting place, with jurisdiction retained for further consideration and action at the adjourned meeting.
- ☐ Abandoned.

PASSED_DAY_TAG

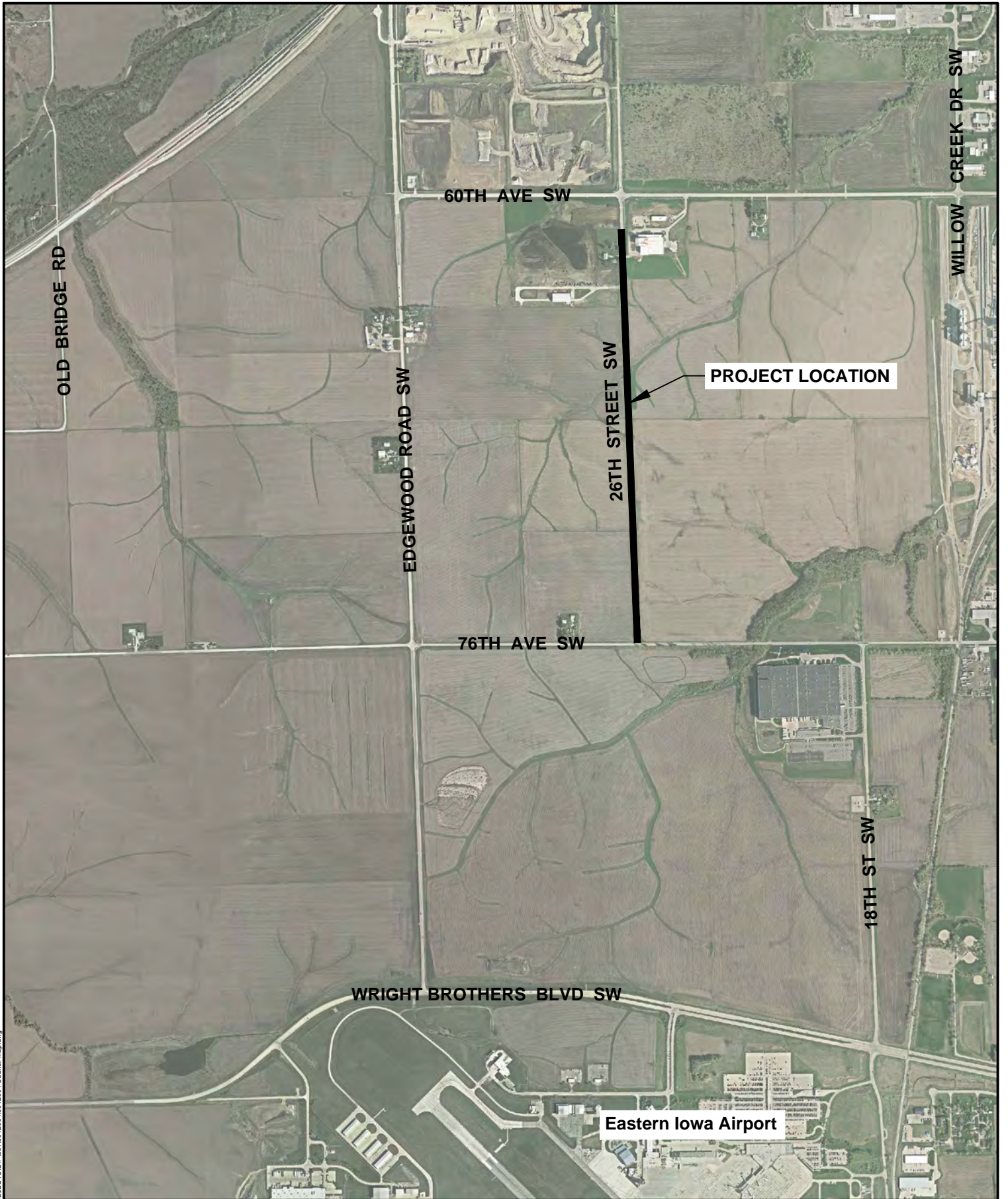
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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**26TH STREET SW IMPROVEMENTS FROM
60TH AVENUE SW TO 76TH AVENUE SW
IMPROVEMENT PROJECT**



