

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

NOTICE OF CITY COUNCIL MEETING

The Cedar Rapids City Council will meet in Regular Session on Tuesday, March 8, 2016 at 12:00 PM in the Council Chambers, 3rd Floor, City Hall, 101 First Street SE, Cedar Rapids, Iowa, to discuss and possibly act upon the matters as set forth below in this tentative agenda. (*Please silence mobile devices.*)

A G E N D A

- Invocation
- Pledge of Allegiance
- Proclamations/Presentations

PUBLIC HEARINGS

1. A public hearing will be held to consider the Fiscal Year 2017 Annual Budget (Casey Drew). CIP/DID #FIN2016-10
 - a. Resolution adopting the Fiscal Year 2017 Annual Budget.
2. A public hearing will be held to consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates (Steve Hershner). CIP/DID #WTR02-23-16-001
 - a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates.
3. A public hearing will be held to consider amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates (Steve Hershner). CIP/DID #WPC02-23-16-001
 - a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates.

4. A public hearing will be held to consider amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates (Steve Hershner). CIP/DID #SWM02-23-16-001
 - a. First Reading: Ordinance amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates.
5. A public hearing will be held to consider amending the franchise granted to MidAmerican Energy by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). CIP/DID #49-11-021
 - a. First and possible Second and Third Readings: Ordinance amending the franchise granted to MidAmerican Energy by increasing the franchise fee from 2 percent to 3 percent.
6. A public hearing will be held to consider amending the franchise granted to Linn County Rural Electric Cooperative (REC) by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). CIP/DID #41-14-011
 - a. First and possible Second and Third Readings: Ordinance amending the franchise granted to Linn County Rural Electric Cooperative (REC) by increasing the franchise fee from 2 percent to 3 percent.
7. A public hearing will be held to consider amending the franchise granted to Interstate Power and Light Company (Alliant) by increasing the franchise fee from 2 percent to 3 percent (Casey Drew). CIP/DID #OB457539
 - a. First and possible Second and Third Readings: Ordinance amending the franchise granted to Interstate Power and Light Company (Alliant) by increasing the franchise fee from 2 percent to 3 percent.
8. A public hearing will be held to consider a request by Jelinek Companies LLC for an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE (Caleb Mason). CIP/DID #URTE-0007-2016
 - a. Resolution authorizing an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE.
 - b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Ideal Theatre Urban Revitalization Area designation at 213 16th Avenue SE and 1614 2nd Street SE.
9. A public hearing will be held to consider amendments to the Future Land Use Map of the City of Cedar Rapids as part of the annual review of EnvisionCR, the City's Comprehensive Plan (Seth Gunnerson). CIP/DID #OB165740
 - a. Resolution amending the Future Land Use Map of the City of Cedar Rapids as part of the annual review of EnvisionCR, the City's Comprehensive Plan.

10. A public hearing will be held to consider an Electric Line Easement Agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC (Rita Rasmussen). CIP/DID #49-14-042
 - a. Resolution authorizing execution of an Electric Line Easement Agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC.
11. A public hearing will be held to consider amending Chapter 64 of the Municipal Code, Offenses Against Property, by deleting Section 64.13 therefrom regarding discrimination in housing (Brent Long). CIP/DID #PD0007
 - a. First Reading: Ordinance amending Chapter 64 of the Municipal Code, Offenses Against Property, by deleting Section 64.13 therefrom regarding discrimination in housing.
12. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project (estimated cost is \$649,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #301689-02
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project.
13. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project (estimated cost is \$2,650,000) (Steve Hershner). CIP/DID #625863-06
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project.
14. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project (estimated cost is \$880,000) (Steve Hershner). CIP/DID #625904-04
 - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements 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.

15. Motion to approve minutes.
16. Resolution of support and authorizing conditional City financial assistance in support of a Low Income Housing Tax Credit (LIHTC) application for City-owned property at 1200 Edgewood Road NW as proposed by CommonBond Communities. CIP/DID #OB654103
17. Resolution authorizing Amendment No. 1 to the Westdale Area Neighborhood Association boundary. CIP/DID #NSD-0001-2015
18. Resolution accepting the established fair market value in the amount of \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, owned by Cedar Rapids Transmission, Inc., in connection with the Cedar Rapids Flood Control project. CIP/DID #3313200-00
19. Resolution authorizing the buyout of the Federal interest in Lot 44 in the amount of \$830,680.00. CIP/DID #TRN002-16
20. Resolution in support of a Linn County Emergency Management Commission request to the Federal Emergency Management Agency (FEMA) to establish Highway 30 as the southern boundary of subarea 24 for the Radiological Emergency Planning Zone. CIP/DID #FIR0308-0009
21. Resolution authorizing the Utilities Director to attend the National Association of Clean Water Agencies 2016 National Water Policy Forum & Fly-In in Washington, DC in April for an estimated amount of \$3,410. CIP/DID #WTR030816-002
22. Resolution authorizing seven members of Iowa Task Force 1 to attend Structural Collapse Technician 4 training in College Station, TX for a total amount of \$21,266. CIP/DID #FIR0308-0010
23. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project. **(Paving for Progress)** CIP/DID #3012127-00
24. Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project. **(Paving for Progress)** CIP/DID #3012115-00

25. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project. CIP/DID #3012004-00
26. Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the Edgewood Road NW Multiuse Pathway from O Avenue to Ellis Road project. CIP/DID #325008-00
27. Resolution adopting and levying final schedule of assessments and providing for the payment thereof for the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project. CIP/DID #3012001-00
28. Resolution setting a public hearing for April 12, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project. **(Paving for Progress)** CIP/DID #3012126-00
29. Motions setting public hearing dates for:
 - a. March 8, 2016 – to consider granting a change of zone for property south of 66th Avenue SW and west of Kirkwood Boulevard SW from C-1, Mixed Neighborhood Convenience Zone District, to C-2, Community Commercial Zone District as requested by The Votroubek Real Estate Group and Kirkwood Community College. CIP/DID #RZNE-022606-2016
 - b. March 22, 2016 – to consider amending Chapter 69 of the Municipal Code, Civil Rights Commission, to reduce the number of members from nine to seven. CIP/DID #CVR-2016-03PH
30. Motions setting public hearing dates, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by publishing notice to bidders, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
 - a. March 22, 2016 – Bridge Replacement, McCloud Place NE over McCloud Run project, with bid opening March 15, 2016 at the Iowa Department of Transportation (estimated cost is \$1,000,000). CIP/DID #305031-03
 - b. March 22, 2016 – Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE project, with bid opening March 23, 2016 (estimated cost is \$1,312,000). **(Paving for Progress)** CIP/DID #3012116-02
 - c. March 22, 2016 – Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project, with bid opening March 30, 2016 (estimated cost is \$80,000). CIP/DID #3315507-10
 - d. March 22, 2016 – 8th Avenue SW Roadway Improvements from L Street SW to 7th Street SW project, with bid opening March 30, 2016 (estimated cost is \$700,000). **(Paving for Progress)** CIP/DID #3012151-02
 - e. March 22, 2016 – 2016 Sidewalk Infill Project, Phases 1 & 2 project, with bid opening March 30, 2016 (estimated cost is \$420,000). CIP/DID #3012074-02
 - f. March 22, 2016 – NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project, with bid opening April 6, 2016 (estimated cost is \$7,000,000). CIP/DID #3316510-10
 - g. March 22, 2016 – Seminole River Bank Armoring project, with bid opening April 13, 2016 (estimated cost is \$208,000). CIP/DID #6250045-02

31. Motion assessing \$300 civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against: CIP/DID #CIG002028-06-2015
 - a. Dollar General #9141, 3451 Mount Vernon Road SE.
 - b. Family Dollar #4541, 901 1st Avenue SW.
32. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
 - a. Beef O'Brady's, 5240 Edgewood Road NE.
 - b. Bricks Bar & Grill, 320 2nd Avenue SE (additional outdoor service area for an event on March 16-18, 2016).
 - c. Broken Spoke, 2010 Sylvia Avenue NE.
 - d. Cedar Rapids Kernels, 950 Rockford Road SW.
 - e. Coe College, 1220 1st Avenue NE (transfer for an event at 50 2nd Avenue Bridge, Veterans Memorial Building, on March 18-19, 2016).
 - f. Cottage Grove Place, 2115 1st Avenue SE.
 - g. Guppy's On The Go, 1532 Ellis Boulevard NW.
 - h. Guppy's On The Go, 235 Edgewood Road NW.
 - i. Hill Brothers Jiffy Mart, 1904 Mount Vernon Road SE.
 - j. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE.
 - k. Lone Star Steakhouse & Saloon, 4545 1st Avenue SE.
 - l. Playtime Tap, 933 14th Avenue SW.
 - m. Road Ranger #5147, 1430 1st Avenue NE.
 - n. Road Ranger #5149, 2349 Blairs Ferry Road NE.
 - o. Road Ranger #5150, 3330 16th Avenue SW.
 - p. Road Ranger #5151, 380 Blairs Ferry Road NE.
 - q. Ruby's Pizzeria, 223 2nd Street SE (new – new ownership).
 - r. Tom's Homeport, 624 Center Point Road NE (outdoor service for an event on March 10-14, 2016).
 - s. Townsquare Live Events, 240 Greenwich Avenue, Greenwich, CT (5-day permit for an event on March 12, 2016 at Doubletree by Hilton, 350 1st Avenue NE).
33. Resolutions approving:
 - a. Payment of bills. CIP/DID #FIN2016-01
 - b. Payroll. CIP/DID #FIN2016-02
34. Resolutions appointing, reappointing and thanking the following individuals:
 - a. Appointing Jessalyn Holdcraft (effective through June 30, 2017) and David Castelluccio (effective through June 30, 2018) to the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission. CIP/DID #CD-0005-2015
 - b. Vote of thanks to Sara Marino for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board. CIP/DID #OB400545
35. Resolution approving the special event application for:
 - a. Bricks St. Patrick's Day Celebration (includes alley closure) on March 17, 2016. CIP/DID #SPEC-048942-2016
36. Resolutions approving assessment actions:
 - a. Levy assessment – housing nuisance abatement charges – two properties. CIP/DID #FIN2016-04
 - b. Intent to assess – Solid Waste & Recycling – clean-up costs – three properties. CIP/DID #SWM-002-16

- c. Levy assessment – Water Division – delinquent municipal utility bills – 18 properties. CIP/DID #WTR01-26-12-001
 - d. Intent to assess – Water Division – delinquent municipal utility bills – 20 properties. CIP/DID #WTR030816-001
37. Resolutions accepting projects, approving Performance Bonds and/or authorizing final payments:
- a. Police Department Roof Replacement Project, final payment in the amount of \$16,175 and 2-year Performance Bond submitted by Black Hawk Roof Company (original contract amount was \$326,000; final contract amount is \$326,000). CIP/DID #0814-030
 - b. 34th Street SE Spoon Creek Bridge Repair project, final payment in the amount of \$6,000 and 1-year Performance Bond submitted by Peterson Contractors, Inc. (original contract amount was \$120,000; final contract amount is \$120,000). **(Paving for Progress)** CIP/DID #304361-02
38. Resolutions approving final plats:
- a. Brouard First Addition for land located at 3601 Rogers Road NW. CIP/DID #FLPT-022450-2016
 - b. Heartland First Addition to Linn County for land located at 2215 Edgewood Road SW. CIP/DID #FLPT-021537-2015
 - c. Northtowne Market Second Addition for land located at 1201 Blairs Ferry Road NE. CIP/DID #FLPT-022145-2015
39. Resolution authorizing execution of a Development Agreement for property participating in the fourth round of the Single Family New Construction Program: **(Flood)** CIP/DID #OB540257
- a. Scallon Custom Homes, LLC. for property at 1322 9th Street NW.
40. Resolutions authorizing execution of Development Agreements and Special Warranty Deeds for City-owned properties participating in the fourth round of the Single Family New Construction Program: **(Flood)** CIP/DID #OB540257
- a. Cedar Valley Habitat for Humanity, Inc. for property at 430 9th Avenue SW.
 - b. Ken-Del Properties, LLC dba Willshire, LLC for property at 1410 N Street SW.
 - c. Jaylee, Inc. for properties at 504, 508 and 512 C Avenue NW.
41. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Assignment and Assumption of Development Agreement from Neighborhood Development Corporation of Cedar Rapids, Inc. to Scallon Custom Homes, LLC. for property at 723 8th Avenue SW participating in the fourth round of the Single Family New Construction Program. **(Flood)** CIP/DID #OB540257
 - b. Information Technology Department purchase of a video wall for traffic monitoring needs from Communications Engineering Company for an amount not to exceed \$72,773.49. CIP/DID #109130-10
 - c. Information Technology Department purchase of PeopleSoft Financials Software Maintenance & Support from Mythics for an amount not to exceed \$500,000. CIP/DID #IT2016-005
 - d. Information Technology Department purchase of updated LiDAR (Light Detection and Ranging), imagery and mapping services from Pictometry International Corporation for an amount not to exceed \$130,218.16. CIP/DID #109300-02

- e. Contract with Precision Midwest, Ltd. for the purchase of GPS Survey Equipment for the Sewer Division, Water Division, and Information Technology Department for an annual amount not to exceed \$100,000. CIP/DID #PUR0615-259
- f. Rescinding Resolution No. 1404-09-15, which authorized Amendment No. 1 to the Contract for Online and Interactive Voice Response (IVR) Electronic Payment Services with Gila LLC, dba Municipal Services Bureau, and terminating the contract. CIP/DID #0215-173
- g. Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$438,645 for design services in connection with the E Avenue NE Roadway Improvements from 17th Street NE to 20th Street NE project. **(Paving for Progress)** CIP/DID #3012174-01
- h. Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$14,829 for design services in connection with the 33rd Avenue Wetland Mitigation project (original contract amount was \$31,423; total contract amount with this amendment is \$44,214). CIP/DID #301136-06
- i. Change Order No. 3 in the amount of \$13,357 with Garling Construction, Inc. for the Northwest Recreation Center (original contract amount was \$3,597,000; total contract amount with this amendment is \$3,769,884). **(Flood)** CIP/DID #PRE069-13
- j. Agreement for Utility Relocation in the amount of \$78,392 and Approval for Street Lighting with Interstate Power and Light Company in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project. CIP/DID #3012092-02
- k. Total Acquisition Purchase Agreement in the amount of \$2,500,000 with Hubbard Industrial Park, L.C., for real property located at 1124 1st Street NW, in connection with the Cedar Rapids Flood Control System project. CIP/DID #3311200-00
- l. Accepting a bid in the amount of \$5,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 438 4th Avenue SW. CIP/DID #3302500004-00
- m. Accepting a bid in the amount of \$2,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 510 3rd Avenue SW. CIP/DID #3302500004-00

REGULAR AGENDA

- 42. Report on bids for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project (estimated cost is \$214,800) (Steve Hershner). CIP/DID #6150015-02
 - a. Resolution awarding and approving contract in the amount of \$169,680, bond and insurance of Central States Concrete, LLC for the Southbound Right-Turn Lane, Iowa Highway 13 and Bertram Road project.

43. Report on bids for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project (estimated cost is \$1,413,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012099-02
 - a. Resolution awarding and approving contract in the amount of \$1,111,496.35, plus incentive up to \$50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project.
44. Presentation and Resolution authorizing execution of a 28E Agreement with multiple agencies for the formation of the Middle Cedar Watershed Management Authority (Sandy Pumphrey). CIP/DID #43-16-015
45. Discussion and Resolution of support providing City participation under the City's High Quality Job Program for the proposed construction of the new Thompson Truck and Trailer facility at the SW corner of 6th Street SW and 76th Avenue SW (Caleb Mason). CIP/DID #URTE-0008-2016
46. Discussion and Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Shadow River, LC for the disposition and redevelopment of City-owned property at 97 3rd Avenue SW (former Smulekoffs Building) (Jennifer Pratt). CIP/DID #OB1369853

ORDINANCES

Third Reading

47. Ordinance vacating 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. CIP/DID #ROWV-022220-2015
48. Ordinance 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 and Louis L. and Margaret Ellen Barta. CIP/DID #RZNE-022246-2015

Second and possible Third Readings

49. Ordinance vacating public ways and grounds in and to the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, LLC. CIP/DID #ROWV-022010-2015
 - a. Resolution authorizing the disposition of the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, LLC.

50. Ordinance granting a change of zone for property north of Highway 30, east of Union Drive SW from A, Agriculture Zone District, to R-2, Single Family Residence Zone as requested by College Farms, LLC. CIP/DID #RZNE-022288-2015
51. Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance, to expand the Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits. CIP/DID #ZONE-0001-2016

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

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures, to participate in a City Council public meeting or event should contact the City Clerk's Office at (319) 286-5060 or email cityclerk@cedar-rapids.org as soon as possible but no later than 48 hours before the event.

Agendas and minutes for Cedar Rapids City Council meetings can be viewed at www.cedar-rapids.org.



Council Agenda Item Cover Sheet

Submitting Department: Finance

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

Phone Number/Ext.: 5824

Alternate Contact Person:
E-mail Address: @cedar-rapids.org

Phone Number/Ext.:

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the Fiscal Year 2017 Annual Budget. (Casey Drew)
 a. Resolution to formally adopt the Fiscal Year 2017 Annual Budget.

CIP/DID #FIN2016-10

EnvisionCR Element/Goal: Routine business - EnvisionCR does not apply
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Background: The City published the fiscal year 2017 Annual Budget Notice on February 20, 2016. Before the Fiscal Year 2017 Annual Budget can be certified to Linn County Auditor a public hearing must be held for public comment. Resolution will formally adopt the Fiscal Year 2017 Budget.

Action/Recommendation: City Council to approve resolution adopting the Fiscal Year 2017 Budget.

Alternative Recommendation: N/A

Time Sensitivity: Adopt Fiscal Year 2017 Budget prior to March 15, 2016.

Resolution Date: March 8, 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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the annual budget for the fiscal year ending June 30, 2017, as set forth in the Notice of the Public Hearing - Budget Estimate and in the detailed budget in support thereof showing the revenue estimates and appropriation expenditures and allocation to programs and activities for the said fiscal year be adopted, and the Finance Director is directed to make the filings required by law to include the adopted budget summary and the adoption of budget and certification of taxes and to set up the books in accordance with the summary and details as adopted.

PASSED_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: PUBLIC HEARINGS

To consider amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates. (Steve Hershner)

- a. First Reading: Ordinance amending Chapter 12 of the Municipal Code, Water Service, by repealing existing rates and establishing new rates.
 CIP/DID #WTR02-23-16-002

Municipal Code	Municipal Utility Services
Chapter 12 – Water Service	Water

Routine business - EnvisionCR Does not apply

Background:

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

The Ordinance will be amended by repealing certain sections of Chapter 12 of the Cedar Rapids Municipal Code and new sections will be enacted, as a substitute in lieu, by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2016.

The timeline for adoption of this Ordinance will be as follows:

- March 8, 2016 – Public Hearing and First Reading of the Ordinance
- March 22, 2016 – Second Reading (Third Reading may be combined with Second Reading)
- April 12, 2016 – Third Reading

Action/Recommendation: The Utilities Department recommends holding the public hearing and approval of the first reading of this Ordinance.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 3/08/16

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

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

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

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

“[12.26 WATER RATES.]

- (a) The rates assessed for the provision of water service shall be comprised of a daily service charge in accordance with the size of the water service meter and a volumetric charge for the water furnished. The volumetric charge for consumption July 1, 2016 or after shall be at the following rates:

First	25,000 Cu. Ft. per Month	\$ 1.9604 Per 100 Cu. Ft.
Next	75,000 Cu. Ft. per Month	\$ 1.8567 Per 100 Cu. Ft.
Next	900,000 Cu. Ft. per Month	\$ 1.6721 Per 100 Cu. Ft.
All Over	1,000,000 Cu. Ft. per Month	\$ 0.9891 Per 100 Cu. Ft.

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

SIZE OF METER	DAILY SERVICE CHARGE	MINIMUM DAILY VOLUMETRIC CHARGE	TOTAL MINIMUM DAILY CHARGE	TOTAL MINIMUM CHARGE ON A MONTHLY BASIS
5/8 Inch	\$0.3758	\$ 0.0000	\$ 0.3758	\$ 11.43
3/4 Inch	\$0.5934	\$ 0.0000	\$ 0.5934	\$ 18.05
1 Inch	\$0.7023	\$ 0.0000	\$ 0.7023	\$ 21.36
1½ Inch	\$0.7751	\$ 1.0312	\$ 1.8063	\$ 54.95
2 Inches	\$0.8475	\$ 1.5468	\$ 2.3943	\$ 72.83
3 Inches	\$1.2593	\$ 3.6737	\$ 4.9330	\$ 150.04
4 Inches	\$4.2744	\$ 7.1541	\$ 11.4285	\$ 347.61
6 Inches	\$5.3884	\$ 15.9195	\$ 21.3079	\$ 648.12
8 Inches	\$7.9917	\$ 31.5566	\$ 39.5483	\$ 1,202.93
10 Inches	\$10.9704	\$ 51.8836	\$ 62.8540	\$ 1,911.81
12 Inches	\$15.0632	\$ 76.8472	\$ 91.9104	\$ 2,795.61

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

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

SIZE OF SERVICE LINE	DAILY SERVICE CHARGE	MINIMUM DAILY VOLUMETRIC CHARGE	TOTAL MINIMUM DAILY CHARGE	TOTAL MINIMUM CHARGE ON A MONTHLY BASIS
5/8 Inch	\$0.0463	\$ 0.00	\$ 0.0463	\$ 1.41
3/4 Inch	\$0.0463	\$ 0.00	\$ 0.0463	\$ 1.41
1 Inch	\$0.0693	\$ 0.00	\$ 0.0693	\$ 2.11
1½ Inch	\$0.1501	\$ 0.00	\$ 0.1501	\$ 4.57
2 Inches	\$0.2422	\$ 0.00	\$ 0.2422	\$ 7.37
3 Inches	\$0.4844	\$ 0.00	\$ 0.4844	\$ 14.73
4 Inches	\$0.9687	\$ 0.00	\$ 0.9687	\$ 29.46
6 Inches	\$1.9489	\$ 0.00	\$ 1.9489	\$ 59.28
8 Inches	\$2.9175	\$ 0.00	\$ 2.9175	\$ 88.74
10 Inches	\$4.8666	\$ 0.00	\$ 4.8666	\$ 148.03
12 Inches	\$8.1185	\$ 0.00	\$ 8.1185	\$ 246.94

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

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

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

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

“[12.05 WATER SERVICE CONNECTIONS.]

- (b) 1) For those properties where adjacent water mains have previously been constructed at no expense to the owners of these properties, and where neither a property assessment for water service nor a connection fee has previously been paid as set forth in paragraph 12.05(b)2 below, the following Connection Fee shall apply: The water connection fee for a single-family or two-family residence, regardless of area of the lot or tract upon which the dwelling is located shall be eight-hundred dollars (\$800).
- 2) The charge for all other uses shall be the product of eight-hundred dollars (\$800) per acre of land to be served by the water system connection, provided the minimum charge shall be eight-hundred dollars (\$800).”

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

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

Section 4. That the changes set forth in Section 1. of this Ordinance shall be in full force and effect on July 1, 2016, after passage and publication as required by law.

Introduced this 8th day of March, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: Kevin Kirchner
E-mail Address: k.kirchner@cedar-rapids.org

Phone Number/Ext.: 5902

Description of Agenda Item: PUBLIC HEARINGS

To consider amending Chapter 13 of the Municipal Code, Wastewater Facilities by repealing existing rates and establishing new rates. (Steve Hershner)

- a. First Reading: Ordinance amending Chapter 13 of the Municipal Code, Wastewater Facilities, by repealing existing rates and establishing new rates.
 CIP/DID #WPC02-23-16-001

Municipal Code	Municipal Utility Services
Chapter 13 – Wastewater Facilities	Water Pollution Control / Sanitary Sewer Service / and Storm Sewer

Routine business - EnvisionCR Does not apply

Background:

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

The Ordinance will be amended by repealing certain sections of Chapter 13 of the Cedar Rapids Municipal Code and new sections will be enacted, as a substitute in lieu, by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2016.

The timeline for adoption of this Ordinance will be as follows:

- March 8, 2016 – Public Hearing and First Reading of the Ordinance
- March 22, 2016 – Second Reading (Third Reading may be combined with Second Reading)
- April 12, 2016 – Third Reading

Action/Recommendation: The Utilities Department recommends holding the public hearing and approval of the first reading of this Ordinance.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 3/08/16

Budget Information: N/A

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

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

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

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

"[13.17 SERVICE CHARGES]

(a) **Group I.** The total periodic billing for sewer charges on or after July 1, 2016 shall be the sum of all usage:

1. O & M - A flat charge of \$0.4443 per day during the billing period, which will also provide for two (2) ccf of metered usage per month. A fee of \$1.7943 per ccf will be charged for all water used in excess of two (2) ccf per month.
2. Residences that have two meters, one measuring inside usage and the other outside usage, will be charged year round for the sewer charges for all water used through the inside meter but will not be charged sewer charges for any usage through the outside meter.

(b) **Group II.** The total periodic billing for Group II sewer charges shall be the following, the rate effective on or after July 1, 2016, multiplied if necessary, by a Permit Surcharge Factor (PSF). The PSF shall be determined by the Director and noted on the Discharge Permit. The PSF shall be calculated by dividing the total O & M charges as set forth in Group III O & M by the O & M charges established in Group I. The PSF shall never be less than 1.0. Minimum monthly invoice charge for any Group II permit user subject to EPA regulation under 40 CFR Part 403 shall be \$25 per month per service agreement. Group II or III Industrial Facility Flat Rate for sanitary sewer service shall be calculated using the following formula: # of employees * 25 gallons per day * 30.4 days per month / 748 * \$2.0410/ccf.

1. O & M Group I O&M flat charge + all water
usage > 2 units or 4 units (depending on
billing cycle) *PSF* \$2.0410/ccf

(c) **Group III.** The total periodic billing for sewer service charges after July 1, 2016, shall be the sum of the items listed in following subsections - 1, 2, 3 (when applicable. Debt service is only applicable to those industries still paying for reserved capacity as approved by resolution of the City Council.

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

<u>AVERAGE DAILY VALUE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd multiplied by	\$20.07
BOD in lbs. multiplied by	\$4.64
SS in lbs. multiplied by	\$3.88
TKN in lbs. multiplied by	\$18.42

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

<u>HIGHEST THREE-DAY AVERAGE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd multiplied by	\$20.07
BOD in lbs. multiplied by	\$4.64
SS in lbs. multiplied by	\$3.88
TKN in lbs. multiplied by	\$18.42

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

<u>AVERAGE DAILY VALUE</u>	<u>MONTHLY RATE</u>
Flow in 1000s gpd	\$10.78
BOD in lbs.	\$4.64
SS in lbs.	\$3.88
TKN in lbs.	\$18.42

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

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

3. Where privately produced water supplies are discharged directly or indirectly into the sanitary sewer. Such rates shall be on an equal basis as nearly as may be with the rates, which would apply to an equal quantity and character of waste originating through the use of city water. It shall be the duty of every person responsible for the production of such private water supply to report forthwith to the Director and further, to cooperate with the Director in the determination of the quantity and character of the waste originating from each such respective private water supply. The Director shall designate in writing any necessary means of measurement of such private water supply or resulting sewage flow. The meter or other means of measurement shall be installed by and maintained at the expense of the contributor.
4. For cities with contractual treatment agreements with Cedar Rapids, the basic rates for O & M shall be as determined by Section 13.15(a)(1-4). Basic rates provided in contractual treatment agreements proposed for Group III users shall be determined by an equivalent method that also includes consideration of additional economic factors, such as the amenability of source wastewater to anaerobic treatment (UASB - Upflow Anaerobic Sludge Blanket), production of methane gas, and the cost of wastewater pretreatment prior to discharge into a UASB treatment process.
5. All users of the sanitary sewer system and wastewater treatment facilities, who are not located in the City of Cedar Rapids or one of the cities with a contractual agreement, shall at the option of the city, be required to annex into the city if the property is contiguous or agree to voluntarily do so at such time that it becomes contiguous. While the property remains outside of the City of Cedar Rapids or a contracting city, the user shall pay 50% more than the charges established by Ordinance. Any wastewater discharged to the sanitary sewer system that originates from a permitted stormwater or groundwater source is subject to a 50% surcharge."
6. All users served by a lift station transferred from Private to City ownership per formal request and agreement, the user shall pay 40% more than the charges established by Ordinance for a period of ten years.

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

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

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

Introduced this 8th day of March, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

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: PUBLIC HEARINGS

To consider amending Chapter 24 of the Municipal Code, Solid Waste and Recycling, by repealing existing rates and establishing new rates. (Steve Hershner)

- a. First Reading: Ordinance amending amending Chapter 24 of the Municipal Code, Solid Waste & Recycling, by repealing existing rates and establishing new rates.
 CIP/DID #SWM02-23-016-001

Municipal Code	Municipal Utility Services
Chapter 24 – Solid Waste & Recycling	Solid Waste Collection and Recycling

Routine business - EnvisionCR Does not apply

Background:

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

The Ordinance will be amended by repealing certain sections of Chapter 24 of the Cedar Rapids Municipal Code and new sections will be enacted, as a substitute in lieu, by repealing the existing rate schedules and adopting new rate schedules for all billings beginning July 1, 2016.

The timeline for adoption of this Ordinance will be as follows:

- March 8, 2016 – Public Hearing and First Reading of the Ordinance
- March 22, 2016 – Second Reading (Third Reading may be combined with Second Reading)
- April 12, 2016 – Third Reading

Action/Recommendation: The Utilities Department recommends holding the public hearing and approval of the first reading of this Ordinance.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: 3/08/16

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

AN ORDINANCE AMENDING CHAPTER 24 OF THE CEDAR RAPIDS MUNICIPAL CODE, SOLID WASTE, BY REPEALING EXISTING RATES AND ESTABLISHING NEW SOLID WASTE AND RECYCLING COLLECTION RATES BEGINNING JULY 1, 2016

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

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

24.13 MANDATORY HOUSEHOLD COLLECTION.

- b) The rate for solid waste and yard waste collection and disposal for each dwelling unit (household) is established per dwelling unit (household). Such rate shall be **\$0.5372** per day or **\$16.34** per month for all billings beginning July 1, **2016**, to include all collections for that billing period. The rate for each unit shall be reduced by one-half for the elderly or disabled as defined in Section 12.37 of the Municipal Code and such persons shall comply with the same procedure therein to obtain the reduced rate.
- e) The rate for recycling collection and processing for each dwelling unit (household) is established per dwelling unit (household). Such rate shall be **\$0.1540** per day or **\$4.68** per month for all billings beginning July 1, **2016**, to include all collections for that billing period. The rate for each unit shall be reduced by one-half for the elderly or disabled as defined in Section 12.37 of the Municipal Code and such persons shall comply with the same procedure provided therein to obtain the reduced rate.

Section 2. SEPARABILITY OF PROVISIONS.

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

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

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

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

Section 6. PENALTY.

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

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

Introduced this 8th day of March, 2016.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: Michele Tamerius
E-mail Address: m.tamerius@cedar-rapids.org

Phone Number/Ext.: 5113

Description of Agenda Item: PUBLIC HEARINGS

- 1) A Public Hearing will be held to consider amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. CIP/DID# OB457539
- 2) A Public Hearing will be held to consider amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. CIP/DID# 49-11-021
- 3) A Public Hearing will be held to consider amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. CIP/DID# 41-14-011

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

The proposed FY 2017 budget includes revenues from increasing franchise fees from Interstate Power and Light (Alliant Energy), MidAmerican Energy, and Linn County Rural Electric Cooperative (REC) by 1% each, so that the resulting fee will be 3% for each franchise. Before amending each franchise public hearings must be held pursuant to notice. Additionally, before the ordinances may be amended the City must prepare a revenue purpose statement specifying the purposes for which the revenue collected from the increased fees will be spent. The statement must be published before the City Council may approve the ordinance. The Revenue Purpose Statement was published on February 27, 2016.

Interstate Power and Light (Alliant Energy):

- On April 22, 2009, the City passed Ordinance No. 016-09, granting a franchise to Interstate Power and Light Company and establishing a 1% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 025-13, amending the franchise by increasing the franchise fee from 1% to 2%.

MidAmerican Energy:

- On April 26, 2011, the City passed Ordinance No. 023-11, granting a franchise to MidAmerican Energy Company.
- On May 22, 2012, the City passed Ordinance No. 035-12, amending the franchise by establishing a 1% franchise fee on the gross receipts from the sale of natural gas to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 026-13, amending the franchise by increasing the franchise fee from 1% to 2%.

Linn County Rural Electric Cooperative (REC):

- On December 17, 2013, the City passed Ordinance No. 075-13, granting a franchise to Linn County Rural Electric Cooperative and establishing a 2% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.

Action/Recommendation: Recommend holding the Public Hearings and approve the First, Second and Third Reading of these Ordinances.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: N/A

Budget Information: This increase will be effective July 1, 2016 and will increase General Fund revenues by \$2.28 million in fiscal year 2017.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

THIRD AMENDMENT TO THE ORDINANCE GRANTING A FRANCHISE TO MIDAMERICAN ENERGY COMPANY, ITS SUCCESSORS AND ASSIGNS, TO ACQUIRE, CONSTRUCT, ERECT, MAINTAIN, AND OPERATE A NATURAL GAS SYSTEM AND TO FURNISH AND SELL NATURAL GAS IN THE CITY OF CEDAR RAPIDS IOWA, BY INCREASING THE FRANCHISE FEE TO THE AMOUNT OF 3%.

WHEREAS, pursuant to Cedar Rapids City Council Ordinance No. 023-11, a franchise was granted to MidAmerican Energy Company to operate a gas system and to furnish and sell natural gas within the city of Cedar Rapids, Iowa; and

WHEREAS, this franchise was previously amended by way of City Council Ordinance No. 035-12; and

WHEREAS, this franchise was amended a second time by way of City Council Ordinance No.026-13; and

WHEREAS, the City of Cedar Rapids wishes to further amend this franchise to provide that MidAmerican Energy Company shall remit a franchise fee of three (3) percent beginning on July 1, 2016.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Cedar Rapids City Council Ordinance No. 023-11, as amended by City Council Ordinance 035-12 and City Council Ordinance 026-13, is hereby amended as follows:

Section 1. Section 13 of Ordinance No. 023-11, as amended by Ordinance No. 035-12 and further amended by Ordinance No. 026-13, is hereby deleted in its entirety. Enacted in lieu thereof is a new Section 13 as follows:

“Section 13. There is hereby imposed upon and shall be collected from the natural gas customers of MidAmerican Energy Company receiving service pursuant to the Tariff located within the corporate limits of the City and remitted by the Company to the City, a franchise fee from each revenue class as set forth below of the gross receipts, minus uncollectable amounts, derived by the Company from the delivery and sale of natural gas to customers within the corporate limits of the City;

- Residential Customers three (3) percent
- Commercial Customers three (3) percent
- Industrial Customers three (3) percent
- Public Authority Customers three (3) percent
- Distribution (Transportation) Customers three (3) percent

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

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

Section 4. This Ordinance shall be in full force and effect on July 1, 2016 after its passage and publication as provided by law.

Introduced this 8th day of March, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: Michele Tamerius
E-mail Address: m.tamerius@cedar-rapids.org

Phone Number/Ext.: 5113

Description of Agenda Item: PUBLIC HEARINGS

- 1) A Public Hearing will be held to consider amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. CIP/DID# OB457539
- 2) A Public Hearing will be held to consider amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. CIP/DID# 49-11-021
- 3) A Public Hearing will be held to consider amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. CIP/DID# 41-14-011

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

The proposed FY 2017 budget includes revenues from increasing franchise fees from Interstate Power and Light (Alliant Energy), MidAmerican Energy, and Linn County Rural Electric Cooperative (REC) by 1% each, so that the resulting fee will be 3% for each franchise. Before amending each franchise public hearings must be held pursuant to notice. Additionally, before the ordinances may be amended the City must prepare a revenue purpose statement specifying the purposes for which the revenue collected from the increased fees will be spent. The statement must be published before the City Council may approve the ordinance. The Revenue Purpose Statement was published on February 27, 2016.

Interstate Power and Light (Alliant Energy):

- On April 22, 2009, the City passed Ordinance No. 016-09, granting a franchise to Interstate Power and Light Company and establishing a 1% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 025-13, amending the franchise by increasing the franchise fee from 1% to 2%.

MidAmerican Energy:

- On April 26, 2011, the City passed Ordinance No. 023-11, granting a franchise to MidAmerican Energy Company.
- On May 22, 2012, the City passed Ordinance No. 035-12, amending the franchise by establishing a 1% franchise fee on the gross receipts from the sale of natural gas to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 026-13, amending the franchise by increasing the franchise fee from 1% to 2%.

Linn County Rural Electric Cooperative (REC):

- On December 17, 2013, the City passed Ordinance No. 075-13, granting a franchise to Linn County Rural Electric Cooperative and establishing a 2% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.

Action/Recommendation: Recommend holding the Public Hearings and approve the First, Second and Third Reading of these Ordinances.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: N/A

Budget Information: This increase will be effective July 1, 2016 and will increase General Fund revenues by \$2.28 million in fiscal year 2017.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

AN AMENDMENT TO THE ORDINANCE GRANTING A FRANCHISE TO LINN COUNTY RURAL ELECTRIC COOPERATIVE (REC), ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN, AND OPERATE SYSTEMS FOR THE DISTRIBUTION OF ELECTRIC LIGHT AND POWER IN THE CITY OF CEDAR RAPIDS IOWA, BY INCREASING THE FRANCHISE FEE TO THE AMOUNT OF THREE PERCENT (3%)

WHEREAS, pursuant to Cedar Rapids City Council Ordinance No. 075-13, a franchise was granted to Linn County REC to operate an electric utility and to furnish and sell electricity within the city of Cedar Rapids, Iowa; and

WHEREAS, the City of Cedar Rapids wishes to amend this franchise to provide that Linn County REC shall remit a franchise fee of three (3) percent beginning on July 1, 2016.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Cedar Rapids City Council Ordinance No. 075-13 is hereby amended as follows:

Section 1. Section 18 of Ordinance No. 075-13, is hereby deleted in its entirety. Enacted in lieu thereof is a new Section 18 as follows:

"Section 18. Franchise Fee

In its monthly billing, Cooperative shall include a franchise fee of three percent (3%) on the gross receipts from the sale of electricity for customers within the limits of the City of Cedar Rapids, Linn County, Iowa. The franchise fee may increase up to a maximum of five percent (5%), as allowed by law. The franchise fee shall not be assessed to the city as a customer per Iowa Code Chapter 364.2(f). The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and should only use such fees as collected for a purpose as allowed applicable law. Collection of the franchise fee shall cease at the earlier of the City's repeal of the franchise fee or the end of the Ordinance term. Notwithstanding the foregoing, the collection of any franchise fee shall be in accordance with applicable law, including but not limited to any limitations upon the question of such franchise fee."