0 FEET 1500



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: REGULAR AGENDA

Discussion and Resolution of support providing City participation under the City's Historic Preservation Program for the rehabilitation of the historic Ideal Theatre building at 213 16th Avenue SE and 1614 2nd Street SE as requested by Jelinek Companies LLC (Caleb Mason).
CIP/DID #URTE-0006-2016

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

Background:

The Resolution provides City financial support for the rehabilitation and preservation of the historic Ideal Theatre building at 213 16th Avenue SE subject to adoption and approval of an Urban Revitalization Tax Exemption district and plan for the project.

On January 13, 2016 the City received an Economic Development program application from Jelinek Companies LLC for the City's Historic Preservation program. The proposed project involves the historic preservation of the Ideal Theatre building which was built in 1914 and is a contributing structure in the Czech Bohemia Commercial Historic District which is listed on the National Register of Historic Place. The building is being restored to its original clear-span open area layout to accommodate music concerts, events, banquets, and meetings.

Project Details:

- Renovation of the existing 3,824 sq. ft. commercial building following Secretary of Interior's Standards for Historic Preservation
- Total investment of \$700,000
- Clear-span open layout for banquet and event hall

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
- Leveraging State historic tax credit dollars

The partial tax exemption is a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. The 2015 assessed value of the properties is \$96,000. Based on the scope of the proposed project, an additional value of **\$305,130** is estimated to be added. 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.

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

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

Time Sensitivity: N/A

Resolution Date: January 26, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City has received an application from Jelinek Companies LLC for City participation under the City's Economic Development Programs for the renovation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE (the "Project") in accordance with the Secretary of Interior's Standards for Historic Preservation; and

WHEREAS, the City supports such activities that promote the preservation of historic structures and has adopted Historic Preservation Program to provide City financial support for projects that meet the historic preservation objectives of the City; and

WHEREAS, the project qualifies for the City's Historic Preservation Program through the renovation and preservation of the historic Ideal Theatre Building which is a contributing structure in the Czech Bohemia Commercial Historic District which is listed on the National Register of Historic Preservation; and

WHEREAS, the following characteristics of the project are consistent with the City goals and, in their combination, establish the public purpose and overall benefit to the City:

- Infill redevelopment consistent with City Council goal of creating cost-effective use of existing infrastructure and City services;
- Preservation of a historic structure;
- Investment in the City's core commercial district.

WHEREAS, the City Council desires to express its support for the Project by providing 10-year declining scale exemption of the increase in value added by the Project as provided under the Urban Revitalization Tax Exemption (schedule #2) provided under Chapter 404 of the Iowa Code (2015).

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

1. The request for City participation under the City's Historic Preservation Program is approved for the Project subject to:
 - a. Completing the legislative proceedings under Chapter 404 of the Iowa Code (2015) to establish an Urban Revitalization Tax Exemption (URTE) district.
 - b. Approval of an URTE area plan which incorporates requirements to retain the historic integrity of the structure in accordance with the Secretary of Interior's Standards for Historic Preservation.
2. The City Manager and City Clerk, or their designees, are authorized to initiate all required proceedings under Chapter 404 of the Iowa Code (2015) to establish an Urban Revitalization Tax Exemption district for the proposed project.

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: 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: ORDINANCES – Third Reading

Ordinance relating to the collection of tax increment within the proposed Miron Construction Urban Renewal Area located 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 Ordinance establishes an Urban Renewal Area to provide a mechanism to provide City financial participation under the City's High Quality Jobs and Green Building Program.

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. On November 3, 2015 the City Council adopted Resolution Nos. 1581-11-15 and 1536-11-15 which approved financial support for the Miron Construction office facility under the High Quality Jobs and Green Building program and to begin the process of establishing the Miron Construction Urban Renewal Area as the mechanism for the City participation.

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 currently 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. Those and other terms will be included in a Development Agreement which will be presented before the City Council at a later date.

Action/Recommendation: City staff recommends approval of the Third Reading.

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:

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE PROVIDING THAT GENERAL PROPERTY TAXES ARE LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE MIRON CONSTRUCTION URBAN RENEWAL AREA OF THE CITY OF CEDAR RAPIDS, COUNTY OF LINN, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CEDAR RAPIDS, COUNTY OF LINN, COLLEGE COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY SAID CITY IN CONNECTION WITH URBAN RENEWAL PROJECT ACTIVITIES UNDERTAKEN IN FURTHERANCE OF THE PLAN FOR THE MIRON CONSTRUCTION URBAN RENEWAL AREA.

WHEREAS, the City Council, after public notice and hearing and as prescribed by law and pursuant to Resolution No. 1744-12-15 passed and approved on the 15th day of December, 2015, adopted the Urban Renewal Plan (the "Urban Renewal Plan") for an urban renewal area known as the Miron Construction Urban Renewal Area (the "Urban Renewal Project Area") that includes lots and parcels located within the area described as follows:

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

WHEREAS, expenditures and indebtedness are anticipated to be incurred by the City of Cedar Rapids, Iowa in the future to finance urban renewal project activities carried out in furtherance of the objectives of the Urban Renewal Plan; and

WHEREAS, the City Council of the City of Cedar Rapids, Iowa desires to provide for the division of revenue from taxation in the Urban Renewal Project Area, as above described, in accordance with the provisions of Section 403.19 of the Code of Iowa.

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

Section 1: The taxes levied on the taxable property in the Miron Construction Urban Renewal Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, City of Cedar Rapids, County of Linn, College Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 2: That portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts upon the total sum of the assessed value of the taxable property in the Urban Renewal Project Area, as shown on the assessment roll as of January 1 of the calendar year preceding the first calendar year in which the City of Cedar Rapids certifies to the County Auditor of the amount of loans, advances, indebtedness, or bonds payable from the division of property tax revenue described herein (which certification is directed to be made during the 2015 calendar year), shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid (base year taxes).

Section 3: That portion of the taxes each year in excess of the base period taxes for the Miron Construction Urban Renewal Area, shall be allocated to and when collected be paid into the special tax increment fund previously established by the City of Cedar Rapids to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Cedar Rapids, Iowa to finance or refinance, in whole or in part, urban renewal projects undertaken within the Miron Construction Urban Renewal Area pursuant to the Urban Renewal Plan for said Miron Construction Urban Renewal Area, except that taxes for the payment of bonds and interest of each taxing district shall be collected against all taxable property within the Miron Construction Urban Renewal Area without any limitation as hereinabove provided.

Section 4: Unless or until the total assessed valuation of the taxable property in the areas of the Miron Construction Urban Renewal Area exceeds the total assessed value of the taxable property in said areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Miron Construction Urban Renewal Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 5: At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Cedar Rapids referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Miron Construction Urban Renewal Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Miron Construction Urban Renewal Area under the provisions of Section 403.19 of the Code of Iowa, as amended with respect to the division of taxes from property within the Miron Construction Urban Renewal Area as described above. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Miron Construction Urban Renewal Area and the territory contained therein.

Section 8: This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Introduced this 15th day of December, 2015.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Amanda Grieder
E-mail Address: a.grieder@cedar-rapids.org

Phone Number/Ext.: 319-286-5714

Alternate Contact Person: Annette Lorenz
E-mail Address: a.lorenz@cedar-rapids.org

Phone Number/Ext.: 319-286-5720

Description of Agenda Item: CONSENT AGENDA

Second and third readings of Ordinance to consider amending Chapter 22A of the Municipal code, Nuisance Property, by deleting Chapter 22A and enacting new 22A in its place, establishing regulations relating to statement of public policy, nuisance activity, service of notice, prohibitions, and administrative appeals.

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

Background: The City of Cedar Rapids has an interest in ensuring properties within the City limits are free of nuisance activity. The SAFE-CR Program strives to protect the quiet enjoyment of neighborhoods, provide efficient use of taxpayer funded services to citizens, and ensure properties are well maintained through enforcement of Chapter 22A. The City recognizes that nuisances detract from the enjoyment and livability of a neighborhood, infringe on individual property rights, and drive up the costs incurred by the City.