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

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

Section 4. This Ordinance shall be in full force and effect on July 1, 2016 after its passage and publication as provided by law.

Introduced this 8th day of March, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: Michele Tamerius
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Phone Number/Ext.: 5113

Description of Agenda Item: PUBLIC HEARINGS

- 1) A Public Hearing will be held to consider amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Interstate Power and Light Company (Alliant), by increasing the franchise fee from 2% to 3%. CIP/DID# OB457539
- 2) A Public Hearing will be held to consider amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to MidAmerican Energy, by increasing the franchise fee from 2% to 3%. CIP/DID# 49-11-021
- 3) A Public Hearing will be held to consider amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. (Casey Drew)
 - a) First Reading and possible Second and Third Reading: An Ordinance amending the franchise granted to Linn County Rural Electric Cooperative (REC), by increasing the franchise fee from 2% to 3%. CIP/DID# 41-14-011

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

Background:

The proposed FY 2017 budget includes revenues from increasing franchise fees from Interstate Power and Light (Alliant Energy), MidAmerican Energy, and Linn County Rural Electric Cooperative (REC) by 1% each, so that the resulting fee will be 3% for each franchise. Before amending each franchise public hearings must be held pursuant to notice. Additionally, before the ordinances may be amended the City must prepare a revenue purpose statement specifying the purposes for which the revenue collected from the increased fees will be spent. The statement must be published before the City Council may approve the ordinance. The Revenue Purpose Statement was published on February 27, 2016.

Interstate Power and Light (Alliant Energy):

- On April 22, 2009, the City passed Ordinance No. 016-09, granting a franchise to Interstate Power and Light Company and establishing a 1% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 025-13, amending the franchise by increasing the franchise fee from 1% to 2%.

MidAmerican Energy:

- On April 26, 2011, the City passed Ordinance No. 023-11, granting a franchise to MidAmerican Energy Company.
- On May 22, 2012, the City passed Ordinance No. 035-12, amending the franchise by establishing a 1% franchise fee on the gross receipts from the sale of natural gas to customers within the limits of the City of Cedar Rapids.
- On April 23, 2013, the City passed Ordinance No. 026-13, amending the franchise by increasing the franchise fee from 1% to 2%.

Linn County Rural Electric Cooperative (REC):

- On December 17, 2013, the City passed Ordinance No. 075-13, granting a franchise to Linn County Rural Electric Cooperative and establishing a 2% franchise fee on the gross receipts from the sale of electricity to customers within the limits of the City of Cedar Rapids.

Action/Recommendation: Recommend holding the Public Hearings and approve the First, Second and Third Reading of these Ordinances.

Alternative Recommendation: None

Time Sensitivity: High

Resolution Date: N/A

Budget Information: This increase will be effective July 1, 2016 and will increase General Fund revenues by \$2.28 million in fiscal year 2017.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

ORDINANCE NO. LEG_NUM_TAG

SECOND AMENDMENT TO THE ORDINANCE GRANTING A FRANCHISE TO INTERSTATE POWER AND LIGHT COMPANY (ALLIANT), ITS SUCCESSORS AND ASSIGNS, TO CONSTRUCT, RECONSTRUCT, REPAIR, MAINTAIN, AND OPERATE PLANTS AND SYSTEMS FOR THE MANUFACTURE, GENERATION AND DISTRIBUTION OF ELECTRIC LIGHT AND POWER IN THE CITY OF CEDAR RAPIDS IOWA, BY INCREASING THE FRANCHISE FEE TO THE AMOUNT OF THREE PERCENT (3%)

WHEREAS, pursuant to Cedar Rapids City Council Ordinance No. 016-09, a franchise was granted to Alliant Energy to operate an electric light and power system and to furnish and sell electricity within the city of Cedar Rapids, Iowa; and

WHEREAS, this franchise was previously amended by way of City Council Ordinance No. 025-13; and

WHEREAS, the City of Cedar Rapids wishes to further amend this franchise to provide that Alliant shall remit a franchise fee of three (3) percent beginning on July 1, 2016.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Cedar Rapids City Council Ordinance No. 016-09, as amended by City Council Ordinance 025-13, is hereby amended as follows:

Section 1. Section 18 of Ordinance No. 016-09, as amended by Ordinance No. 026-13, is hereby deleted in its entirety. Enacted in lieu thereof is a new Section 18 as follows:

“Section 18. Franchise Fees

In its monthly billing, Company shall include a franchise fee of three percent (3%) on the gross revenues from the sale of electricity for customers within the limits of the City of Cedar Rapids, Linn County, Iowa. The amount of franchise fee shall be shown separately on the utility bill to each customer. The franchise fee may increase up to a maximum of five percent (5%), as allowed by law. The City shall give the Company a minimum six-month notice prior to the request to implement an increase in the franchise fee. The City shall be solely responsible for the proper use of any amounts collected as franchise fees, and should only use such fees as collected for a purpose as allowed applicable law. Collection of the franchise fee shall cease at the earlier of the City's repeal of the franchise fee or the end of the Ordinance term. Notwithstanding the foregoing, the collection of any franchise fee shall be in accordance with applicable law, including but not limited to any limitations upon the question of such franchise fee.”

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

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

Section 4. This Ordinance shall be in full force and effect on July 1, 2016 after its passage and publication as provided by law.

Introduced this 8th day of March, 2016.

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: PUBLIC HEARINGS

A public hearing will be held to consider a request by Jelinek Companies LLC for an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE (Caleb Mason).

- a. Resolution authorizing an Urban Revitalization Area designation for the rehabilitation of the historic Ideal Theatre Building at 213 16th Avenue SE and 1614 2nd Street SE.
CIP/DID #URTE-0007-2016
- b. First Reading: Ordinance amending Chapter 17A of the Municipal Code, Revitalization Areas, to establish the Ideal Theatre Urban Revitalization Area designation at 213 16th Avenue SE and 1614 2nd Street SE.
CIP/DID #URTE-0007-2016

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

Background:

The public hearing, Resolution and Ordinance establish the Urban Revitalization Tax Exemption for the Ideal Theatre project. On January 26, 2016 the Council adopted a Resolution of Support providing City participation in the project in accordance with 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
- Clear-span open layout for banquet and event hall
- Total investment of \$700,000

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. The 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 holding the public hearing, approval of a resolution and possible First Reading.

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

Time Sensitivity: NA

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the proposed Urban Revitalization Plan for the historic preservation of the Ideal Theatre building located at 213 16th Avenue SE and 1614 2nd Street SE provides infill redevelopment as provided under State Law; and

WHEREAS, on March 8, 2016, the City Council held the required Public Hearing in connection with the said proposed Project; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said Plan for the Ideal Theatre Urban Revitalization Area, as attached hereto as Exhibit A, and by reference herewith is made a part of this Resolution, is hereby approved and adopted.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



IDEAL THEATRE

Urban Revitalization Plan

Public Hearing: March 8, 2016

Ideal Theatre Urban Revitalization Plan

1.0 INTRODUCTION

The purpose of the formation of the Ideal Theater Urban Revitalization Tax Exemption Area and Plan is to encourage the rehabilitation and historic preservation of the building located at 213 16th Avenue SE and 1614 2nd Street SE. As allowed by the authority of the State of Code of Iowa, Chapter 404, the incentive for economic development through business expansion is provided by exempting a portion or all of property tax valuation added through qualified improvements for specified periods of time.

2.0 DESCRIPTION OF THE URBAN REVITALIZATION AREA

The area to be designated within the Urban Revitalization Tax Exemption Area (see Attachment 1 – Location Map) is approximately 0.27 acres in size and includes:

Lot 2, Except NE-ly 38 feet NW-ly 40 feet thereof, Block 33, J.C. May's Addition to the City of Cedar Rapids, Linn County, Iowa; and

That part of Lots 1 and 2, Block 33, J C May's Addition to the City of Cedar Rapids, Linn County, Iowa described as follows: Commencing at the NW-ly corner of said Lot 1; thence SE-ly along the NE-ly line of said Lots 1 and 2, 100 feet; thence SW-ly at right angles to the NE-ly line of said Lots 1 and 2, 38 feet; thence NW-ly along a line parallel to the NE-ly line of said Lots 1 and 2, 112.92 feet to the SE-ly line of May Street, now Fourteenth Avenue East; thence NE-ly along the SE-ly line of said Fourteenth Avenue, 40.18 feet to the place of beginning

3.0 OWNERSHIP AND ASSESSED VALUATION

The Urban Revitalization Area, as specified in the legal description above, consists of two combined parcels. The deed holder is Betty A Borgenson and the contract buyer is Jelinek Companies, LLC. The total 2015 assessed valuation of the combined parcels is \$96,000.00.

4.0 PROGRAM ACTIVITY

4.1 Land Use and Zoning

The proposed rehabilitation of the historic structure is consistent with the current C-3 Regional Commercial zoning and the Future Land Use Map in the City's Comprehensive Plan, EnvisionCR, which designates the project area as Urban High Intensity.

4.2 City Services

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

4.3 Applicable Property

This Plan, and the tax exemption allowed herein, is applicable to the rehabilitation of the existing commercial structure in accordance with Secretary of Interior's Standards for Historic Preservation as well as any site improvements including parking and outdoor gathering and seating areas. Additional development within the property described in Section 2.0 of this Plan may be eligible for the tax exemption allowed herein, based upon the review and approval of the City of Cedar Rapids City Council. A written request by the developer must be reviewed to ensure consistency with the City Council goals of creating/retaining high quality jobs, significant increase in property valuation, and community benefits such as infill, connectivity, and mixed use development.

5.0 DURATION OF THE URBAN REVITALIZATION PLAN

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

6.0 PROCEDURES FOR CHANGES IN THE APPROVED PLAN

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

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

7.0 REVENUE BONDS

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

8.0 TAX EXEMPTION PROGRAM

8.1 Procedures

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

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

8.2 Tax Exemption Schedules

8.2.1 Schedule 1 - Residential Exemption:

All qualified real estate assessed as residential property is eligible to receive an exemption from taxation based on the actual value added by the improvements,

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

8.2.2 Schedule 2 - Ten Year Declining Exemption:

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

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

8.2.3 Schedule 3 - Three Year Exemptions:

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

8.2.4 Schedule 4 - 10-Year Qualified Residential Exemption:

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

8.2.5 Election of Schedule:

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

8.3 Definitions

- (a) "Qualified Business or Other Non-Residential Tenant" shall mean the legal occupant of a building or part thereof and conducting a business or non-residential operation which is located within the designated Revitalization Area and who has occupied the same premises continuously since one year prior to the adoption of this Plan.
- (b) "Qualified Real Estate" shall mean real property, other than land, which is located in this Revitalization Area and to which improvements have been added during the time of the area was so designated, which have increased the actual value by at least

fifteen percent (15%) or at least ten percent (10%), in the case of land upon which is located more than one building (and not assessed as residential property) increased the actual value of the buildings to which the improvements have been made.

“Qualified Real Estate” also means land upon which no structure existed at the start of new construction, which is located in this Revitalization Area and upon which new construction has been added during the time the area was designated as a Revitalization Area.

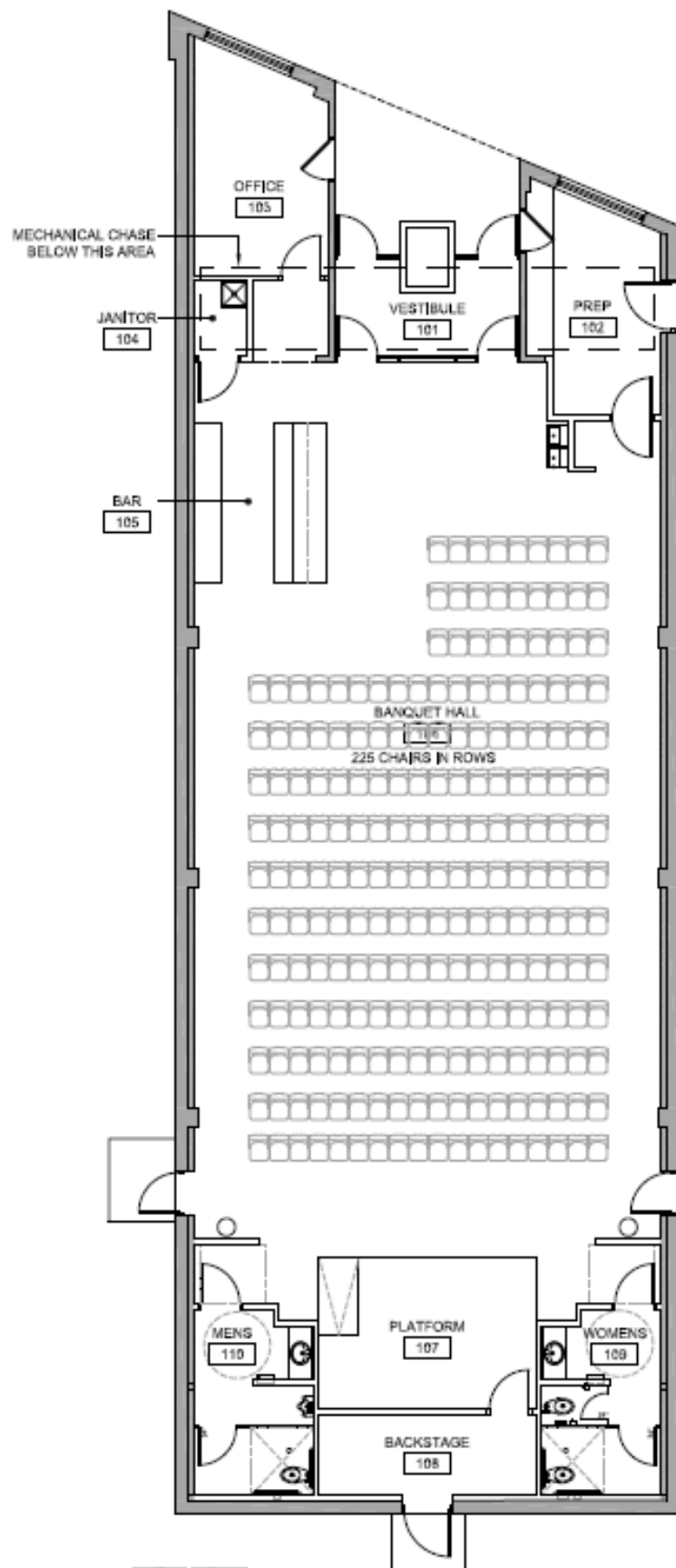
- (c) “Improvements” includes rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures.

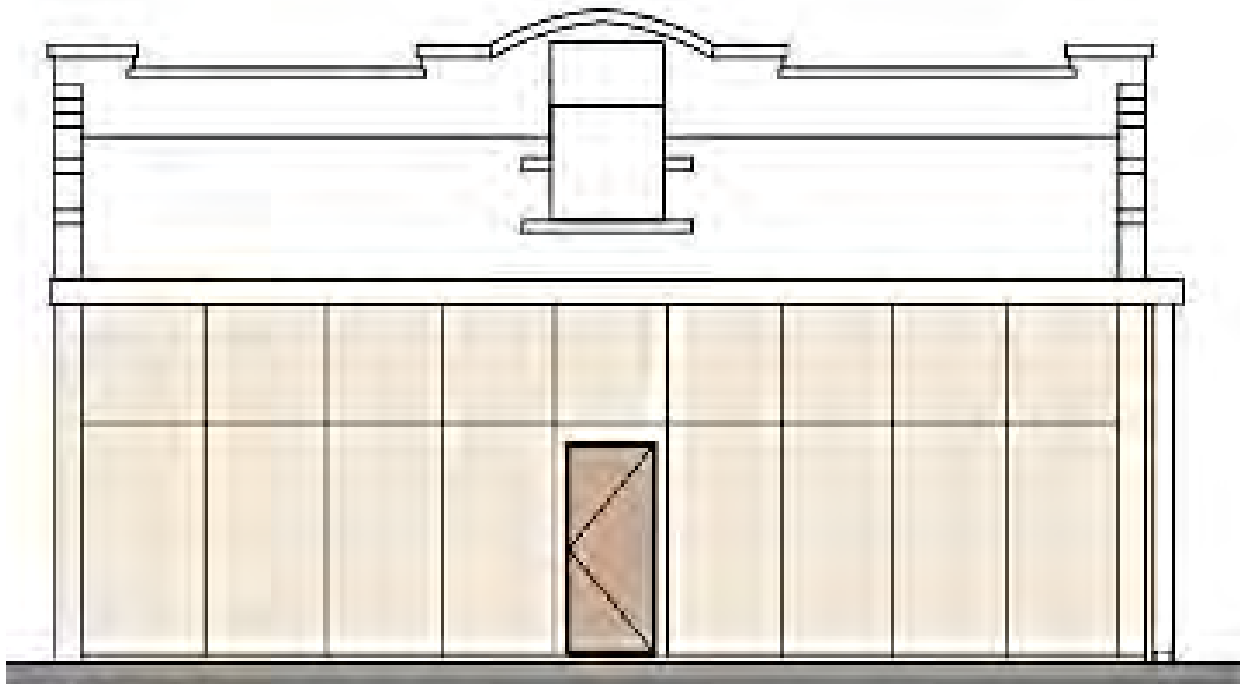
9.0 RELOCATION

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

Attachment 1
Map of Ideal Theatre Urban Revitalization Area







ORDINANCE NO. LEG_NUM_TAG

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

Section 1. That Subsection 17A.06 of the Municipal Code, City of Cedar Rapids, Iowa is hereby amended by the deletion of Division 106 and the addition of a new Division 106 as follows:

“Division 106. Ideal Theatre” March 8, 2016 Resolution No.

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 than that affected by such decision.

Section 3. That all ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. That the afore described Amended Subsection of Chapter 17A shall be included as part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

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

Introduced this 8th day of March, 2016.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Seth Gunnerson

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Alternate Contact Person: Jeff Hintz

Phone Number/Ext.: 319 286-5781

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

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider amendments to the Future Land Use Map of the City of Cedar Rapids as part of the annual review of EnvisionCR, the City's Comprehensive Plan (Seth Gunnerson).

CIP/DID #OB165740

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

Background: EnvisionCR is intended to be a living document that is refreshed annually. As part of this process, staff has identified a number of changes to the map which are described in this memo.

The Future Land Use Map is a component of EnvisionCR which helps direct the future growth of the community, both in terms of redevelopment of existing areas of the City and expansion into currently unincorporated areas. Various Land Development actions, such as rezoning, plats, and site plans should conform to the Future Land Use Map and the specific requirements for each Land Use Typology Area (LUTA) defined within the GrowCR element of the plan.

The individual changes in the proposed amendment fall into three broad categories:

1. Correcting errors or omissions that have been identified in the initial map.
2. Amending the map as a result of studies or plans that have been completed during the year.
3. Updating the map to better reflect current land use in the City as it changes from year to year.

The individual proposed changes are summarized below. Attached to this memo is the proposed Future Land Use Map. The existing Future Land Use Map can be viewed online at <http://crgis.cedar-rapids.org/FLUM/index.html>.

Proposed Changes:

1. **Minimized Urban-Large Lot Areas** – In review of the Future Land Use Map, City staff identified areas of the City that were classified as Urban-Large Lot (U-LL) that were better suited within the Urban-Low Intensity (U-LI) category. The majority of these properties were located between Bever Avenue and Cottage Grove Avenue in Southeast Cedar Rapids. This map amendment would not negatively impact any existing parcels

and would bring some multi-family parcels within the area into compliance with the Future Land Use Map.

2. **Reclassify parcels erroneously identified as Open Space** – During the year staff identified a number of privately owned parcels adjacent to parks or other open areas were misidentified as “Open Space” in the Future Land Use Map. This was likely due to a processing error when the map was created. City staff reviewed all parcels listed as “Open Space” and reclassified all privately owned properties that did not have an obvious reason to be listed as Open Space to an appropriate LUTA.
3. **Southeast Quadrant and Highway 30 East Area** –
 - a. Extend the Future Land Use Map to cover all areas as far as the Cedar River, Highway 13, and Highway 100. This includes lands that weren't previously covered in the Future Land Use Map. The recommended LUTA for these areas is a mix of Rural and Open Space.
 - b. Clarify the anticipated rural nature of development in this area, some tracts of land were designated as Agriculture Preserve but under review are more appropriate in the Rural LUTA as it better describes the current use on the land.
 - c. Fix a map error adjacent to the College Farms Subdivision where land annexed during the development of EnvisionCR was classified as Rural/Urban Reserve when it should have been designated Urban-Low Intensity.
4. **Reclassify Quarries as Agriculture Preserve** – These uses were previously identified as “industrial”. Due to a concern that this may not fit the most appropriate long-term land use of these properties, staff is recommending reclassifying resource-extraction uses, like Quarries, as Agriculture Preserve.
5. **Other Modifications** – Staff is recommending other changes to the map to better reflect changes in land use around the City that did not require a map amendment at the time they were approved. This includes classifying the proposed Mt. Mercy Athletic Complex and a recent annexation along Kirkwood Blvd by College Community School District as “Civic” to better reflect the future land use.

Action/Recommendation: City staff recommends holding the public hearing and approval of the resolution.

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council adopted EnvisionCR, the Comprehensive Plan for Cedar Rapids, on January 27, 2015, which is a statement of the community's vision for its own future and a guide to achieve that vision, and

WHEREAS, EnvisionCR includes a Future Land Use Map which indicates the general locations and extent of various land uses to ensure that zoning and other Land Development processes are consistent with the various elements of the Comprehensive Plan, and

WHEREAS, the Implementation section of EnvisionCR states that amendments to the future land use map may be initiated by the City as a result of planning initiatives or a review of current development patterns, and

WHEREAS, as part of the annual review of the EnvisionCR Initiatives, City staff has completed a review of the Future Land Use Map and has prepared an amended Future Land Use Map which aligns the map with recent planning initiatives, fixes errors in the map, and describes more up to date development patterns in the City, and

WHEREAS, the City Planning Commission has reviewed the amendment on January 3, 2016 and unanimously recommended approval by the City Council,

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

1. That the Future Land Use Map adopted as part of EnvisionCR on January 27, 2015 is hereby amended by the adoption of a new Future Land Use Map (attached).
2. That the City Council finds the amendment to be consistent with the goals and objectives of EnvisionCR.
3. That staff is directed to prepare necessary documentation, exhibits and maps as necessary to implement the amendment.

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MayorSignature

Attest:

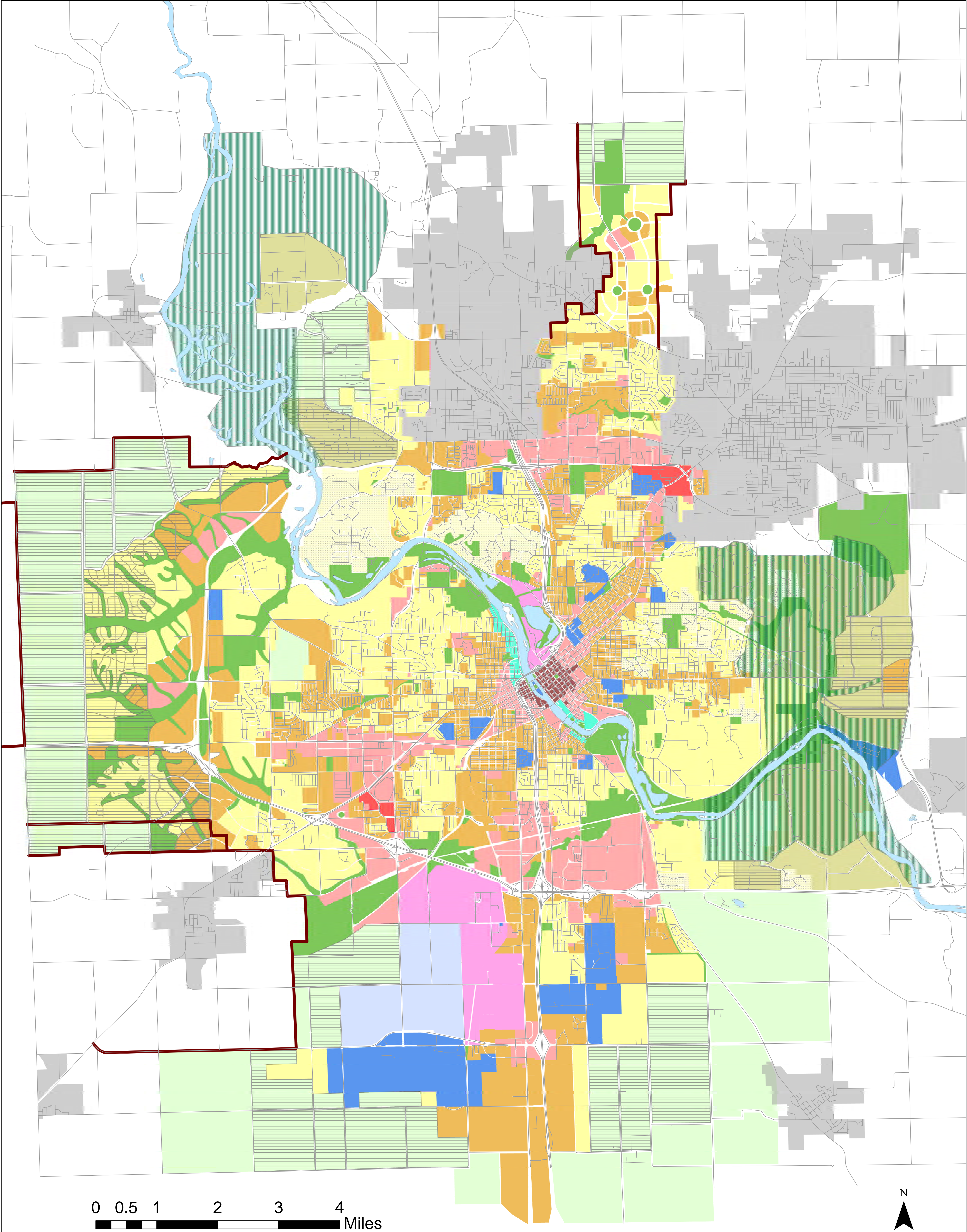
ClerkSignature

LEG_TABLED_TAG



Future Land Use Map

Proposed Amendmenets: January 26, 2016
Author: Community Development Department



Legend

Future Land Use

Base LUTA

Agriculture

Open Space

Rural

Urban Low Intensity

Urban Large Lot

Urban Medium Intensity

Urban High Intensity

Downtown

Commercial

Industrial

Employment Reserve

Public/Semi-Public

Flood Control Study Area

Overlay LUTA

Environmental Conservation

Urban Reserve

Annexation Agreements



Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

Presenter at meeting: Rita Rasmussen
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Phone Number/Extension: 5807

Alternate Contact Person: Carol Morgan
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Phone Number/Extension: 5092

Description of Agenda Item: PUBLIC HEARINGS

A public hearing will be held to consider the execution of an Electric Line Easement agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC.

Resolution authorizing the execution of an Electric Line Easement agreement from property located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive in connection with rebuilding and upgrading an existing overhead transmission line at this location as requested by ITC Midwest LLC.

CIP/DID #49-14-042

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

Background: The City of Cedar Rapids has received a request from ITC Midwest LLC to grant a permanent easement in connection with rebuilding and upgrading an existing overhead transmission line located on City-owned land westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive. Although there is an existing transmission line at this location, it has been determined that an easement was not previously established. ITC has paid \$9,192 to the City for this easement.

In order for the City to proceed with the granting of an easement on City-owned land, in accordance with Iowa Code, City Council must hold a public hearing, providing the opportunity for public input on the question to grant an easement on City-owned land. Subsequently, City Council shall vote on a resolution authorizing the granting of an easement, or vote to not encumber the City-owned land with the easement.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of the Electric Line Easement Agreement to ITC.

Alternative Recommendation: Require ITC to remove and relocate their existing transmission line at this location.

Time Sensitivity: Normal

Resolution Date: Proposed timeline as follows:

Public Hearing Date and possible resolution passing: March 8, 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:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, ITC Midwest LLC, a Michigan limited liability company (ITC), is requesting a permanent easement from City-owned land in connection with rebuilding and upgrading an existing overhead transmission line, and

WHEREAS, the City of Cedar Rapids, an Iowa municipal corporation, 101 First Street SE, Owner of the real property located westerly of and adjacent to 2nd Avenue SE and between 32nd Street Drive and 33rd Street Drive and described as:

See Attached Exhibit A

has agreed to convey to ITC, the necessary easement on City-owned land at this location for the consideration of \$9,192, and

WHEREAS, the City of Cedar Rapids held a Public Hearing on March 8, 2016, in which no objections were presented or heard, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the associated Purchase Agreement and Electric Line Easement agreement be accepted and that the City Manager and City Clerk are hereby authorized to execute said agreements, and

BE IT FURTHER RESOLVED, that the Electric Line Easement agreement be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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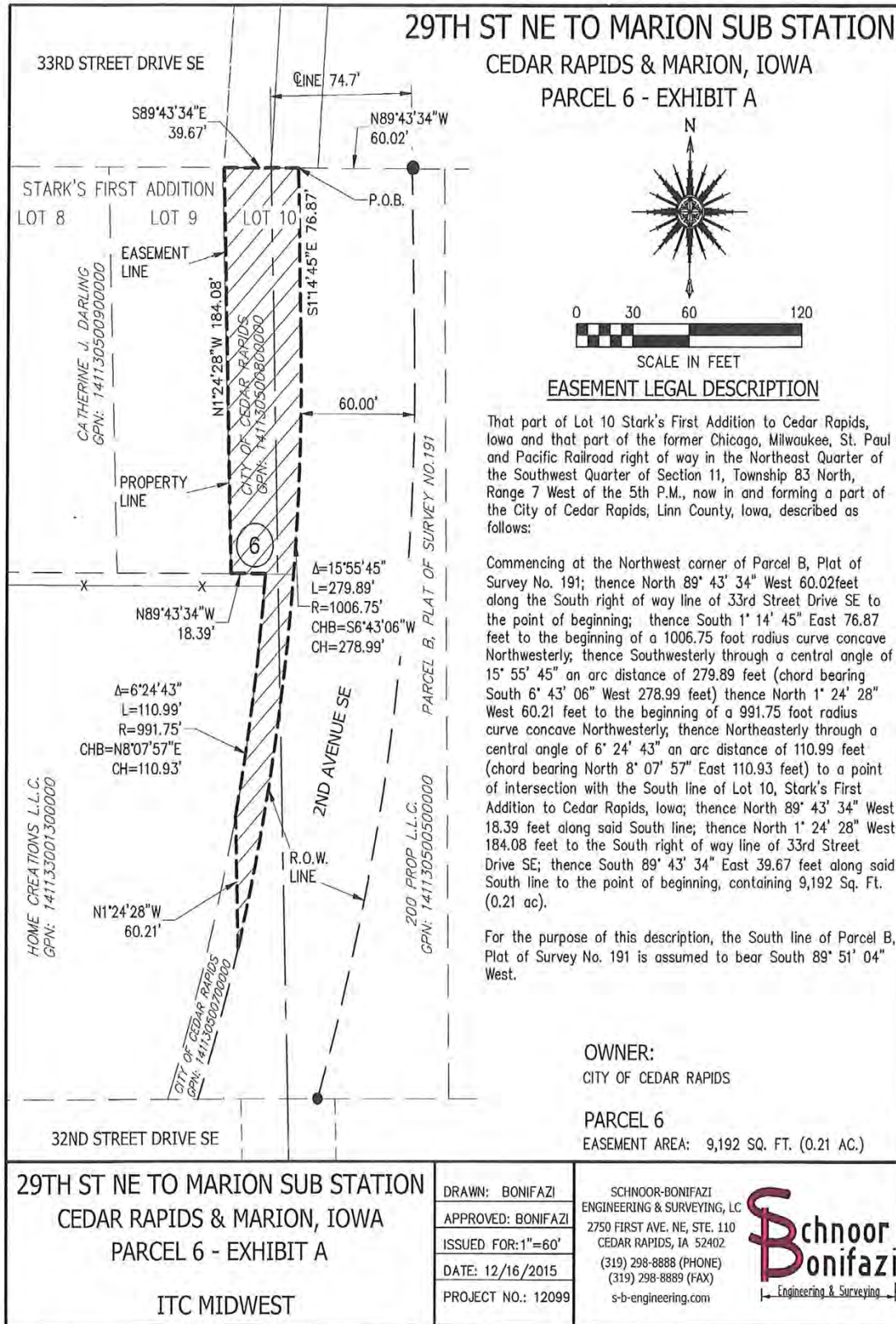
MayorSignature

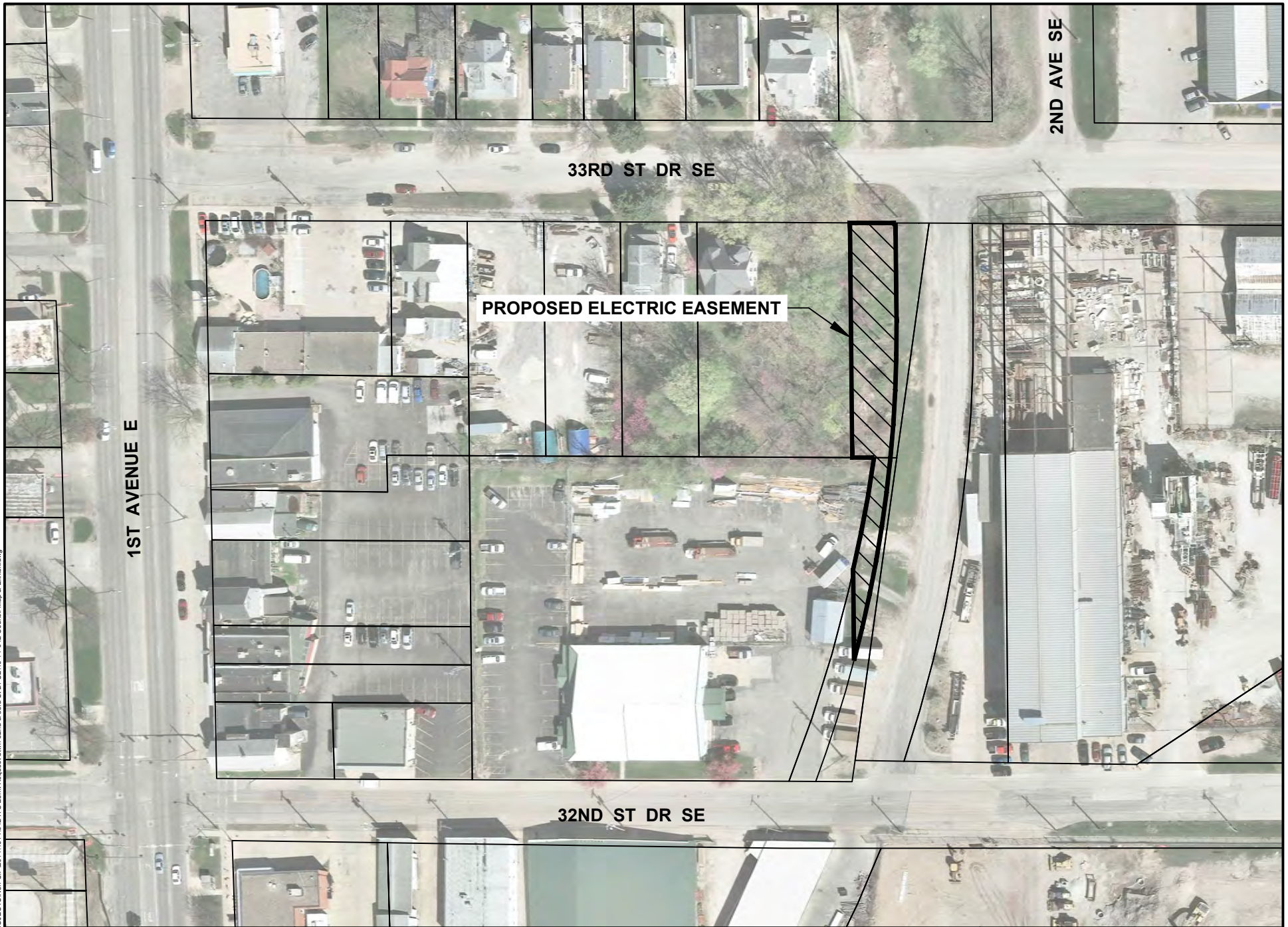
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EXHIBIT A







Council Agenda Item Cover Sheet

Submitting Department: Police

Presenter at Meeting: Captain Brent Long

E-mail Address: b.long@cedar-rapids.org

Phone Number/Ext.: 286-5342

Alternate Contact Person: Judy Goldberg

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

Phone Number/Ext.: 286-5123

Description of Agenda Item: PUBLIC HEARINGS

Public hearing and possible first reading of ordinance, to consider amending Chapter 64 of the Municipal Code, Offenses Against Property, by deleting Section 64.13 therefrom regarding discrimination in housing.

CIP/DID #PD0007

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

Background: The Section entitled "Discrimination in Housing," formerly designated as section 64.13, is being deleted because the language is duplicative to the housing provisions contained in Chapter 69, but with an additional requirement that could deter citizens from filing complaints. This additional provision requires people who believe they have been discriminated against in the area of housing, to post a \$500 bond when filing a complaint with the Civil Rights Commission. The provision was repealed, pursuant to Ordinance 104-69 in 1969 when Civil Rights Chapter 69 of the Code was amended, but was inadvertently not removed. This change was requested by the Civil Rights Commission.

Action/Recommendation: The Police Department recommends the City Council conduct a public hearing and first reading of the amended ordinance.

Alternative Recommendation: Failure to conduct a Public Hearing and First Reading of the amended ordinance reduces the ability for residents to understand the intent of new Chapter 64.