In June 2015, SAFE-CR implemented a new Focus Group to further address questions and concerns in regard to the Chapter 22A Ordinance. By requesting feedback, answering questions, and discussing various concerns, the focus group has identified ways to improve upon a program each member is very passionate about. The goal of the Focus Group has not been to change the intent of the ordinance, but rather improve upon it by creating suggested changes in specific ordinance language that the group can agree upon. In addition, we have strengthened relationships between our participating entities and the individuals they serve.

Some of the entities involved in this Focus Group are:

- Iowa Legal Aid
- Landlords of Linn County
- Waypoint Services
- Willis Dady Shelter
- Affordable Housing Network
- Linn County Community Services
- Four Oaks
- TotalChild
- Foundation 2

All proposed amendments compiled by staff were submitted by Focus Group Members. On November 18, 2015 City staff held a SAFE-CR Open House where all members of the public could review the proposed amendments and submit questions or comments.

Action/Recommendation: The Police Department recommends the City Council conduct second and third readings of the Ordinance on January 26, 2016.

Alternative Recommendation: Ordinance will not be enacted without second and third readings.

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

Resolution Date: NA

Budget Information: NA

Local Preference Policy: (Click here to select)

Explanation: NA

Recommended by Council Committee: (Click here to select)

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

CHAPTER 22A - NUISANCE PROPERTIES

ORDINANCE AMENDING CHAPTER 22A OF THE MUNICIPAL CODE, NUISANCE PROPERTY, BY DELETING CHAPTER 22A AND ENACTING NEW CHAPTER 22A IN ITS PLACE, ESTABLISHING REGULATIONS RELATING TO STATEMENT OF PUBLIC POLICY, NUISANCE ACTIVITY, SERVICE OF NOTICE, PROHIBITIONS, AND ADMINISTRATIVE APPEALS

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

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

“22A.01 - STATEMENT OF PUBLIC POLICY.

The City of Cedar Rapids has an interest in ensuring a higher quality of life for its citizens, preserving property values and controlling the costs of taxpayer funded services such as police, fire and property code enforcement. In furtherance of that interest, the City seeks to ensure that properties within the City limits are well maintained and are not resorted to for purposes of unlawful conduct or conduct which disturbs the peaceable use of surrounding properties. Accordingly, it is the policy of the City that properties which are shown to be Nuisance Properties as defined by this Chapter shall be subject to the abatement process and charges set forth herein.

The City also has an interest in encouraging individuals to contact police and fire for emergency assistance. Accordingly, it is the policy of the City that the provisions of this Chapter shall not apply to a call made for Emergency Assistance as defined by this Chapter.

Further, the City acknowledges that conduct within the scope of this Chapter may arise out of a mental health condition and that, accordingly, any documented mental health condition of which City Officials are made aware may be taken into account when applying the terms of this Chapter.

22A.02 - DEFINITIONS.

As used in this Chapter, the following terms shall have the following meanings:

- a. "Abate" means to prevent and/or eliminate.
- b. "City Manager" means that person employed by the City as its City Manager or designee of that person.
- c. "Call for Service" means any occasion on which one or more members of any City Department go to a Property for purposes of investigating suspected Nuisance Activity. A Call for Service is not Founded unless it meets the definition herein of "Founded Call for Service."

- d. "Corrective Action" means any action taken with respect to a Nuisance Property for the purpose of Abating Nuisance Activity.
- e. "Emergency Assistance" means immediate intervention by first responders in order to prevent or stop further damage to person or property.
- f. "Founded Call for Service" means any occasion on which a Call for Service results in a finding of probable cause to believe Nuisance Activity occurred on or within one thousand feet of the Property to which the Call for Service was made. A Founded Call for Service shall not be applied if an Interested Party is the party who reported the criminal activity that resulted in the Call for Service to the City.
- g. "Health, Environmental or Solid Waste violation" means a violation of Chapter 21, Chapter 24, Chapter 25, or Chapter 29 of the Cedar Rapids Municipal Code.
- h. "Interested Party" means a Property Owner, resident, tenant, occupant or person in possession or control of a property.
- i. "Nuisance Activity" means conduct giving rise to the conditions, events, and/or situations described in Section 22A.03.
- j. "Nuisance Property" means a Property which meets the criteria set forth in Section 22A.03.
- k. "Nuisance Property Abatement Plan" means that written plan which is developed by a Property Owner, whether or not it is developed in consultation with the Nuisance Property Abatement Coordinator, pursuant to which the Property Owner undertakes Corrective Action at a Nuisance Property.
- l. "Nuisance Property Abatement Coordinator ("NPAC") " is the City official charged with the administration and enforcement of this Chapter, or any duly authorized representative thereof.
- m. "Permittee" means a person present on a particular property where an Interested Party has allowed, consented to, or otherwise acquiesced in that person's presence, and shall include a person whose presence the Interested Party has failed to prevent or remove.
- n. "Property" means any real estate, including land, and that which is affixed, incidental, or appurtenant to the real estate. For Property consisting of more than one unit, the term Property may refer to a particular unit or to the portion of the Property on which Nuisance Activity has occurred or is occurring. Property may also include areas used in common by all units of the Property, including without limitation, other structures erected on the Property and areas used for parking, loading, and landscaping.
- o. "Property Owner" means the owner of record of the Property in question as shown on the City of Cedar Rapids Assessors website.
- p. The phrase "within one thousand feet of the Property" means the distance measured from the central point of any Nuisance Activity to the nearest point along the parcel line for the Property with which the Interested Party or Permittee is associated. For purposes of this Chapter, the Property of an Interested Party or Permittee who is not responsible for the Founded Nuisance Activity shall not be subject to Section 22A.03.

22A.03 – NUISANCE PROPERTY

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

- a. One or more Founded Calls for Service have been made concerning the following Nuisance Activities at or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party:
 1. Manufacture or delivery of a controlled substance in violation of Iowa Code Chapter 124;
 2. Kidnapping as defined in Iowa Code Chapter 710;
 3. Arson as defined in Iowa Code Chapter 712;
 4. Burglary as defined in Iowa Code Chapter 713;
 5. Robbery as defined in Iowa Code Chapter 711;
 6. Sex abuse as defined in Iowa Code Chapter 709;
 7. Intimidation with a Dangerous Weapon as defined in Iowa Code Section 708.6;
 8. Willful injury as defined in Iowa Code Section 708.4;
 9. Sexual exploitation of a minor in violation of Iowa Code Section 728.12;
 10. Felony gambling in violation of Iowa Code Chapter 725.7;
 11. Felony criminal mischief as defined in Iowa Code Chapter 716;
 12. Animal contests in violation of Iowa Code Chapter 717D;
 13. Possessing or carrying a dangerous weapon as defined in Iowa Code Section 724;
 14. Riot as defined in Iowa Code Section 723.1;
 15. Failure to abate Odors or Offensive Annoyances as defined in Cedar Rapids Municipal Code Section 22.01(a)(2) and prohibited by Section 22.05 thereof;
 16. Owning, keeping or harboring a Dangerous Animal as defined in Cedar Rapids Municipal Code Section 23.01 and prohibited by Section 23.21 thereof;
 17. Prostitution as defined in Iowa Code Chapter 725.
- b. Two or more Founded Calls for Service have been made concerning the following Nuisance Activities at or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party:
 1. Possession of a controlled substance in violation of Iowa Code Chapter 124;
 2. Serious or aggravated misdemeanor criminal mischief as defined in Iowa Code Chapter 716;
 3. Serious or aggravated misdemeanor assault as defined in Iowa Code Chapter 708;
 4. Serious or aggravated misdemeanor theft as defined in Iowa Code Chapter 714;