Time Sensitivity: NA

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

ORDINANCE AMENDING CHAPTER 64 OF THE MUNICIPAL CODE, ENTITLED "OFFENSES
AGAINST PROPERTY" BY DELETING SECTION 64.13 THEREFROM REGARDING
DISCRIMINATION IN HOUSING

WHEREAS, Cedar Rapids Municipal Code Section 64.13 prohibits discrimination in housing but is also duplicative of similar provisions contained in Cedar Rapids Municipal Code Chapter 69 which among other things establishes the Cedar Rapids Civil Rights Commission and otherwise provides for the protection and enforcement of civil rights including those pertaining to housing; and

WHEREAS, it would be better to avoid duplication and make it clear that civil rights matters of this kind should be addressed in Chapter 69; and

WHEREAS, this change was requested by the Civil Rights Commission.

NOW THEREFORE 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 64 of the Cedar Rapids Municipal Code is hereby amended by the deletion of Section 64.13 thereto.

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

Section 3. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 8th day of March, 2016.

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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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

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 Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project (estimated cost is \$649,000) (**Paving for Progress**).

Resolution adopting plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project.
 CIP/DID #301689-02

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

Background: This project includes an asphalt overlay, water main replacement, storm sewer improvements, and ADA sidewalk ramp upgrades on Edgewood Road NW between E Avenue and F Avenue. This is the first phase in a three-part project to improve Edgewood Road from E Avenue to O Avenue. Construction on this first phase is scheduled to begin by summer of 2016.

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

Alternative Recommendation: The alternative is to defer construction until a later date, repackaging or abandon the project.

Time Sensitivity: Must be acted upon by March 8, 2016 to maintain the project schedule, which must occur ahead of the project's March 16, 2016 bid opening.

Resolution Date: March 8, 2016

Budget Information: 301/301000/301689 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on February 23, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Edgewood Road NW from E Avenue NW to F Avenue NW – Roadway Improvements project (Contract No. 301689-02) 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.

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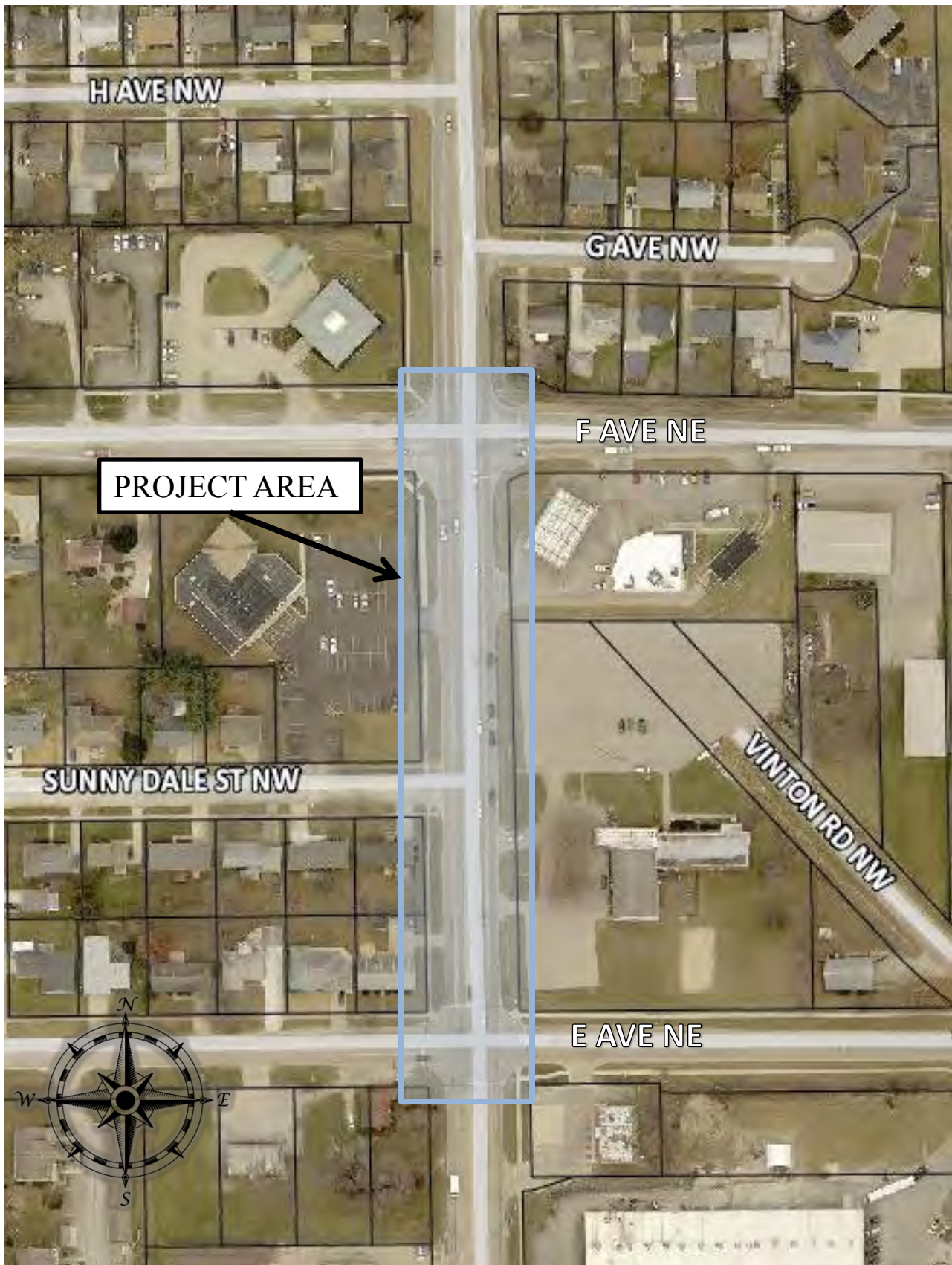
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MayorSignature

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ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Water

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

Phone Number/Ext.: 5281

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

Phone Number/Ext.: 5986

Description of Agenda Item: PUBLIC HEARINGS

To consider the plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project (estimated cost is \$2,650,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project. CIP/DID #625863-06

CIP/DID #625863-06

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

Background:

This project involves construction of the Horizontal Collector Well No.5 Pump House, including the pump house, pumps, electrical feed and controls, and all appurtenant work. The facility is located in Seminole Valley Park. The concrete caisson, lateral projections, well development, and ancillary services portion of the collector well was bid in 2015 as a separate project and is currently under construction.

The City of Cedar Rapids obtains its raw water from the alluvium along the Cedar River. Currently, 45 vertical wells and five horizontal collector wells (HCWs) draw water from the aquifer to meet average demands of 38 million gallons per day. Additional collector wells are being constructed to increase the reliability and capacity of raw water supply as existing vertical wells continue to age and lose capacity. The new collector wells will also be built to a higher elevation for increased flood protection.

The project was originally submitted to the Iowa Department of Natural Resources for permitting in May of 2008 and was postponed and modified due to the flooding of the Cedar River in June 2008. The original design has been modified to raise the floor slab elevation of the pump house by eight feet.

A pre-bid meeting will be held on March 9, 2016 at the Water Department Administration Building at 10:00 a.m. Bids will be opened and publicly announced on March 23, 2016.

Action/Recommendation: The Utilities Department – Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project.

Alternative Recommendation: None

Time Sensitivity: Action needed 03/08/2016

Resolution Date: 03/08/2016

Budget Information:

1. **Included in Current Budget Year.** The Water Division will be funded from the FY2016, FY2017, and FY2018 Budgets Utilities Department – Water Division CIP budget and coded to 553000-625-625000-X-X-625863.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** The Water FY2016, FY2017, and FY2018 CIP budgets include \$4,100,000 for the Horizontal Collector Well No. 5 project.
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 February 23, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Horizontal Collector Well No. 5 Pump House project (Contract No. 625863-06) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Water

Presenter at Meeting: Steve Hershner

Phone Number/Ext.: 5281

E-mail Address: SteveHe@cedar-rapids.org

Alternate Contact Person: Jonathan Mouw

Phone Number/Ext.: 5296

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

Description of Agenda Item: PUBLIC HEARINGS

To consider the plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project (estimated cost is \$880,000) (Steve Hershner).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project.

CIP/DID #625904-04

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

Background:

The Northwest Water Treatment Plant (NWTP) was constructed between 1994 and 1995; the Generator Building was completed in 1999.

Flat roofs at the site were evaluated by HR Green, Inc. during the Spring of 2015. The evaluation performed by HR Green, Inc. determined the roofs were reaching the end of their expected life and merited replacement. Additional deficiencies were noted in roof flashings, overflow drainage piping and scuppers, and various other roofing components.

The project will involve the replacement of flat roofs on Building 20, Building 30, and the Generator Building at the NWTP. Overflow scuppers on Building 20 and Building 30 will be replaced with overflow drains to reduce water damage to the building structure. Additional work will be performed where required on corresponding roof elements, such as tuck-pointing repairs on parapet walls, adding parapet wall caps, and replacement of roof drains and downspouts.

A motion to publish a Notice of Hearing and Letting was approved by the City Council on February 23, 2016 and was published on February 27, 2016. Bids for the project will be opened on March 23, 2016.

Action/Recommendation: The Utilities Department Water Division staff recommends approval of the resolution adopting the plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project.

Alternative Recommendation: None

Time Sensitivity: Action needed 3-8-16

Resolution Date: 3-8-16

Budget Information:

1. **Included in Current Budget Year.** Yes, funding for the Northwest Water Treatment Plant Roof Replacements project is included in the FY16 Water budget. Project costs will be coded to 553000-625-625000-625904.
2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$400,000 budgeted in the FY16 CIP budget and \$475,000 in the projected FY17 budget for the construction of the Northwest Water Treatment Plant Roof Replacements project. Additional funds are available by adjusting other items in the CIP budget or from reserves if needed.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy: No

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on February 23, 2016 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Northwest Water Treatment Plant Roof Replacements project (Contract No. 625904-04) 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.

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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

Phone Number/Ext.: 319 286-5852

E-mail Address: p.mitchell@cedar-rapids.org

Alternate Contact Person: Erika Kubly

Phone Number/Ext.: 319 286-5406

E-mail Address: e.kubly@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolutions of support and authorizing conditional City financial assistance in support of a Low Income Housing Tax Credit (LIHTC) application for City-owned property at 1200 Edgewood Road NW as proposed by CommonBond Communities, CIP/DID #OB654103

EnvisionCR Element/Goal: (Click here to select)
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Background: On February 17, 2016, the Development Committee reviewed and recommended moving forward with a request for City Support of a Low Income Housing Tax Credit Project proposed by CommonBond Communities, located on City-owned property at 1200 Edgewood Road NW, adjacent to City Fire Station No. 3. The proposed project site is shown on the attached map, however it should be noted that the site is in the process of being platted, so the parcel boundary shown is approximate.

The Iowa Finance Authority is currently seeking applications for projects to participate in the Housing for the Homeless Demonstration Set-Aside for Low Income Housing Tax Credits (LIHTC). CommonBond Communities is requesting a resolution of support and City financial participation for a 45-unit project on City-owned property at 1200 Edgewood Road NW. On February 9, 2016 the City Council accepted a bid in the amount of \$280,000 for the disposition of the 1.98 acre parcel.

Five of the units will provide permanent supportive rental housing for homeless persons who will additionally receive case management services through a partnership with Willis-Dady Prevention & Shelter. The project also provides five market rate units plus a mix of 1, 2, and 3-bedroom affordable units with rents ranging from \$453-\$950 per month. The October 2015 update to the housing market analysis does find some additional demand for housing that is affordable in this range and for these market segments.

A neighborhood meeting was held by the developer on February 9, 2016 at Jackson Elementary School and the developer responded to questions regarding design, management plan, and rental criteria. Additionally, some residents asked questions about storm water management, which will be addressed through the land development review process.

Because Local Government Contribution is required to score competitively, these projects qualify as affordable housing for the City's Economic Development - Local Match program. Staff recommends that Urban Revitalization Tax Exemption be used as the mechanism for providing local match.

It is expected that IFA will announce demonstration grant recipients in June of 2016. Should the project receive IFA funding, staff would initiate the process of establishing the Urban Revitalization Tax Exemption at that time.

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

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

Time Sensitivity: Applications are due to IFA March 28, 2016.

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: Yes

Explanation: Recommended by the City Council Development Committee at their February 17, 2016 meeting.



Proposed CommonBond Project Location

Community Development & Planning Dept.
City of Cedar Rapids
101 First Street SE
Cedar Rapids, Iowa 52401

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, The City of Cedar Rapids has received a proposal from CommonBond Communities, for the development of a Low Income Housing Tax Credit project, 45 proposed housing units for property located at 1200 Edgewood Road NW, and

WHEREAS, CommonBond Communities intends to submit an application to the Iowa Finance Authority (IFA) for tax credit financing under a special round of demonstration program funding which would leverage an additional investment of approximately \$9.1 million for the community, and

WHEREAS, City participation in the project is a required element of the application to receive competitive points from IFA, and

WHEREAS, the project provides a public benefit by creating affordable housing; and

WHEREAS, the proposed project would not occur but for the financial assistance provided by the City under the Economic Development – Local Match program which can be fulfilled through tax exemption or abatement, as the case may be of, 10-years 100% of the taxes to be generated by the improvements;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Council supports the application for the 1200 Edgewood Road project as proposed by CommonBond Communities and authorizes staff to do things reasonably necessary and in accordance with Iowa Code to provide City financial support under the Economic Development – Local Match program, with an estimated value of \$307,640, conditioned upon the award of Low Income Housing Tax Credits to complete the project.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute an Option to Purchase Agreement with CommonBond Communities for City-owned property at 1200 Edgewood Road NW, conditioned upon securing Low Income Housing Tax Credits to complete the project.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Community Development

Presenter at Meeting: Kirsty Sanchez
E-mail Address: k.sanchez@cedar-rapids.org

Phone Number/Ext.: 319 286-5428

Alternate Contact Person: Jennifer Pratt
E-mail Address: j.pratt@cedar-rapids.org

Phone Number/Ext.: 319 286-5047

Description of Agenda Item: CONSENT AGENDA
 Resolution authorizing approval of Amendment No. 1 of the Westdale Area Neighborhood Association boundary.
 CIP/DID #NSD-0001-2015

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

Background: On June 9, 2015 City Council adopted Resolution No. 0789-06-15 approving the Westdale Area Neighborhood Association boundary. The association has requested to reduce the area of the neighborhood boundary. The proposed boundary for the Westdale Area Neighborhood Association is attached as Exhibit 1.

Since being approved as a neighborhood association, the neighborhood board has experienced a change in leadership. The association is currently working on improving the neighborhood relationship with police, accessing food and basic need resources, securing safe activities for children.

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

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

Exhibit 1
Proposed Westdale Area Neighborhood Boundary



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids supports active and vibrant neighborhoods and desires to provide resources to encourage their continued health and development; and

WHEREAS, the City of Cedar Rapids is continuously seeking to improve and cultivate more direct relationships with local neighborhood associations; and

WHEREAS, on September 27, 2011, the City Council adopted Resolution No. 1322-09-11 implementing the Neighborhood Service Delivery Initiative as a system for coordinating city services through neighborhood associations as an approach to better respond to community needs; and

WHEREAS, on June 9, 2015, the City Council adopted Resolution No. 0789-06-15 approving the creation of the Westdale Area Neighborhood Association and allocating \$3,000 to the association to fund neighborhood activities for Fiscal Year 2016; and

WHEREAS, a request has been submitted to reduce the neighborhood boundary;

WHEREAS, the proposed boundary amendment for the Westdale Area Neighborhood Association is attached as Exhibit 1.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Council hereby approves Amendment No. 1 to Resolution No 0789-06-15, adopting the new boundary for the Westdale Area Neighborhood Association.

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MayorSignature

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ClerkSignature

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Exhibit 1
Proposed Westdale Area Neighborhood Boundary





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: r.davis@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: Purchases, contracts and agreements
 Resolution accepting the established fair market value in the amount of \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, owned by Cedar Rapids Transmission, Inc., in connection with the Cedar Rapids Flood Control project.
 CIP/DID #3313200-00

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

Background: This property is being acquired to accommodate the current phase of the flood control system project. Compensation amount offered in the amount of \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, is based on an appraisal of the subject property, provided by a qualified Iowa-certified appraiser and/or 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 and offer non-binding mediation to negotiate 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 \$28,500 for the total acquisition of property located at 20 22nd Avenue SW required for the subject project.

Alternative Recommendation: Revise the adopted Cedar Rapids Flood Control Master Plan to schedule this phase later.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: 331/3310000/3313200 GRI

Local Preference Policy: NA

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

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Cook Appraisal Commercial Valuation Research Group prepared an appraisal to establish the fair market value in the amount of \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, Cedar Rapids, Iowa, owned by Cedar Rapids Transmission, Inc., as required for the Cedar Rapids Flood Control System 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 Cedar Rapids Flood Control System project, (Fund 331, Dept ID 3310000, Project 3313200 GRI),

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 \$28,500 for the total acquisition of property located at 20 22nd Avenue SW, Cedar Rapids, Iowa affected by the Cedar Rapids Flood Control System project.

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MayorSignature

Attest:

ClerkSignature

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Council Agenda Item Cover Sheet

Submitting Department: Transit

Presenter at Meeting: Brad DeBrower
E-mail Address: b.debrower@cedar-rapids.org

Phone Number/Ext.: 5560

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

Phone Number/Ext.: 5808

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing the buyout of the Federal interest in Lot 44 in the amount of \$830,680.00 to be funded through CIP #3316200-GRI.
 CIP/DID #TRN002-16

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

Background: On May 14, 2015, the Federal Transit Administration (FTA) cited Cedar Rapids Transit (CRT) with a Satisfactory Continuing Control deficiency finding in its 2015 Triennial Review for the limited transit use of Lot 44, and required CRT to submit a written excess real property utilization plan to address the Federal interest in Lot 44. The real property utilization plan documented that the FTA's original investment in Lot 44 was 26.3% of the original project cost and an August 15, 2015 appraisal and review appraisal of Lot 44 valued the land and improvements at a current value of \$3,360,000. The Federal interest amount was computed by multiplying the original FTA participation in the original project by the current fair market value which resulted in a Federal interest amount of \$883,680.00.

In a letter dated February 5, 2016, the FTA issued its determination that since the City wishes to retain title to Lot 44 for the construction of the City's flood control system, that Federal regulations require that the City must buyout the Federal interest. The FTA directed the City to return \$883,680.00 to the U.S. Treasury's Pay.Gov Financial Collection System.

The City has Growth Reinvestment Initiative (GRI) funding available in CIP#3316200-GRI to fund the buyout. Repayment of the Federal interest will close the Triennial Review Finding and allow the City to use Lot 44 for the City's flood control project or other purposes without FTA intervention, which will allow the City to proceed with the flood control system through Lot 44 as currently planned and without delay.

Action/Recommendation: City staff recommends authorizing the Federal interest buyout in Lot 44 in the amount of \$830,680.00 to be funded through CIP #3316200-GRI.

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

Time Sensitivity: The Federal interest buyout should be completed prior to the City proceeding with construction of the flood control system in Lot 44.

Resolution Date: March 8, 2016

Budget Information: Funding is available in CIP#3316200-GRI.

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Federal Transit Administration (FTA) cited Cedar Rapids Transit (CRT) with a Satisfactory Continuing Control deficiency finding in its 2015 Triennial Review for the limited transit use of Lot 44; and

WHEREAS, the FTA required CRT to submit a written excess real property utilization plan to address the Federal interest in Lot 44; and

WHEREAS, the real property utilization plan documented that the FTA's original investment in Lot 44 was 26.3% of the original project cost and an August 15, 2015 appraisal and review appraisal of Lot 44 valued the land and improvements at a current value of \$3,360,000.00; and

WHEREAS, FTA regulations require a buyout of the Federal interest since the City wishes to retain title to Lot 44 for the construction of the City's flood control system; and

WHEREAS, the Federal interest buyout amount is \$830,680.00 to be repaid to the U.S. Treasury's Pay.Gov Financial Collection System; and,

WHEREAS, the City has Growth Reinvestment Initiative (GRI) funding available in CIP#3316200-GRI to fund the buyout; and,

WHEREAS, the Federal interest buyout will close the FTA Triennial Review Finding and allow the City to use Lot 44 for the construction of the City's flood control project or other purposes without FTA intervention;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City is authorized to buyout the Federal interest in Lot 44 in the amount of \$830,680.00 to be funded through CIP #3316200-GRI.

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MayorSignature

Attest:
ClerkSignature

LEG_TABLED_TAG



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.: 286-5220

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

Phone Number/Ext.: 286-5224

Description of Agenda Item: CONSENT AGENDA
 RESOLUTION IN SUPPORT OF LINN COUNTY EMERGENCY MANAGEMENT
 COMMISSION REQUEST TO FEMA TO ESTABLISH HIGHWAY 30 AS SOUTHERN
 BOUNDARY OF SUBAREA 24 FOR THE RADIOLOGICAL EMERGENCY PLANNING ZONE
 CIP/DID #FIR0308-0009

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

Background: The current boundary for the Duane Arnold Energy Center emergency planning zone was last updated in the mid-1990s and followed the then current city limits of the City of Cedar Rapids. Establishing Highway 30 as the southern boundary of Subarea 24 will create a consistent southern boundary for the entire emergency planning zone; will provide a stable boundary for the EPZ in the event of future annexations; will remove the potential for disruptions to operations for schools, businesses and industries currently within Subarea 24 that are beyond the 10 mile planning area required by the Nuclear Regulatory Commission (NRC).

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: March 8, 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 current boundary for the Duane Arnold Energy Center emergency planning zone was last updated in the mid-1990s and followed the then current city limits of the City of Cedar Rapids, and

WHEREAS, this established the southern boundary for the emergency planning zone (EPZ) as Highway 30 except for Subarea 24, and

WHEREAS, incorporated areas of Cedar Rapids now extend outside the boundaries of Subarea 24, and

WHEREAS, establishing Highway 30 as the southern boundary of Subarea 24 will create a consistent southern boundary for the entire emergency planning zone; will provide a stable boundary for the EPZ in the event of future annexations; will remove the potential for disruptions to operations for schools, businesses and industries currently within Subarea 24 that are beyond the 10 mile planning area required by the Nuclear Regulatory Commission (NRC); and,

WHEREAS, the area of Subarea 24 to be removed from the EPZ is two to five miles beyond the 10 mile planning area required by the (NRC);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the City Council for the City of Cedar Rapids supports the request by the Linn County Emergency Management Commission to the Federal Emergency Management Agency to modify the radiological emergency planning zone by establishing Highway 30 as the southern boundary in Subarea 24.

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

Phone Number/Ext.: 5281

E-mail Address: SteveHe@cedar-rapids.org

Alternate Contact Person: N/A

Phone Number/Ext.:

E-mail Address: @cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

Resolution approving the Business Travel Report for Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In in Washington, DC in April 2016 for an estimated amount of \$3,410.
CIP/DID #WTR030816-002

EnvisionCR Element/Goal: InvestCR Goal 2: Cultivate a skilled workforce by providing cutting-edge training and recruiting talented workers.

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

The estimated travel cost for Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In is \$3,410.

The justification for attendance at the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In is that the Utilities Department must stay current on National Clean Water Policy Decisions and EPA Regulations.

Action/Recommendation: The Utilities Department recommends that City Council approve the Resolution authorizing Stephen Hershner, Utilities Director, to attend the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In in Washington, DC in April 2016.

Alternative Recommendation: N/A

Time Sensitivity: NA

Resolution Date: 3/08/16

Budget Information: To be funded from the Utilities Department – Water Pollution Control fiscal year 2016 operations and maintenance budget and coded to 542102-611-611004-611054.

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Utilities Department recommends that Stephen Hershner, Utilities Director, be authorized to attend the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In in Washington, DC in April 2016, and

WHEREAS, the estimated costs are \$3,410.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Stephen Hershner, Utilities Director, be hereby approved for him to attend the National Association of Clean Water Agencies (NACWA) 2016 National Water Policy Forum & Fly-In in Washington, DC in April for an estimated amount of \$3,410. The trip cost will be funded from the Utilities Department – Water Pollution Control fiscal year 2016 operations and maintenance budget and coded to 542102-611-611004-611054.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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.: 286-5220

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

Phone Number/Ext.: 286-5224

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing Corey Archer, Erik Moen, Marvin Trimble, Nathan Goodlove, Matthew Humphrey and Zach Hickman, Iowa Task Force 1 members, to attend Structural Collapse Technician 4 training in College Station, TX for a total amount of \$21,266.
 CIP/DID #FIR0308-0010

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

Background: City of Cedar Rapids travel policy requires any travel expenses with a cost of \$3,000 or more to be approved by City Council. The travel costs for the Structural Collapse Technician 4 training for each member exceeds the amount of \$3,000 and is hereby brought to City Council for their approval. The training provides necessary skills and certification to function in the event of a natural disaster, terrorist event, or other major life-saving effort. The Cedar Rapids Fire Department is a sponsoring organization of Iowa Task Force 1, so the training will be paid for by grant monies received.

Action/Recommendation: The Fire Department recommends approval.

Alternative Recommendation: N/A

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: 542102-7862-786200, USAR Project #786214

Local Preference Policy: N/A
Explanation:

Recommended by Council Committee:
Explanation:

RESOLUTION NO. LEG_NUM_TAG

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Cedar Rapids Fire Department has herewith authorized Corey Archer, Erik Moen, Marvin Trimble, Nathan Goodlove, Matthew Humphrey and Zachary Hickman to attend training: Advanced Structural Collapse Technician 4 from April 11 through April 15, 2016. Funding for this travel will be Fire Department Urban Search and Rescue Homeland Security Grant Funds in the amount of \$21,266, Account # 542102-7862-786200, Project # 786214.

1. Corey Archer - \$4,033.20
2. Erik Moen - \$4,033.20
3. Marvin Trimble - \$4,033.20
4. Nathan Goodlove - \$4,033.20
5. Matthew Humphrey - \$4,033.20
6. Zachary Hickman - \$1,100.00

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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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project (**Paving for Progress**).
 CIP/DID #3012127-00

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

Background: This project includes the reconstruction of 14th Avenue SE from 36th Street to 42nd Street. The work includes pavement removal and replacement, sidewalk ramp upgrades, water main replacement, sanitary sewer improvements and storm water improvements.

When infrastructure construction by the City has benefited adjacent land, it has been the City's practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. By state code provisions, the agricultural land can defer assessments until the time they develop. When the land does develop, the City can then review the development proposal (jobs created, taxes generated, etc.) and determine if any Tax Increment Financing (TIF) funds are appropriate to provide the then developer/owner toward the assessment. If TIF funds are used to construct the improvements now and no assessments are proposed, the current agricultural property owner will receive the financial benefit instead of the TIF benefit allocated to the future developer/owner, who actually generates the tax increment. City Council passed the first, preliminary resolution for the construction of improvements on February 23, 2016.

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

This resolution establishes the lot valuations as shown on preliminary assessment schedule under the column "Council Valuations". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Developed parcels shown on the attached plat are recommended to use the City Assessor property value.

14252-27026-00000	14252-56007-00000
14252-56005-00000	14252-51005-00000
14252-56001-00000	14252-79014-00000
14252-79021-00000	14252-80003-00000
14252-80001-00000	

Action/Recommendation: The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.

Alternative Recommendation: funding by TIF and the STP grant, general obligation funds, or the project abandoned.

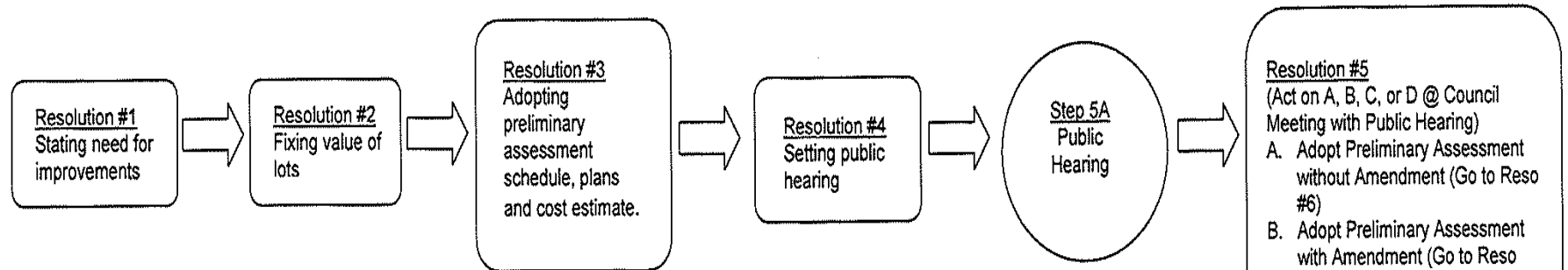
Time Sensitivity: Normal

Resolution Date: March 8, 2016

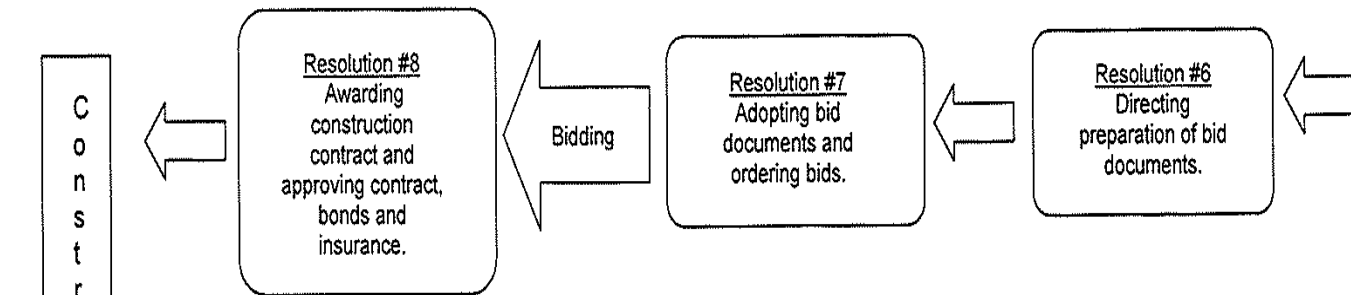
Budget Information: 301/301000/3012127 SLOST

Local Preference Policy: NA
Explanation: NA

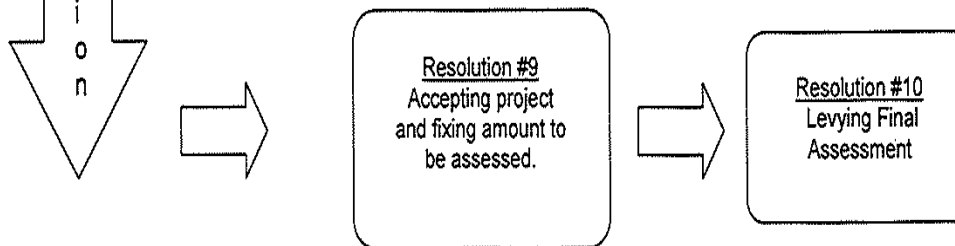
Recommended by Council Committee: NA
Explanation: NA



NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS



FINAL ASSESSMENT ACTIONS



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

Resolution #1
Stating need for
improvements



Resolution #2
Fixing value of
lots

Resolution #3
Adopting preliminary assessment schedule, plans and cost estimate.

Resolution #4
Setting public hearing

Step 5A
Public
Hearing

Step 5A
Public
Hearing

Resolution #5
(Act on A, B, C, or D @ Council Meeting with Public Hearing)

- A. Adopt Preliminary Assessment without Amendment (Go to Reso #6)
- B. Adopt Preliminary Assessment with Amendment (Go to Reso #6)
- C. Deferred for Later Consideration (Return to Reso #5)
- D. Abandon Assessment Project (End)

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND
SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND
SPECIFICATIONS FOR THE CONSTRUCTION OF THE 14TH AVENUE SE FROM 36TH
STREET TO 42ND STREET ROADWAY AND UTILITY IMPROVEMENTS PROJECT,
(CIP No. 3012127-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project, said valuation being set forth in a preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation", and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

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

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

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

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said 14th Avenue SE from 36th Street to 42nd Street Roadway and Utility Improvements project.

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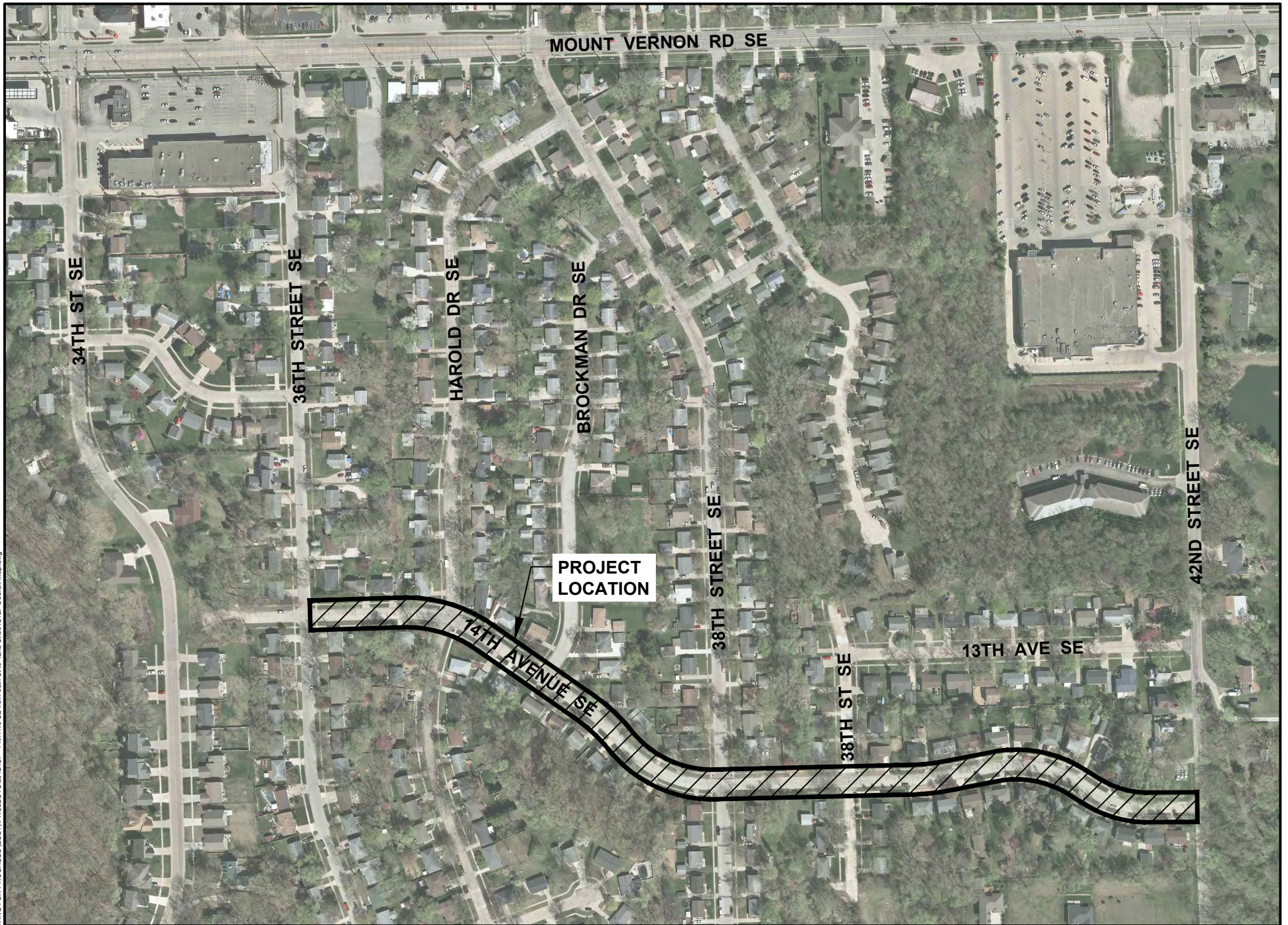
MayorSignature

Attest:

ClerkSignature

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Cadd File Name: W\PAVING FOR PROGRESS\LOST\PROJECTS\3012127 - 14th Ave SE from 36th St to 42nd St\3012127 Council Map.dwg



**14TH AVENUE SE ROADWAY AND UTILITY IMPROVEMENTS
FROM 36TH STREET TO 42ND STREET**





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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project (**Paving for Progress**).

CIP/DID #3012115-00

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

Background: This project includes the reconstruction of Northwood Drive NE, from south of Brookland Drive to 42nd Street. This is Phase 1 of a two phase project that will include reconstruction to Glass Road. The work includes pavement removal and replacement, sidewalk construction, water main replacement, sanitary sewer improvements and storm water improvements.

When infrastructure construction by the City has benefited adjacent land, it has been the City's practice to assess for the benefit they receive. If not assessed, the City is essentially increasing property value at the cost of taxpayers. By state code provisions, the agricultural land can defer assessments until the time they develop. When the land does develop, the City can then review the development proposal (jobs created, taxes generated, etc.) and determine if any Tax Increment Financing (TIF) funds are appropriate to provide the then developer/owner toward the assessment. If TIF funds are used to construct the improvements now and no assessments are proposed, the current agricultural property owner will receive the financial benefit instead of the TIF benefit allocated to the future developer/owner, who actually generates the tax increment. City Council passed the first, preliminary resolution for the construction of improvements on February 23, 2016.

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

This resolution establishes the lot valuations as shown on preliminary assessment schedule under the column "Council Valuations". Per Iowa Code, a special assessment levied cannot exceed 25 percent of the lot valuation. A valuation must be the present fair market value of the property with the proposed public improvement completed. Developed parcels shown on the attached plat are recommended to use the City Assessor property value.

14092-33019-00000	14092-33020-00000
14092-33021-00000	14092-33001-00000
14092-28015-00000	14092-28014-00000
14092-28013-00000	14092-28012-00000
14092-27013-00000	14092-27014-00000
14092-27015-00000	14092-27001-00000
14092-32006-00000	14092-32005-00000
14092-32004-00000	14092-30009-00000
14092-30008-00000	14092-30007-00000
14092-30006-00000	14092-30005-00000
14092-30004-00000	14092-26008-00000
14092-26007-00000	14092-26006-00000

Action/Recommendation: The Public Works Department recommends adoption of the resolution fixing value of lots and adopting preliminary plat and schedule, estimate of cost and proposed preliminary plans and specifications for the construction of the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project.