5. Misdemeanor gambling as defined in Iowa Code Chapter 725;
 6. False imprisonment as defined in Iowa Code Section 710.7;
 7. Failing to secure or keep secure a structure in accordance with Chapter 29 of the Cedar Rapids Municipal Code and this code;
 8. An unpermitted or illegal use under Chapter 32 of the Cedar Rapids Municipal Code;
 9. Unlawful discharge of any device in violation of Section 63.10A (c) of the Cedar Rapids Municipal Code;
 10. Engaging in conduct prohibited by Section 62.33 of the Cedar Rapids Municipal Code concerning Disorderly Houses and Wrongful Drinking Establishments;
 11. Failure to disperse from an unlawful assembly as defined in Iowa Code Section 723.3;
 12. Serious or aggravated misdemeanor gambling as defined by Iowa Code Chapter 725.
- c. Three or more Founded Calls for Service have been made concerning the following Nuisance Activities at or within one thousand feet of the Property within a period of twelve consecutive months, whether committed by an Interested Party or Permittee(s) of an Interested Party:
1. A Health, Environmental, or Solid Waste violation as defined herein;
 2. Unlawful assembly in violation of Iowa Code Section 723.2;
 3. Defacing City Property and Graffiti as prohibited by Section 64.01, and/or Section 64.14, and/or Chapter 29 of the Cedar Rapids Municipal Code;
 4. Simple misdemeanor assault in violation of Iowa Code Chapter 708;
 5. Owning, keeping, harboring or knowingly permitting an animal to create such noise as to constitute a violation of Section 23.06 of the Cedar Rapids Municipal Code;
 6. Disturbing the peace in violation of Cedar Rapids Municipal Code 62.01;
 7. Consumption or intoxication in public places in violation of Iowa Code Section 123.46;
 8. Disorderly conduct in violation of Iowa Code Section 723.4;
 9. Persons under legal age in violation of Iowa Code Section 123.47;
 10. Making, continuing or causing the making or continuance of a Noise Disturbance as limited by Municipal Code Section 56.02;
- d. When any of the following occur upon the Property or within one thousand feet of the Property within a period of twelve consecutive months, except as otherwise specified, whether caused by an Interested Party or Permittee(s) of an Interested Party:
1. The property is placarded pursuant to Chapter 29 Housing Code of the Cedar Rapids Municipal Code, except when such placard is due solely to utility discontinuance for nonpayment of utility bill(s) by a tenant. When a property has

been declared a Nuisance Property based on this paragraph, any call for service to that Nuisance Property which is deemed founded for Prohibited Occupancy, as defined in Municipal Code Chapter 29 and the International Property Maintenance Code, shall be deemed a Founded Call for Service, and all costs associated with the call shall be charged to the Property Owner pursuant to Section 22A.08.

2. A second "no show" trip charge has been imposed in accordance with Chapter 29 Housing Code of the Cedar Rapids Municipal Code;
3. The City mows the property two or more times in a calendar year for an owner in violation of Chapter 21 and/or Chapter 29 of the Cedar Rapids Municipal Code;
4. The City removes snow from the sidewalk two or more times in a six month period for an owner in violation of Chapter 9 of the Cedar Rapids Municipal Code;
5. The City removes junk, debris, and/or solid waste from the property two or more times in a twelve month period for an owner in violation of Chapter 22 and/or Chapter 29 of the Cedar Rapids Municipal Code;
6. A violation of Chapter 29 of the Cedar Rapids Municipal Code(s) is prosecuted in Court and the Court rules in favor of the City;
7. A violation of Cedar Rapids Municipal Code Chapter 22 is prosecuted in Court and the Court rules in favor of the City.

Notwithstanding the foregoing, Chapter 22A shall not apply to Calls for Service made by or on behalf of an individual in need of Emergency Assistance, provided the caller(s) has (have) a good faith belief in the need for Emergency Assistance and provided, further, such Emergency Assistance is in fact necessary to prevent or stop further damage to person or property.

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

22.04 – PROHIBITIONS.

The following are hereby prohibited by this Chapter:

- a. The creation or maintenance of or the failure to Abate a Nuisance Property.
- b. Interference, delay or hindrance of enforcement of this Chapter except to pursue appeal and/or review of administrative actions by the City Manager or NPAC.
- c. The termination of a lease agreement with a tenant or other retaliation against a

tenant because that tenant notified or otherwise complained to law enforcement or other city officials that Nuisance Activity was occurring at the Property.

- d. The termination of a lease agreement with a tenant or other retaliation against a tenant because the tenant called for Emergency Assistance for themselves or on behalf of a person in need of Emergency Assistance.

22A.05 – INSPECTION OF PREMISES.

The City Manager is authorized to enter and remain upon private property to the extent reasonably necessary for the purpose of locating, identifying, investigating and documenting any Nuisance Activity as defined by this Chapter and, further, for the purpose of administering this Chapter, subject in any event to the limitations on that authority under other applicable law.

22A.06 – FINDING OF VIOLATION; NUISANCE PROPERTY ABATEMENT PLAN.

- a. Upon a threshold determination by the NPAC that a Property meets the criteria of Section 22A.03 herein, the City shall cause a Notice of Violation to be served upon the Property Owner in the manner provided by this Chapter. A courtesy copy of the Notice of Violation shall also be sent by regular mail to the occupant(s) of the Property in question at the address of the Property in question.
- b. Upon the issuance of a Notice of Violation, the Property Owner may submit a Nuisance Property Abatement Plan specifying the Corrective Action the Property Owner will take, including dates by which each Corrective Action shall be completed.
- c. The NPAC shall meet with any Property Owner who has submitted a Nuisance Property Abatement Plan to review the facts of the case and Corrective Action contemplated by the Plan.
- d. The submission of a Nuisance Property Abatement Plan may be the basis for the NPAC, pursuant to Section 22A.07, to postpone by 15 days the imposition of charges otherwise due under Section 22A.08.

22A.07 - NOTICE OF VIOLATION; CONTENTS.

The Notice of Violation required by this Chapter shall contain:

- a. The location of the Nuisance Property in question;
- b. A description of what constitutes the violation of this Chapter;
- c. A statement that within 15 days following service of the Notice of Violation, the Property Owner shall be charged for future Founded Calls for Service to the Nuisance Property; provided, however, that if the Property Owner submits a Nuisance Property Abatement Plan, then the NPAC may postpone by 15 days the date that Founded Calls for Service will be billed to the Property Owner.
- d. A statement that pursuant to Section 22A.11 of this Chapter, an aggrieved party may

seek administrative appeal of the NPAC's determinations that the Property is a Nuisance Property and the Notice of Violation and/or Court review as authorized by Iowa law.

22A.08 – FOUNDED CALLS FOR SERVICE CHARGED TO NUISANCE PROPERTY.

With respect to a Property for which a Notice of Violation has been duly served, the NPAC shall cause to be charged to the Property Owner all costs associated with Founded Calls for Service to the Property, beginning on the date specified in the Notice of Violation and continuing thereafter until the expiration of one year from the date on the Notice of Violation. This provision shall not be construed so as to preclude an additional determination under Section 22A.03 that the Property is a Nuisance Property due to additional Nuisance Activity. In the event of such an additional finding under Section 22A.03, the twelve month period shall run from date of the most recent Notice of Violation.

Notwithstanding the foregoing, the charges otherwise due under this section may be postponed by the NPAC in accordance with 22A.06(d) and 22A.07(c).

22A.09 – EMERGENCY ABATEMENT.

If it is determined by the City Manager that an emergency exists by reason of the continuing presence or repeated occurrence of Nuisance Activity, the City may perform any action required under this Chapter to the extent reasonably necessary to Abate the Nuisance Activity constituting the emergency. This provision shall not be construed so as to impose any duty upon the City to take such action. Emergency action pursuant to this section may be taken without prior notice or hearing. Notice of emergency action shall be provided to the Property Owner, along with an opportunity for hearing as provided in this Chapter. Subject to the provisions of this Chapter concerning Appeals of Administrative Actions or Decisions, if the amount shown by the statement has not been paid by the person within thirty days, it shall then be collected with, and in the same manner, as special taxes.

22A.10 - CORRECTIVE ACTION BY THE CITY; COLLECTION OF COSTS.