Alternative Recommendation: Funding by TIF and the STP grant, general obligation funds, or the project abandoned.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: 301/301000/3012115 SLOST

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION FIXING VALUE OF LOTS AND ADOPTING PRELIMINARY PLAT AND
SCHEDULE, ESTIMATE OF COST AND PROPOSED PRELIMINARY PLANS AND
SPECIFICATIONS FOR THE CONSTRUCTION OF THE NORTHWOOD DRIVE NE FROM
SOUTH OF BROOKLAND DRIVE NE TO 42ND STREET NE ROADWAY REHABILITATION
PROJECT,
(CIP No. 3012115-00)

WHEREAS, this Council after full investigation has arrived at a determination of the value of each lot located within the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project, said valuation being set forth in a preliminary schedule entitled "Preliminary Assessment Schedule", under the column therein headed "Property Valuation", and

WHEREAS, this Council has caused to be prepared preliminary plat, schedule and estimate of cost, together with preliminary plans and specifications, for the construction of the Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project and this Council has fixed the valuations of the property proposed to be assessed as shown therein, and

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

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

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

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

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

BE IT FURTHER RESOLVED, that the boundaries of the District for the making of said improvements, as shown in the Engineer plat, be and the same are hereby fixed as the boundaries of said Northwood Drive NE, from South of Brookland Drive NE to 42nd Street NE Roadway Rehabilitation project.

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

Phone Number/Extension: 5141

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

Phone Number/Extension: 5153

Description of Agenda Item: CONSENT AGENDA

Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project. CIP/DID #3012004-00

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

Background: This project is to improve the section of 26th Street SW from 76th Avenue SW to 60th Avenue SW, a distance of approximately one mile. The current roadway has a rural section with granular surfacing and grassed ditches. The proposed street will be Portland Cement Concrete with an integral curb and storm sewer. As part of the project, an undersized culvert will be resized and replaced.

This action continues the proposed improvement project and the related special assessment process. A public hearing was held on December 15, 2015 and a resolution to adopt the preliminary assessment was approved February 23, 2016.

Action/Recommendation: Public Works Department recommends adoption of the resolution directing preparation of detailed plans and specifications on or after March 8, 2016.

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

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: 301/301000/3012004 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING PREPARATION OF DETAILED
PLANS, SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS FOR THE
26TH STREET SW IMPROVEMENTS FROM 76TH AVENUE SW TO 60TH AVENUE SW
PROJECT

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

That Ament Design is hereby ordered and directed to prepare and file with the Clerk detailed plans and specifications for the construction of the 26th Street SW Improvements from 76th Avenue SW to 60th Avenue SW project (CIP No. 3012004-00).

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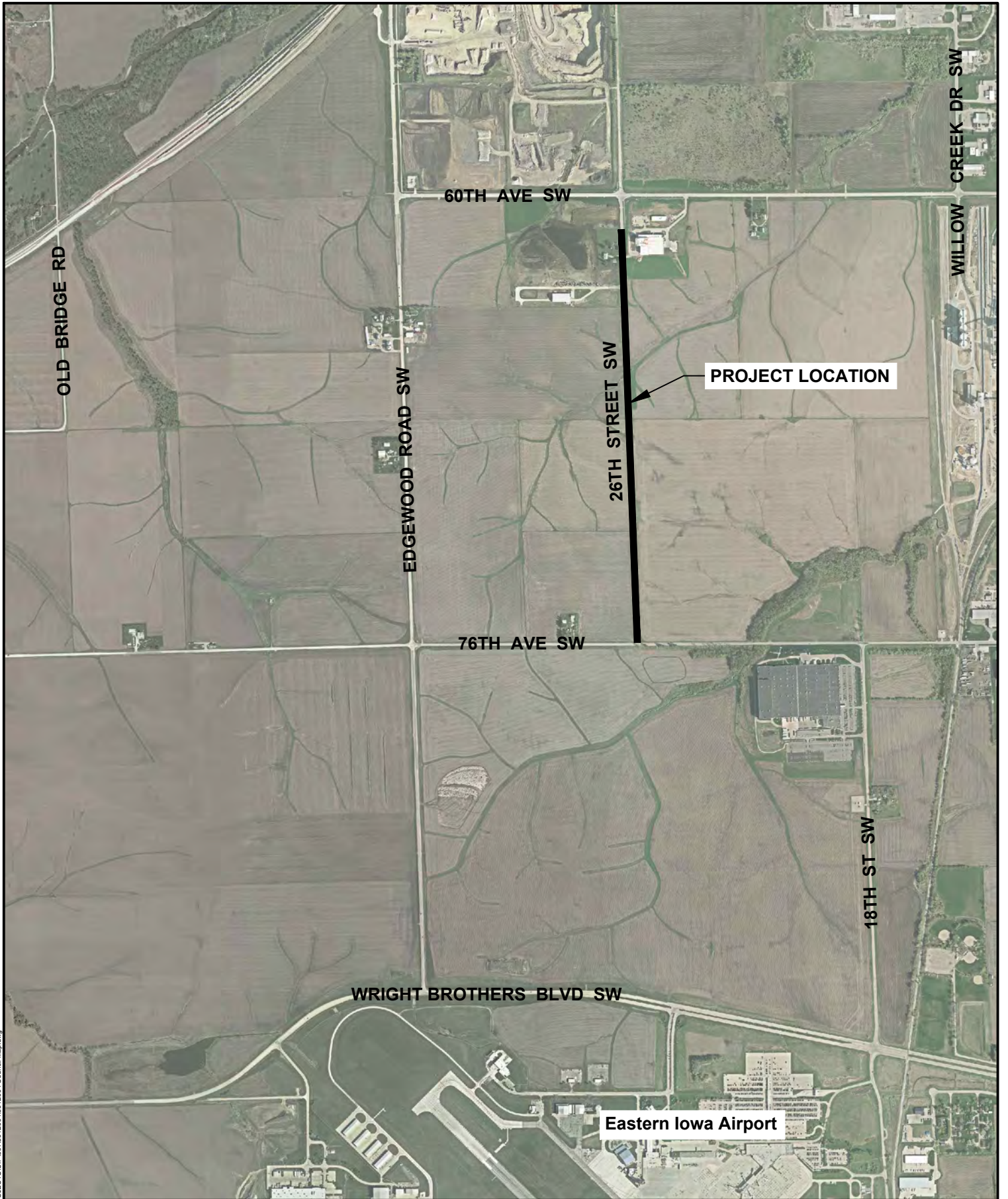
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MayorSignature

Attest:

ClerkSignature

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**26TH STREET SW IMPROVEMENTS FROM
60TH AVENUE SW TO 76TH AVENUE SW
IMPROVEMENT PROJECT**





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: glennv@cedar-rapids.org

Phone Number/Extension: 5821

Description of Agenda Item: CONSENT AGENDA

Resolution directing preparation of detailed plans, specifications, form of contract and notice to bidders for 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.

This action continues the proposed improvement project and the related special assessment process. A public hearing was held on February 23, 2016 and a resolution to adopt the preliminary assessment was approved.

Action/Recommendation: Public Works Department recommends adoption of the resolution directing preparation of detailed plans and specifications on or after March 8, 2016.

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

Time Sensitivity: Normal

Resolution Date: March 8, 2106

Budget Information: 325000, 325008, NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

RESOLUTION DIRECTING PREPARATION OF DETAILED
PLANS, SPECIFICATIONS, FORM OF CONTRACT AND NOTICE TO BIDDERS FOR THE
EDGEWOOD ROAD NW MULTIUSE PATHWAY FROM O AVENUE TO ELLIS ROAD
PROJECT

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

That McClure Engineering Co. is hereby ordered and directed to prepare and file with the
Clerk detailed plans and specifications for the construction of the Edgewood Road NW Multiuse
Pathway from O Avenue to Ellis Road. (CIP No. 325008-00).

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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



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





Council Agenda Item Cover Sheet

Submitting Department: Public Works 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 Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project.
 CIP/DID # 3012001-00

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

Background: Construction has been substantially completed by Peterson Contractors, Inc. for the subject project. This is a previously approved Capital Improvements Project (CIP No. 305121-02 and CIP No. 3012001-00) with a total cost of completed work to date of \$2,024,499.98. Amount proposed to be assessed to two benefiting properties is \$18,644. The preliminary assessment amount of \$18,644 was approved by City Council on January 14, 2014. 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) a resolution is proposed 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 March 8, 2016 due to assessment schedule per State code timeline.

Resolution Date: March 8, 2016

Budget Information: CIP No. 3012001-00, 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 Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project, within the City, under contract with Peterson Contractors, Inc. of Reinbeck, Iowa, which final plat and schedule was filed in the office of the Clerk on the 2nd day of March, 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	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 SHARED USE PATH ON EDGEWOOD ROAD SW FROM
PRAIRIE VALLEY COURT SW TO 37TH AVENUE SW PROJECT
WITHIN THE CITY OF CEDAR RAPIDS, IOWA

TO THE PERSONS OWNING LAND LOCATED WITHIN THE DISTRICT DESCRIBED AS THE
SHARED USE PATH ON EDGEWOOD ROAD SW FROM PRAIRIE VALLEY COURT SW TO
37TH AVENUE SW PROJECT WITHIN THE CITY OF CEDAR RAPIDS, IOWA:

Consisting of the properties which are described as follows:

190635100300000
PRAIRIE VALLEY BUSINESS PARK 1ST LOT EX RD

190632800200000
ROYAL HEIGHTS COMMERCIAL 1ST STR/LB 2 EX RD

The extent of the work completed on the Shared Use Path on Edgewood Road SW from
Prairie Valley Court SW to 37th Avenue SW project is as follows:

Sidewalk construction along the east side of Edgewood Road from Prairie Valley Court SW
to 37th Avenue SW.

You are hereby notified that the final plat and schedule of assessments against benefited
properties within the District described as the Shared Use Path on Edgewood Road SW from
Prairie Valley Court SW to 37th Avenue SW project, 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 Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW within the city, 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.

Amy Stevenson
Clerk of the City of Cedar Rapids, Iowa

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 8th day of March, 2016, the said Council did levy special assessments for and on account of the cost of construction of the Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project, under contract with Peterson Contractors, Inc. of Reinbeck, Iowa, on the following or portions thereof, in said Municipality, to-wit:

190635100300000
PRAIRIE VALLEY BUSINESS PARK 1ST LOT EX RD

190632800200000
ROYAL HEIGHTS COMMERCIAL 1ST STR/LB 2 EX RD

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

Shared Use Path on Edgewood Road SW from Prairie Valley Court SW to 37th Avenue SW project

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 February 23, 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 8th day of March, 2016.

ClerkSignature

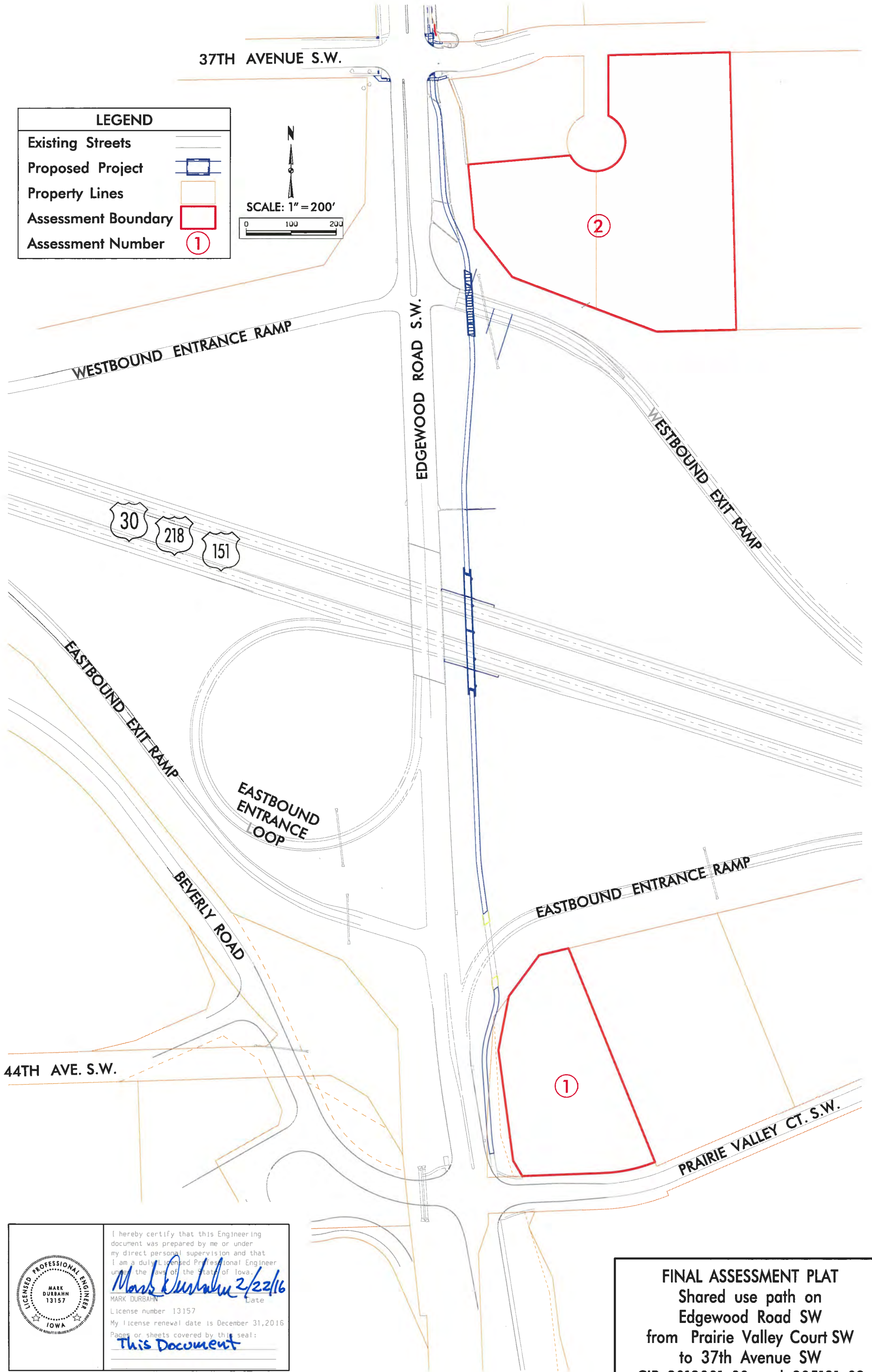
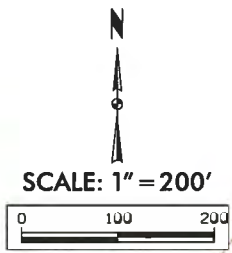
I hereby certify that on the ____ day of _____, 2016, there was filed with me as County Treasurer of Linn County, State of Iowa, an executed copy of the certificate of the City Clerk of Cedar Rapids, Iowa, hereinabove set out, relating to the levy of special assessments, covering the recently completed 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 March 8, 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 March 8, 2016.

Building Permit Official of the City of Cedar
Rapids, Iowa

LEGEND	
Existing Streets	
Proposed Project	
Property Lines	
Assessment Boundary	
Assessment Number	



I hereby certify that this Engineering document was prepared by me or under my direct personal supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Iowa.
Mark Durbahn 2/22/16
 MARK DURBAHN Date
 License number 13157
 My license renewal date is December 31, 2016
 Pages or sheets covered by this seal:
 This Document

FINAL ASSESSMENT PLAT
 Shared use path on
 Edgewood Road SW
 from Prairie Valley Court SW
 to 37th Avenue SW
 CIP 3012001-00 and 305121-02



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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Resolution setting a public hearing for April 12, 2016 to consider the Resolution of Necessity (Proposed) for the construction of the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project (**Paving For Progress**).
 CIP/DID #3012126-00

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

Background: This project proposes to rehabilitate 29th Street Drive SE from 1st Avenue to Tama Street. The work includes milling and resurfacing, installation of sidewalk, sidewalk ramp upgrades, water main replacement, sanitary sewer improvements and storm water improvements.

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.

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

A public hearing is proposed for April 12, 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 April 12, 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 and the STP (Surface Transportation Program) grant, general obligation funds, or the project abandoned.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

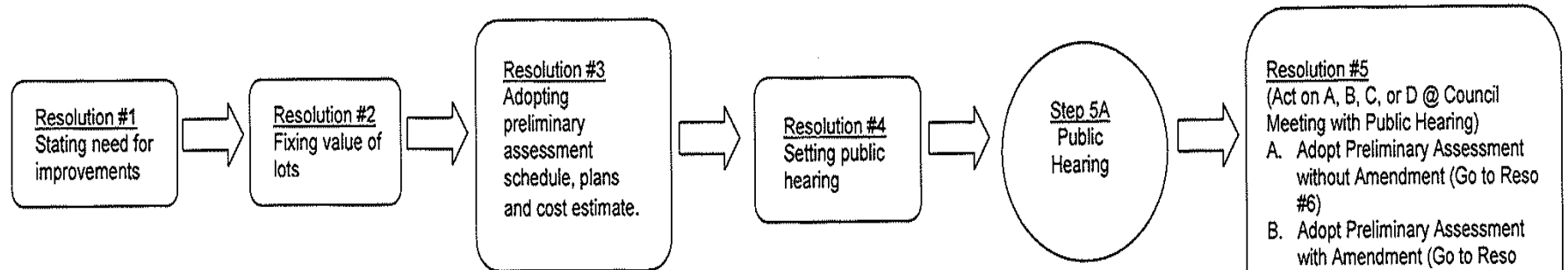
Budget Information: 301/301000/3012126 SLOST

Local Preference Policy: NA

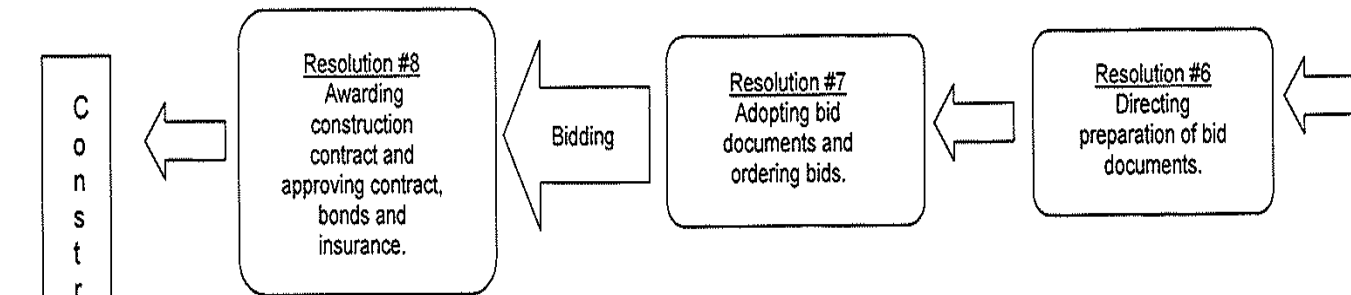
Explanation: NA

Recommended by Council Committee: NA

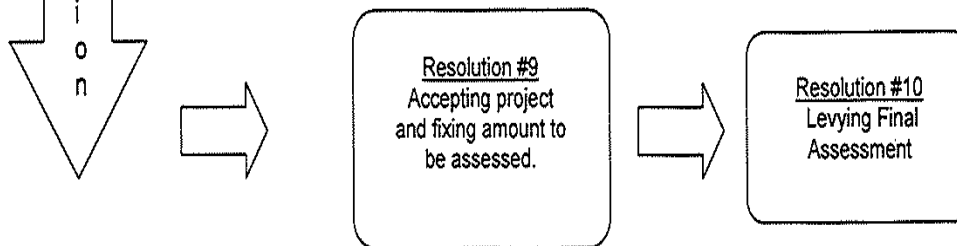
Explanation: NA



NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS

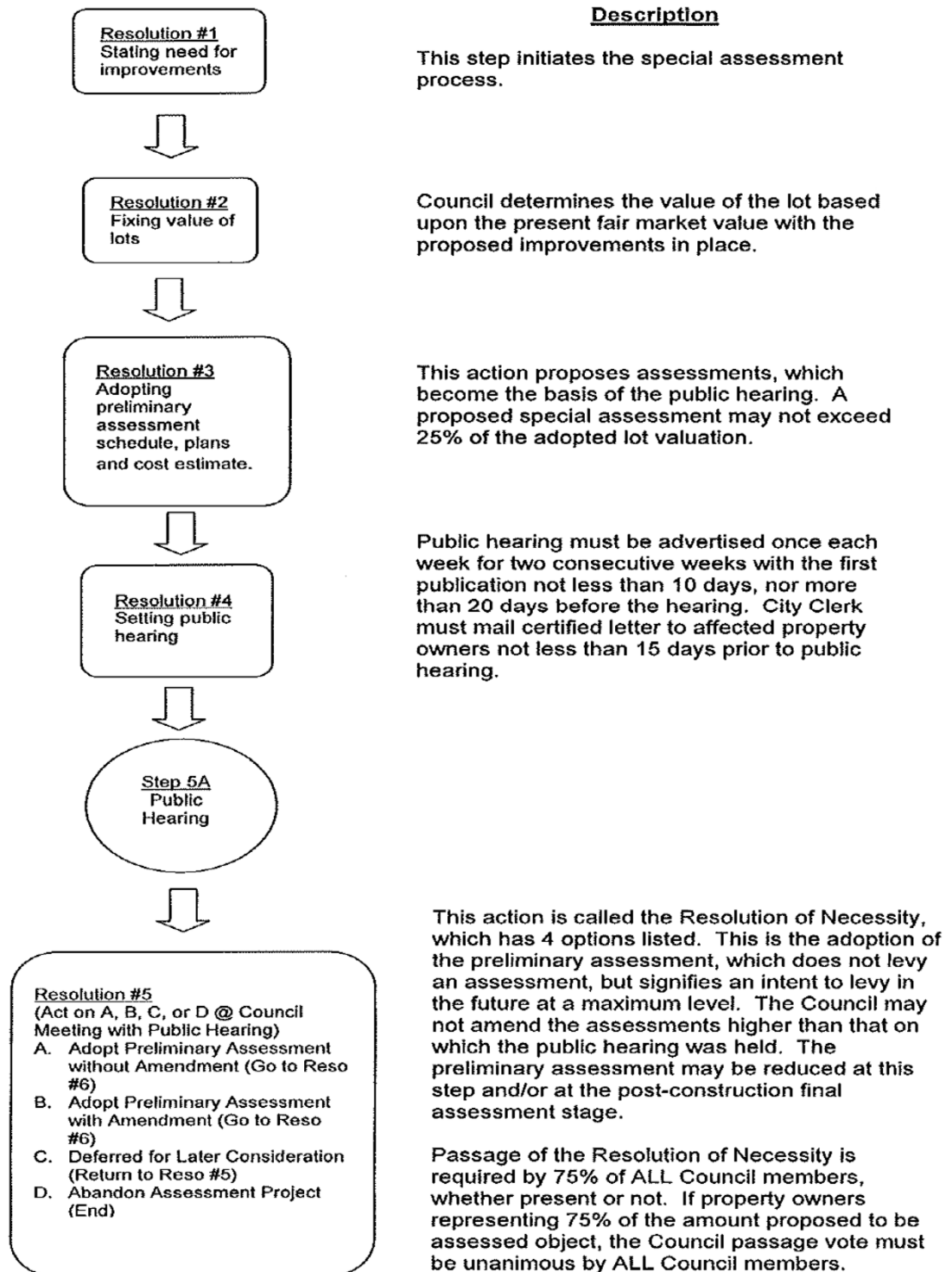


FINAL ASSESSMENT ACTIONS



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

CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



RESOLUTION NO. LEG_NUM_TAG

RESOLUTION SETTING A PUBLIC HEARING DATE FOR APRIL 12, 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 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project as hereinafter described, in Cedar Rapids, Iowa:

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

That it is deemed desirable, advisable and necessary to construct as a single improvement the 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project in Cedar Rapids, Iowa.

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

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

The method of construction shall be by contract.

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

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

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

BE IT FURTHER RESOLVED, that the Cedar Rapids City Council meet at 12:00 p.m., on the 12th day of April, 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:

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

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 29th Street Drive SE from 1st Avenue to Tama Street Roadway Improvements project of the types and in the location as follows:

GPN & Legal Description:

Sidewalk Improvements

14113-81006-00000 MC GREW'S 1 ST CR Block:1 Lot:6 PT MC GREW'S 1 ST CR Block:1 Lot:7 PT MC GREW'S 1 ST CR Block:1 Lot:8	14113-80013-00000 MC GREW'S 1 ST E 53' LOT 2 BLK 2
14113-80014-00000 MC GREW'S 1 ST LO4 BLK 2 EXCEPT E 50'	14113-80015-00000 MC GREW'S 1 ST E 50' LOT 2 BLK 2
14113-80019-00000 MC GREW'S 1 ST LOTS 6, 8,& 10 BLK 2 EXCEPT AS DESC IN V6568/P462	14113-80018-00000 LANDS (LESS SPEAR) & (LESS BRODERICK) THAT PT OF THE S 1/2 E OF CREEK & S OF AP 148 SEC 11 TWP 83 R 7
14114-57008-01001 PART OF SW-SE SEC 11-83-7	

Sanitary Sewer Service Improvements

14142-01007-00000 A.P. #235 LOT 6	14114-79008-00000 KENWOOD HEIGHTS LOTS 114 &115 & VAC ST E OF & ADJ THERETO
14114-55001-00000 PT E1/2 SW1/4 SE1/4 SEC 11-83-07	14114-52004-00000 KENWOOD HEIGHTS Lot:75 E 81' W 366' MEAS ON S LN LOT 75 & SE & SW 7.5' VAC ALLEY N'LY OF & ADJ THERETO
14114-53006-00000 SMILEYS 1 CR Lot:2	14114-53005-00000 SMILEYS 1 CR Lot:1
14114-78005-00000 KENWOOD HEIGHTS LOTS 159, 160, 161, & 162	14142-01008-00000 A.P. #235 LOT 7
14142-01005-00000 A.P. #235 W1/2 LOT 3 & LOT 4	14142-01004-00000 A.P. #235 W30' LOT 1 & LOT 2 & E1/2 LOT 3

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

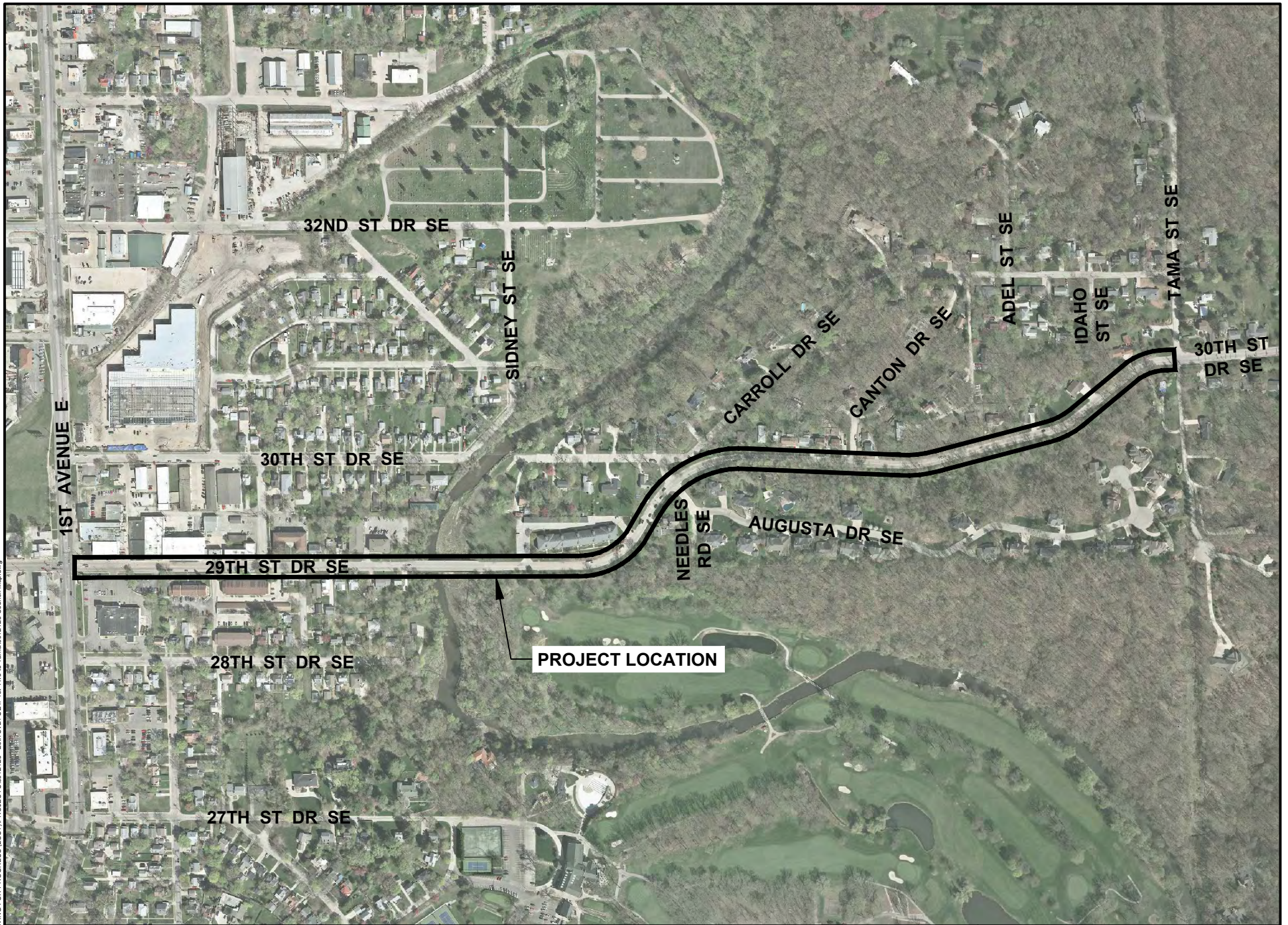
Construct Portland Cement Concrete sidewalk and remove and replace bituminous fiber (Orangeburg) sanitary sewer services

The Cedar Rapids City Council will meet at 12:00 p.m., on the 12th day of April, 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)





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 March 8, 2016 to consider granting a change of zone for property south of 66th Avenue SW and west of Kirkwood Boulevard SW from C-1, Mixed Neighborhood Convenience Zone District, to C-2, Community Commercial Zone District requested by The Votroubek Real Estate Group and Kirkwood Community College.
 CIP/DID # RZNE-022606-2016

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

Background: The request for a Rezoning with a Preliminary Site Development Plan will be reviewed by the City Planning Commission on March 10, 2016 and a portion of the minutes will be included prior to the City Council public hearing.

This is a request to rezone 1.8 acres to the C-2 Zoning District to allow the property to be developed for commercial/retail purposes with drive-through facilities. The property is currently zoned C-1 and has not been previously developed. The site plan depicts a 9,400 SF building. The property is identified as "Urban Medium-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 will review the application on March 10, 2016 and make a recommendation for City Council. 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 March 22, 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 setting a public hearing.

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

Time Sensitivity: NA

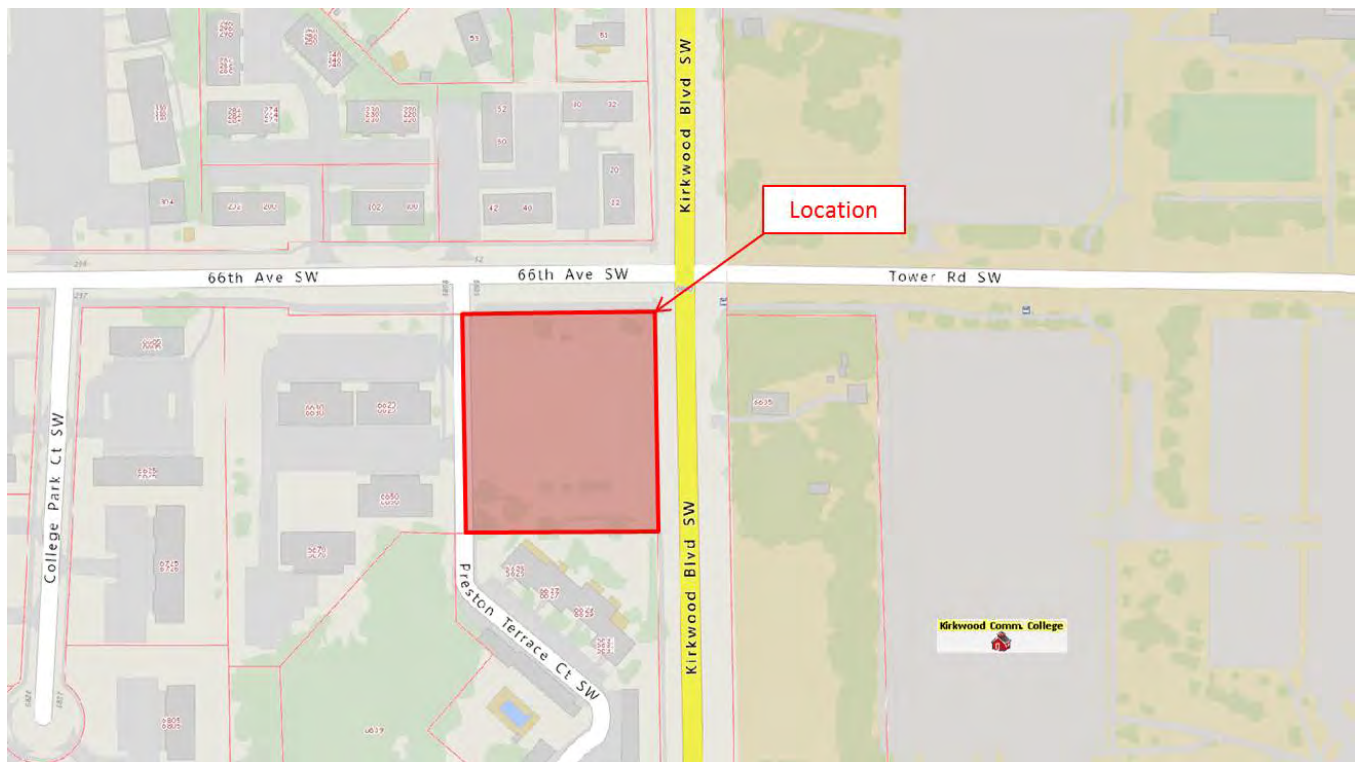
Resolution Date: NA

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: Civil Rights

Presenter at Meeting: LaSheila Yates
E-mail Address: l.yates@cedar-rapids.org

Phone Number/Ext.: 5004

Alternate Contact Person: Alicia Abernathey
E-mail Address: a.abernathey@cedar-rapids.org

Phone Number/Ext.: 5864

Description of Agenda Item: Motions setting public hearings
 Motion setting a public hearing for March 22, 2016 to consider amending Chapter 69 of the Municipal Code, Section 69.04 of the Cedar Rapids Civil Rights Commission, to reduce the number of members from nine to seven.

CIP/DID # CVR-2016-03PH

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

Background: Recruitment of qualified persons interested in serving on the Civil Rights Commission has been an issue on several occasions. The Commission has also seen a decrease in attendance of Commissioners at meetings, events, and activities.

The Civil Rights Commission is recommending an ordinance amendment to reduce the Cedar Rapids Civil Rights Commission from nine (9) to seven (7) persons. The reduction of the Commission will mirror the membership size of other comparable communities. With the exception of Sioux City, other similarly situated communities across Iowa have between seven (7) to nine (9) volunteer commission members. In addition, the Commission will not exceed the size of the Cedar Rapids City Council, which currently has nine members.

The proposed amendment was previewed and recommend for approval at the Civil Rights Commission meeting on February 17, 2016.

Action/Recommendation: The Civil Rights Commission recommends setting a public hearing.

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

Time Sensitivity: May 10, 2016 – Prior to 2016 Board and Commission Appointments

Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: No

Explanation: NA

Recommended by Council Committee: NA

Explanation: 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 March 22, 2016 and advertising for bids by publishing notice to bidders for the Bridge Replacement, McCloud Place NE over McCloud Run project, with bid opening scheduled for March 15, 2016 at the Iowa Department of Transportation (estimated cost is \$1,000,000). CIP/DID #305031-03

EnvisionCR Element/Goal: ConnectCR Goal 2: Build a complete network of connected streets.

Background:

The June 2009 Biennial Bridge Inspection Report stated the existing multi-span steel girder bridge that is more than 75 years old has deteriorated to the point extensive repair or replacement is recommended. City staff determined the best long-term solution would be to replace the bridge. The City submitted a letter in September of 2011 requesting this bridge be listed on the IDOT City Bridge Candidate List for Federal and State Bridge replacement funding. The City was notified on February 6, 2012 the McCloud Place Bridge ranked high enough on the list to receive funding. The Federal and State funding will pay 80% of the eligible project costs. The project will include replacement of the bridge and street improvements from the bridge to Center Point Road.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, and form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: The Council could defer approval or abandon the project. However, deferral of the project would result in the project needing to be re-bid.

Time Sensitivity: Normal

Resolution Date: March 22, 2016

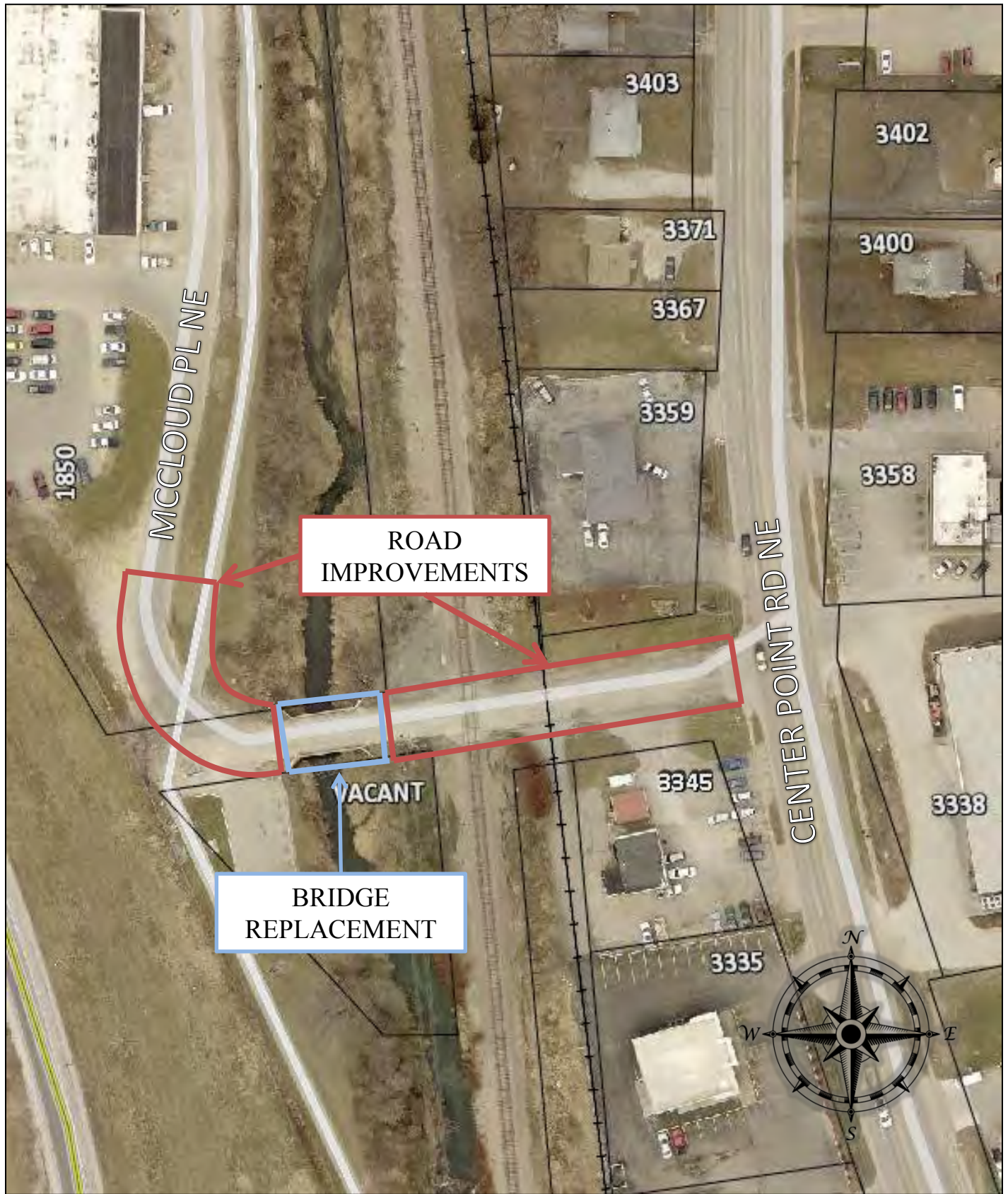
Budget Information: \$713,000 Federal Bridge Replacement funds, \$287,000 City funds.

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

Phone Number/Extension: 5141

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the Seminole Valley Road NE – Sanitary Sewer Improvement Project, 42nd Street from Seminole Valley Road NE to Edgewood Road NE, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 23, 2016 (estimated cost is \$1,312,000)

(Paving for Progress).

CIP/DID #3012116-02

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

Background: This project is the first phase of two phases and includes the extension of sanitary sewer on Seminole Valley Road NE from south of Bristol Place NE approximately 800' north, reconstruction of Seminole Valley Road within the same limits, and patching and profile work on 42nd street from Seminole Valley Road to Edgewood Road NE. Construction on this first phase is scheduled to begin by late spring of 2016 and be completed by late fall 2016.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: The alternative is to defer construction until a later date, repackaging or abandon the project.

Time Sensitivity: Normal

Resolution Date: March 22, 2016

Budget Information: 301/301000/3012116 SLOST, 6550000/6550035 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



**SEMINOLE VALLEY ROAD NE – SANITARY SEWER
IMPROVEMENT PROJECT, 42ND STREET FROM SEMINOLE
VALLEY ROAD NE TO EDGEWOOD ROAD NE**



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5808

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

Phone Number/Extension: 5803

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the Cedar Riverwalk 2nd Avenue to 3rd Avenue SE project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 30, 2016 (estimated cost is \$80,000).

CIP/DID #3315507-10

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

Background: This is the former parking ramp site, which precluded access to and enjoyment of the Cedar River. With its redevelopment into the CRST office building, the City of Cedar Rapids has reserved land along the Cedar River for a river walk and flood wall. The CRST building serves as a flood wall and its base will be a 10-14 foot wide river walk, in accordance with the adopted 2015 Flood Control System master plan. The project is scheduled for late summer 2016, when the exterior of the CRST building is complete.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: None. This project is in accordance with the approved Flood Control Master plan and the approved agreement with CRST for the office building construction.

Time Sensitivity: Normal

Resolution Date: March 22, 2016

Budget Information: GRI - \$80,000

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

Phone Number/Extension: 5141

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the 8th Avenue SW Roadway Improvements from L Street to 7th Street project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 30, 2016 (estimated cost is \$700,000) **(Paving for Progress)**.
 CIP/DID #3012151-02

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

Background: This project will include rehabilitation of 8th Avenue SW from L Street SW to 7th Street SW, including pavement patching, hot mix asphalt (HMA) overlay, and curb ramp replacement to meet Americans with Disabilities (ADA) guidelines. The traffic signal at 8th Avenue SW and 6th Street SW will be also be replaced as a part of the project. Construction is scheduled to begin by late spring of 2016.

Action/Recommendation: The Public Works Department recommends approval of the Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: The alternative is to defer construction until a later date, repackaging or abandon the project.

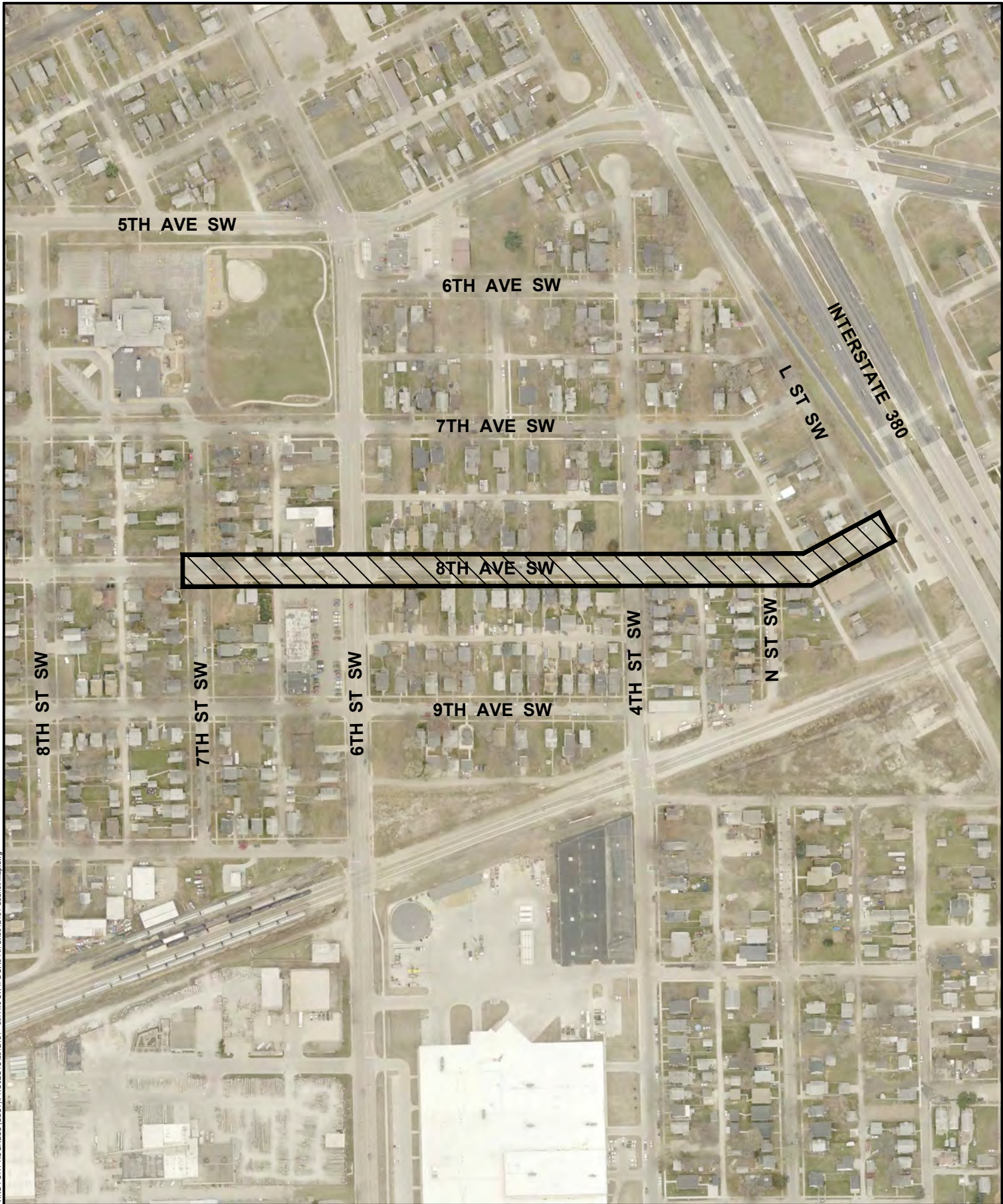
Time Sensitivity: Normal

Resolution Date: March 22, 2016

Budget Information: 301/301000/3012151 SLOST, 306/306000/306272 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



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**8TH AVENUE SW FROM
L STREET SW TO 7TH STREET SW
REHABILITATION PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Nate Kampman, PE **Phone Number/Extension:** 5628

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

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

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

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the 2016 Sidewalk Infill Project, Phases 1 & 2 and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on March 30, 2016 (estimated cost is \$420,000.

CIP/DID #3012074-02

EnvisionCR Element/Goal: ConnectCR Goal 1: Provide choices for all transportation users: inter- and intra-city.

Background: The 2016 Sidewalk Infill Project, Phases 1 & 2 will fill in gaps throughout the city and increase mobility for all pedestrians as part of the Blue Zones program. Americans with Disabilities Act (ADA) states that sidewalk gaps shall be installed to become ADA Compliant.

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 the 2016 Sidewalk Infill project and advertising for bids by publishing notice to bidders for the project.

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

Time Sensitivity: Normal

Resolution Date: NA

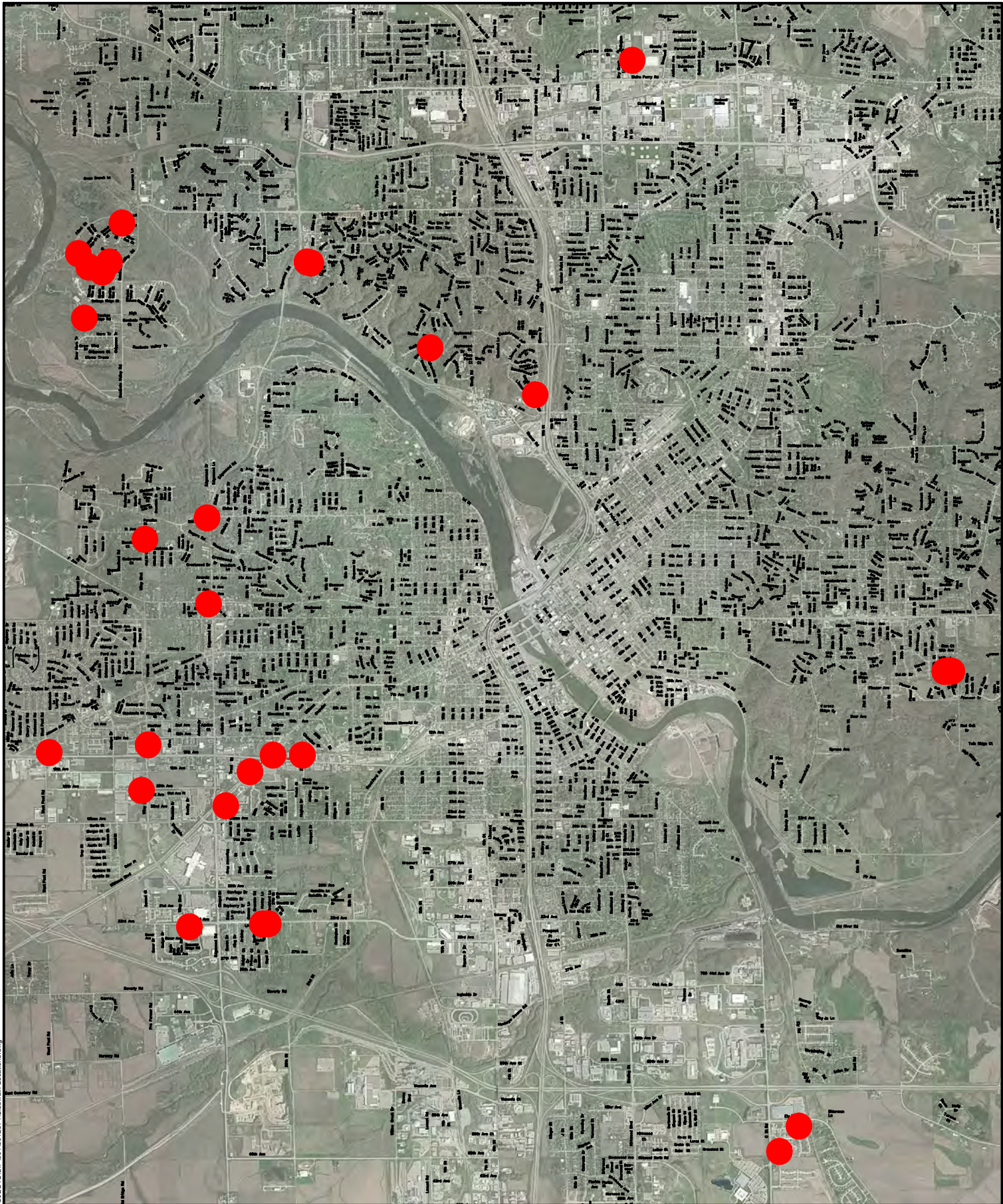
Budget Information: 301/301000/3012074 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

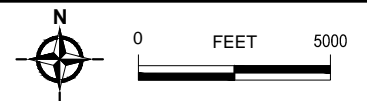
Explanation: NA



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SIDEWALK ASSESSMENT LOCATIONS





Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5808

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

Phone Number/Extension: 5803

Description of Agenda Item: Motions filing plans and specifications

Motion filing plans, specifications, form of contract, estimated costs, setting a public hearing date for March 22, 2016 and advertising for bids by publishing notice to bidders for the Flood Risk Control System NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project, and authorizing the City Engineer, or designee, to receive and open bids and publicly announce the results on April 6, 2016 (estimated cost is \$7,000,000).

CIP/DID #3316510-10

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

Background: As part of the Cedar River Flood Control System (FCS), levees, walls, gates and pump stations will be constructed to protect the both the east and west banks of the Cedar River from flooding similar to that which was seen in 2008. The City Council adopted the Cedar River FCS Master Plan on June 23, 2015, which includes a pump station in the Park and Ride Lot 44.

A pump station is necessary during flooding situations, because the normal storm sewer pipes to the Cedar River will be closed to prevent river water from entering the pipes and backing up into the city and flooding it through the pipes. The pump station will collect rainfall in the storm sewers from the land side of the levee and pump it over the levee and into the Cedar River. This protects from rainfall (not river) flooding on the landside of the levee.

This particular pump station will be a brick building, built to house three 12,000 gallons per minute pumps. An exterior pad mounted backup generator is included with the project. This project will install one of those pumps. As the rest of the FCS is completed, the additional two pumps will be added. This will ultimately provide pumping capacity for a 5 year rainfall event, with two pumps operating and one backup pump. This pump station effectively protects to a 100 year event, because there is a 1-in-100 chance per year that there will be a 5 year rainfall event while the river would be flooding and the gravity pipes to the river are closed.

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 Flood Risk Control System NewBo/Parking Lot 44 Pump Station at 10th Avenue SE project and advertising for bids by publishing notice to bidders for the project.

Alternative Recommendation: None. This project is in accordance with the adopted FCS Master Plan and the project should be under contract before the end of fiscal year 2016 to ensure fiscal year 2016 GRI funds are fully obligated.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: GRI - 100%

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: Yes

Explanation: Flood Control Committee



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: Jonathan Mouw
E-mail Address: j.mouw@cedar-rapids.org

Phone Number/Ext.: 5296

Description of Agenda Item: Motions filing plans and specifications
 March 22, 2016 – Seminole River Bank Armoring project, with bid opening on April 13, 2016
 (estimated cost is \$208,000).

CIP/DID #6250045-02

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

Background:

The City of Cedar Rapids obtains water through wells placed alongside the Cedar River. Raw water from the well fields is transmitted through raw water pipelines to two separate water treatment plants. Erosion in several locations in the City's Seminole Well Field is threatening the Seminole raw water transmission main, and eroding the roadway access along the well field.

The objective of the Project is to stabilize approximately 1500 feet of riverbank and provide adequate protection of at-risk City infrastructure.

A pre-bid meeting will be held on March 22, 2016 at the Water Department Administration Building at 10:00 a.m. Bids will be opened and publicly announced on April 13, 2016.

Action/Recommendation: The Utilities Department Water Division staff recommends that the plans and specifications be filed with the City Clerk's Office on March 8, 2016 and a Notice of Hearing and Letting be published on March 12, 2016. A Public Hearing is scheduled for March 22, 2016 and bids opened on April 13, 2016.

Alternative Recommendation: None

Time Sensitivity: 3-08-16

Motion Date: 3-08-16

Budget Information:

1. **Included in Current Budget Year.** Yes, funding for the Seminole River Bank Armoring project is included in the FY16 Water budget. Project costs will be coded to 553000-625-625000-6250045.

2. **Analysis if the expenditure is within budgeted expectations, i.e. some type of budget to actual comparison:** There is currently \$200,000 budgeted in the FY16 CIP budget and \$150,000 in the projected FY17 budget for the construction of the Seminole River Bank Armoring project. Additional funds are available by adjusting other items in the CIP budget or from reserves.
3. **Purchasing Department used or Purchasing Guidelines followed:** Yes, the project is being publicly bid as a Capital Improvement Project.

Local Preference Policy: No

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. Dollar General #9141, 3451 Mt. Vernon Road SE.

CIP/DID #CIG002028-06-2015

- b. Family Dollar #4541, 901 1st Avenue SW.

CIP/DID #CIG001953-06-2015

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

Background: These violations occurred on December 9, 2015 (Family Dollar #4541) and on December 16, 2015 (Dollar General #9141) 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: Access the civil penalties 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: Alcohol licenses

- a. Beef O'Brady's, 5240 Edgewood Road NE.
- b. Bricks Bar & Grill, 320 2nd Avenue SE (additional outdoor service area for an event in March 16-18, 2016).
- c. Broken Spoke, The, 2010 Sylvia Avenue NE.
- d. Cedar Rapids Kernels, 950 Rockford Road SW.
- e. Coe College, 1220 1st Avenue NE (transfer for an event at 50 2nd Avenue Bridge, Veteran's Memorial Building, on March 18-19, 2016).
- f. Cottage Grove Place, 2115 1st Avenue SE.
- g. Guppy's On The Go, 1532 Ellis Boulevard NW.
- h. Guppy's On The Go, 235 Edgewood Road NW.
- i. Hill Brothers Jiffy Mart, 1904 Mt. Vernon Road SE.
- j. Hy-Vee Gas #7, 3935 Blairs Ferry Road NE.
- k. Lone Star Steakhouse & Saloon, 4545 1st Avenue SE.
- l. Playtime Tap, 933 14th Avenue SW.
- m. Road Ranger #5147, 1430 1st Avenue NE.
- n. Road Ranger #5149, 2349 Blairs Ferry Road NE.
- o. Road Ranger #5150, 3330 16th Avenue SW.
- p. Road Ranger #5151, 380 Blairs Ferry Road NE.
- q. Ruby's Pizzeria, 223 2nd Street SE (new – new ownership).
- r. Tom's Homeport, 624 Center Point Road NE (outdoor service for an event on March 10-14, 2016).
- s. Townsquare Live Events, 240 Greenwich Avenue, Greenwich, CT (5-day permit for an event on March 12, 2016 at Doubletree by Hilton, 350 1st Avenue NE).

CIP/DID # OB1145716

EnvisionCR Element/Goal: ProtectCR Goal 3: Maintain and provide quality services to the
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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: March 3, 2016

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Beef O'Brady's 5240 EDGEWOOD RD NE	9	0	0	0
Bricks Bar & Grill 320 2ND AVE SE	49	0	0	10
Broken Spoke, The 2010 SYLVIA AVE NE	7	0	0	1
Cedar Rapids Kernels 950 ROCKFORD RD SW	53	0	0	1
Coe College 50 2ND AVE BRG	0	0	0	0
Cottage Grove Place 2115 1ST AVE SE	34	0	0	0
Guppy's On The Go 235 EDGEWOOD RD NW	72	0	1	7
Guppy's On The Go 1532 ELLIS BLVD NW	152	0	0	6
Hill Brothers Jiffy Mart 1904 MT VERNON RD SE	9	0	0	2
Hy-Vee Gas #7 3935 BLAIRS FERRY RD NE	19	0	0	0
Lone Star Steakhouse & Saloon 4545 1ST AVE SE	5	0	0	1
Playtime Tap 933 14TH AVE SW	23	0	0	2
Road Ranger #5147 1430 1ST AVE NE	326	0	0	13
Road Ranger #5149 2349 BLAIRS FERRY RD NE	229	0	0	7

Road Ranger #5150	88	0	1	19
3330 16TH AVE SW				
Road Ranger #5151	65	0	0	4
380 BLAIRS FERRY RD NE				
Ruby's Pizzeria	0	0	0	0
223 2ND ST SE				
Tom's Homeport	12	0	0	0
624 CENTER POINT RD NE				
Townsquare Live Events	0	0	0	0
350 1ST AVE NE				



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

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

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

Alternative Recommendation: NA

Time Sensitivity: Normal

Resolution Date: 3/8/2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the following payrolls have been examined and approved by the proper departments, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Finance Director be and is hereby authorized and directed to issue checks in favor of the holders thereof and for various amounts and that the money necessary for payment of the same is hereby appropriated from the different funds.

Department	Total	Department	Total
Animal Control	\$ 23,862.42	Human Resources	\$ 34,493.52
Aquatics Operation	\$ 9,493.94	Information Technology	\$ 85,697.14
Attorney	\$ 20,252.14	Joint Communications	\$ 59,532.93
Building Services Division	\$ 71,665.98	Library Grants	\$ 6,091.20
CD – Federal Programs	\$ 35,608.52	Parks Operations	\$ 110,359.21
Cedar Rapids Public Library	\$ 123,001.67	Police	\$ 664,768.18
City Band	\$ 0,000.00	Public Works	\$ 22,833.61
City Manager	\$ 42,893.32	Public Works – Engineering	\$ 105,168.09
Civil Rights	\$ 12,662.31	Purchasing Service	\$ 11,451.81
Clerk	\$ 11,827.61	Recreation	\$ 29,727.41
Community Develop – DOD	\$ 33,173.01	Sewer Operations	\$ 55,162.70
Council	\$ 7,115.45	Street Operations	\$ 141,234.07
Development Services	\$ 35,369.80	Traffic Engineering	\$ 48,778.97
Facilities Maint Service	\$ 45,669.76	Transit	\$ 109,735.03
Finance	\$ 14,313.60	Treasury Operations	\$ 11,980.80
Finance – Analysts	\$ 14,965.60	Utilities	\$ 12,957.27
Financial Operations	\$ 42,850.88	Utilities – Solid Waste	\$ 95,605.35
Fire	\$ 396,099.66	Veterans Memorial	\$ 16,530.38
Five Seasons Parking	\$ 7,154.40	Water Operations	\$ 264,220.65
Fleet Maintenance	\$ 79,197.93	Water Pollution Control	\$ 184,729.36
Golf Operations	\$ 26,007.70	Grand Total	\$ 3,124,243.38

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LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: City Clerk

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

Phone Number/Ext.: 319-286-5061

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

Phone Number/Ext.: 319-286-5272

Description of Agenda Item: Boards and commissions
 Resolutions appointing and thanking the following individuals:

- a. Appointing Jessalyn Holdcraft (effective through June 30, 2017) and David Castelluccio (effective through June 30, 2018) to the Czech Village–New Bohemia Self-Supported Municipal Improvement District Commission.

CIP/DID #CD-0005-2015

- b. Vote of thanks to Sara Marino for serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

CIP/DID #OB400545

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

Background: This agenda includes appointments for the two remaining vacancies on the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission. This agenda also includes a vote of thanks for a member who will no longer be serving on the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

Action/Recommendation: Approve resolutions as presented.

Alternative Recommendation:

Time Sensitivity: None

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

APPOINTMENT

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 the following individuals to serve on the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission for the terms as indicated or until a successor is appointed and qualified:

<u>Commissioner</u>	<u>Term Beginning</u>	<u>Term Expiration</u>
Jessalyn Holdcraft	03/08/2016	06/30/2017
David Castelluccio	03/08/2016	06/30/2018

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 Jessalyn Holdcraft and David Castelluccio to the Czech Village-New Bohemia Self-Supported Municipal Improvement District Commission for the terms indicated above is hereby given.

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MayorSignature

Attest:

ClerkSignature

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RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Sara Marino has devoted considerable time and effort as a member of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that a vote of thanks and appreciation be and is hereby provided to Sara Marino for serving as a member of the Section 8 Housing Choice Voucher (HCV) Program Resident Advisory Board.

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MayorSignature

Attest:

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 approving the special event application for Brick's St. Patrick's Day Celebration event (includes alley closure) on March 17, 2016. CIP/DID #SPEC-048942-2016

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

Background:

Referencing the Special Event application received for the above special event which is requesting permission to hold activities with a street closure, approval is recommended subject to the conditions stated on the attached resolution.

Action/Recommendation: Approve resolution for the event.

Alternative Recommendation:

Time Sensitivity: .

Resolution Date: 03/08/16

Budget Information:

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Tim Kindl, on behalf of Brick's Bar & Grill, has requested approval for the Brick's St. Patrick's Day celebration event beginning in the alley directly behind Brick's at 320 2nd Avenue SE on Thursday, March 17, 2016 with event start time of 9 AM, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, approval of this event is recommended subject to the following conditions:

1. Applicant shall provide adequate rest room facilities.
2. Applicant is restricted to hours of operation between Thursday, March 17, 2016 from 9 AM to Friday, March 18, 2016 at 2 AM unless otherwise approved.
3. Applicant shall meet all applicable requirements and regulations of State of Iowa, Linn County Health Department, and the Cedar Rapids City Code (including all requirements of Chapter 42).
4. For questions related to road closure or temporary no parking, contact number is 319-360-1144.
5. No loud speaker or other sound system that may disturb the peace in the area is permitted after 10 PM.
6. Applicant shall provide adequate adult volunteers.
7. Applicant agrees that any signage required for this event will be done with prior approval of the City Building Services Division (319-286-5831) and any required permits will be obtained.
8. No trails or sidewalks are closed for the event
9. Applicant shall not use any equipment that penetrates or damages the City street or sidewalk surface. All tents, stages, and other structures shall be water barrel or sand weight supported.
10. Applicant's insured traffic control contractor shall provide all barricades/traffic controls required by the City for the temporary street closure. All barricades/traffic controls must conform to the requirements of the Manual on Uniform Traffic Control Devices. Applicant shall provide the name and phone number of the company providing the barricades/traffic controls to the Police Department and Traffic Engineering a minimum of one week prior to the event.
11. Applicant will supply trash bags and receptacles and is responsible for removing all associated trash from city property. Any cost associated with clean up done by the City will be billed to the applicant.

12. Applicant shall provide written notification, a minimum of 48 hours before the event, to all affected property owners adjoining the barricaded street closures and/or temporary no parking, (to help minimize traffic conflicts between motorists and race participants). Written notification shall include information on the event including event route, event date, start and finish times, and the name and telephone number of the Applicant's contact person. A copy of this written notification shall be provided to the City Manager's Office.
13. Applicant shall have a discernible area as required by the Police Department. No alcoholic beverages shall be carried beyond the discernible area. Any event fencing must be placed a minimum of two feet behind the public sidewalk or alley edge for safety reasons.
14. Minors prohibited in alcohol area.
15. Applicant shall contact the City Clerk's Office (319-286-5060) to obtain appropriate alcohol related applications and information on processing deadlines.
16. The City reserves the right to revoke or alter approval for any event date and/or route based upon a continuing evaluation of items including but not limited to safety, parking, traffic concerns, noise levels, etc., related to the event site and operation; or flood issues, conflicting street construction or other elements deemed hazardous to event attendees.
17. Applicant agrees to defend, indemnify, and save the City of Cedar Rapids harmless from all liability and place on file at the City Clerk's Office, a certificate of liability insurance with policy limits satisfactory to the City Council naming the City of Cedar Rapids, Iowa, and its employees as additional insured, insuring against any liability that may arise in connection with the activities held.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



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: Judy Jones
E-mail Address: j.jones2@cedar-rapids.org

Phone Number/Ext.: 5134

Description of Agenda Item: Intent and levy assessments
 Levy assessment – housing nuisance abatement charges – two properties.
 CIP/DID #FIN2016-04

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

Background:

The Finance Department is responsible for the billing and collection of charges incurred by Building Services to bring properties into compliance with Cedar Rapids Municipal Code Housing Chapter 29.

Notice of violation and abatement was issued for all properties. Costs were invoiced to the property owners, including notice that unpaid costs would be assessed against the property for collection in the same manner as property tax. The levied amount totals \$1076.11.

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

Action/Recommendation: The Finance Department recommends approval of the Resolution to levy Special Assessment.

Alternative Recommendation: Should the City Council decide not to approve the resolution, the City may not be reimbursed for work performed.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: Building Services

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

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

FRESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Finance Department requests the City Council of the City of Cedar Rapids, Iowa, approve a Resolution of Special Assessment on two properties for nuisance abatement according to Municipal Code Housing Chapter 29, **and**

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots, and parcels of ground for a total amount of \$1076.11, as shown below, which have been invoiced and are on file with the Finance Department, and

BE IT FURTHER RESOLVED, that a copy of this resolution be filed with the Linn County Treasurer in order that the said assessment may be collected in the same manner as property taxes.

#	Service Location	Name	Amount	Service Dates	GPN	Invoice
1	1200 6 th Ave SE	Ernest Brauch	\$508.09	9/9/15-2/2/16	142235100300000	CED_00066387
2	413 5 th Ave SW	Robert L Jones	\$568.02	9/8/15-2/2/16	142826000400000	CED_00066389

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Solid Waste and Recycling

Presenter at Meeting: Mark Jones

Phone Number/Ext.: 4191

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: Intent and levy assessments

Resolutions approving assessment actions:

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

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

(Note: The Intent to Assess Resolution was approved at the Council Meeting on January 26, 2016.)

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

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

The Notice of Intent to Assess these properties were approved by Resolution No. 0112-01-16 passed on January 26, 2016.

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

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

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

Time Sensitivity:

Resolution Date: 3-8-16

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that there be and is hereby levied an assessment against the lots, parts of lots and parcels of ground for the amounts shown in said assessments, which invoiced listing attached is made a part of this resolution, and the names of the owners are shown thereon so far as practicable, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LEVY ASSESSMENT (TO BE LIENED) 3/8/16

				LEVY ASSESSMENT 3/8/16
				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: 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 – 18 properties.
 CIP/DID #WTR01-26-16-001

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

Background:

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

Below are the steps taken in typical situations:

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

The Notice of Intent to Assess the properties was approved by City Council Resolution No. 0111-01-16 on January 26, 2016.

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: 3/08/16

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) 3/08/16

			SPECIAL ASSESSMENTS 3/08/16
			LIEN INTENTS 1/26/16
#		Balance Due	Premise Address
1		\$ 122.98	242 11TH ST NW
2		\$ 78.16	375 26TH AVE SW
3		\$ 87.40	851 10TH ST SW
4		\$ 171.12	910 7TH ST SE #220
5		\$ 136.80	911 C AVE NW - LOWER
6		\$ 190.91	1001 C AVE NW
7		\$ 195.34	1110 16TH AVE SW
8		\$ 253.25	1208 L ST SW
9		\$ 128.97	1316 6TH ST NW
10		\$ 52.15	1414 4TH AVE SE
11		\$ 194.09	1547 C AVE NE
12		\$ 137.72	1811 B AVE NE #3
13		\$ 60.27	1953 4TH AVE SE
14		\$ 214.60	2040 SPOON CREEK CT SE
15		\$ 670.05	2055 NORTH TOWNE LN NE
16		\$ 154.09	4316 REGAL AVE NE
17		\$ 56.34	5301 HARBET AVE NW
18		\$ 210.39	6617 KIOWA TRACE NE
		\$ 3,114.63	Grand Total
		18	Number of Properties
		\$ 52.15	Balance Due - Low
		\$ 670.05	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 – 20 properties.
 CIP/DID #WTR030816-001

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: 03/08/16

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 12th day of April, 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 11:00 a.m., April 12, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

LIEN INTENTS (SPECIAL ASSESSMENTS) 3/08/16

LIEN INTENTS 3/08/16			
#		Balance Due	Premise Address
1		\$ 254.66	247 27TH AVE SW
2		\$ 68.04	317 10TH ST NW
3		\$ 66.77	441 WILSON AVENUE DR SW
4		\$ 392.68	646 35TH ST NE
5		\$ 109.67	727 DOWS RD SE
6		\$ 62.27	812 WELLINGTON ST SE
7		\$ 111.65	925 60TH AVE SW
8		\$ 360.07	1110 31ST ST NE
9		\$ 68.30	1284 34TH ST NE
10		\$ 117.10	1542 WASHINGTON AVE SE
11		\$ 514.27	2103 BEVER AVE SE
12		\$ 132.82	2222 CHANDLER ST SW
13		\$ 172.85	2433 WISCONSIN ST SW
14		\$ 136.67	2717 2ND AVE SE
15		\$ 151.14	3315 EASTERN AVE NE
16		\$ 39.35	3609 PIONEER AVE SE
17		\$ 155.47	3711 KENCREST DR NE
18		\$ 1,400.33	3739 RICHMOND RD NE
19		\$ 71.33	4529 WALKER ST NE
20		\$ 64.18	6511 BOXWOOD LN NE
		\$ 4,449.62	Grand Total
		20	Number of Properties
		\$ 39.35	Balance Due - Low
		\$ 1,400.33	Balance Due - High



Council Agenda Item Cover Sheet

Submitting Department: Finance - Purchasing

Presenter at Meeting: Brent Schlotfeldt
E-mail Address: b.schlotfeldt@cedar-rapids.org

Phone Number/Ext.: 5809

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

Phone Number/Ext.: 5023

Description of Agenda Item: Accept projects
 Police Department Roof Replacement Project, final payment in the amount of \$16,175 and 2-year Performance Bond submitted by Black Hawk Roof Company (original contract amount was \$326,000; final contract amount is \$326,000).
 CIP/DID #0814-030

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

Background: City Council awarded the Police Department Roof Replacement project to Black Hawk Roof Company by Resolution No. 1348-09-14. Facilities Maintenance Services has certified that the Contract work has been substantially completed in accordance with the approved plans and specifications.

A Performance Bond dated September 29, 2014 in the amount of \$326,000 covering said work filed by Black Hawk Roof Company and executed by Merchants Bonding Company provides a two-year correction period for defects in materials and workmanship.

This resolution is to release final payment to Black Hawk Roof Company of \$16,175.

Action/Recommendation: Recommend Council approve the resolution

Alternative Recommendation: None

Time Sensitivity: Medium

Resolution Date: March 8, 2016

Budget Information: 360-081201-3603009

Local Preference Policy: No
Explanation: Public Improvement Project

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Black Hawk Roof Company are parties to a contract for the Police Department Roof Replacement project authorized by Resolution No. 1348-09-14; and

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

WHEREAS, a Performance Bond dated September 29, 2014 in the amount of \$326,000 covering said work filed by Black Hawk Roof Company and executed by Merchants Bonding Company provides a two-year correction period for defects in materials and workmanship; now therefore

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

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

Original Contract, Resolution No. 1348-09-14	\$326,000
Contract Total	\$326,000

AND BE IT FURTHER RESOLVED that based on the recommendation by Facilities Maintenance Services that the project be and the same is hereby accepted as being substantially completed and the City of Cedar Rapids is authorized and directed to issue final payment for the sum of \$16,175 to Black Hawk Roof Company; and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5848

Alternate Contact Person: Jason Junk
E-mail Address: j.junk@cedar-rapids.org

Phone Number/Extension: 5724

Description of Agenda Item: Accept projects
 Resolution accepting project, authorizing final payment in the amount of \$6,000 and approving the 1-year Performance Bond submitted by Peterson Contractors, Inc. for the 34th Street SE Spoon Creek Bridge Repair project (original contract amount was \$120,000; final contract amount is \$120,000) **(Paving for Progress)**
 CIP/DID #304361-02

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

Background: Construction has been substantially completed by Peterson Contractors, Inc. for the 34th Street SE Spoon Creek Bridge Repair project. This is an approved Capital Improvements Project (CIP No. 304361-02) with a final construction contract amount of \$120,000. Funding resources for this project were approved in FY 16 and prior years and the project is completed within the approved budget.

Action/Recommendation: The Public Works Department recommends adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$6,000.

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

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Explanation: Budget Information: 304361 LOST

Local Preference Policy: NA

Explanation: This project is a Public Improvement Project and as such per State Code the City is required to award the construction contract to the lowest responsive, responsible bidder. The Buy Local Policy does not apply in this situation.

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer certifies construction contract work on the 34th Street SE Spoon Creek Bridge Repair project (Contract No. 304361-02), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond, dated September 22, 2016 in the amount of \$115,000 covering said work filed by Peterson Contractors, Inc. and executed by Travelers Casualty and Surety Company of America provides a 1-year correction period for defects in materials and workmanship, and

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

Peterson Contractors, Inc.	\$115,000
Possible Incentive	<u>\$ 5,000</u>
Total Award	\$120,000

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 1-year correction period as provided by the Performance Bond commences on this date, and

BE IT FURTHER RESOLVED that based on the City Engineer's recommendation, the 34th Street SE Spoon Creek Bridge Repair project, (Contract No. 304361-02) be and the same is hereby accepted as being substantially completed, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$6,000 to Peterson Contractors, Inc. as final payment.

The final contract price is \$120,000 distributed as follows: \$120,000 304-304000-7970-304361 SLOST

, and

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

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

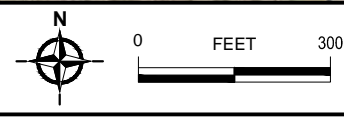
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**34TH STREET SE AT SPOON CREEK
BRIDGE REPAIR PROJECT**





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 Brouard First Addition for land located at 3601 Rogers Road NW.

CIP/DID #FLPT-022450-2016

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

Background: The property owner submitted the Final Plat of Brouard 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 two (2) lots and a total plat area of 3.70 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: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

LOCATION MAP



**Location of the Final
Plat of Airport
Brouard First
Addition**

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF BROUSARD FIRST ADDITION IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing Two (2) numbered lots, Numbered 1 and 2, both inclusive, has been filed with the City Clerk and after consideration of the same is found to be correct and in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and

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

1. Development Agreement
2. Concrete Pavement Petition and Assessment Agreement

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 Brouard 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 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 8th day of March, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander

Phone Number/Ext.: 319-286-5822

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

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 Heartland First Addition to Linn County for land located at 2215 Edgewood Road SW.

CIP/DID #FLPT-021537-2015

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

Background: The property owner submitted the Final Plat of Heartland First Addition to Linn County 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 two (2) lots and a total plat area of 2.41 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: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

LOCATION MAP



**Location of the
Final Plat of
Heartland First
Addition**

RESOLUTION NO. LEG_NUM_TAG

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

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

1. Development Agreement
2. Agreement for Private Storm Water Detention

and

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

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

1. The City Council concurs with the recommendation of the City Engineer, and specifically finds that the proposed plat is in accordance with the provisions of the laws of the State of Iowa, and the ordinances of the City of Cedar Rapids, in relation to Plats and Addition to Cities, and also specifically Cedar Rapids Municipal Code Chapter 31, the Subdivision Ordinance.
2. The Mayor and City Council hereby accept the executed agreement(s), as noted above.
3. Said plat and dedication of said Heartland First Addition to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 8th day of March, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander

Phone Number/Ext.: 319-286-5822

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

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 Northtowne Market Second Addition for land located at 1201 Blairs Ferry Road NE.

CIP/DID #FLPT-022145-2015

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

Background: The property owner submitted the Final Plat of Northtowne Market Second Addition to Cedar Rapids, Iowa in conformance with the approved preliminary plat. Development Services Department staff reviewed the submittal and determined it complies with applicable preliminary plat conditions and applicable requirements for final plats. The final plat contains of six (6) lots and a total plat area of 7.80 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: March 8, 2015

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

LOCATION MAP



RESOLUTION NO. LEG_NUM_TAG

WHEREAS, A PLAT OF NORTHTOWNE MARKET SECOND ADDITION TO THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA containing FIVE (5) lots, Numbered 2-6, and ONE (1) 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. Temporary Easement Agreement for Access and Public Utilities

and

WHEREAS, the agreement(s) as submitted are 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 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 Northtowne Market Second Addition to the City of Cedar Rapids, Linn County, Iowa, be and the same is hereby acknowledged and approved on the part of the City of Cedar Rapids, Iowa, and the dedication to the public of all lands within the plat that are designated for streets, more specifically Lot 'A' (Blairs Ferry Road NE) is hereby approved and accepted, and the dedication of the public easements for the purposes shown on the final plat is hereby approved and accepted, and the City Clerk is hereby directed to certify this resolution of approval and affix the same to said plat as by law provided.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

STATE OF IOWA)
) ss.
COUNTY OF LINN)

I, Amy Stevenson, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution is a true and correct copy of the Resolution as passed by the City Council of the City of Cedar Rapids, Iowa, on this 8th day of March, 2016.

ClerkSignature



Council Agenda Item Cover Sheet

Submitting Department: Community Development - Housing

Presenter at Meeting: Amanda Vande Voorde

Phone Number/Ext.: 319 286-5817

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

Alternate Contact Person: Paula Mitchell

Phone Number/Ext.: 319 286-5852

E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Development Agreement with Scallon Custom Homes, L.L.C. for property at 1322 9th Street NW participating in the fourth round of the Single Family New Construction program (**FLOOD**).

CIP/DID #OB540257

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

Background: The resolution for City Council consideration provides for the execution of Development Agreement with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The City and developer are ready to execute the Development Agreement to allow construction on the home to begin. To date, 92 such agreements for privately-owned property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by April 15, 2016, and complete construction by September 30, 2016;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

On March 12, 2015, by Resolution No. 0336-03-15, the City Council approved Amendment No. 2 to the Administrative Plan for the fourth round of the Single Family New Construction (SFNC)

Program. The modifications to the administrative plan allow for development in Tiers 1, 2, and 3 under the following circumstances:

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

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

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

A total of 193 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

WHEREAS, the Developer agrees to construct a single-family dwelling on the privately-owned property at 1322 9th Street NW, for which the City will provide down payment assistance to the home buyer upon purchase through the SFNC program; and

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Scallon Custom Homes, L.L.C. for property at 1322 9th Street NW.

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

Phone Number/Ext.: 319 286-5817

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

Alternate Contact Person: Paula Mitchell

Phone Number/Ext.: 319 286-5852

E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Development Agreement and Special Warranty Deed with Cedar Valley Habitat for Humanity, Inc. for City-owned property at 430 9th Avenue SW participating in the fourth round of the Single Family New Construction program (**FLOOD**). CIP/DID #OB540257

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

Background: The resolution for City Council consideration provides for the execution of Development Agreement and deed with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 81 such agreements and deeds for City-owned property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by April 15, 2016, and complete all projects by September 30, 2016;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

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

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

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

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

A total of 193 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

WHEREAS, the City purchased property at 430 9th Avenue SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

WHEREAS, a public hearing was held on June 24, 2014, on the possible disposition of this property in accordance with Iowa Code; and

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

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 430 9th Avenue SW to Cedar Valley Habitat for Humanity, Inc. in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED_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

Phone Number/Ext.: 319 286-5817

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

Alternate Contact Person: Paula Mitchell

Phone Number/Ext.: 319 286-5852

E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Development Agreement and Special Warranty Deed with Ken-Del Properties, LLC dba Willshire, LLC for City-owned property at 1410 N Street SW participating in the fourth round of the Single Family New Construction program (**FLOOD**). CIP/DID #OB540257

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

Background: The resolution for City Council consideration provides for the execution of Development Agreement and deed with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developer are ready to execute the Development Agreement and deed to allow construction on the home to begin. To date, 81 such agreements and deeds for City-owned property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by April 15, 2016, and complete all projects by September 30, 2016;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

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

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

Through a competitive proposal process, developers submitted applications for the program which listed “preference sites”. These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

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

A total of 193 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

WHEREAS, the City purchased property at 1410 N Street SW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

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

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute the Development Agreement with Ken-Del Properties, LLC dba Willshire, LLC

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute a Special Warranty Deed effectuating the conveyance of property at 1410 N Street SW to Ken-Del Properties, LLC dba Willshire, LLC in accordance with the Development Agreement and that the Resolution and Special Warranty Deed be recorded in the Office of the Linn County Recorder.

PASSED_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

Phone Number/Ext.: 319 286-5817

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

Alternate Contact Person: Paula Mitchell

Phone Number/Ext.: 319 286-5852

E-mail Address: p.mitchell@cedar-rapids.org

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Development Agreements and Special Warranty Deeds with Jaylee, Inc. for City-owned property at 504 C Avenue NW and 508 C Avenue NW and 512 C Avenue NW participating in the fourth round of the Single Family New Construction program (FLOOD).

CIP/DID #OB540257

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

Background: The resolution for City Council consideration provides for the execution of Development Agreement and deed with the above listed developer and associated property through the fourth round of the Single Family New Construction Program, known locally as the ROOTs program. The property has been awarded through a competitive proposal process and the City and developers are ready to execute the Development Agreements and deeds to allow construction on the home to begin. To date, 81 such agreements and deeds for City-owned property have been executed for the fourth round of the ROOTs program.

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

- a. Property is being conveyed to the qualified developer based on the investment provided by the developer in the construction of a single-family home;
- b. Developer agrees to commence construction by April 15, 2016, and complete all projects by September 30, 2016;
- c. Developer is responsible to resolve conflicts with adjacent property owners and purchasers that might result from the construction project;
- d. Developer is responsible for maintaining the property in accordance with all City and State codes;
- e. Developer shall comply with all program requirements pertaining to the sale of the property to a qualified buyer.

On October 8, 2013, by Resolution No. 1591-10-13, the City Council approved the Administrative Plan for the fourth round of the Single Family New Construction (SFNC) Program; and,

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

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

Through a competitive proposal process, developers submitted applications for the program which listed "preference sites". These sites include City-owned being acquired through the Voluntary Property Acquisition Program and privately-owned property. A team of City staff and neighborhood representatives evaluated the proposals based on:

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

A total of 193 properties have been identified by 21 developers in the current phase of property allocation for this program.

Action/Recommendation: City staff recommends approval of the resolution

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

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

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

WHEREAS, the City purchased property at 504 C Avenue NW, 508 C Avenue NW, and 512 C Avenue NW through the Voluntary Property Acquisition Program using federal Community Development Block Grant (CDBG) dollars, and

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

WHEREAS, the City Council has determined that the private investment made by the Developer to construct one (1) single-family dwelling on City-owned property at 504 C Avenue NW and one (1) single-family dwelling on City-owned property at 508 C Avenue NW/512 C Avenue SW constitutes good, adequate, fair and valuable consideration for the properties; and

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

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

BE IT FURTHER RESOLVED, that the City Manager and City Clerk are hereby authorized to execute the Special Warranty Deeds effectuating the conveyance of properties at 504 C Avenue NW, 508 C Avenue NW, and 512 C Avenue NW to Jaylee, Inc. in accordance with the Development Agreements and that the Resolution and Special Warranty Deeds 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: 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: Purchases, contracts and agreements
 Resolution authorizing execution of Assignment and Assumption of Development Agreement from Neighborhood Development Corporation of Cedar Rapids, Inc. to Scallon Custom Homes, L.L.C. for property at 723 8th Avenue 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 developer 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 October 21, 2014, effectively conveyed City-owned property from the City of Cedar Rapids to Neighborhood Development Corporation of Cedar Rapids, Inc. The process of assignment and conveyance to Scallon Custom Homes, L.L.C. has been initiated as a result of Neighborhood Development Corporation of Cedar Rapids, Inc. opting to not pursue development of the associated property through the ROOTs program. The Resolution provides that the City consents to this assignment as Scallon Custom Homes, L.L.C. 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.

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

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

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

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

Time Sensitivity: N/A

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on October 21, 2014, the City Council passed Resolution No. 1425-10-14, authorizing execution of a Development Agreement and Special Warranty Deed with Neighborhood Development Corporation of Cedar Rapids, Inc. for City-owned property at 723 8th Avenue SW participating in the fourth round of the Single Family New Construction Program, and

WHEREAS, Neighborhood Development Corporation of Cedar Rapids, Inc. 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, Scallon Custom Homes, L.L.C., 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 Scallon Custom Homes, L.L.C.

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 723 8th Avenue SW to Scallon Custom Homes, L.L.C. in accordance with the original Development Agreement and that the resolution and agreement be recorded in the Office of the Linn County Recorder.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department:

Presenter at Meeting: Consent

Phone Number/Ext.: N/A

E-mail Address:

Alternate Contact Person: Dominic Roberts

Phone Number/Ext.: 319-286-5088

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

Description of Agenda Item: CONSENT AGENDA

Agreement with Communications Engineering for a video wall for traffic monitoring needs not to exceed \$72,773.49

CIP/DID #109130-10

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

Background: The City of Cedar Rapids will utilize a video wall to meet the traffic monitoring needs of the City.

Action/Recommendation: Resolution approval

Alternative Recommendation: No alternative recommendation.

Time Sensitivity: Normal

Resolution Date: 3/8/2016

Budget Information: CIP306265

Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, The Information Technology Department administers City-Wide video solutions, and

WHEREAS, Traffic Engineering needs to monitor traffic with a Video Wall, and

WHEREAS, the funding for this expense will come from CIP Funding #306265,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager be authorized to execute a one year hardware, software, service and training agreement for the period of March 10th, 2016 through March 9th, 2017 with Communications Engineering Company, 405 Boyson Rd, Hiawatha, Iowa 52233 in an amount not to exceed \$72,773.49.

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Consent

Phone Number/Ext.: N/A

E-mail Address: N/A

Alternate Contact Person: Dominic Roberts

Phone Number/Ext.: 5088

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

Description of Agenda Item: CONSENT AGENDA

Agreement with Mythics for PeopleSoft Financials Software Maintenance & Support not to exceed \$500,000.

CIP/DID #IT2016-005

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

Background: The City uses PeopleSoft Financials for the Financial System. Maintenance and support is needed to ensure the operational functions of the system.

Action/Recommendation: Approval of Resolution

Alternative Recommendation: No maintenance and support

Time Sensitivity: None

Resolution Date: March 8, 2016

Budget Information: CIP Funding 351-351000-350403

Local Preference Policy: NA

Explanation:

Recommended by Council Committee: NA

Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, The City uses PeopleSoft Financials for the Financial System, and

WHEREAS, the Finance and Information Technology Departments have identified the need of support and maintenance on the Financial System, and

WHEREAS, the funding will be from CIP Funding 351-351000-350403,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, the Information Technology Department is hereby authorized to purchase PeopleSoft Maintenance and Support from Mythics, 1439 N. Great Neck Rd. Suite 201, Virginia Beach, VA 23454 in an amount not to exceed \$500,000.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Information Technology

Presenter at Meeting: Consent

Phone Number/Ext.: N/A

E-mail Address:

Alternate Contact Person: Nic Roberts

Phone Number/Ext.: 319-286-5088

E-mail Address: n.roberts@cedar-rapids.org

Description of Agenda Item: CONSENT AGENDA

This is a joint project with the City and County Assessors and Linn County GIS to provide updated LiDAR, Imagery and mapping services. Linn County issued the RFP. Linn County, Linn County Assessor and City Assessor each have a separate agreement with Pictometry International for Imagery and mapping Services.

CIP/DID #109300-02

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

Background: LiDAR, stands for "Light Detection and Ranging", it is a technology that is used to create high-resolution digital elevation and impervious surface maps. The last update to the Cedar Rapids GIS elevation and impervious surface maps was in the year 2012. Significant change has occurred rendering these important GIS layers out of date. Additionally, the last update to our high resolution aerial photography was in 2012 and is traditionally performed every 5 years, in order to maintain this valuable resource.

This is a joint project with the County Assessor, Linn County GIS, City Assessor and City of Cedar Rapids GIS to provide updated LiDAR, Imagery and Mapping Services. Linn County served as the host agency for the proposal. Each Agency will be responsible for its own contract, purchase order, etc.

Action/Recommendation: Recommend Council approve the Resolution

Alternative Recommendation:

Time Sensitivity: LiDAR to be acquired in the spring of 2016, after the snow melts and before the trees grow new leaves.

Resolution Date: 3/8/2016

Budget Information: 354-354000-354013

Local Preference Policy: Yes

Explanation: No local company submitted a proposal

Recommended by Council Committee: NA
Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, Linn County served as the host agency to solicit proposals for Aerial Photography LiDAR and Mapping Services on behalf of the County Assessor, Linn County GIS, City Assessor and City of Cedar Rapids GIS; and

WHEREAS, responses were received from four (4) vendors; and

WHEREAS, an evaluation committee consisting of representatives from each agency carefully reviewed all the proposals and recommends that Pictometry International Corp. be awarded this project for the total price of \$130,218.06 for the City's portion of the project; and

WHEREAS, Linn County GIS, Linn County Assessor and the City Assessor will enter into their own contracts and purchase orders with Pictometry International Corp. for their portion of the project; and

WHEREAS, the funding for this purchase will come from CIP Funding #354-354000-354013.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the recommendation above be accepted subject to the terms and conditions of the proposal documents and that the City Manager be authorized to sign an Agreement with Pictometry International Corp. 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: Jon Durst

Phone Number/Ext.: x5856

E-mail Address: j.durst@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 Precision Midwest, Ltd. for the purchase of GPS Survey Equipment for the Sewer Division, Water Division, and Information Technology Department for an annual amount not to exceed \$100,000.

CIP/DID #PUR0615-259

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

Background: Proposals were solicited by Purchasing Services on behalf of the Sewer Division for the purchase of GPS Survey Equipment with three vendors responding with proposals for seven different systems.

Following a lengthy evaluation process including equipment demonstrations and trials in the field, the evaluation committee comprised of Sewer, Water, and Information Technology staff recommends award to Precision Midwest, Ltd. as the supplier to provide the GPS survey equipment to the City of Cedar Rapids. Award is recommended to Precision Midwest, Ltd. for the following reasons:

1. Proven track record providing support for existing GPS equipment
2. Equipment meets the City's needs and is very easy for field staff to pick up and use
3. Knowledgeable reps available for support when needed
4. Financial proposal within budget

The initial term of the contract shall be the date of contract execution through June 30, 2017 and shall include purchases by the Sewer Division from their FY16 budget and the possible purchase of equipment by the Water Division and Information Technology Department from FY17 budgets. The Contract may be extended as needed by written mutual agreement of both parties. The exact equipment to be purchased by each area has not yet been determined; however, the total amount to be purchased under this contract shall not exceed \$100,000.

The following proposals were submitted (in alphabetical order):

			Option 1	Option 2	Option 3
1	A & D Technical Supply	Omaha, NE	\$13,035	\$12,735	\$14,660
2	Carlson Software	Maysville, KY	\$16,000	\$16,985	n/a
3	Precision Midwest	Warrenville, IL	\$19,436.25	\$9,990.95	n/a

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

Alternative Recommendation:

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: Sewer FY16 operating budget; Water and IT FY17 operating budgets

Local Preference Policy: Yes

Explanation: None of the vendors who submitted a proposal 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 Proposal for the purchase of GPS Survey Equipment on behalf of the Sewer Division, Water Division, and Information Technology Departments; and

WHEREAS, proposals were received from three vendors for seven different GPS survey equipment systems; and

WHEREAS, the evaluation committee recommends that the contract be awarded to Precision Midwest, Ltd. who submitted the most responsive and responsive proposal for an annual amount not to exceed \$100,000; and

WHEREAS, a contract with the option to extend with agreement of both parties has been prepared for the contract period beginning on the execution date through June 30, 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: Michele Tamerius
E-mail Address: m.tamerius@cedar-rapids.org

Phone Number/Ext.: 5113

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
 Rescinding Resolution No. 1404-09-15 which authorized Amendment No. 1 to the Contract for Online and Interactive Voice Response (IVR) Electronic Payment Services with Gila LLC, dba Municipal Services Bureau for the Treasury Division to terminate the contract.
 CIP/DID #0215-173

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

Background:

Municipal Services Bureau (MSB) was one of 12 companies that responded to RFP #0215-173 for Online and Interactive Voice Response (IVR) Electronic Payment Services. Following review of all proposals by an evaluation committee, MSB was selected as the highest ranking proposer and a contract was entered into with MSB, which was signed by the City Manager on August 26, 2015. Amendment No. 1, to add credit card payment processing services for point of sale was approved by council per Resolution No. 1404-09-15.

As of February 17, 2016 MSB has not performed the contracted services, specifically the items shown below:

1. Over 5-1/2 months after the contract was signed, there has been no organization of the services and implementation schedule of the project to where the City has a comfort level that the project will begin, much less be completed in a satisfactory manner.
2. No implementation has taken place of any Services identified in the contract.
3. The quality of communication with MSB has not been acceptable. There is no confidence that MSB will be able to provide the Services needed, including future support.

The Treasury Division wishes to terminate the contract with MSB and seek a different vendor to perform these services.

Action/Recommendation: City Council approve the resolution to terminate the contract with MSB.

Alternative Recommendation:

Time Sensitivity: medium

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: No
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids and Gila LLC, dba Municipal Services Bureau (MSB) are parties to a contract for online and interactive voice response (IVR) electronic payment services for the Treasury Division; and

WHEREAS, both parties have agreed to amend the contract to add credit card payment processing services for point of sale in the amount of \$250,000 annually for the three-year contract total of \$750,000; and

WHEREAS, Municipal Services Bureau has not performed the contracted services, specifically no organization of services, no implementation of any services and has not communicated well with the City; and

WHEREAS, the Treasury Division desires to terminate the contract and Amendment No. 1 with Municipal Services Bureau and seek a different vendor to perform these services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the termination of the contract proceed as described herein.

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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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a Professional Services Agreement with Snyder & Associates, Inc. for an amount not to exceed \$438,645 for design services in connection with the E Avenue NE Roadway Improvements from 17th Street NE to 20th Street NE project (**Paving for Progress**).
 CIP/DID #3012174-01

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

Background: This project includes the reconstruction of E Avenue NE from 17th Street NE to 20th Street NE, storm sewer, sanitary sewer replacement, and replacement of water main. Sidewalk currently exists on the south side of E Avenue and sidewalk will be added to the north side and assessed to the adjacent property owners. Curb and gutter does not exist from 19th Street to 20th Street and will be assessed to adjacent properties. Construction of the project is scheduled to take place in the 2017 and 2018 construction seasons.

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a professional services agreement with Snyder & Associates, Inc.

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

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: 301/301000/3012174 (SLOST), 625/625000/6250051-2016060 (NA), 655/655000/655990 (NA)

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Engineer has determined it is in the best interest of the City to outsource some professional services relating to the project below, and

WHEREAS, the City Engineer has determined Snyder and Associates, Inc. is qualified to provide those services and they are able to perform those services in a timely manner for an amount not to exceed \$438,645, and

WHEREAS, the City Engineer recommends the City enter into Contract No. 3012174-01 with the firm noted herein, and

WHEREAS, the City Council has allocated funds and planned for improvements along E Avenue NE from 17th Street NE to 20th Street NE, and

Fund 301, Dept ID 301000, Project 3012174 SLOST	\$364,209
Fund 625, Dept ID 625000, Project 6250051-2016060 NA	\$ 44,704
Fund 655, Dept ID 655000, Project 655990 NA	\$ 29,732

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the contract for the services noted herein.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG





Council Agenda Item Cover Sheet

Submitting Department: Public Works

Presenter at meeting: Garrett Prestegard, PE
E-mail Address: g.prestegard@cedar-rapids.org

Phone Number/Extension: 5115

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

Phone Number/Extension: 5814

Description of Agenda Item: Purchases, contracts and agreements

Resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with Snyder & Associates, Inc. specifying an increased amount not to exceed \$14,829 for design services in connection with the 33rd Avenue Wetland Mitigation project (original contract price was \$31,423; total contract price with this amendment is \$44,214).

CIP/DID #301136-06

EnvisionCR Element/Goal: ConnectCR Goal 2: Build a complete network of connected streets.

Background: The City is required to mitigate wetlands in conjunction with the 33rd Avenue SW from 10th Street to 18th Street Extension project. The proposed wetland mitigation site is being planned for construction at Seminole Valley Park. During plan development, it was determined that wetland mitigation will be required for the 18th Street SW north of Wilson Avenue Detention Basin project. Amendment No. 2 will add scope for additional design services of the required wetland mitigation for the 18th Street SW north of Wilson Avenue Detention Basin project.

Action / Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of Amendment No. 2 to the Professional Services Agreement with Snyder and Associates, Inc.

Alternative Recommendation: Council could choose to not approve this Amendment, and direct staff to defund this project.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: Fund 301, Dept ID 301000, Project 301136 (\$29,385 NA)
 Fund 304, Dept ID 304000, Project 304257 (\$14,829 NA)

Local Preference Policy: Yes
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City Council approved a Professional Services Agreement with Snyder and Associates, Inc. for the 33rd Avenue SW from 10th Street to 18th Street Extension project on August 11, 2015, and

WHEREAS, the City of Cedar Rapids is required to mitigate wetlands in conjunction with the 33rd Avenue SW from 10th Street to 18th Street Extension project, and

WHEREAS, the need has been determined to add required wetland mitigation in conjunction with the 18th Street SW north of Wilson Avenue Detention Basin project to the Scope of Services from the original professional services agreement, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 2 to the professional services agreement with Snyder and Associates, Inc. in the amount of \$14,829 for the 33rd Avenue Wetland Mitigation (301136-06). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$31,423
Amendment No. 1	(\$2,038)
Amendment No. 2	\$14,829
	<hr/>
Amended Contract Amount	\$44,214

General ledger coding for this amendment to be as follows:

Fund 301, Dept ID 301000 Project 301136 NA	\$29,385
Fund 304, Dept ID 304000, Project 304257 NA	\$14,829

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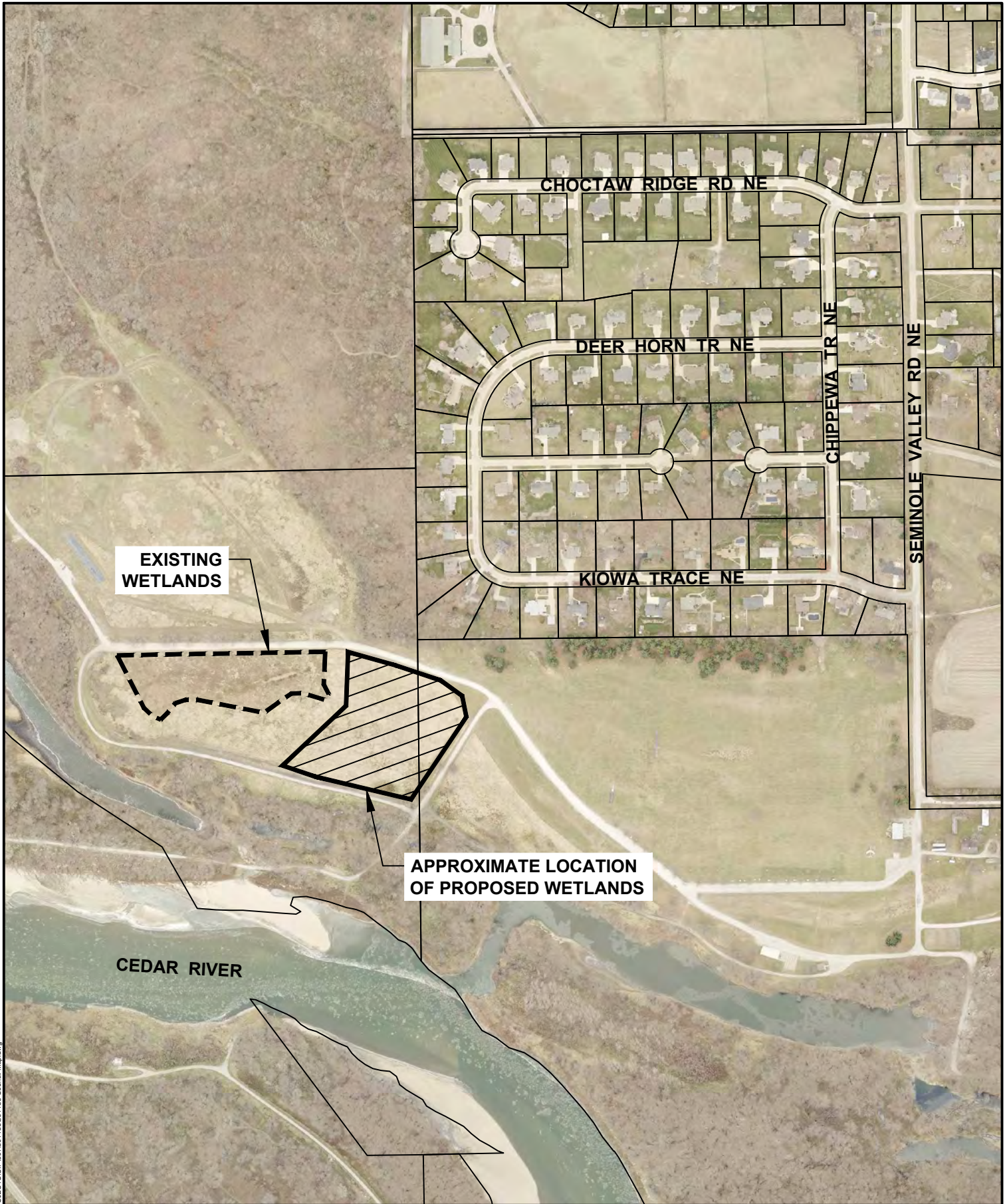
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MayorSignature

Attest:

ClerkSignature

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Local Option Sales Tax (LOST) Flood Fund	\$ 2,200,000
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Federal Grant (FEMA-FLOOD)	\$ 2,200,000
GO Bonds	\$ 33,900
Donations/Grants	\$ 500,000

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 3 Revised in the amount of \$13,357 with Garling Construction, Inc. for the Northwest Recreation Center project, Contract No. PRE069-13. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,562,000
Original Incentive	35,000
Change Order No. 1	90,562
Change Order No. 2	68,965
Change Order No. 3 Revised	<u>13,357</u>
Amended Contract Amount	\$3,769,884

General ledger coding for this Change Order to be as follows: \$13,357 552000-330-330420-18512-PRE069 FLOOD LOST

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MayorSignature

Attest:

ClerkSignature

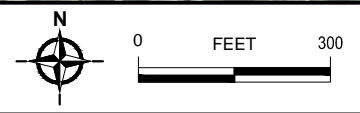
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NORTHWEST RECREATION CENTER





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: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: CONSENT AGENDA

Resolution authorizing execution of an Agreement for Utility Relocation in the amount of \$78,392 and an Approval for Street Lighting with Interstate Power and Light Company in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project.
 CIP/DID #3012092-02

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

Background: The City Council has established a vision to improve the aesthetics of the public improvements along major arterial streets. The franchise with Interstate Power and Light Company approved by Ordinance No. 016-09 on April 22, 2009, included a provision that Interstate Power and Light Company would relocate its overhead electric lines underground upon receipt of the City's payment for the incremental cost of undergrounding the lines. The incremental cost is defined as the difference between the estimated cost to relocate the lines overhead and the cost of relocating the lines underground.

In this case, the incremental cost of undergrounding the electric power lines and for upgrading from a standard wood street light pole to a fiberglass street light pole and underground street light circuits is estimated at \$78,392. The incremental cost of undergrounding and street lighting improvements is 3.9% of the construction cost (\$2,948,134.70) for the corridor roadway improvements project (42nd Street NE from I-380 to Wenig Road).

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of an agreement with Interstate Power and Light Company. Council has established a vision to improve the aesthetics along the arterial streets. This Agreement defines the costs to attain the City Council vision of improved aesthetics and enhance the quality of life for the City.

Alternative Recommendation: Council could choose to not approve this Agreement and continue with overhead electric power and cable utilities. This action would not provide the safety and aesthetic benefits of undergrounding the existing overhead utilities.

Time Sensitivity: High. Utility companies are currently relocating facilities in advance of the street improvements project currently scheduled for the 2016 construction season.

Resolution Date: March 8, 2016

Budget Information: 301/301000/3012092 NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: Yes

Explanation:

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids desires to improve the safety and aesthetics of the public right-of-way along the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project, and

WHEREAS, the City of Cedar Rapids has agreed to pay Interstate Power and Light Company for the incremental cost of undergrounding electric power line facilities in accordance with Ordinance No. 016-09 dated April 22, 2009, and

WHEREAS, the City of Cedar Rapids desires to improve the safety and aesthetics within the above project limits with undergrounding of street light circuits and replacement of wood street light poles with bronze fiberglass poles as provided in the utility tariff rates for Interstate Power and Light Company, and

WHEREAS, the City Council has allocated funds for the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation project, Fund 301, Dept. ID 301000, Project 3012092, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager is authorized to sign the Agreement for Utility Relocation with Interstate Power and Light Company in the amount of \$78,392 in connection with the 42nd Street NE from I-380 to Wenig Road NE Pavement and Water Main Rehabilitation Project (CIP No. 3012092-02), and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign the Street Light Approval form for removal of existing street light fixtures, the installation of 13 270-watt LED street light fixtures, and the installation of 13 bronze fiberglass street light poles.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

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**42ND STREET NE FROM INTERSTATE 380 TO WENIG ROAD
IMPROVEMENTS PROJECT**





Council Agenda Item Cover Sheet

Submitting Department: Public Works Department

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

Phone Number/Extension: 5807

Alternate Contact Person: Robert Davis
E-mail Address: RobD@cedar-rapids.org

Phone Number/Extension: 5808

Description of Agenda Item: Purchases, contracts and agreements
 Resolution authorizing execution of a Total Acquisition Purchase Agreement in the amount of \$2,500,000 with Hubbard Industrial Park, L.C., for real property located at 1124 1st Street NW, in connection with the Cedar Rapids Flood Control System project.
 CIP/DID #3311200-00

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

Background: This property is being voluntarily acquired, at this time, to accommodate the future Cedar River Flood Control System project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified Iowa certified appraiser hired by the City.

Action/Recommendation: The Flood Control Program Manager recommends adopting the resolution authorizing execution of a Total Acquisition Purchase Agreement in the amount of \$2,500,000 and accepting a Warranty Deed from Hubbard Industrial Park, L.C.

Alternative Recommendation: Revise the adopted Cedar River Flood Control Master Plan policy to purchase needed properties as they become available and defer this transaction until the phase of the work is closer to construction.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: 331/3310000/3311200 GRI

Local Preference Policy: NA

Explanation: Does not apply to acquiring real estate.

Recommended by Council Committee: NA

Explanation: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the Flood Control Program Manager has determined the need to acquire the real property at 1124 1ST Street NW, Cedar Rapids, Iowa 52405 for the future Cedar River Flood Control System project, and

WHEREAS, Hubbard Industrial Park, L.C., 1124 1st Street NW, OWNER of the real property known and described as:

That part of Outlot A lying East of 4th Street, NW; Outlot B; Lots 2 through 6, Block 32; all of Block 35; Lot 12, Block 36, except the West 25 feet thereof; all in O.N. Hull's Third Addition to the City of Cedar Rapids, Linn County, Iowa, except all public streets and alleys; and Beginning on the East side of 1st Street NW, at a point 66 feet East of the SE corner of Lot 2, Block 35, O.N. Hull's Third Addition to the City of Cedar Rapids, Linn County, Iowa; thence East to the River; thence Southerly along the West side of the River about 200 feet to the North line of the right of way of the Chicago & Northwestern Railway Company; thence Westerly on said right of way line to the East line of said 1st Street N.W.; thence Northerly along the East side of said 1st Street NW about 205 feet, to the point of beginning.

has agreed to convey said property by Warranty Deed to the City of Cedar Rapids for consideration of \$2,500,000, and

WHEREAS, the Flood Control Program Manager recommends the City enter into an agreement to purchase the property at 1124 1st Street NW, Cedar Rapids, Iowa 52405 in accordance with the terms set forth in the Total Acquisition Purchase Agreement, and

WHEREAS, the City Council has allocated Growth Reinvestment funds for the Cedar River Flood Control System project (Fund 331, Dept ID 3310000, Project 3311200 GRI),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Total Acquisition Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Total Acquisition Purchase Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City Attorney is authorized to review the abstract of title and upon approval by the City Attorney, the City Attorney or designee (the Real Estate Services Manager or the Flood Control Program Manager) shall finalize the transaction and authorize the City of Cedar Rapids Finance Director to issue payment(s) necessary in the amount of \$2,500,000 to Hubbard Industrial Park, L.C., Linn County Treasure and lien holders, if applicable, per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that upon receipt, the Warranty Deed, Groundwater Hazard Statement and all other documents from Hubbard Industrial Park, L.C., be 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: Public Works

Presenter at Meeting: Rita Rasmussen

Phone Number/Ext.: 5807

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

Alternate Contact Person: Carol Morgan

Phone Number/Ext.: 5092

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

Description of Agenda Item: Purchases, contracts and agreements

Resolution accepting bid in the amount of \$5,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 438 4th Avenue SW.

CIP/DID #3302500004-00

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

Background: The City received interest to dispose of various non-conforming lots. These properties were acquired with Community Development Block Grant (CDBG) funds through the Voluntary Acquisition Program, and as per State guidance, may be disposed of as long as the properties are located outside of the Special Hazard Area (100-year flood plain). These lots are all located outside of the 100-year flood plain.

A Public Hearing was held on November 3, 2015, and Council approved the resolution to continue with the disposition of these properties to adjacent property owners by sealed bid. The properties were offered for sale by sealed bid for a period of 30 days to adjacent property owners, and a condition of each sale is that the lot must be combined with an adjacent parcel to make one tax parcel.

One acceptable bid was received for this lot on February 12, 2016 from the adjacent parcel owner, Maranatha Bible Church who intends to use the lot for green space and possible future expansion. As required by CDBG, all proceeds from this sale will be returned as program income.

Action/Recommendation: The Public Works Department recommends accepting the bid and proceeding with the disposition.

Alternative Recommendation: If the Council does not accept this bid, the alternative is to hold and maintain the parcel as a vacant lot.

Time Sensitivity: Normal

Resolution Date: March 8, 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, the City Council desires to dispose of the real property located at 438 4th Avenue SW, Cedar Rapids, Iowa, and legally described as:

Lot 13, Auditor's Plat No. 37 in Cedar Rapids, Linn County, Iowa

, and

WHEREAS, the City Council previously authorized the disposition of this City-owned non-conforming lot by sealed bid to the adjacent parcel owners, and

WHEREAS, said parcel shall be combined with an adjacent parcel so as to constitute a single zoning lot, and

WHEREAS, the City of Cedar Rapids offered this parcel for sale by sealed bid for a period of 30 days, and

WHEREAS, the City of Cedar Rapids received one bid on February 12, 2016 from Marantha Bible Church (526 3rd Avenue SW, Cedar Rapids, Iowa 52404) in the amount of \$5,000 for this real property, and

WHEREAS, the Public Works Director recommends the City Council accept the bid received from Maranatha Bible Church for this property, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration of \$5,000 to be paid by Maranatha Bible Church for the property to be conveyed is good, adequate, fair and valuable, and that the bid shall be accepted, and

BE IT FURTHER RESOLVED that Quit Claim Deed from the City of Cedar Rapids, Iowa to Maranatha Bible Church shall be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

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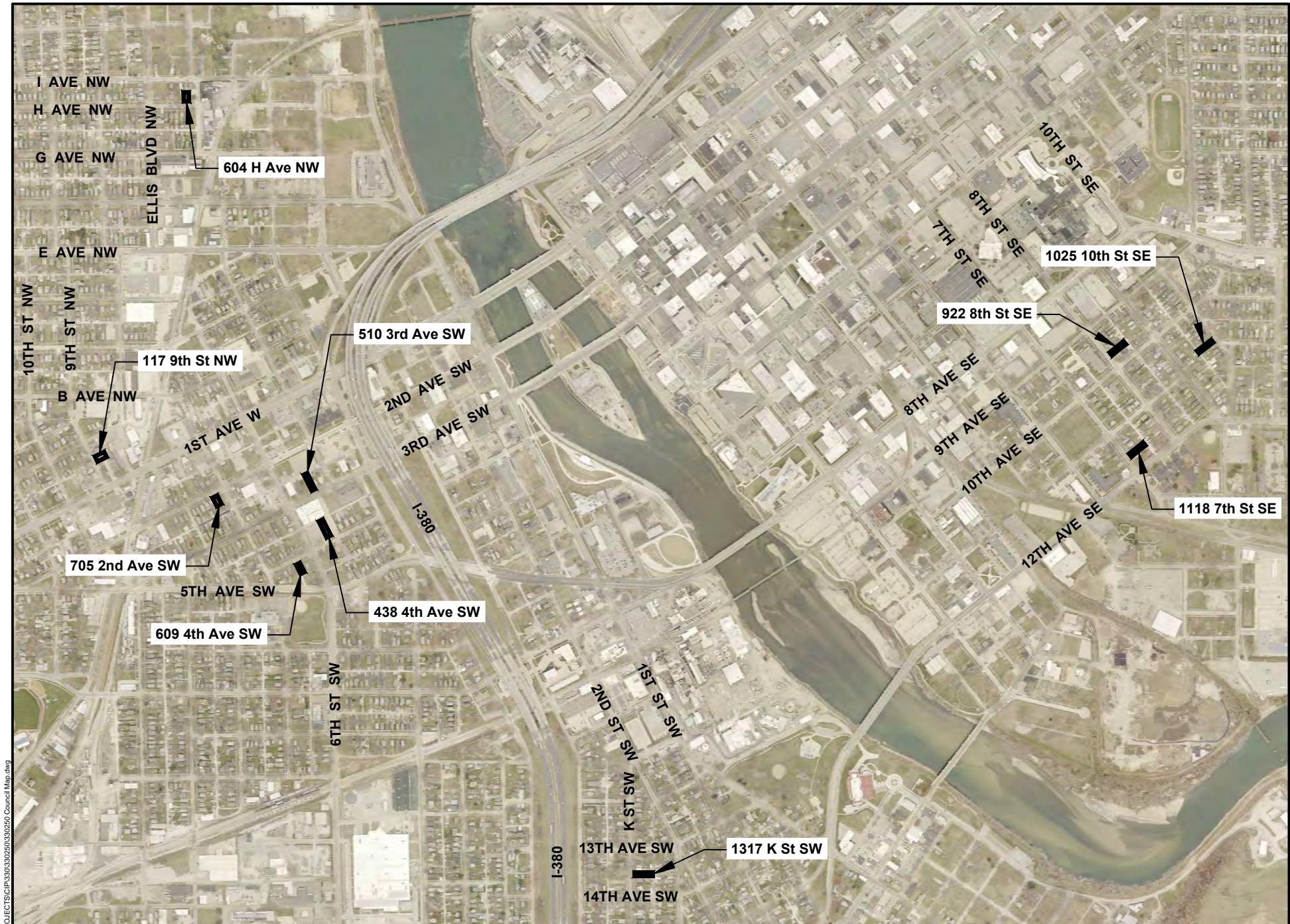
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MayorSignature

Attest:

ClerkSignature

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10 NON-CONFORMING PARCELS - PHASE III



3302500004



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Ext.: 5807

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

Phone Number/Ext.: 5092

Description of Agenda Item: Purchases, contracts and agreements
 Resolution accepting bid in the amount of \$2,000 from Maranatha Bible Church and approving a Quit Claim Deed for the disposition of the non-conforming lot located at 510 3rd Avenue SW.
 CIP/DID #3302500004-00

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

Background: The City received interest to dispose of various non-conforming lots. These properties were acquired with Community Development Block Grant (CDBG) funds through the Voluntary Acquisition Program, and as per State guidance, may be disposed of as long as the properties are located outside of the Special Hazard Area (100-year flood plain). These lots are all located outside of the 100-year flood plain.

A Public Hearing was held on November 3, 2015, and Council approved the resolution to continue with the disposition of these properties to adjacent property owners by sealed bid. The properties were offered for sale by sealed bid for a period of 30 days to adjacent property owners, and a condition of each sale is that the lot must be combined with an adjacent parcel to make one tax parcel.

One acceptable bid was received for this lot on February 12, 2016 from the adjacent parcel owner, Maranatha Bible Church, who intends to use the lot for green space and possible future expansion. As required by CDBG, all proceeds from this sale will be returned as program income.

Action/Recommendation: The Public Works Department recommends accepting the bid and proceeding with the disposition.

Alternative Recommendation: If the Council does not accept this bid, the alternative is to hold and maintain the parcel as a vacant lot.

Time Sensitivity: Normal

Resolution Date: March 8, 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, the City Council desires to dispose of the real property located at 510 3rd Avenue SW, Cedar Rapids, Iowa, and legally described as:

SW-ly 30 feet of Lot 9, Block 42, Cedar Rapids Mill Co's Resurvey to Browns
Addition to the City of Cedar Rapids, Linn County, Iowa

, and

WHEREAS, the City Council previously authorized the disposition of this City-owned non-conforming lot by sealed bid to the adjacent parcel owners, and

WHEREAS, said parcel shall be combined with an adjacent parcel so as to constitute a single zoning lot, and

WHEREAS, the City of Cedar Rapids offered this parcel for sale by sealed bid for a period of 30 days, and

WHEREAS, the City of Cedar Rapids received one bid on February 12, 2016 from Marantha Bible Church (526 3rd Avenue SW, Cedar Rapids, Iowa 52404) in the amount of \$2,000 for this real property, and

WHEREAS, the Public Works Director recommends the City Council accept the bid received from Marantha Bible Church for this property, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration of \$2,000 to be paid by Marantha Bible Church for the property to be conveyed is good, adequate, fair and valuable, and that the bid shall be accepted, and

BE IT FURTHER RESOLVED that Quit Claim Deed from the City of Cedar Rapids, Iowa to Marantha Bible Church shall be executed by the City Manager and City Clerk and be recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

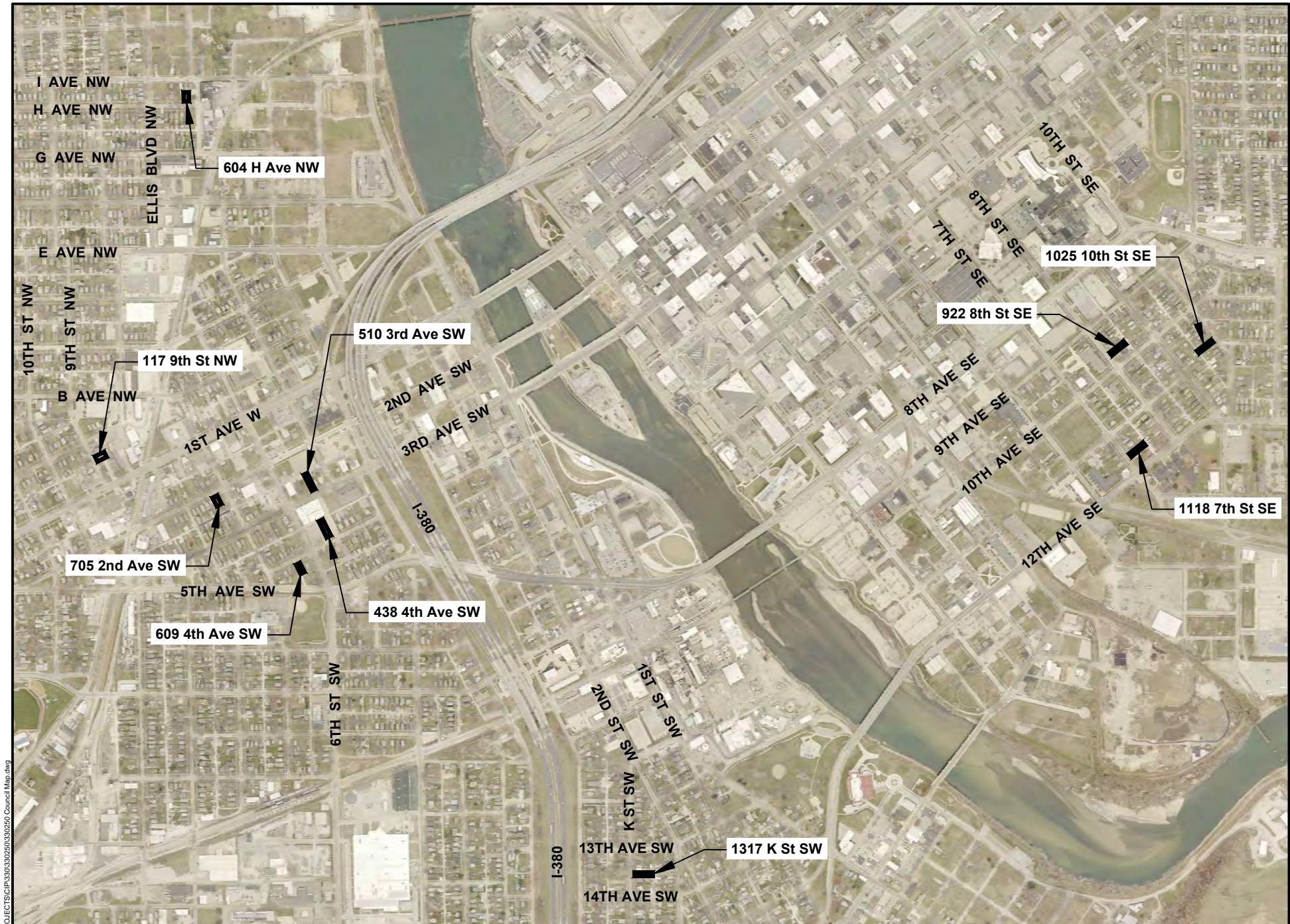
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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG





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: REGULAR AGENDA

Report on bids for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project (estimated cost is \$214,800) (Steve Hershner).

Resolution awarding and approving contract in the amount of \$169,680, bond and insurance to Central States Concrete, LLC for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project.

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.

Ten bids were received on February 24, 2016 for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project.

<u>Bidder</u>	<u>Location</u>	<u>Total Unit Price Bid</u>
Central States Concrete, LLC	Marion, IA	\$169,680
Ricklefs Excavating, Inc.	Anamosa, IA	\$172,948
Midwest Concrete, Inc.	Peosta, IA	\$175,087
Dave Schmitt Construction Co.	Cedar Rapids, IA	\$177,428
Rathje Construction Co.	Marion, IA	\$179,485.50
Pirc-Tobin Construction, Inc.	Alburnett, IA	\$181,031.60
Iowa Erosion Control, Inc.	Victor, IA	\$205,620.96
Absolute Concrete Const., Inc.	Slater, IA	\$213,037.75
Tschiggfrie Excavating Co.	Dubuque, IA	\$226,840.70
Horsfield Construction, Inc.	Epworth, IA	\$298,580

The Engineer's estimate was \$214,800.

A motion to publish a Notice of Hearing and Letting was approved by the City Council on January 26, 2016. The public hearing was held February 9, 2016. The work is anticipated to begin April 1, 2016 and be completed by September 30, 2016.

Action/Recommendation: The Utilities Department-Water Pollution Control Division recommends awarding the contract to Central States Concrete LLC in the amount of \$169,680.

Alternative Recommendation: None

Time Sensitivity: 03-08-16

Resolution Date: 03-08-16

Budget Information:

1. **Included in Current Budget Year.** Yes. The project will be funded from the FY2016 and 2017 Water Pollution Control 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 \$100,000 in the FY2016, and \$150,000 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. 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

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 26, 2016, the City Council adopted a motion that directed the City Clerk to give notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Southbound Right-Turn Lane, Iowa Highway 13 & Bertram Road project (Contract No. 6150015-02) for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on January 30, 2016 pursuant to which a public hearing was held on February 9, 2016, and

WHEREAS, the following bids were received, opened and announced on February 24, 2016 by the Utilities Director, or designee, and said officer has now reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on March 8, 2016:

Central States Concrete, LLC	Marion, IA	\$169,680
Ricklefs Excavating, Inc.	Anamosa, IA	\$172,948
Midwest Concrete, Inc.	Peosta, IA	\$175,087
Dave Schmitt Construction Co.	Cedar Rapids, IA	\$177,428
Rathje Construction Co.	Marion, IA	\$179,485.50
Pirc-Tobin Construction Co.	Alburnett, IA	\$181,031.60
Iowa Erosion Control, Inc.	Victor, IA	\$205,620.96
Absolute Concrete Const., Inc.	Slater, IA	\$213,037.75
Tschiggfrie Excavating Co.	Dubuque, IA	\$226,840.70
Horsfield Construction, Inc.	Epworth, IA	\$298,580

AND WHEREAS, the general ledger coding for this public improvement project shall be as follows: \$169,680, 553000-615-615000-x-x-6150015, and

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

1. The previous delegation to the Utilities Director, or his designee, to receive, open and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;

2. Central States Concrete, LLC is the lowest responsive, responsible bidder on said work and the Utilities Director, or his designee, has recommended that the City accept its bid and award the contract to it;

3. Subject to registration with the Department of Labor, the Bid of Central States Concrete, LLC is hereby accepted, and the contract for the public improvement is hereby awarded to Central States Concrete, LLC;

4. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED, that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED, that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5141

Alternate Contact Person: Tim Mroch, PE
E-mail Address: t.mroch@cedar-rapids.org

Phone Number/Extension: 5703

Description of Agenda Item: REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$1,111,496.35 plus incentive up to \$50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project (estimated cost is \$1,413,000). (Doug Wilson) **(Paving for Progress)**.
 CIP/DID #3012099-02

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

Background:

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$1,111,496.35
Incentive up to	\$ 50,000.00
Total	\$1,161,496.35
BWC Excavating, LC, Solon, IA	*\$1,115,193.10
Tschiggfrie Excavating, Dubuque, IA	\$1,321,999.25
Pirc Tobin Construction, Inc., Alburnett, IA	\$1,384,771.50
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,490,435.60
Rathje Construction Co., Marion, IA	\$1,547,988.08

*Multiplication/Addition error found in bid

Dave Schmitt Construction Company, Inc. submitted the lowest of the bids received on February 23, 2015 for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed within 90 calendar days.

The Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of BWC Excavating, LC was corrected to be \$1,115,193.10, based on the unit prices submitted and the correct bid quantity totals.

Action/Recommendation: The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$1,111,496.35 plus incentive up to \$50,000, bond and insurance of Dave Schmitt Construction Company, Inc. for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation project.

Alternative Recommendation: If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

Time Sensitivity: Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after March 8, 2016 may require re-bidding and affect the construction schedule for the improvements.

Resolution Date: March 8, 2016

Budget Information: 301/301000/3012099 SLOST
655/6550000/6550025 NA
625/6250000/6250051-2016039 NA

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: NA
Explanation: NA



February 24, 2016

City Council
City of Cedar Rapids

RE: Report on bids as read for the Oakland Road NE From H Avenue NE to J Avenue NE
Pavement Rehabilitation, Contract Number 3012099-02

Dear City Council:

Bids were received on February 24, 2016 for the Oakland Road NE From H Avenue NE to J
Avenue NE Pavement Rehabilitation project as follows:

Dave Schmitt Construction, Cedar Rapids, IA	\$1,111,496.35
BWC Excavating, LC, Solon, IA	\$1,115,993.02
Tschiggfrie Excavating, Dubuque, IA	\$1,321,999.25
Pirc Tobin Construction, Inc., Alburnett, IA	\$1,384,771.50
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,490,435.60
Rathje Construction Co., Marion, IA	\$1,547,988.08

The engineers cost opinion for this work is \$1,413,000. It is recommended the bids be reviewed
by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Doug Wilson", written over a horizontal line.

Doug Wilson, P.E.
PFP Program Manager

DFW/cap

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

RESOLUTION NO. LEG_NUM_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on February 9, 2016 the City Council adopted a motion that directed the City Clerk to publish notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Oakland Road NE from H Avenue NE to J Avenue NE Pavement Rehabilitation (Contract No. 3012099-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice was published in the Cedar Rapids Gazette on February 13, 2016 pursuant to which a public hearing was held on February 23, 2016, and

WHEREAS, the following bids were received, opened and announced on February 24, 2016 by the City Engineer, or designee, and said officer has reported the results of the bidding and made recommendations thereon to the City Council at its next meeting on March 8, 2016:

Dave Schmitt Construction Co., Inc., Cedar Rapids, IA	\$1,111,496.35
Incentive up to	\$ 50,000.00
Total	\$1,161,496.35

BWC Excavating, LC, Solon, IA	*\$1,115,193.10
Tschiggfrie Excavating, Dubuque, IA	\$1,321,999.25
Pirc Tobin Construction, Inc., Alburnett, IA	\$1,384,771.50
Eastern Iowa Excavating & Concrete, LLC, Cascade, IA	\$1,490,435.60
Rathje Construction Co., Marion, IA	\$1,547,988.08

Multiplication/Addition error found in bid

AND WHEREAS, the Instructions to Bidders (Section 200 14.01) and contract documents require contractor bids based on unit price. Accordingly, the bid of BWC Excavating, LC was corrected to be \$1,115,193.10, based on the unit prices submitted and the correct bid quantity totals, and

WHEREAS, general ledger coding for this public improvement shall be as follows: \$1,161,496.35; \$889,522.35 301-301000-7970-3012099 SLOST, \$257,999 655-655000-6550025 NA, \$13,975 625-625000-625051-6252016039 NA.

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

1. The recitals contained hereinabove are found to be true and correct.
2. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
3. Dave Schmitt Construction Company, Inc. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;

4. Subject to registration with the Department of Labor, the Bid of Dave Schmitt Construction is hereby accepted, with the inclusion of the incentive clause, and the contract for this public improvement is hereby awarded to Dave Schmitt Construction Company, Inc.
5. The City Manager and City Clerk are hereby directed to sign and execute a contract with said contractor for the construction of the above-described public improvements;

BE IT FURTHER RESOLVED that the bid securities of the unsuccessful bidders be returned to them by the City Clerk, and

BE IT FURTHER RESOLVED that upon execution by the City Manager and City Clerk, said contract is approved, subject to approval of the bond and insurance by the City of Cedar Rapids Risk Manager and filing of the same with the City of Cedar Rapids Finance Director.

PASSED_DAY_TAG

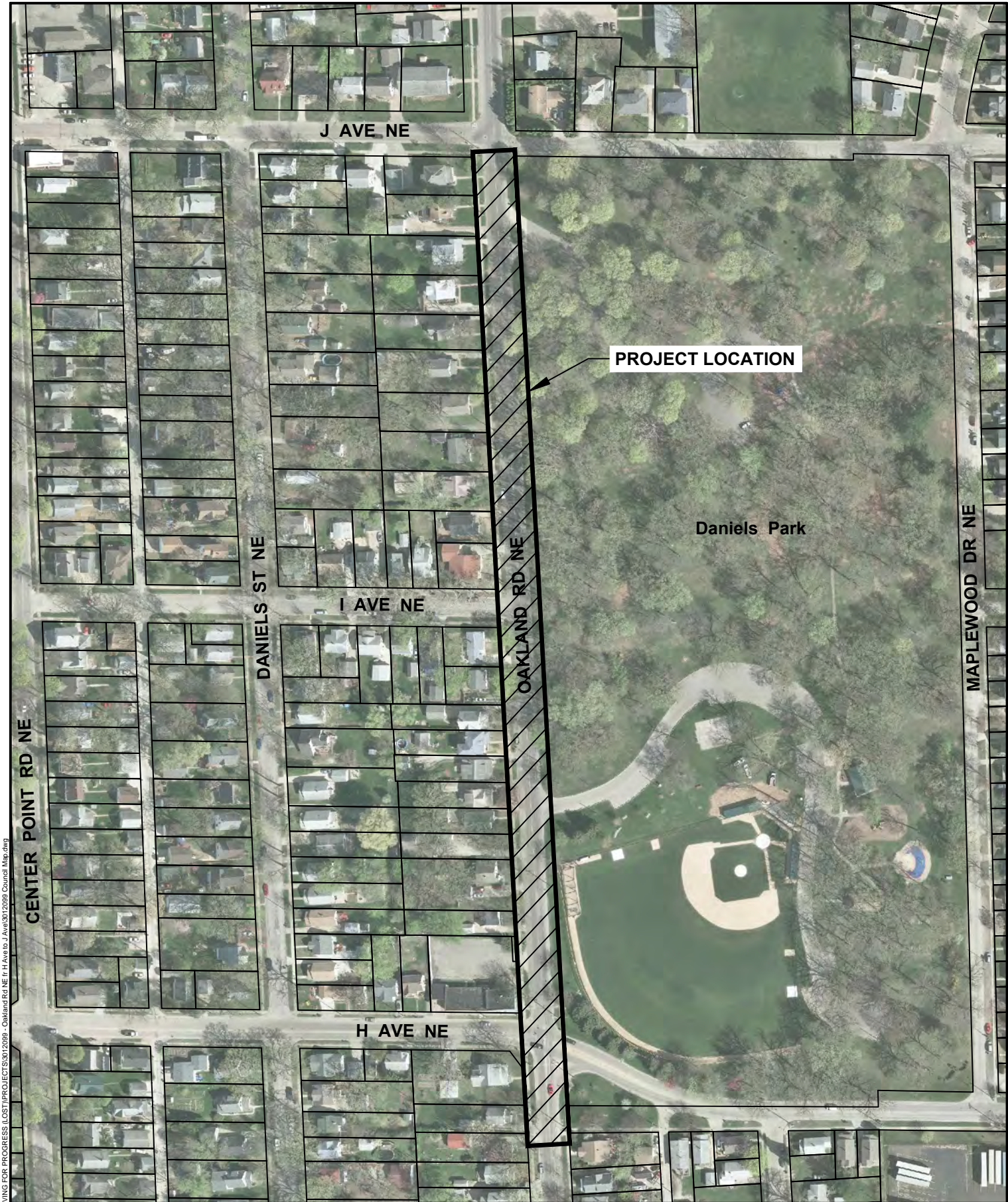
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MayorSignature

Attest:

ClerkSignature

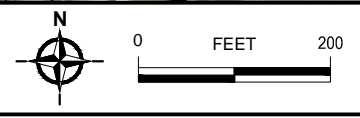
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Cadd File Name: W:\PAVING FOR PROGRESS (LOST)\PROJECTS\3012099 - Oakland Rd NE Tr H Ave to J Ave\3012099 Council Map.dwg



**OAKLAND ROAD NE ROADWAY IMPROVEMENTS
FROM H AVENUE TO J AVENUE**





Council Agenda Item Cover Sheet

Submitting Department: Public Works

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

Phone Number/Extension: 5363

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

Phone Number/Extension: 5814

Description of Agenda Item: REGULAR AGENDA

Resolution authorizing the execution of a 28E Agreement with multiple agencies for the formation of the Middle Cedar Watershed Management Authority (MCWMA).
 CIP/DID #43-16-015

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

Background:

In 2010, Iowa lawmakers passed legislation authorizing the creation of Watershed Management Authorities (WMA). A WMA is a mechanism for cities, counties, Soil and Water Conservation Districts (SWCDs) and stakeholders to cooperatively engage in watershed planning and management. The WMA is formed by a Chapter 28E Agreement by two or more eligible political subdivisions within a specific watershed.

WMAs have been formed across Iowa for a variety of reasons. While the driving motivation for WMA formation may be water quality improvement and/or flood risk reduction, there are multiple benefits to cooperating with other jurisdictions within a watershed, including:

- Conducting planning on a watershed scale, which has greater benefits for water quality improvement and flood risk reduction;
- Fostering multi-jurisdictional partnership and cooperation;
- Leveraging resources such as funding and technical expertise;
- Facilitating stakeholder involvement in watershed management.

The City of Cedar Rapids has recently been party to another WMA – The Indian Creek WMA (ICWMA), which has recently published (and was adopted by all member entities) a Watershed Management Plan (<http://indiancreekwatershed.weebly.com/the-plan.html>).

Over the last few months, City Staff has been involved in discussions with a number of entities to form the Middle Cedar Watershed Management Authority (MCWMA). Cedar Rapids is at the far downstream point of this watershed, and therefore, Staff believes, could benefit the most of all the entities involved.

The 28E for the MCWMA as proposed differs from the ICWMA agreement, in that it would form a separate governing body, where each member entity provides one voting board member to the whole. The 28E for the ICWMA did not create a separate entity, and relies on one member entity to act as a fiscal agent.

Finally, the impetus for the formation of MCWMA at this time specifically is a large grant from the US Department of Housing and Urban Development (USHUD) recently awarded to the State of Iowa for almost \$100m. Formation of MCWMA would facilitate those grant monies benefiting this watershed, significantly. As such, each member entity is working toward a goal of full adoption of the 28E before the end of March 2016.

The member entities at this time are as follows:

- | | |
|-------------------------|--------------------------|
| 1. Benton County | 8. City of Hudson |
| 2. Black Hawk County | 9. City of La Porte City |
| 3. Tama County | 10. City of Vinton |
| 4. Linn County | 11. City of Waterloo |
| 5. City of Cedar Falls | 12. Black Hawk SWCD |
| 6. City of Cedar Rapids | 13. Tama SWCD |
| 7. City of Evansdale | |

Action/Recommendation: The Public Works Department recommends adopting the resolution authorizing execution of a 28E Agreement for formation of the Middle Cedar Watershed Management Authority (MCWMA).

Alternative Recommendation: N/A

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: N/A

Local Preference Policy: NA
Explanation: NA

Recommended by Council Committee: Yes
Explanation: March 1, 2016 Infrastructure Committee

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, in 2010, Iowa lawmakers passed legislation authorizing the creation of Watershed Management Authorities, and

WHEREAS, A Watershed Management Authority (WMA) is a mechanism for cities, counties, Soil and Water Conservation Districts (SWCDs) and stakeholders to cooperatively engage in watershed planning and management, and

WHEREAS, the City of Cedar Rapids desires to enter into an Agreement that would establish a Watershed Management Authority within the Middle Cedar Watershed (Hydrologic Unit Code #07080205) to enable cooperation in watershed planning and improvements pursuant to Iowa Code Chapter 466B.23, and

WHEREAS, Chapter 28E of the Code of Iowa provides the authority for public agencies to enter into agreements for their mutual advantage, and

WHEREAS, this Agreement is made and entered into by the eligible political subdivisions within the Middle Cedar Watershed that adopt these Articles of Agreement, including but not limited to the Cities of Cedar Falls, Cedar Rapids, Evansdale, Hudson, La Porte City, Waterloo and Vinton; Benton, Black Hawk, Tama, and Linn Counties; and Black Hawk and Tama Soil and Water Conservation Districts,

NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and the City Clerk are hereby authorized to sign and execute the Articles of Agreement for the Middle Cedar Watershed Management Authority, a copy of which is attached hereto and incorporated herein by this reference, and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that said 28E Agreement is hereby approved as to form and content and is found to be in the best interest of the City of Cedar Rapids, Iowa and the eligible political subdivisions that adopt these Articles of Agreement, including but not limited to the Cities of Cedar Falls, Cedar Rapids, Evansdale, Hudson, La Porte City, Waterloo and Vinton; and Benton, Black Hawk, Tama, and Linn Counties; and Black Hawk and Tama Soil and Water Conservation Districts.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

Middle Cedar Watershed Management Authority Agreement
Between Benton County and your entity/governmental body

THIS AGREEMENT is entered into pursuant to Iowa Code chapter 28E by and between Benton County, Iowa, and other parties including counties, cities, soil and water conservation districts to wit:

WHEREAS, Iowa Code section 466B.22 authorizes two (2) or more political subdivisions, defined as including cities, counties, and soil and water conservation districts, all of which must be located within the same United States Geological Survey Hydrologic Unit Code 8 Watershed, to enter into agreement under Iowa Code Chapter 28E to establish a watershed management authority to enable cooperation in supporting watershed planning and improvements for the mutual advantage of the political subdivisions involved; and

WHEREAS, pursuant to Iowa Code Section 466B.23, a watershed management authority may perform all of the following duties:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.
4. Monitor federal flood risk planning and activities.
5. Educate residents of the watershed area regarding water quality and flood risks.
6. Allocate moneys made available to the authority for purposes of water quality and flood mitigation.
7. Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain; and

WHEREAS, the Counties of _____; and the Cities of _____; and the Soil and Water Conservation Districts of _____ deem establishment of the Middle Cedar Watershed Management Authority (the "Authority"), a watershed management authority encompassing all of the Iowa portion of the Middle Cedar Watershed (also the "Watershed"), a Hydrologic Unit Code 8 (HUC 8 ID #07080205) Watershed, to be of mutual advantage; and

WHEREAS, it is mutually desired to enter into this Agreement pursuant to Iowa Code Chapter 28E for the purpose of establishing the Middle Cedar Watershed Management Authority to carry out watershed planning and improvements in the Middle Cedar Watershed; and

NOW, THEREFORE, it is agreed by and between the parties as follows:

SECTION 1. IDENTITY OF THE PARTIES.

- 1.1 The Counties of _____ are each a political subdivision of the State of Iowa, organized and operating pursuant to Iowa Code Chapter 331. Their respective addresses are:
- 1.2 The Cities of _____ are each a municipality of the State of Iowa, organized and operating pursuant to Iowa Code chapter 364. Their respective addresses are:
- 1.3 The Soil and Water Conservation Districts of _____ are each a governmental subdivision of the State of Iowa as defined in Iowa Code Section 161A3(6) and a soil and water conservation district established pursuant to Iowa Code Section 161A5(1). Their respective addresses are:

SECTION 2. PURPOSE.

2.1 The purpose of this Agreement is to provide for the manner in which the parties shall cooperate with one another to successfully plan for and implement watershed improvements within the Middle Cedar Watershed, including but not limited to the following activities authorized pursuant to Iowa Code section 466B.22:

1. Assess the flood risks in the watershed.
2. Assess the water quality in the watershed.
3. Assess options for reducing flood risk and improving water quality in the watershed.
4. Monitor federal flood risk planning and activities.
5. Educate residents of the watershed area regarding water quality and flood risks.
6. Seek and allocate moneys made available to the authority for purposes of water quality and flood mitigation.
7. Make and enter into contracts and agreements and execute all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

SECTION 3. CREATION OF THE AUTHORITY.

3.1 Upon the effective date stated in this Agreement there is hereby created a public agency to be known as the "MIDDLE CEDAR WATERSHED MANAGEMENT AUTHORITY" (the "Authority"). The Authority shall be a political subdivision of the State of Iowa and a legal entity separate and distinct from the corporate existence of any participating parties to this Agreement, and shall be subject to the control and supervision of any party to this Agreement or their officers and directors, only to the extent provided for herein.

3.2 A joint board of the participating political subdivisions known as the Middle Cedar Watershed Management Authority Board (the "Board") shall be responsible for fulfilling the purpose of the Authority. The Board shall be comprised of one appointee from each county, city and district participating in this Agreement. The Board shall adopt Bylaws governing the administration, development, operation and management of the Authority.

3.3 Each participating political subdivision shall be known as a Member. Each Member shall appoint a Director to the Board of the Authority.

SECTION 4. DURATION. This Agreement shall be in effect perpetually until terminated pursuant to Section 10.

SECTION 5. POWERS AND DUTIES.

5.1 The Members shall retain all powers and duties conferred by law and shall assist each other in the exercise of such powers and the performance of such duties as are provided for in this Agreement. Each Member shall be jointly responsible for focusing attention on:

- a. Assessing the flood risks in the watershed.
- b. Assessing the water quality in the watershed.
- c. Assessing options for reducing flood risk and improving water quality in the watershed.
- d. Monitoring federal flood risk planning and activities.
- e. Educating residents of the watershed area regarding water quality and flood risks.
- f. Allocating moneys made available to the authority for purposes of water quality and flood mitigation.
- g. Making and entering into contracts and agreements and executing all instruments necessary or incidental to the performance of the duties of the authority. A watershed management authority shall not acquire property by eminent domain.

5.2 A Member may, but will not be required to, accept a specific responsibility to assist in achieving the goals of the Authority. Acceptance of such responsibilities shall only be by official action of the governing body of the Member. These responsibilities include but are not limited to:

- a. identifying opportunities for funding and in-kind support for the undertaking of watershed planning and improvements within the Middle Cedar Watershed;
- b. serving as fiscal agent for the Authority when funds are received from any source;
- c. identifying opportunities for infrastructure development and planning capable of assessing and mitigating flood risks in the Watershed;

- d. identifying the most effective best management practices for improvements of water quantity and water quality improvements in the Watershed;
- e. participating in any educational/outreach programs regarding water quality and flood risks;
- f. identifying opportunities for infrastructure development and planning capable of assessing and improving water quality in the Watershed;
- g. providing support for the administration of any projects, including technical, financial and clerical, as agreed to by the parties;
- h. securing such financing, including grants, loans and the issuance of bonds or loan agreements, as determined to be necessary or desirable to achieve the objectives of the agreement;
- i. coordinating with local wastewater utilities;
- j. designing and bidding of projects;
- k. administering contracts; and
- l. observing construction.

SECTION 6. MANNER OF FINANCING. The Board may solicit, accept and receive donations, endowments, gifts, grants, reimbursements and other such funds as necessary to support work pursuant to this Agreement.

No action to contribute funds by a Director of the Authority is binding on the Member that he or she represents without official approval by the governing board of that Member. No Member may be required to contribute funds to the Authority, except to fulfill any obligation previously made by official action by the governing body of the Member.

All funds received for use by the Authority shall be held as a special fund by the fiscal agent designated by the Board of the Authority. When funds are provided as a grant or loan directed to a Member of the Authority for a project administered by that Member, the funds shall be retained and administered by that Member.

SECTION 7. ENTIRE AGREEMENT.

7.1 This Agreement contains the entire agreement of and integrates all of the terms and conditions contained in and incidental to such Agreement. No modifications or waiver of any provision in this Agreement shall be valid unless in writing and signed by all of the parties. If, for any reason, any provisions of this Agreement shall be inoperative, the validity and effect of the other provisions shall not be affected thereby.

7.2 If any provision of this Agreement is found to be invalid by any court, administrative agency or tribunal or competent jurisdiction, the invalidity of any such provision shall not affect the validity of the remaining provisions hereof.

SECTION 8. GOVERNING LAW. This Agreement shall be governed by and interpreted under the laws of the State of Iowa and shall meet all the necessary legal requirements and publications as outlined in Iowa Code Chapter 28E and other applicable Iowa laws.

SECTION 9. AMENDMENTS. This Agreement may be amended at any time by approval from all of the governing boards of the Members of the Authority. All amendments shall be in writing, executed by the authorized representative of each governing board of the Members, and filed in an electronic format with the Iowa Secretary of State as required by Iowa Code Section 28E.8.

SECTION 10. TERMINATION. This Agreement shall terminate upon the majority vote or mutual agreement of the governing bodies of all Members of the Authority. Upon termination, all property and money then owned by the Authority shall be distributed according to the Member's contribution levels among the Members after payment of all debts. Any funds donated under a stipulation limiting their use shall be disbursed consistent with the donor's direction.

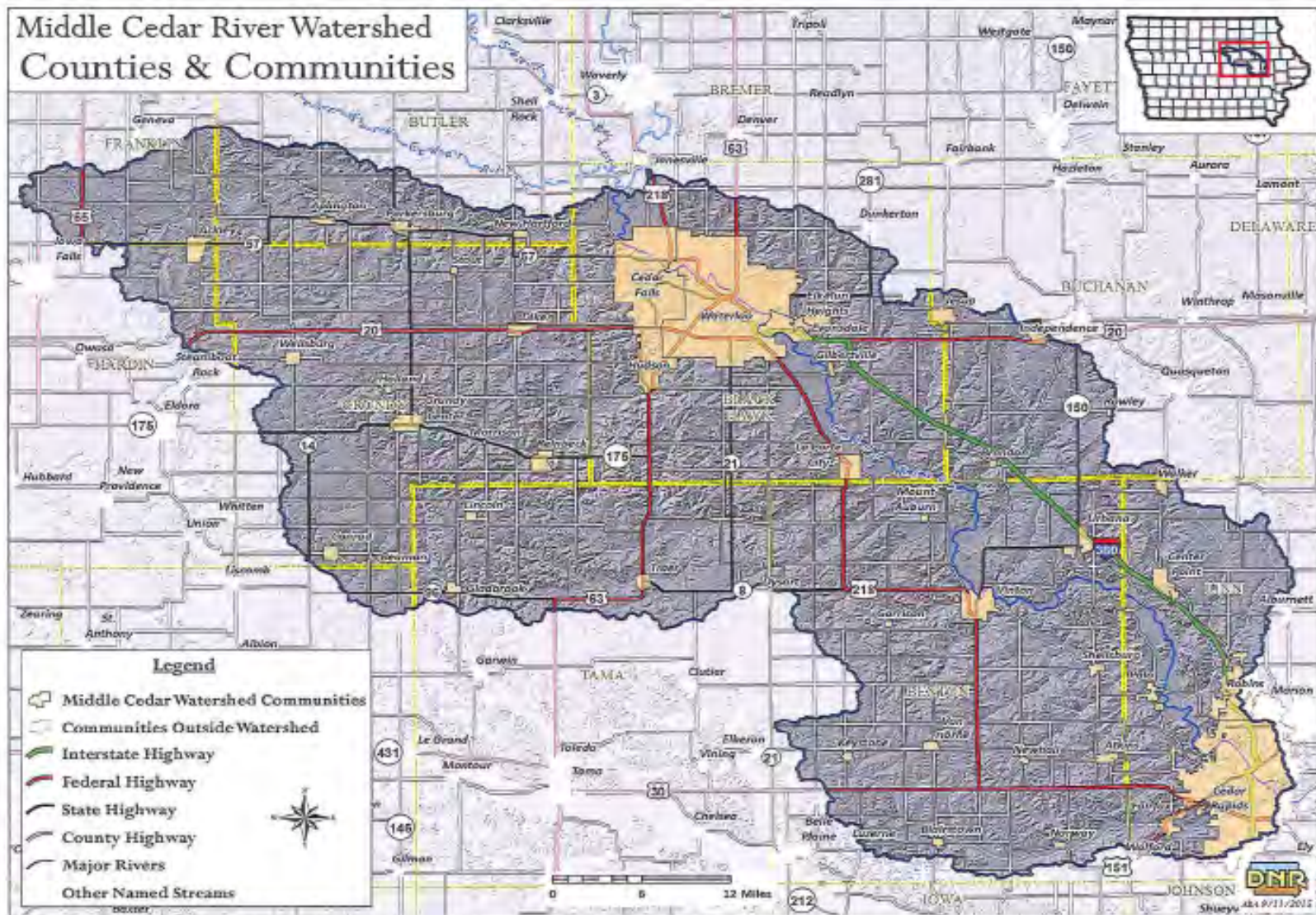
SECTION 11. EFFECTIVE DATE. This Agreement shall take effect upon execution by the parties as required by law and upon filing with the Secretary of State in an electronic format as required by Iowa Code Section 28E.8.

SECTION 12. WITHDRAWAL FROM MEMBERSHIP. Any Member may withdraw from the Authority by the action of its governing board, unless the Authority then has unpaid debts or legal obligations, in which case the consent of the governing boards of the remaining Members to the withdrawal is required. Such withdrawal will forfeit any right to a distribution in conjunction with a subsequent termination of this Agreement.

SECTION 13. WATERSHED BOUNDARY. The geographical area to which this agreement applies shall be known as the Middle Cedar Watershed. The Middle Cedar is a United States Geological Survey Hydrologic Unit Code (HUC 8 ID #07080205) Watershed. The boundary of the Watershed is graphically displayed in Attachment I, which is hereby incorporated into this Agreement.

SECTION 14. INDEMNIFICATION. The Authority shall indemnify, defend, keep, save, and hold harmless the Members and their officers and employees from and against any and all losses, claims, damages, liability, costs, expenses, or deficiencies (including without limitation reasonable attorneys' fees and other costs and expenses reasonably incident to proceedings or investigations or the defense or settlement of any claim or claims) arising out of the Authority's activities, including without limitation challenges to the organization, creation or status of the Authority, whether based on tort, antitrust, non-competition, wage and hour violations, or any other claim of illegality, and whether based upon state, federal, local, or common law.

ATTACHMENT I



Dated this ____ day of _____, 2016

_____ COUNTY, IOWA

BY:

Board of Supervisors Chair

ATTEST:

County Auditor

Dated this ____ day of _____, 2016

____ city _____, IOWA

BY: _____
Mayor

ATTEST: _____
City Clerk

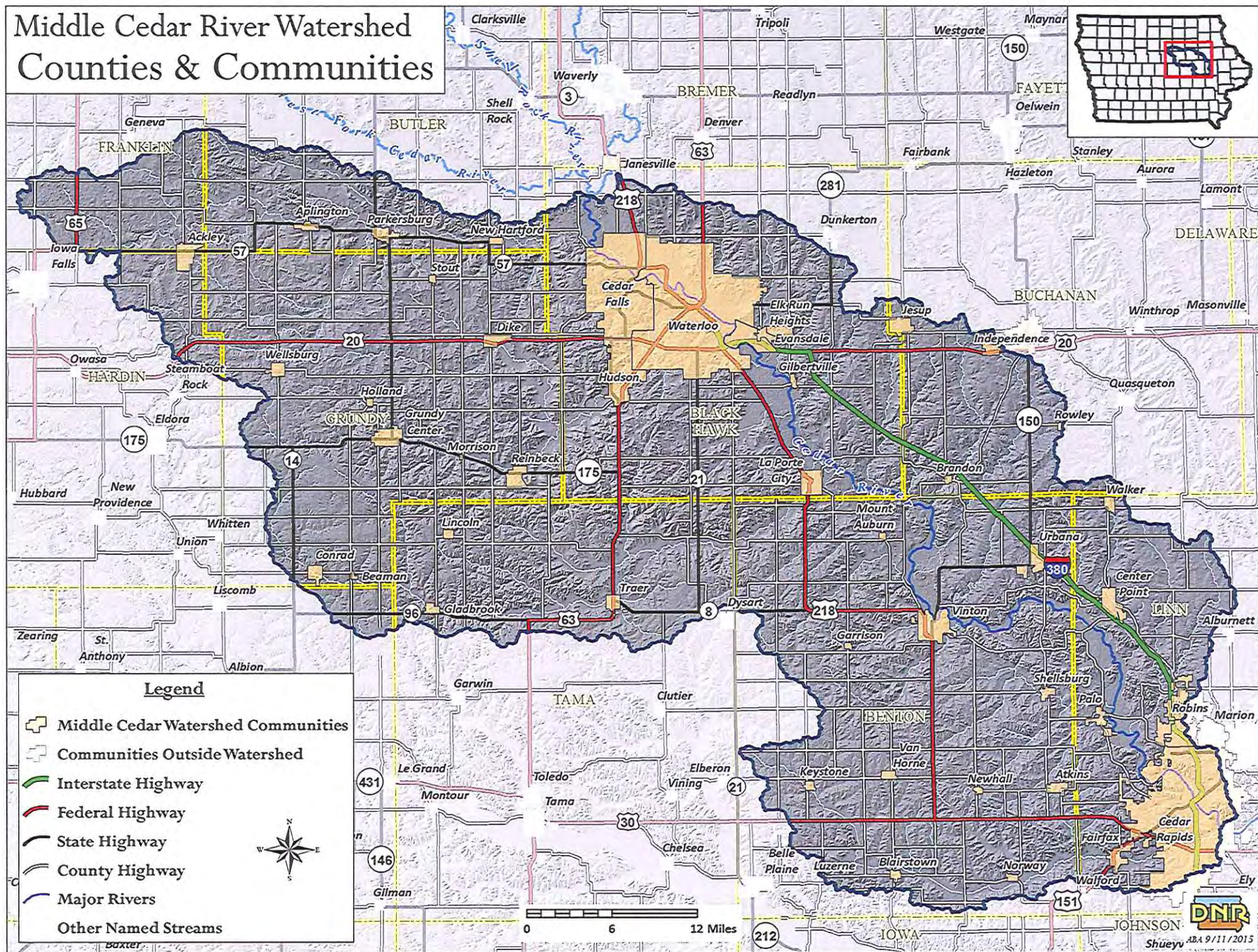
Dated this ____ day of _____, 2016

____ SWCD _____, IOWA

BY: _____
Chair

ATTEST: _____
Secretary

Middle Cedar River Watershed Counties & Communities





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

Discussion and Resolution of support providing City participation under the City's High Quality Job Program for the proposed construction of the new Thompson Truck and Trailer facility at the SW corner of 6th Street SW and 76th Avenue SW (Caleb Mason).

CIP/DID #URTE-0008-2016

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

Background:

The Resolution authorizes City participation under the City's High Quality Job program for the construction of a new commercial/industrial facility at the SW-ly corner of 6th Street SW and 76th Avenue SW. The authorization of City participation is conditioned on establishing an Urban Revitalization Area which provides a declining scale exemption based on the new value added by project.

Project Details:

- Construction of a new 55,000 sq. ft. commercial/industrial facility
- Total investment of \$8.3 million
- Retention of 34 jobs
- Creation of 10 new jobs meeting High Quality Jobs wage threshold

The partial tax exemption is a ten-year, declining scale exemption averaging 44% per year, applied only to the increased property valuation. Based on the scope of the proposed project, an additional taxable value of \$4,250,000 is estimated to be added resulting in approximately \$147,600 in additional property tax revenue annually. Under the sliding scale URTE schedule the project will generate an estimated \$885,000 million in total tax revenues will be collected and \$660,000 deferred as tax exempt over a 10-year period.

The following are the next steps:

March 22 Public Hearing, 1st Ordinance reading & Resolution establishing Urban Revitalization Area

April 12 2nd & possible 3rd Ordinance reading establishing Urban Revitalization Area

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

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

Time Sensitivity: NA

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, the City of Cedar Rapids has received a request by Thompson Truck and Trailer, Inc. for City participation under the City's High Quality Jobs Program for the construction of a new commercial office and industrial building facility to house the operations of Thompson Truck and Trailer; and

WHEREAS, the City Council supports such activities which promote and facilitate economic development objectives of the City, including growth of existing businesses; and

WHEREAS, the proposed financial assistance will be used to aid in the construction of a new 55,000 square foot office and industrial facility , and create at least ten (10) new jobs which qualify under the State's High Quality Jobs wage threshold;

WHEREAS, the estimated total investment in the project is \$8,300,000;

WHEREAS, the project qualifies for the City's High Quality Jobs Program, subject to meeting all qualifications for the programs;

WHEREAS, the following project characteristics are consistent with City Council goals and combine to establish the public purpose and overall benefit to the community:

- Creation of new jobs meeting High Quality Jobs wage threshold
- Retention of 34 employees
- Economic grow in areas with existing infrastructure

WHEREAS, the City Council desires to express its support for the Thompson Truck and Trailer, Inc. project as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the request for City participation in accordance with the High Quality Jobs Program is approved, subject to meeting all required legislative procedures and requirements to establish an Urban Revitalization Area as a mechanism for City financial support.

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: Jennifer Pratt

Phone Number/Ext.: 319 286-5047

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

Alternate Contact Person: Caleb Mason

Phone Number/Ext.: 319 286-5188

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

Description of Agenda Item: REGULAR AGENDA

Discussion and Resolution authorizing execution of a Development Agreement and Special Warranty Deed with Shadow River, LC for the disposition and redevelopment of City owned property at 97 3rd Avenue SW (former Smulekoffs Building) (Caleb Mason).
CIP/DID #OB1369853

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

Background:

The Resolution authorizes execution of a Development Agreement with Shadow River, LC for the redevelopment of the former Smulekoff's building at 97 3rd Avenue SW. On May 26, 2015 the City Council authorized staff to pursue a Development Agreement for the redevelopment of the property. City staff has negotiated the terms and conditions of the Agreement, which are highlighted as follows:

- Minimum Investment - \$15,000,000;
- Minimum Improvements
 - 1st Floor – commercial/retail on historic portion, parking on addition;
 - 2nd Floor – Office
 - 3rd to 5th Floors – market rate housing
- Historic Preservation
 - Improvements are to meet Secretary of Interior's Standards for Historic Preservation
 - Property is to be listed on the National Register of Historic Places within 1-year of certificate of occupancy.
- Property is to be flood proofed at 1' above Base Flood Elevation and maintain flood insurance and utilities relocated from the basement;
- Purchase Price - \$415,000 based on current appraised value and confirmed by appraisal review. Sale proceeds are returned to the federal acquisition program;
- Flood Control System (FCS) terms:
 - A portion of the property (side parking lot and strip along rear/riverside) is being deeded back to the City for use, as part of the FCS. Developer is provided parking access through a parking access agreement for parking lot until construction of FCS.

- Developer is to remove the rear loading dock as part of the minimum improvements, and no private access is being provided to the rear of the building;
- Portion of an underground utility vault annexed to the building's foundation is to be abandoned for a gate crossing at 3rd Ave SE, the City and Developer shall execute an underground encroachment agreement for the remaining portion of the vault.
- City participation of 10-years, 100% reimbursement of increased value contingent on annual employment commitments.
- Employment threshold of 50 employees that are either (i) new employees to the City, or (ii) relocation of existing business/employees from within the City with written consent of existing property owner.
- Construction is to begin within 45 days of receipt of Amended Agreement for Covenants and Restrictions from Iowa Economic Development Authority.

The proposed redevelopment of the Smulekoffs building supports Goal 1 in GrowthCR: Encourage mixed-use and infill development by utilizing the historic structure for office, commercial, and housing.

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

Alternative Recommendation: City Council may table and request additional information

Time Sensitivity: NA

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, on January 21, 2015 the City Council's Development Committee recommended inviting competitive proposals for the redevelopment and reuse of City-owned property at 97 3rd Avenue SW (the "Property"); and

WHEREAS, on February 10, 2015 the City Council passed a motion to conduct a hearing and publish notice of the same on February 14, 2015, and the public hearing was held on February 24, 2015 on the possible disposition of the Property in accordance with Iowa Code; and

WHEREAS, after conducting a public hearing on the disposition of the Property, on February 24, 2015 the City Council adopted Resolution No. 0251-02-15 to continue in the disposition of the Property and issue a request for redevelopment proposals; and

WHEREAS, the City received six (6) proposals for the redevelopment and reuse of the Property; and

WHEREAS, a review panel representing non-competing private development firms, historic preservation, downtown property owners, commercial banking, and City staff evaluated the proposals in accordance with the proposal evaluation criteria; and

WHEREAS, the City Council has determined the proposal submitted by Aspect, Inc. provides an overall community benefit by providing for preservation of a historic asset, mix of uses, and creation of jobs all to the benefit of the City as a whole; and

WHEREAS, on May 26, 2015 the City Council adopted Resolution No. 0780-05-15 authorizing negotiation of a Development Agreement with Aspect, Inc.; and

WHEREAS, Shadow River, LC is the business entity related to Aspect, Inc. for purposes of developing the Property; and

WHEREAS, a Development Agreement has been negotiated with Shadow River, LC, which provides the following key terms:

- Minimum Investment of \$15,000,000 in improvements consistent with the Secretary of Interiors Standard's for Historic Preservation;
- Employment threshold of 50 employees
- Employees/Businesses must either be (i) new to the City or (ii) a business or employees which are relocated from within the City at the written consent of the businesses/employees current property owner;

- City participation in the form of a 10-year, 100% reimbursement of increased taxes generated by the minimum improvements subject to annual employment certifications;
- Purchase Price of \$415,000.00;

WHEREAS, the Development Agreement has been prepared, subject to City Council's approval and is now ready for execution on behalf of the City.

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

1. The Development Agreement is approved and the City Manager and City Clerk, or their designees are authorized to execute a Development Agreement with Shadow River, LC for the purchase and redevelopment of City-owned property at 97 3rd Avenue SW and to do all other things reasonably necessary to effectuate this Resolution and the Agreement.
2. The City Manager and City Clerk or their designees, are authorized to execute a Memorandum of Development Agreement which is to be recorded in the office of the Linn County, Iowa Recorder.
3. The City Manager and City Clerk, or their designees, are authorized to execute a Special Warranty Deed in accordance with the terms of the Development Agreement effectuating the conveyance of the City-owned property at 97 3rd Avenue SW to Shadow River, LC and that the Resolution and deed 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: 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: ORDINANCES – Third Reading

Ordinance vacating 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.

CIP/DID #ROWV-022220-2015

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

Background:

A Public Hearing was held on February 9, 2016 in which no objections were heard.

February 9, 2016 - 1st reading of the Ordinance was held and passed.

February 23, 2016 – 2nd reading of the Ordinance was held and passed.

Action/Recommendation: March 8, 2016 - 3rd reading of the Ordinance.

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: NA

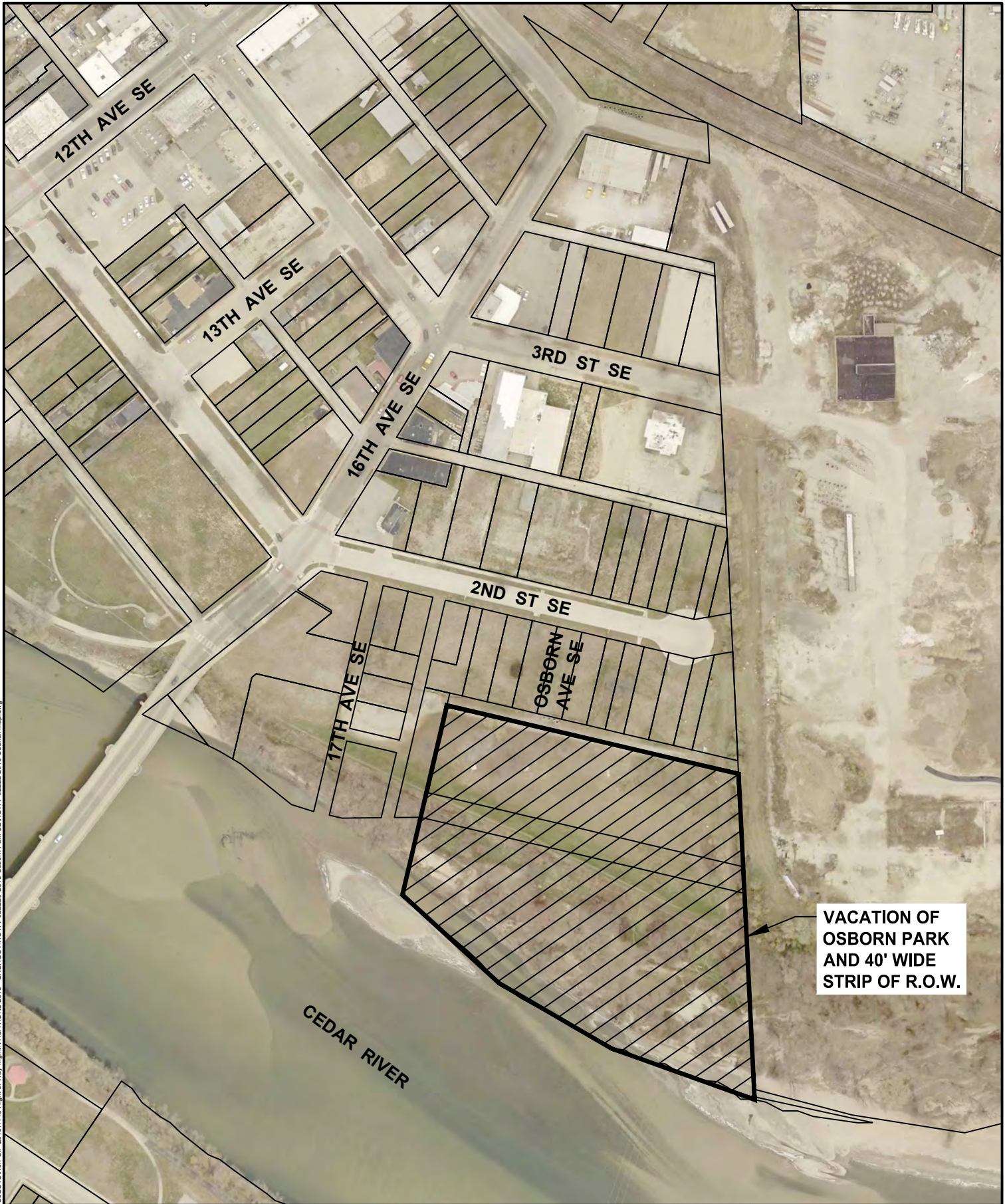
Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA



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



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



0 FEET 200

ROWV-022220-2015

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ROWV-022220-2015

ORDINANCE NO. LEG_NUM_TAG

**AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING PROPERTY
MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.**

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

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

5.3 acre parcel of vacant City-owned land known as Osborn Park and legally described as J C May's (Petrovitsky's Replat) Lots 12 through 23 Block 1 and Out Lot A, and 40-foot wide right-of-way formerly known as 1st Street SE and located between said Lots 12 through 23 and Out Lot A

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 9th day of February, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG



Council Agenda Item Cover Sheet

Submitting Department: Development Services

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

Phone Number/Ext.: 319 286-5132

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

Phone Number/Ext.: 319 286-5822

Description of Agenda Item: ORDINANCES – Third Reading

Ordinance 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 and Louis L. and Margaret Ellen Barta.
 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. A City Council Public Hearing and First Reading of the Ordinance were held on February 9, 2016.

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 the area currently zoned I-2. 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 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 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 were held on February 9, 2016. There were no objectors. 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 approval of the Third Reading.

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

Time Sensitivity: NA

Resolution Date: NA

Budget Information: NA

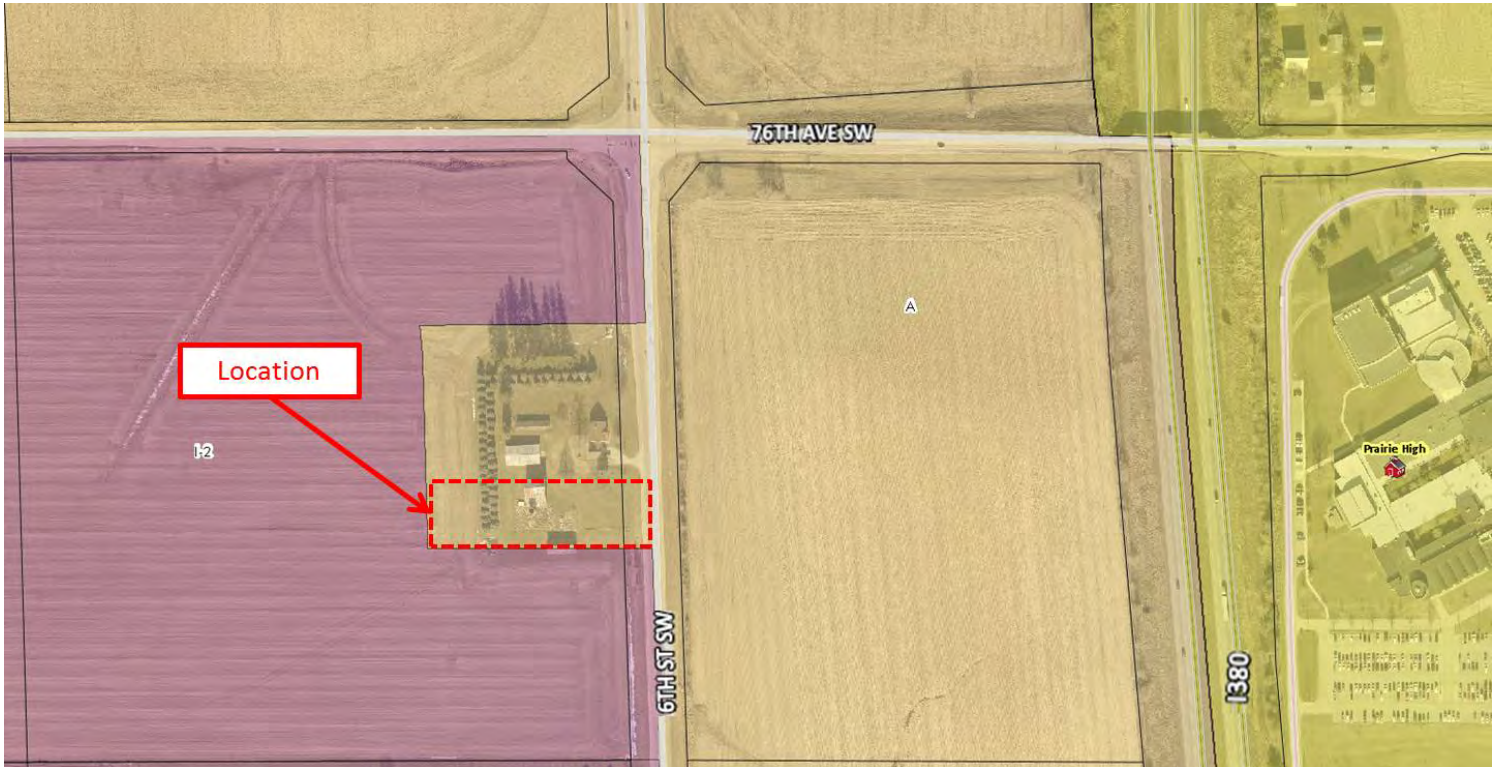
Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

Location Map



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RZNE-022246-2015

ORDINANCE NO. LEG_NUM_TAG

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

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

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

PART OF THE NORTH HALF OF THE NORTHEAST QUARTER, SECTION 20, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER AND THE WEST RIGHT OF WAY OF 6TH STREET S.W.; THENCE N1°40'58"W 422.00 FEET ALONG SAID WEST RIGHT OF WAY TO THE POINT OF BEGINNING; THENCE S88°11'19"W 319.88 FEET; THENCE N1°48'41"W 107.51 FEET; THENCE N89°43'53"E 81.44 FEET; THENCE N0°16'07"W 60.00 FEET; N89°43'53"E 182.25 FEET; THENCE NORTHEASTERLY 3.33 FEET ALONG THE ARC OF A 120.00 FOOT RADIUS CURVE, CONCAVE NORTHERLY (CHORD BEARS N88°56'11"E 3.33 FEET); THENCE N88°08'29"E 51.34 FEET TO SAID WEST RIGHT OF WAY; THENCE S1°48'41"E 160.38 FEET ALONG SAID WEST RIGHT OF WAY TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 1.09 ACRES, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

and located at 7708 6th Street SW, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to I-2, General Industrial Zone District, and that the property be used for such purposes as outlined in the I-2, General 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. Subject property shall be platted per State and City platting regulations.
2. That all parking, drives, and storage areas be surfaced per provisions of the Zoning Ordinance. Surfacing to include asphalt, concrete, brick or asphaltic macadam.
3. All lighting shall be of a type, design and placement, and also be shielded in a manner to minimize impact on residential properties or uses adjacent to or immediately across the street.
4. All construction requires review by the Airport.

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 9th day of February, 2016.

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

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: ORDINANCES – Second and possible Third Readings

Second and possible third reading of an Ordinance vacating public ways and grounds in and to the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, LLC.

CIP/DID #ROWV-022010-2015

Resolution authorizing the disposition of the property described as a 15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW as requested by Mott, 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: A Public Hearing was held on February 23, 2016 in which no objections were heard.

February 23, 2016 - 1st reading of the Ordinance was held and passed.

Action/Recommendation: March 8, 2016 - 2nd and possible 3rd reading of the Ordinance and would like to pass the resolution for the vacation and disposition of the 15-foot by 250-foot alley.

Alternative Recommendation: Require Mott, LLC to revise their site development plans.

Time Sensitivity: Normal

Resolution Date: March 8, 2016

Budget Information: NA

Local Preference Policy: NA

Explanation: NA

Recommended by Council Committee: NA

Explanation: NA

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ROWV-022010-2015

ORDINANCE NO. LEG_NUM_TAG

**AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING PROPERTY
MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF.**

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

Section 1. That the public ways and grounds in and to the property hereafter described is permanently vacated:

Fifteen (15) foot platted alley lying easterly of, and adjacent to Lots 1 through 7 inclusive of Highland Addition to West Cedar Rapids, as filed for record November 18, 1891 in Volume 187 at Page 156 at the Office of the Linn County Recorder

Section 2. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Introduced this 23rd day of February, 2016.

PASSED_DAY_TAG

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MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG

RESOLUTION NO. LEG_NUM_TAG

WHEREAS, a notice has been given and a public hearing held as required by law, and

WHEREAS, the public use has been vacated by ordinance for the following described City property:

15-foot by 250-foot alley located southwesterly of and adjacent to 42 7th Avenue SW

, and

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

1. The City Manager and City Clerk shall execute a Quit Claim Deed conveying the property hereafter described to Mott, LLC, 3330 Southgate Court SW, Suite 250C, Cedar Rapids, Iowa 52404:

Fifteen (15) foot platted alley lying easterly of, and adjacent to Lots 1 through 7 inclusive of Highland Addition to West Cedar Rapids, as filed for record November 18, 1891 in Volume 187 at Page 156 at the Office of the Linn County Recorder

2. The Council determines the fair consideration required for the aforescribed conveyance to be \$2,250 plus standard 5% closing costs of \$113.
3. This conveyance is subject to the following conditions which shall be agreed to and accepted in writing by the grantee and be binding upon the grantee, successors, and assigns as follows:
 - a. Grantee shall save the City of Cedar Rapids harmless from damage or injury or loss of access or diminishing of the value of improved property, under Section 364.15 of the Iowa Code as the result of the vacation and the disposition of said property hereinbefore described to said grantee.
4. The grantee, Mott LLC, shall be required to submit a combined tax statement to the City Assessor's Office, since the square footage does not constitute a buildable lot area in and of itself.
5. The grantee, Mott LLC, shall pay the City Clerk all publication and recording fees connected with this matter.

BE IT FURTHER RESOLVED, that on behalf of the City of Cedar Rapids, the City Manager and City Clerk are hereby authorized to execute a Quit Claim Deed effectuating this conveyance and that the same is hereby approved and accepted, and that it 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

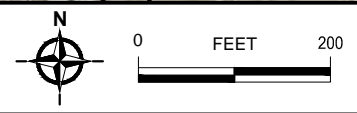
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Cadd File Name: W:\PROJECTS\Non-CIP\2015\415 Right of Way Mgmt\VACATIONS 2015 - ENERGO\ROWV-022010-2015 42 7th Ave SW Alley - Former Mott Bug\ROWV-022010-2015 Council Map.dwg



15' x 250' ALLEY VACATION AND DISPOSITION



ROWV-022010-2015



Council Agenda Item Cover Sheet

Submitting Department: Development Services

Presenter at Meeting: Joe Mailander
E-mail Address: j.mailander@cedar-rapids.org

Phone Number/Ext.: 319 286-5822

Alternate Contact Person: Vern Zakostelecky
E-mail Address: v.zakostelecky@cedar-rapids.org

Phone Number/Ext.: 319 286-5043

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
 Ordinance granting a change of zone for property North of Highway 30, east of Union Drive SW from A, Agriculture Zone District, to R-2, Single Family Residence Zone as requested by College Farms, LLC.
 CIP/DID #RZNE-022288-2015

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

Background: The request for a Rezoning without a Preliminary Plat was reviewed by the City Planning Commission on January 28, 2016 and approval was recommended by a vote of 8-1.

This property was annexed into the City in 2014. A previous rezoning request was presented to City Council in May 2014 and the 1st reading of the ordinance was approved by a vote of 7 to 2. The developer has been working with the City and residents of the existing development to address concerns presented during the previous submittal. The City's Future Land Use Map has recently been revised to include this area and designate it as Urban Low Intensity (U-LI).

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 28, 2016 and recommended approval on an 8 to 1 vote. A portion of the minutes is attached.
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 23, 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 approval of the Second and possible Third Reading.

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

Time Sensitivity: NA

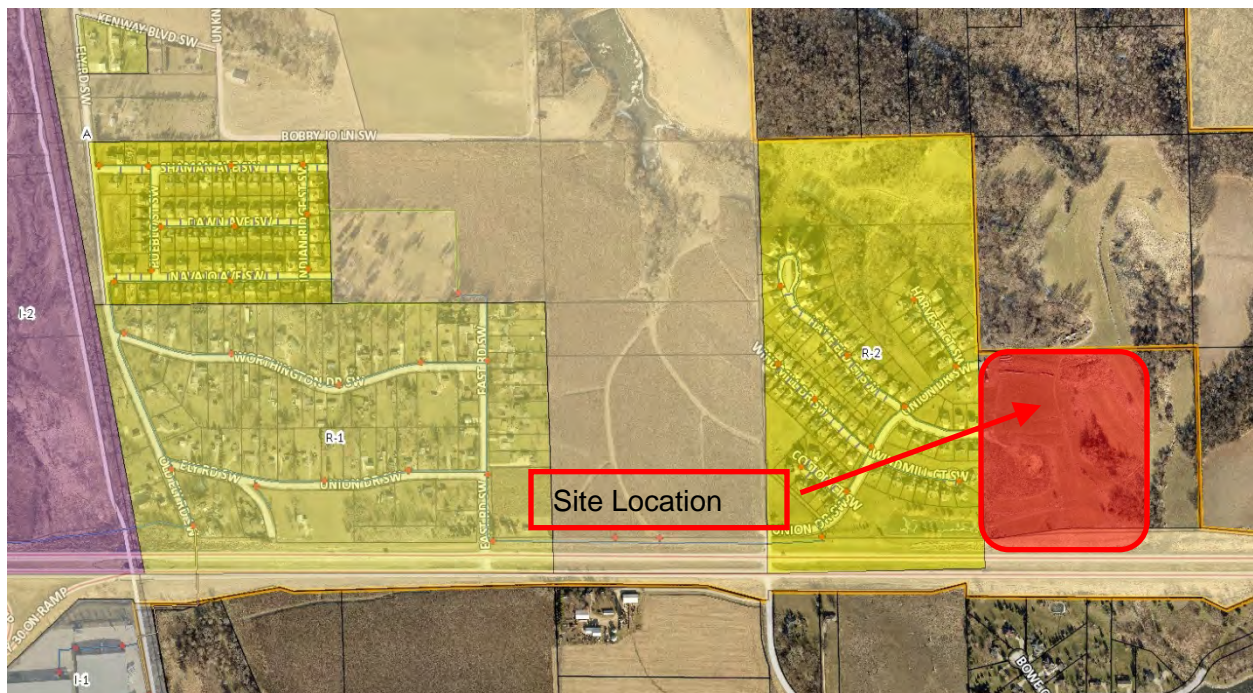
Resolution Date: NA

Budget Information: NA

Local Preference Policy: NA

Recommended by Council Committee: NA

Location Map



WTR	DSD
ENG	BSD
FIR	STR
CLK	TED
	PKS
	RCR
RZNE-022288-2015	

ORDINANCE NO. LEG_NUM_TAG

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

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

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

THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12-82-7, CEDAR RAPIDS, LINN COUNTY, IOWA, EXCEPTING THEREFROM THE PUBLIC HIGHWAY
AND
THE WEST 350 FEET OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12-82-7, CEDAR RAPIDS, LINN COUNTY, IOWA, EXCEPTING THEREFROM THE PUBLIC HIGHWAY

and located North of Hwy 30, east of Union Drive SW and Hayfield Drive SW, now zoned A, Agriculture Zone District, and as shown on the "District Map," be rezoned and changed to R-2, Single Family Residence Zone District, and that the property be used for such purposes as outlined in the R-2, Single Family Residence Zone District, as defined in Chapter 32 of the Municipal Code of Cedar Rapids, Iowa.

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

1. No City Staff recommended conditions.

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

Introduced this 23rd day of February, 2016.

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: Bill Micheel
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Phone Number/Ext.: 319 286-5045

Alternate Contact Person: Jeff Hintz
E-mail Address: j.hintz@cedar-rapids.org

Phone Number/Ext.: 319 286-5781

Description of Agenda Item: ORDINANCES – Second and possible Third Readings
 Ordinance amending Chapter 32 of the Municipal Code, the Zoning Ordinance to expand the Northwest Flood Mitigation Overlay District with specific guidelines applicable to land use applications and permits.
 CIP/DID #ZONE-0001-2016

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

Background: Community Development Staff has initiated an ordinance amendment to expand the Northwest Flood Overlay District initially approved by Council in October of 2014. The purpose of this action is to expand the Northwest Flood Overlay District to include all property included in the mandatory buyout area adopted by the City Council as a part of the final alignment of the flood control system on June 23, 2015.

The proposed amendment will expand the overlay district, but will not change the requirements adopted as part of the original overlay district. These requirements seek to limit new development or changes in development patterns within the district. This overlay does not prevent a homeowner from doing the following:

- Routine maintenance and upkeep, such as roof replacement
- Meeting requirements of building and other mechanical codes

The intent and spirit of this overlay is to keep properties in this area habitable, safe and enjoyable. At the same time, the overlay would prohibit changes in land use and significant investment. The proposed overlay district would not allow any new applications for the following:

- Zone changes
- Conditional Uses
- Home Occupation
- Expansion, construction or relocation of new structures
- Site Development Plans
- Platting, re-platting or subdividing of land
- Rental registrations

The overlay allows properties to be maintained, structures to be maintained and enjoyment of property as it exists today, while limiting unwarranted investment prior to the construction of the flood control system.

Action/Recommendation: City staff recommends approval of the Second and possible Third Reading.

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

Time Sensitivity: N/A

Resolution Date: N/A

Budget Information: N/A

Local Preference Policy: NA

Recommended by Council Committee: Yes

Explanation: City Council Development Committee recommended the proposed ordinance amendment at its meeting on December 16, 2015.

City Planning Commission recommended approval of the proposed ordinance amendment at its meeting on January 28, 2016.

ORDINANCE NO. LEG_NUM_TAG

ORDINANCE AMENDING CHAPTER 32 OF THE MUNICIPAL CODE, THE ZONING
ORDINANCE, BY DELETING SECTIONS 32.03.010.C.8 OVERLAY DISTRICT THEREFROM
AND ENACTING A NEW SECTION 32.03.010.C.8

WHEREAS, since the flood of 2008 the City of Cedar Rapids has purchased many, but not all of the property in the flood damaged areas for flood mitigation purposes; and

WHEREAS, some properties within this area may be impacted by the construction of the west side flood mitigation system or not be protected by the City's proposed flood mitigation system such that expansion or investment in said properties would not be warranted; and

WHEREAS, actions currently permitted under Cedar Rapids development and building codes and standards could allow unwarranted or unwise development or use of property in the area; and

WHEREAS, the City Council adopted a final alignment for the Flood Control System and mandatory buyout area in June of 2015

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

Section 1. Cedar Rapids Municipal Code Chapter 32, the Zoning Ordinance is hereby amended by deleting Section 32.03.010.C.8— Northwest Flood Mitigation Overlay District.

Section 2. Cedar Rapids Municipal Code Chapter 32, the Zoning Ordinance is hereby amended adding a new Section 32.03.010.C.8 as follows:

“Section 32.03.010.C.8

8. Northwest Flood Mitigation Overlay District

- a. The Northwest Flood Mitigation Overlay District is hereby created. The area of the Northwest Flood Mitigation Overlay District is as set forth in Figure 32.03.010.C.8-1 attached hereto.



Figure 32.03.010.C.8-1

- b. After the adoption date of this ordinance, the Northwest Flood Mitigation Overlay District shall constitute a district of “nonconformities established by this Ordinance for purposes of Section 32.07 “Nonconformities.”
- c. Except for property owned by the City of Cedar Rapids, on and after the effective date of this section, buildings, structures and uses within the Northwest Flood Mitigation District shall be deemed to be nonconforming and subject to the provision of Section 32.07.
- d. Within the bounds of this district, all of the following shall also apply:
 1. No new construction, addition to, or relocation of any structure to this area;
 2. No permits for new fencing shall be issued;
 3. No alteration of surfaces including, but not limited to patios, sidewalks, driveways, or parking areas;
 4. No Rezoning, Home Occupation, Conditional Use Permit, Revised Site Development Plan, Site Development Plan, Land Use Change, Major/Minor Preliminary Plat or Subdivision shall be applied for, nor be considered by city staff or other Board/Commission;

5. No new rental registrations shall be issued.

e. Exceptions

1. Typical maintenance to structures or buildings to meet existing building and mechanical codes shall be allowed so long as the repairs do not exceed 50% of the current market value of the building or structure.

f. Any permit applied for within the bounds of this overlay shall be subject to review by the Building Services Department for up to three business days.

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

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

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

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

Introduced this 23rd day of February, 2016.

PASSED_DAY_TAG

LEG_PASSED_FAILED_TAG

MayorSignature

Attest:

ClerkSignature

LEG_TABLED_TAG