- a. If a Property Owner who has been served with a Notice of Violation fails or refuses to prevent the recurrence of Nuisance Activity, and the City is capable of correcting or eliminating the Nuisance Activity, the City may take such lawful steps as are necessary and proper to Abate the Nuisance Activity upon 30 days' notice to the Property Owner. This provision shall not be construed so as to impose any duty upon the City to take such corrective action. In so doing, the City shall keep an accurate account of the costs incurred in correcting or eliminating the Nuisance Activity. The NPAC shall keep an itemized account of such costs. The salvage value, if any, of any item or items collected in connection with such action by the City shall be retained by the City and shall be applied as an offset against costs. In the event the salvage proceeds exceed the costs, any such excess shall be paid promptly to the Property Owner.
- b. In the event action is taken pursuant to this section, the NPAC shall mail to the Property

Owner an itemized statement of the expenses incurred, minus any salvage value, to the Property Owner demanding payment of the expense. Subject to the provisions of this Chapter concerning Appeals of Administrative Actions or Decisions, if the amount shown by the statement has not been paid by the person within thirty days, it shall then be collected with, and in the same manner, as special taxes.

22A.11 – APPEALS OF ADMINISTRATIVE DECISIONS OR ACTIONS.

- a. Any person aggrieved by a decision or act of the City Manager or NPAC shall have the opportunity for hearing before a duly appointed hearing officer. Any aggrieved party may submit a request for a hearing which shall be in writing delivered to the NPAC. If said request is received within the time stated in the notice of the action or decision in question, the hearing shall be held pursuant to this section; any request for hearing received thereafter shall not entitle the requesting party to a hearing.
- b. Upon receipt of a timely request for hearing, the NPAC shall set a hearing to be held within 30 days from said receipt and, further, shall give at least 10 days' Notice to the requesting party of the time, date and location of said hearing. The hearing may be reset by agreement of the requesting party, the City and the hearing officer, as confirmed in writing, but in no event shall the hearing be held any later than 60 days after the date of the action or decision being appealed.
- c. At the time of hearing, the requesting party and NPAC shall be afforded the opportunity to present evidence and arguments. The formal rules of evidence and procedure shall not apply. Legal counsel shall not be required but shall be permitted.
- d. Within thirty days after the conclusion of an administrative hearing held pursuant to this section, the hearing officer shall make the following written findings which shall be based on a preponderance of the evidence as the standard of proof, and the City shall serve Notice thereof upon the appealing party:
 - i. Whether the determination under 22A.03 was correct; and
 - ii. Whether the action taken upon that determination was in accordance with all applicable law.
- e. Any decision rendered by a hearing officer pursuant to this section shall be subject to further review by a Court in accordance with Iowa law.
- f. Where a person aggrieved by an action taken pursuant to this Chapter has made a request for an administrative hearing pursuant to this section or has sought further review by a Court as provided by Iowa law, any charges for calls for service and any other administrative fees imposed pursuant to this Chapter shall be recorded, but the due date therefor and collection thereof shall be suspended pending the final outcome of any administrative hearing and/or Court review.

22A.12 - ALTERNATIVE MEANS OF ENFORCEMENT.

Without negating, restricting or otherwise limiting any conditions or sanctions imposed pursuant to this Chapter, this Chapter may also be enforced by any lawful means including but not limited to the following:

- a. Prosecution as a simple misdemeanor in accordance with Chapter 1 of the Cedar Rapids Municipal Code and Chapter 364 of the Iowa Code.
- b. The filing of a Municipal Infraction in accordance with Chapter 1 of the Cedar Rapids Municipal Code and Chapter 364 of the Iowa Code.

22A.13 – SERVICE OF NOTICE.

Except where expressly provided otherwise, notices required under this Chapter shall be served by one or more of the following methods:

- 1) Mailing by both regular mail and certified mail, as defined in Iowa Code Section 618.15 (2015), to the last known address of the Property Owner;
- 2) Hand delivery to the Property Owner;
- 3) Personal service on the Property Owner pursuant to Iowa Rule of Civil Procedure 1.305; or
- 4) Any other method of providing notice which results in the notice actually being received by the Property Owner.

Notice served by mail under this section is deemed completed ten business days after the notice is deposited in the mail and postmarked for delivery, whether or not the recipient signs a receipt for the notice.”

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

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

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

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

Introduced this 12th day of January, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG