

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

## **NOTICE OF CITY COUNCIL MEETING**

The Cedar Rapids City Council will meet in Regular Session on Tuesday, January 10, 2023 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
  - ❖ Proclamation – Human Trafficking Prevention and Awareness Month
  - ❖ Presentation – Recent Winter Storm Events

## **PUBLIC HEARINGS**

1. A public hearing will be held to consider amending the Municipal Code by repealing Chapter 33F, Driveways, Parking Lots, Loading and Storage Areas (Ken DeKeyser). CIP/DID #DSD-004-22
  - a. First Reading: Ordinance amending the Municipal Code by repealing Chapter 33F, Driveways, Parking Lots, Loading and Storage Areas.
2. A public hearing will be held to consider a Development Agreement with LTRI LLC for the redevelopment of property at 1218-1310 3rd Street SE (Scott Mather). CIP/DID #DISP-0024-2019
  - a. Resolution approving and authorizing execution of a Development Agreement with LTRI LLC for the redevelopment of property at 1218-1310 3rd Street SE.
3. A public hearing will be held to consider the disposition of a City-owned non-conforming vacant lot at 202 4th Avenue SW (Rita Rasmussen). CIP/DID #PRD-033423-2023
  - a. Resolution authorizing the disposition of a City-owned non-conforming vacant lot at 202 4th Avenue SW to 4th Avenue Properties LLC and accepting payment in the amount of \$9,300.

4. A public hearing will be held to consider the vacation and disposition of a 0.04-acre parcel of street right-of-way on the north side of 36th Street Drive SE, between 1st Avenue East and Elm Avenue SE, as requested by AAS I&M Properties, LLC; TKS Family Iowa, LLC; Iowa B. J. Rose, LLC; and Bold Enterprises Iowa, LLC (Rita Rasmussen). CIP/DID #ROWV-033246-2023
  - a. First Reading: Ordinance vacating public ways and grounds of a 0.04-acre parcel of street right-of-way on the north side of 36th Street Drive SE, between 1st Avenue East and Elm Avenue SE, as requested by AAS I&M Properties, LLC; TKS Family Iowa, LLC; Iowa B. J. Rose, LLC; and Bold Enterprises Iowa, LLC.
5. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road NE from 42nd Street to Oak Creek Drive project (estimated cost is \$340,000) (Doug Wilson). **(Paving for Progress)** CIP/DID #3012393-01
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Ushers Ferry Road NE from 42nd Street to Oak Creek Drive project.
6. A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Colonial Building Renovation project (estimated cost is \$4,665,000) (Sara Buck). CIP/DID #PUR1222-125
  - a. Resolution adopting plans, specifications, form of contract and estimated cost for the Colonial Building Renovation 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.*

7. Motion to approve the minutes.
8. Resolution of support for various applications to the Community Development Block Grant – Disaster Recovery Multi-Family New Construction Program, and authorizing local match funds. CIP/DID #CDBG-DR-FY22

9. Resolution accepting the established fair market value in the amount of \$95,000 for a total acquisition and allocating relocation benefits of \$5,000 for property at 1856 8th Street NW owned by Korrey Lynn Mayland and Andrea Osmundson in connection with the West Side Flood Control System project. CIP/DID #3311200-00
10. Resolution accepting the established fair market value in the amount of \$1,000 for the acquisition of mineral rights on land owned by David Murdock on the east side of the Cedar River, north of Quaker Oats and south of Wenig Road NE, in connection with the Cedar River Flood Risk Management Project – Reach 1 – South Railyard Floodwall project. CIP/DID #3314200-00
11. Resolution referring to the Linn County Compensation Commission the partial acquisition of right-of-way and a Temporary Grading Easement for Construction for land at 1904 Mount Vernon Road SE owned by Megh, Inc. in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. CIP/DID #3012149-00
12. Resolution authorizing the Mayor to attend the US Conference of Mayors' 91st Winter Meeting in Washington, DC, in January 2023 for an estimated amount of \$3,527.87. CIP/DID #CNC001-23
13. Resolution authorizing the Water Pollution Control Plant Manager to attend the National Association of Clean Water Agencies' Winter Conference in Sonoma, CA in February 2023 for an estimated amount of \$4,032.20. CIP/DID #WPC011023-01
14. Resolution accepting work and fixing amount to be assessed for the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project. **(Paving for Progress)** CIP/DID #3012095-00
15. Resolution setting a public hearing for February 14, 2023 to consider the Resolution of Necessity (Proposed) for the construction of the 2023 Sanitary Sewer Service Replacement project. CIP/DID #6550043-00
16. Resolution setting a public hearing for February 14, 2023 and consultation with affected taxing entities on the proposed Amendment No. 8 to the Second Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area. CIP/DID #OB283396
17. Motions setting public hearing dates for:
  - a. January 24, 2023 – to consider a change of zone for property at 4400 6th Street SW from I-LI, Light Industrial District, to I-GI, General Industrial District, as requested by Roger Cassill. CIP/DID #RZNE-033439-2022
  - b. January 24, 2023 – to consider a change of zone for property at 6600 Gibson Drive NE from S-RL1, Suburban Residential Low Single Unit District, to S-RL1-PUD, Suburban Residential Low Single Unit with a Planned Unit Development Overlay, as requested by Harvest Investments, LLC. CIP/DID #RZNE-033402-2022
  - c. January 24, 2023 – to consider a Development Agreement with Sinclair on Sixteenth, LLC for the redevelopment of property at 705 16th Avenue SE. CIP/DID #TIF-0077-2022
  - d. January 24, 2023 – to consider a Development Agreement with 1395 Stamy Road, LLC for the redevelopment of property at 2738 Edgewood Road SW. CIP/DID #TIF-0076-2022

18. Motions setting public hearing dates and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results for:
  - a. January 24, 2023 – 1st Avenue W from 18th Street to 10th Street Pavement Rehabilitation and Traffic Signal Improvements project (estimated cost is \$3,910,000). CIP/DID #3018002-02
  - b. January 24, 2023 – 26th Street SE from Meadowbrook Drive to Bever Avenue project (estimated cost is \$2,180,000). **(Paving for Progress)** CIP/DID #3012380-02
  - c. January 24, 2023 – East Post Road SE from North of Bever Avenue to South of Indian Creek Bridge project (estimated cost is \$640,000). **(Paving for Progress)** CIP/DID #3012404-02
  - d. January 24, 2023 – FY23 Sanitary Sewer Lining project (estimated cost is \$1,500,000). CIP/DID #655999-11
  - e. January 24, 2023 – Ingleside Drive SW Reconstruction project (estimated cost is \$2,610,000). **(Paving for Progress)** CIP/DID #3012344-03
  - f. January 24, 2023 – Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project (estimated cost is \$600,000). CIP/DID #3018004-03
  
19. Motion assessing civil penalties for violation of State Code regarding the sale of tobacco/vapor products to minors against:
  - a. 7 Star Liquor & Tobacco Outlet, 502 E Avenue NW (first offense – \$300). CIP/DID #CIG005466-05-2022
  - b. Casey's General Store #3756, 4560 16th Avenue SW (first offense – \$300). CIP/DID #CIG005446-04-2022
  - c. Fas Mart #5148, 550 Wilson Avenue SW (first offense – \$300). CIP/DID #CIG005529-05-2022
  - d. Gyro Hut, 1455 Mount Vernon Road SE (first offense – \$300). CIP/DID #CIG005598-06-2022
  - e. Hy-Vee Food Store #3, 20 Wilson Avenue SW (first offense – \$300). CIP/DID #CIG005492-05-2022
  - f. Neighborhood Food, Liquor & Tobacco, 1601 6th Street SW (first offense – \$300). CIP/DID #CIG005548-05-2022
  - g. Pink Clouds Smoke Shop, 1400 6th Street SW, Suite 103 (first offense – \$300). CIP/DID #CIG005478-05-2022
  
20. Motion assessing civil penalties for violation of State Code regarding the sale of alcohol to minors against:
  - a. BP to Go #2, 1120 Old Marion Road NE (first offense – \$500). CIP/DID # LIQR005419-04-2022
  - b. Casey's General Store #2850, 5655 C Street SW (first offense – \$500). CIP/DID #LIQR000242-04-2013
  
21. Motion approving the beer/liquor/wine applications of: CIP/DID #OB1145716
  - a. Bandana's Bar-B-Q, 3707 1st Avenue SE.
  - b. Brew #54, 3301 J Street SW (new – formerly Kwik Shop #560).
  - c. Brew #55, 2904 Center Point Road NE (new – formerly Kwik Shop #561).
  - d. Brew #56, 1001 1st Avenue SW (new – formerly Kwik Shop #563).
  - e. Brew #57, 4201 Center Point Road NE (new – formerly Kwik Shop #565).
  - f. Casey's General Store #2778, 201 8th Avenue SE.

- g. Gilligan's Pub & Grub, 912 1st Avenue NW.
  - h. Godfather's Pizza, 3647½ 1st Avenue SE (new – new ownership).
  - i. In n' Out Wine & Spirits, 1500 1st Avenue NE.
  - j. JW's Pub & Grub, 58 Miller Avenue SW.
  - k. La Cantina, 5400 Edgewood Road NE.
  - l. Mulligan's Pub, 1060 Old Marion Road NE, Suite #A.
  - m. Otis' Tailgators Sports Bar, 3969 Center Point Road NE.
  - n. Ramada Hotel and Conference Center, 525 33rd Avenue SW.
22. Resolutions approving:
- a. Payment of bills. CIP/DID #FIN2023-01
  - b. Payroll. CIP/DID #FIN2023-02
23. Resolution thanking the following individual:
- a. Vote of thanks to Lisa Peloquin for serving on the City Planning Commission and the Zoning Advisory Group. CIP/DID #OB572803
24. Resolutions approving assessment actions:
- a. Intent to assess – Solid Waste and Recycling – cleanup costs – 11 properties. CIP/DID #SWM-001-23
  - b. Levy assessment – Solid Waste and Recycling – cleanup costs – two properties. CIP/DID #SWM-017-22
  - c. Intent to assess – Water Division – delinquent municipal utility bills – 35 properties. CIP/DID #WTR011023-01
  - d. Levy assessment – Water Division – delinquent municipal utility bills – 14 properties. CIP/DID #WTR112222-01
  - e. Levy assessment – Water Division – delinquent municipal utility bills – 19 properties. CIP/DID #WTR120622-01
25. Resolutions accepting subdivision improvements and approving Maintenance Bonds:
- a. PCC pavement in Edgewood Road Park First Addition and 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$379,513.35. CIP/DID #FLPT-031931-2021
  - b. Sanitary sewer in Parkland Grove First Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$69,236. CIP/DID #FLPT-032499-2021
  - c. Storm sewer in Parkland Grove First Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$172,336. CIP/DID #FLPT-032499-2021
  - d. Water system improvements in Parkland Grove First Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$47,140. CIP/DID #2022055-01
  - e. Sanitary sewer in Parkland Grove Second Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$76,898. CIP/DID #FLPT-032778-2022
  - f. Storm sewer in Parkland Grove Second Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$160,365. CIP/DID #FLPT-032778-2022
  - g. Water system improvements in Parkland Grove Second Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$111,430. CIP/DID #2022093-01

- h. Water system improvements in Prairie AFNR and 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$11,362.75. CIP/DID #2021048-01
26. Resolutions accepting projects, approving Performance Bonds and authorizing final payments:
- a. PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E project, Change Order No. 17 deducting the amount of \$164,812.92 and final payment in the amount of \$1,500 to Dave Schmitt Construction Co., Inc. (original contract amount was \$2,014,159.41; final contract amount is \$1,970,150.32). CIP/DID #301240-10
  - b. Indian Creek Tree Restoration project, Change Order No. 5 deducting the amount of \$5,660.32, final payment in the amount of \$25,010.76 and 2-year Performance Bond submitted by Greg's Lawn & Landscaping (original contract amount was \$429,559; final contract amount is \$500,215.28). CIP/DID #655625-08
  - c. 2022 Transit Stop project and final payment in the amount of \$3,458.05 to Midwest Concrete, Inc. (original contract amount was \$40,951; final contract amount is \$69,161.06). CIP/DID #306995-03
27. Resolutions approving actions regarding purchases, contracts and agreements:
- a. Cedar Rapids Transit grant application to the Corridor Metropolitan Planning Organization in the amount of \$2,597,000 for the purchase of six replacement buses in fiscal years 2027 and 2028. CIP/DID #TRN2023-01
  - b. Federal-aid Agreement for a City Highway Bridge Program Project with the Iowa Department of Transportation in the amount of \$1,500,000 for the C Street SW over Prairie Creek project. CIP/DID #305155-00
  - c. Purchase of excess casualty insurance coverage through TrueNorth Companies, LC from States Self-Insurers Risk Retention Group in the amount of \$585,327. CIP/DID #FIN2023-04
  - d. Amendment No. 2 to the contract with D.W. Zinser Company for remediation and demolition of three properties for the Building Services Division to add work for an amount not to exceed \$5,100 (original contract amount was \$47,175; total contract amount with this amendment is \$60,555). CIP/DID #PUR0722-019
  - e. Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 919 stream bank credits in the amount of \$76,277 for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project. CIP/DID #301965-00
  - f. Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 3,570 stream bank credits in the amount of \$296,310 for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project. CIP/DID #3018004-00
  - g. Mitigation Credit Purchase Agreement with the Dry Run Creek Mitigation Bank Providers for 0.20 Emergent Wetlands credits in the amount of \$6,800 for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project. CIP/DID #3018004-00
  - h. Amendment No. 6 to renew the contract with TEAM Services, Inc. for material testing services for the Public Works Department for one year for an amount not to exceed \$65,000 (original contract amount was \$35,000; renewal contract amount is \$65,000). CIP/DID #PUR1018-077
  - i. Fleet Services Division purchase of a one-ton chassis with flatbed from McGrath Ford in the amount of \$94,905. CIP/DID #PUR1022-087

- j. Contract with Nelson Electric Company for automatic transfer switch replacement for the Facilities Maintenance Services Division in the amount of \$90,679.75. CIP/DID #PUR1122-117
- k. Amendment No. 1 to renew the contract with Holmes Murphy and Associates for benefit consulting services for the Human Resources Department for three years for a total amount not to exceed \$180,000 (original contract amount was \$180,000; renewal contract amount is \$180,000). CIP/DID #PUR0819-035
- l. Amendment No. 5 to renew the contract with USIC Locating Services, Inc. for fiber locating and marking services for the Information Technology Department for an annual amount not to exceed \$170,000 (original contract amount was \$170,000; renewal contract amount is \$170,000). CIP/DID #PUR1117-079
- m. Public Works Department purchase of a Mobile Pathfinder System from Aries Industries, Inc. in the amount of \$70,945 for use by the Sewer Maintenance Division. CIP/DID #43-23-008
- n. Fleet Services Division purchase of an easement machine and trailer for the Sewer Division from Mid-Iowa Solid Waste Co. Inc. for a total amount of \$89,571.49. CIP/DID #FLT122
- o. Amendment No. 2 to renew the contract with Enviromark for cleanup services at various properties for the Solid Waste and Recycling Division for one year for an amount not to exceed \$75,000 (original contract amount was \$45,000; renewal contract amount is \$75,000). CIP/DID #PUR0622-398
- p. Cedar Rapids Transit purchase of two buses from Gillig LLC for a total amount of \$1,044,000. CIP/DID #TRN2023-02
- q. Amendment No. 1 to renew the contract with Crawford Quarry Company, Inc. for storage of lime sludge for the Water Division for an annual amount not to exceed \$200,000 (original contract amount was \$200,000; renewal contract amount is \$200,000). CIP/DID #PUR1021-116
- r. Amendment No. 4 to the contract with Ferguson Waterworks for water meter installation for the Water Division to add work for an amount not to exceed \$300,000 (original contract amount was \$289,200; total contract amount with this amendment is \$589,200). CIP/DID #PUR0721-029
- s. Amendment No. 5 to renew the contract with Crawford Quarry Company, Inc. for lagoon ash sand storage for the Water Pollution Control Facility for an amount not to exceed \$155,000 (original contract amount was \$60,000; total contract amount with this amendment is \$155,000). CIP/DID #PUR1119-112
- t. Amendment No. 2 to the contract with Mike McMurrin Trucking, Inc. for land application of biosolids for the Water Pollution Control Facility to increase volume for an amount not to exceed \$19,672.79 (original contract amount was \$142,500; total contract amount with this amendment is \$162,172.79). CIP/DID #PUR0221-218
- u. Amendment No. 4 to renew the contract with USP Technologies for hydrogen peroxide for the Water Pollution Control Facility for an annual amount not to exceed \$115,000 (original contract amount was \$100,000; renewal contract amount is \$115,000). CIP/DID #PUR1019-072
- v. Amendment No. 4 to the Professional Services Agreement with HR Green, Inc. for an amount not to exceed \$47,600 for the E Avenue NW West of 28th Street Stormwater Detention Basin project (original contract amount was \$475,364; total contract amount with this amendment is \$593,300). CIP/DID #304504-01
- w. Amendment No. 12 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$57,700 for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project (original contract amount was \$880,000; total contract amount with this amendment is \$2,030,200). CIP/DID #625902-01

- x. Amendment No. 7 to the Professional Services Agreement with WSP USA, Inc. deducting the amount of \$55,938.04 for the ConnectCR Project Implementation project (original contract amount was \$1,268,461; total contract amount with this amendment is \$2,617,924.68). CIP/DID #327001-01
- y. Change Order No. 3 in the amount of \$70,397.46 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW project (original contract amount was \$8,852,304; total contract amount with this amendment is \$8,973,203.24). CIP/DID #3312510-30
- z. Change Order No. 18 in the amount of \$147,465.40 with Boomerang Corp. for the 6th Street SW from 33rd Avenue to Wilson Avenue Pavement, Sidewalk and Water Main Improvements project (original contract amount was \$6,684,495.60; total contract amount with this amendment is \$8,407,861.51). **(Paving for Progress)** CIP/DID #301695-03
- aa. Change Order No. 6 in the amount of \$4,413 with Boomerang Corp. for the 8th Avenue SW from 15th Street to Rockford Road Improvements project (original contract amount was \$2,834,118; total contract amount with this amendment is \$3,285,677.04). **(Paving for Progress)** CIP/DID #3012101-04
- ab. Change Order No. 3 in the amount of \$9,630.75 with Boomerang Corp. for the Czech Village 12th Avenue SW Detention Basin project (original contract amount was \$1,873,929; total contract amount with this amendment is \$1,965,968.29). CIP/DID #3313520-62
- ac. Change Order No. 5 in the amount of \$38,434.25 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector project (original contract amount was \$6,357,840.10; total contract amount with this amendment is \$6,533,167.42). **(Paving for Progress)** CIP/DID #301963-03
- ad. Change Order No. 17 in the amount of \$29,213.05 with Boomerang Corp. for the Oakland Road NE and Old Marion Road NE from Center Street to Regent Street Pavement Reconstruction project (original contract amount was \$4,848,174.70; total contract amount with this amendment is \$5,551,377.96). **(Paving for Progress)** CIP/DID #3012148-08
- ae. Change Order No. 13 in the amount of \$18,731.86 with Boomerang Corp. for the Shaver Road NE – Bridge and Floodwall Construction project (original contract amount was \$6,662,890.20; total contract amount with this amendment is \$7,334,420.92). CIP/DID #3314510-51
- af. Change Order No. 7 deducting the amount of \$1,464.05 with BWC Excavating, LC for the Center Point Road NE from Coe Road to Lincoln Avenue Reconstruction and One-Way to Two-Way Conversion project (original contract amount was \$2,968,311.55; total contract amount with this amendment is \$3,129,972.54). **(Paving for Progress)** CIP/DID #3012094-07
- ag. Change Order No. 7 in the amount of \$13,031 with Dave Schmitt Construction Co., Inc. for the Trail Ridge Road SE from Red Fox Road to Indiandale Road project (original contract amount was \$1,334,501.10; total contract amount with this amendment is \$1,406,606.70). **(Paving for Progress)** CIP/DID #3012291-02
- ah. Change Order No. 6 deducting the amount of \$188,075.83 with Eastern Iowa Excavating & Concrete, LLC for the Cottage Grove Avenue SE Improvements from Forest Drive to 34th Street project (original contract amount was \$1,699,653.35; total contract amount with this amendment is \$1,736,679.36). **(Paving for Progress)** CIP/DID #3012286-04

- ai. Change Order No. 7 in the amount of \$1,132.50 with Peterson Contractors, Inc. for the McCloud Run East Floodwall Construction project (original contract amount was \$1,438,510.45; total contract amount with this amendment is \$1,569,483.63). CIP/DID #3314510-52
- aj. Change Order No. 7 in the amount of \$28,316.05 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements project (original contract amount was \$3,066,077.50; total contract amount with this amendment is \$3,686,499.43). CIP/DID #301987-03
- ak. Change Order No. 2 in the amount of \$14,351.52 with Pirc-Tobin Construction, Inc. for the 2022 Collins Road and Northland Avenue NE Median Improvements project (original contract amount was \$242,504.13; total contract amount with this amendment is \$279,933.86). CIP/DID #301885-01
- al. Change Order No. 2 in the amount of \$432 with Pirc-Tobin Construction, Inc. for the Cedar River Trail SE Reconstruction, CRANDIC Railroad to 16th Avenue project (original contract amount was \$655,010.05; total contract amount with this amendment is \$753,329.57). CIP/DID #3316510-72
- am. Change Order No. 5 in the amount of \$22,521.89 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements project (original contract amount was \$500,925.14; total contract amount with this amendment is \$685,874.16). CIP/DID #3315510-67
- an. Change Order No. 10 in the amount of \$1,500 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project (original contract amount was \$3,910,292.97; total contract amount with this amendment is \$4,392,076.63). CIP/DID #325069-07
- ao. Change Order No. 6 in the amount of \$83,581.47 with Tschiggfrie Excavating Co. for the Lindale Trail Phase 1 From Council Street to East of C Avenue NE project (original contract amount was \$2,553,646.76; total contract amount with this amendment is \$2,775,203.87). CIP/DID #325071-02
- ap. Accepting a Warranty Deed from Karen Pence for the dedication of street right-of-way along the east side of Sunshine Street SW, south of Old River Road SW and east of C Street SW. CIP/DID #PLSV-033458-2022
- aq. Purchase Agreement in the amount of \$1,455 and accepting a Temporary Construction Easement from Eighteen, LLC for land at 1818 Blairs Ferry Road NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00
- ar. Purchase Agreement in the amount of \$1,700 and accepting a Temporary Construction Easement from Palmer Holdings, LLC for land at 5515 Council Street NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. CIP/DID #301878-00
- as. Purchase Agreement in the amount of \$8,200 and accepting a Warranty Deed for right-of-way, an Easement for Drainage and a Temporary Grading Easement for Construction from Shirley Votroubek for vacant land at 115 Benesh Lane in connection with the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard Phase 3 project. CIP/DID #301965-00
- at. Agreement for Temporary Construction Easement in the amount of \$400 with Wesley and Cassandra Brown for land at 356 Hampden Drive NE in connection with the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012439-00

- au. Agreement for Temporary Construction Easement in the amount of \$50 with Jarred Recker for land at 320 Hampden Drive NE in connection with the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. **(Paving for Progress)** CIP/DID #3012439-00
- av. Agreement in the amount of \$1,650 and accepting a Temporary Construction Easement from the Cedar Rapids Airport Commission for land at 8840 6th Street SW in connection with the Innovation Drive from 18th Street to 6th Street SW project. CIP/DID #3018004-00
- aw. Purchase Agreement in the amount of \$345,000 and accepting a Warranty Deed for right-of-way and a Temporary Construction Easement from Altorfer, Inc. for land at and adjacent to 8400 6th Street SW in connection with the Innovation Drive from 18th Street to 6th Street SW project. CIP/DID #3018004-00
- ax. Purchase Agreement in the amount of \$5,400 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from Amber Eterno for land at 1926 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. **(Paving for Progress)** CIP/DID #3012149-00
- ay. Agreement for Temporary Construction Easement in the amount of \$20,000 with Jung's Tae Kwon Do Black Belt Association, Inc., for land at 1502 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. **(Paving for Progress)** CIP/DID #3012149-00
- az. Purchase Agreement in the amount of \$417,329; authorizing reimbursement for an estimated amount of \$84,000 to remove, store and reconstruct a decorative stone wall; and accepting a Warranty Deed for right of way, an Easement for Drainage, an Easement for Retaining Wall and a Temporary Grading Easement for Construction from Oak Hill Cemetery Association for land at 1705 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. **(Paving for Progress)** CIP/DID #3012149-00
- ba. Purchase Agreement in the amount of \$615 and accepting a Warranty Deed for right-of-way and a Temporary Grading Easement for Construction from X & Y Realty, LLC for land at 1956 Mount Vernon Rd SE in connection with the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. **(Paving for Progress)** CIP/DID #3012149-00
- bb. Awarding and approving contract in the amount of \$819,171.49, bond and insurance of Rathje Construction Co. for the 10th Street NE from A Avenue to 1st Avenue – MedQuarter Parkway Improvements project (estimated cost was \$750,000). CIP/DID #321554-04

## **REGULAR AGENDA**

- 28. Report on bids for the Tower Terrace Road: Phase B Grading project (estimated cost is \$1,990,000) (Tim Mroch). CIP/DID #301666-05
- 29. Report on bids for the Wiley Boulevard Trail Improvements from Williams Boulevard to 16th Avenue SW project (estimated cost is \$1,500,000) (Tim Mroch). CIP/DID #325052-02

30. Report on bids for the Glass Road NE Frontage Road project (estimated cost is \$140,000) (Tim Mroch). CIP/DID #301949-02
  - a. Resolution awarding and approving contract in the amount of \$153,823.82, bond and insurance of Rathje Construction Co. for the Glass Road NE Frontage Road project.
31. Presentation and resolution authorizing the use of \$900,000 in American Rescue Plan Act funding for four projects serving residents disproportionately impacted by the COVID-19 pandemic (Jennifer Pratt). CIP/DID #CD-0074-2021
32. Presentation and resolution authorizing sponsorship of a Business Financial Assistance Application to the Iowa Economic Development Authority by International Paper, Inc. for an expansion project at 4600 C Street SW and providing local match funds through the City's Local Match – Economic Development Program (Scott Mather). CIP/DID #URTE-0054-2023

### **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**

*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 [cityclerk@cedar-rapids.org](mailto: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](http://www.cedar-rapids.org).*



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** Ken DeKeyser

**Contact Person:** Caleb Mason

**Cell Phone Number:** (319) 521-7678

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

**Description of Agenda Item:** PUBLIC HEARINGS

An Ordinance Amending the Cedar Rapids Municipal Code by Repealing Chapter 33F - Driveways, Parking Lots, Loading and Storage Areas.

CIP/DID # DSD-004-22

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

**Background:** Hold a Public Hearing on January 10, 2023 to repeal Municipal Code Chapter 33F.

Chapter 33F was passed on December 2, 1987 to regulate design, permitting and construction of driveways, off-street parking lots, loading and/or storage areas. Since adoption of this Chapter, more comprehensive standards and regulations have been enacted through Chapters 9A – Right-of-Way Use and 32 – Zoning Code. The only distinct regulation of Chapter 33F is requirement of a “Parking Lot Permit”. However, staff believe this permit is no longer justified because the City does not inspect private parking lots, and approvals of parking lots and driveways are now handled by other permits and processes. Chapter 33F is essentially an excess ordinance that can be repealed without replacement.

**Action/Recommendation:** Staff recommend holding a public hearing and approving the first reading of an ordinance to repeal Municipal Code Chapter 33F.

**Alternative Recommendation:** Table the first reading to request additional information.

**Time Sensitivity:** N/A

**Resolution Date:** January 10, 2023

**Budget Information:** N/A

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

**Explanation:** NA

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

**Explanation:** NA

ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE AMENDING THE CEDAR RAPIDS MUNICIPAL CODE BY REPEALING  
CHAPTER 33F, DRIVEWAYS, PARKING LOTS, LOADING AND STORAGE AREAS

WHEREAS, Chapter 33F of the City of Cedar Rapids Municipal Code, adopted by Ordinance No. 98-87, passed December 2, 1987 regulates design, permitting and construction of driveways, off-street parking lots, loading and/or storage areas; and

WHEREAS, driveway construction in public rights-of-way is currently regulated by Chapter 9A – Right-of-Way Use; and

WHEREAS, parking lots, loading and storage areas on private property are currently regulated by Chapter 32 – Zoning Code; and

WHEREAS, upon removing Chapter 33F from the Municipal Code, the City of Cedar Rapids can continue to regulate driveways, parking lots and loading and storage areas without delay or complication;

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

Section 1. Chapter 33F of the Cedar Rapids Municipal Code is hereby deleted.

Section 2. 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. All ordinances or parts of ordinances in conflict herewith are repealed.

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

Introduced this 10th day of January, 2023.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Scott Mather

**Contact Person:** Caleb Mason

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

**Phone Number/Ext.:** (319) 521-7678

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider a Development Agreement with LTRI LLC for the redevelopment of property at 1218-1310 3<sup>rd</sup> Street SE (Scott Mather). CIP/DID#DISP-0024-2019

- a. Resolution approving and authorizing execution of a Development Agreement with LTRI LLC for the redevelopment of property at 1218-1310 3<sup>rd</sup> Street SE. CIP/DID#DISP-0024-2019

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

**Background:** The public hearing and resolution authorize the Development Agreement with LTRI LLC for the redevelopment of property at 1218-1310 3<sup>rd</sup> Street SE. On April 26, 2022, the City Council authorized a project term sheet which outlined preliminary deal points which would be included in a development agreement.

The following is summary of the terms of the Agreement:

- Minimum Investment: \$9 million
- Disposition (1302 & 1306 3<sup>rd</sup> ST SE)
  - Purchase Price: \$24,200 (based on appraisal)
  - Developer to incorporate flood mitigation measures in the building to satisfy deed restrictions
  - Closing to be within 30 days of satisfying all closing contingencies, including Amended Deed Restrictions and project financing commitment
- Minimum Improvements
  - 4-story, mixed use building
  - 1<sup>st</sup> Floor raised patio area & greenspace
  - 1<sup>st</sup> Floor commercial/retail (front) and residential parking (rear)
  - 25 surface parking spaces
  - Upper stories consist of 34 residential housing units
- Project is to commence construction by July 1, 2023, & complete by November 30, 2024
- No less than 5 full time employees are to be employed at the Project on or after November 1, 2025

- City to provide a reimbursement of 100% of the tax increments up to (i) a net present value (NPV) of \$1.67 million at 6% discount rate and discounting payments to completion date or (ii) 20 consecutive annual payments

**Action/Recommendation:** City staff recommends approving the Resolution

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

**Time Sensitivity:** NA

**Resolution Date:** January 10, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A  
DEVELOPMENT AGREEMENT AND RELATED DOCUMENTS BY AND  
BETWEEN THE CITY OF CEDAR RAPIDS AND LTRI, LLC

WHEREAS, the City Council previously found and determined that certain areas located within the City of Cedar Rapids, ("City") are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the Consolidated Central Urban Renewal Area (the "Area" or "Urban Renewal Area") by Resolution No. 2254-11-00 approved on November 1, 2000, which Plan, is on file in the office of the Recorder of Linn County and is from time to time amended; and

WHEREAS, the Urban Renewal Area has been designated on the basis of an "economic development area" and "slum & blight" pursuant to Chapter 403 of the Iowa Code (the "Urban Renewal Law"); and

WHEREAS, Iowa Code Chapter 15A and 403 ("Urban Renewal Law") authorizes cities to convey property and make grants, loans, guarantees, incentives and financial assistance for economic development and blight remediation in furtherance of the objectives of an urban renewal project and to appropriate such funds and make such expenditures as may be necessary to carry out the purposes of said Urban Renewal Law; and

WHEREAS, the City previously completed a request for proposal process that culminated in the City Council selecting a proposal from LTRI, LLC ("Developer") to acquire and redevelop certain City-owned property within the Area as evidenced by Resolution No. 0618-04-22 approving a project term sheet and authorizing the negotiation of a development agreement with Developer for disposition and redevelopment of the City-owned property described as follows:

NW 30 FEET OF LOT 7, BLOCK 39, JC MAY'S ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA

AND

SE 30 FEET OF LOT 6, BLOCK 39, JC MAY'S ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA

WHEREAS, the City Council intends to enter into a Development Agreement ("Agreement") with the Developer as an inducement for the redevelopment of vacant and underutilized property which was damaged in the 2008 Flood, and the Developer intends to

acquire the property from the City, subject to the terms of the Agreement for a redevelopment project consisting of 4-story mixed use building with related site improvements which will result in the following public benefits: (i) it will advance the improvement and development of the Urban Renewal Area in accordance with the Urban Renewal Plan, (ii) it will establish conditions which attract further new investment, (iii) it will maintain and expand taxable values in the Urban Renewal Area, (iv) it will retain employment opportunities within the Urban Renewal Area and the community that might otherwise be lost, and (v) it will result in the clearance of slum and blight influences in the Urban Renewal Area; and

WHEREAS, the Council has determined that the Development Agreement, which memorializes the commitment of the City and Developer with regard to the Project is in the best interests of the City and the residents thereof and that the performance by the City of its obligations thereunder is a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law, and further, that the Development Agreement and the City's performance thereunder is in furtherance of appropriate economic development activities and objectives of the City within the meaning of Chapters 15, 15A and 403 of the Iowa Code taking into account any or all of the factors set forth in Chapter 15A; and

WHEREAS, the Development Agreement has been prepared, subject to City Council approval, which contains the following key terms:

- + Minimum Investment: \$9 million
- + Disposition Terms:
  - o Purchase price \$24,200
  - o Closing within 30 days of satisfying all Conditions Precedent
- + Minimum Improvements: Construction of 4-story mixed use building
  - o 34 residential housing units (market rate)
  - o 1st floor raised patio area and greenspace
  - o 1<sup>st</sup> floor commercial/retail (front) and residential parking (rear)
  - o 25 surface parking spaces
- + Construction Schedule: commence by July 1, 2023, completed by November 30, 2024
- + City Incentive:
  - o City to provide a TIF reimbursement of 20-year, 100% of the increment generated by the project, which is estimated to be \$1.67 million net present value
  - o Aggregate TIF not to exceed \$3,000,000.00
- + Employment
  - o No less than 5 Full Time Employees are to be employed at the Project by the Employment Date
  - o Developer to provide annual certifications of employment from the Employment Date through the Effective Date

WHEREAS, the Development Agreement is now ready for execution on behalf of the City.

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

Section 1. The recitals contained hereinabove are found to be true and correct and incorporated herein.

Section 2. The performance by the City of its obligations under the Development Agreement, including but not limited to, providing a reimbursement of tax increments generated by the Minimum Improvements (“Economic Development Grants”) which shall be 100% of the

actual tax increments generated by the Minimum Improvements, as defined in the Agreement, which Economic Development Grants. The Economic Development Grants are expected to begin in August 2027 (FY2028) and continue through August 2046 (FY2047).

Section 3. The obligations contained herein are hereby declared to be a public undertaking and purpose and in furtherance of the Plan and the Urban Renewal Law and, further, that the Development Agreement, and the City's performance thereunder, is in furtherance of the objectives of the City within the meaning of Chapter 403 of the Iowa Code, taking into account the factors set forth therein.

Section 4. The aggregate amount of Tax Increment utilized in furtherance of the Project shall not exceed \$3,000,000 and based upon the factors outlined in Chapter 403 of the Code of Iowa, the Council hereby determines the public gains and benefits received as a result of the Project are commensurate with the expenditure of public funds to this level.

Section 5. The form and content of the Development Agreement, the provisions of which are incorporated herein by reference, be and the same hereby are in all respects authorized, approved and confirmed, and the City Manager and the City Clerk be and they hereby are authorized, empowered and directed to execute, attest, seal and deliver them for and on behalf of the City in substantially the form and content now before this meeting, but with such changes, modifications, additions or deletions therein as shall be approved by such officers, and that from and after the execution and delivery of the Development Agreement.

Section 6. The City Manager and the City Clerk are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Development Agreement, as executed. The City Clerk is specifically directed to record a Memorandum of Development Agreement with the Linn County Recorder's office.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

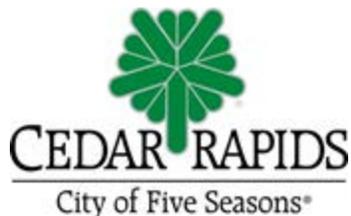
Attest:

ClerkSignature

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10<sup>th</sup> day of January, 2023.

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Contact Person:** Bob Hammond

**Phone Number:** 319-440-1005

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

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the disposition of City-owned property described as a non-conforming, vacant lot located at 202 4<sup>th</sup> Avenue SW.

Resolution authorizing acceptance of \$9,300 from 4<sup>th</sup> Avenue Properties LLC for City-owned property described as a non-conforming, vacant lot located at 202 4<sup>th</sup> Avenue SW.  
CIP/DID #PRD-033423-2023.

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

**Background:** The City of Cedar Rapids acquired this parcel in December of 2011 through the Voluntary Property Acquisition Program. The City offered the parcel for sale for \$9,300 to the only available adjacent property owner.

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

**Action/Recommendation:** If there are no objections during the public hearing, the Public Works Department recommends approving the resolution to consider the disposition of the City-owned property located at 202 4<sup>th</sup> Avenue SW.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** PRD-033423-2023

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Council desires to dispose of real property located at 202 4TH Avenue SW, Cedar Rapids, Iowa, and legally described as:

SE-ly 60 feet of NE-ly 30 feet of Lot 10, Block 20, West Cedar Rapids, formerly Village or Town of Kingston, Linn County, Iowa

, and

WHEREAS, the City Council previously authorized the disposal of this City-owned non-conforming, vacant lot to the adjacent property owner, 4th Avenue Properties LLC, for \$9,300, and

WHEREAS, the Cedar Rapids Public Works Department recommends the City Council accept \$9,300 from 4th Avenue Properties LLC for this property.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the consideration of \$9,300 paid by 4th Avenue Properties LLC for the above-described property to be conveyed is good, adequate, fair and valuable, and

BE IT FURTHER RESOLVED, that the City Manager and City Clerk, or their designees, are authorized to execute a Quit Claim Deed to 4th Avenue Properties LLC, and Amended and Restated Agreement for Covenants and Restrictions to Iowa Economic Development Authority and accept the documents effectuating the conveyance, that the same are hereby approved and accepted, and that they should be recorded in the office of the Linn County, Iowa Recorder and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA     )  
                          ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10<sup>th</sup> day of January, 2023.

ClerkSignature



**PROPERTY DISPOSITION  
202 4TH AVENUE SW**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Rita Rasmussen

**Contact Person:** Bob Hammond

**Phone Number:** 319-440-1005

**Email Address:** [r.hammond@cedar-rapids.org](mailto:r.hammond@cedar-rapids.org)

**Description of Agenda Item:** PUBLIC HEARINGS

A Public Hearing will be held to consider the vacation and disposition of a 0.04-acre parcel of street right-of-way on the north side of 36<sup>th</sup> Street Drive SE, lying between 1<sup>st</sup> Avenue East and Elm Avenue SE, as requested by AAS I&M Properties, LLC; TKS Family Iowa, LLC; Iowa B. J. Rose, LLC; and Bold Enterprises Iowa, LLC.

CIP/DID #ROWV-033246-2023

First Reading: Ordinance vacating public ways and grounds of a 0.04-acre parcel of street right-of-way on the north side of 36<sup>th</sup> Street Drive SE, lying between 1<sup>st</sup> Avenue East and Elm Avenue SE, as requested by AAS I&M Properties, LLC; TKS Family Iowa, LLC; Iowa B. J. Rose, LLC; and Bold Enterprises Iowa, LLC.

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

**Background:** The street right-of-way has been used for storage purposes since the early 1960s by the owners/tenants of the building. Vacation of the 0.04-acre street right-of-way will provide a solution to the existing storage facility area and deliveries while enhancing the curbside appearance of the property and valuation of the commercial real estate located at 3607 1<sup>st</sup> Avenue SE.

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

**Action/Recommendation:** The Public Works Department recommends passing a resolution to vacate and dispose of this property.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

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

Public Hearing Date and 1<sup>st</sup> reading of Ordinance: January 10, 2023

2<sup>nd</sup> reading of Ordinance, possible 3<sup>rd</sup> reading and possible resolution passing: January 24, 2023

**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

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ROWV-033246-2023

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

ORDINANCE NO. LEG\_NUM\_TAG

AN ORDINANCE VACATING PUBLIC WAYS AND GROUNDS REGARDING  
PROPERTY MORE PARTICULARLY DESCRIBED IN SECTION 1 HEREOF

NOW THEREFORE, 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:

Parcel A Plat of Survey No. 2620

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 10<sup>th</sup> day of January, 2023.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Ordinance and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 24<sup>th</sup> day of January, 2023.

ClerkSignature

Cadd File Name: W:\REAL ESTATE AND ROW MANAGEMENT\ROW - VAC - DISPOSITION\41 - ROW MGMT\ROW-033246-2022 36th St Dr SE (Aeron's)\CADD FILER\ROW-033246-2022 Council Map.dwg



**RIGHT-OF-WAY VACATION AND  
PROPOSED PUBLIC UTILITY EASEMENT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road NE from 42<sup>nd</sup> Street to Oak Creek Drive project (estimated cost is \$340,000) (**Paving for Progress**).

Resolution adopting plans, specifications, form of contract and estimated cost for the Ushers Ferry Road NE from 42<sup>nd</sup> Street to Oak Creek Drive project.

CIP/DID #3012393-01

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

**Background:** This project includes the overlay of Ushers Ferry Road NE from 42<sup>nd</sup> Street to Oak Creek Drive. This project will be complete in conjunction with Linn County. The portion of the project that this City will be participating in is approximately a half street width of 265 feet in length and a full street width approximately 600 feet in length. This Hot Mix Asphalt (HMA) overlay will extend the service life of the street.

**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 to this project is to defer construction of the project until a later season, direct staff to repackage the project into multiple smaller projects or abandon the project.

**Time Sensitivity:** Must be acted upon January 10, 2023 to maintain the project schedule, and which must occur ahead of the project's January 18, 2023 bid opening

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012393 SLOST

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on December 20, 2022 there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Ushers Ferry Road NE from 42nd Street to Oak Creek Drive project (Contract No. 3012393-01 SLOST) for the City of Cedar Rapids, Iowa, and

WHEREAS, a public hearing was held, and

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## USHERS FERRY ROAD NE FROM 42<sup>ND</sup> STREET TO OAK CREEK DRIVE



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Sara Buck

**Contact Person:** Jennifer Pratt

**Cell Phone Number:** (319) 538-2552

**E-mail Address:** J.Pratt@cedar-rapids.org

**Description of Agenda Item:** PUBLIC HEARINGS

A public hearing will be held to consider the proposed plans, specifications, form of contract and estimated cost for the Colonial Building Renovation project (estimated cost is \$4,665,000) (Sara Buck).

- a. Resolution adopting plans, specifications, form of contract and estimated cost for the Colonial Building Renovation project.  
CIP/DID #PUR1222-125

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

**Background:**

This project is to renovate the Colonial Building to provide affordable housing units. Bids will be opened on Wednesday, January 18, 2023 at 11:00 a.m. CST. The estimated completion date is November 30, 2023 at an estimated cost of \$4,665,000.

**Action/Recommendation:** Public Hearing

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** HUD Grant

**Local Preference Policy:** No

**Explanation:** Public Improvement Project

**Recommended by Council Committee:** No

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on December 20, 2022, there was filed in the Office of the City Clerk proposed plans, specifications, form of contract and estimated cost for the Colonial Building Renovation project for the Community Development Department – Housing Services Division, and

WHEREAS, a public hearing was held, and

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development - Housing

**Presenter at Meeting:** Sara Buck

**Contact Person:** Jennifer Pratt

**Cell Phone Number:** 538-2552

**E-mail Address:** J.Pratt@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution of support for Community Development Block Grant – Disaster Recovery (CDBG-DR) Multi-Family New Construction Program applications and authorizing local match funds.  
CIP/DID # CDBG-DR-FY22

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

**Background:** On December 2, 2022, the City of Cedar Rapids accepted applications for the Community Development Block Grant – Disaster Recovery (CDBG-DR) funding, made available in response to the August 10, 2020 derecho through the U.S. Department of Housing and Urban Development (HUD) and allocated to the Iowa Economic Development Authority (IEDA) for distribution.

Due to a technical issue in the submittal process, an additional six Multi-Family New Construction project applications were received, totaling 41 units, of which 24 would be reserved for low-to-moderate income households (see Exhibit A). These projects require additional financial support for the long-term financial feasibility and qualify for the City's Local Match – Economic Development Program, which provides a 10-year, 100% tax exemption of increased taxes associated with the project.

Applications are due to IEDA on January 12, 2023, and require a resolution of support, as well as identification of any local match that will be provided. All projects will be submitted to IEDA on the developer's behalf and awards are anticipated in February of 2023.

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

**Alternative Recommendation:** Table the resolution and request additional information.

**Time Sensitivity:** Applications are due to IEDA on January 12, 2023, with a resolution of support.

**Resolution Date:** January 10, 2023

**Budget Information:** NA

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

**Explanation:** NA

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

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION OF SUPPORT FOR COMMUNITY DEVELOPMENT BLOCK GRANT –  
DISASTER RECOVERY (CDBG-DR) MULTI-FAMILY NEW CONSTRUCTION  
PROGRAM APPLICATIONS AND AUTHORIZING LOCAL MATCH FUNDS UNDER  
THE CITY’S LOCAL MATCH – ECONOMIC DEVELOPMENT PROGRAM

WHEREAS, disaster recovery funding has been made available in response to the August 10, 2020 derecho through the U.S. Department of Housing and Urban Development (HUD), which has been allocated to the Iowa Economic Development Authority (IEDA) for distribution; and

WHEREAS, IEDA is accepting applications for the Multi-Family New Construction program and the City of Cedar Rapids is responsible for submitting applications within its jurisdiction, on the developers behalf; and

WHEREAS, a minimum of 51 percent of units in this program are required to be affordable to low-to-moderate income households and will need additional financial support for the projects financial feasibility; and

WHEREAS, the City Council has established economic development programs which guide the use of financial assistance and aid in achieving the economic development objectives of the City contained in EnvisionCR, the City’s comprehensive plan, as well as the Economic Development Strategic Plan; and

WHEREAS, the Projects identified in Exhibit A, qualify for the City’s Local Match – Economic Development Program which provides a 10-year, 100% tax exemption of increased taxes associated with the projects (the “City Incentive”); and

WHEREAS, the City Incentive as authorized by this Resolution meets the criteria of local match for the CDBG-DR program; and

WHEREAS, this resolution of support is provided for the Projects identified in Exhibit A.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Cedar Rapids, Iowa, the following:

1. The City Council hereby expresses its support of an application on behalf of the Developer to IEDA for CDBG-DR funds and providing local match funds under the Local Match – Economic Development Program as provided for herein.
2. The City Manager, or designee, is authorized to execute with signature for submission to IEDA any and all assurances, certifications, or other document components as may be related to terms, conditions, etc. of funding agreement(s) stipulating compliance with applicable federal laws, regulations, etc. which may, (now or hereafter), affect the subject provision of financial assistance.
3. The City Manager or designee is authorized to execute Subrecipient agreements to be made effective for this funding and is authorized to execute all other program documents and approve expenditures necessary for the implementation of approved budgeted activities.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

**EXHIBIT A**

<b>Developer</b>	<b>Project Name</b>	<b>Number of Units</b>	<b>Number of Affordable Units</b>
A & Z Autohaus	A & Z Autohaus CDBG	7	4
D Taggart Holdings	D Taggart Blue/Gutschmidt Blue	6	4
D Taggart Holdings	D Taggart Red	7	4
Gutschmidt Construction	Gutschmidt Construction CDBG	7	4
Gutschmidt Properties Inc	Gutschmidt Green	7	4
Scottsman Properties V	Scottsman CDBG-DR	7	4
	<b>Totals</b>	<b>41</b>	<b>24</b>



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA, R/W-NAC

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution accepting the established fair market value in the amount of \$95,000 for a total acquisition and allocating relocation benefits of \$5,000 for the property located at 1856 8<sup>th</sup> Street NW, owned by Korrey Lynn Mayland and Andrea Osmundson, in connection with the West Side Flood Control System project.

CIP/DID #3311200-00

**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 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 the Time Check area.

A total acquisition with relocation is required to accommodate the proposed Cedar River Flood Control System (FCS), west side protection project. Negotiations have come to an impasse between the City and the property owner to acquire the necessary property.

Compensation amount offered of \$95,000 for the total acquisition of the property is based on an appraisal of the subject property, provided by a qualified Iowa-certified appraiser and a review appraiser's recommendation hired by the City.

The City is required to provide relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Uniform Act) within the Flood Control System footprint. The owner has personal property located at the property that will be displaced as a result of the project. Relocation benefits in the amount of \$5,000 was offered and available to the property owner.

The acceptance of establishing fair market value and allocating relocation benefits 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 the property. This action is an expediency to maintain the construction schedule to protect the City's project letting. If the owner is willing, the City will remain available to negotiate to reach a mutually agreeable settlement to conclude this transaction. If an agreement is executed and approved by City Council prior to convening the Linn County Compensation Commission, the eminent domain proceedings will terminate.

**Action/Recommendation:** The Public Works Department recommends the City Council adopt the resolution accepting the established fair market value of \$95,000 for the total acquisition of the property and allocating relocation benefits in the amount of \$5,000 for Korrey Lynn Mayland and Andrea Osmundson required for the subject project.

**Alternative Recommendation:** Do not proceed with acquiring the proposed property under the eminent domain proceedings and direct City staff to abandon or reconfigure the flood control system.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 331/331100/3311200 - FCS

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Cook Appraisal Commercial Valuation Research Group prepared an appraisal to establish the fair market value in the amount of \$95,000 for a total acquisition for the property located at 1856 8th Street NW, owned by Korrey Lynn Mayland and Andrea Osmundson and the City offered relocation benefits of \$5,000, in connection with the West Side Flood Control System project, and

WHEREAS, the Public Works Department recommends that the City Council accept the established fair market value of \$95,000 for the property and accept the allocation of \$5,000 in relocation benefits as required by Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Uniform Act) as a result of the project, and

WHEREAS, the City Council has allocated Capital Improvement funds for the West Side Flood Control System project, (Fund 331, Dept ID 331100, Project 3311200, FCS),

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 \$95,000 for the total acquisition, and allocate relocation benefits in the amount of \$5,000 for the property located at 1856 8th Street NW affected by the West Side Flood Control System project.

PASSED\_DAY\_TAG

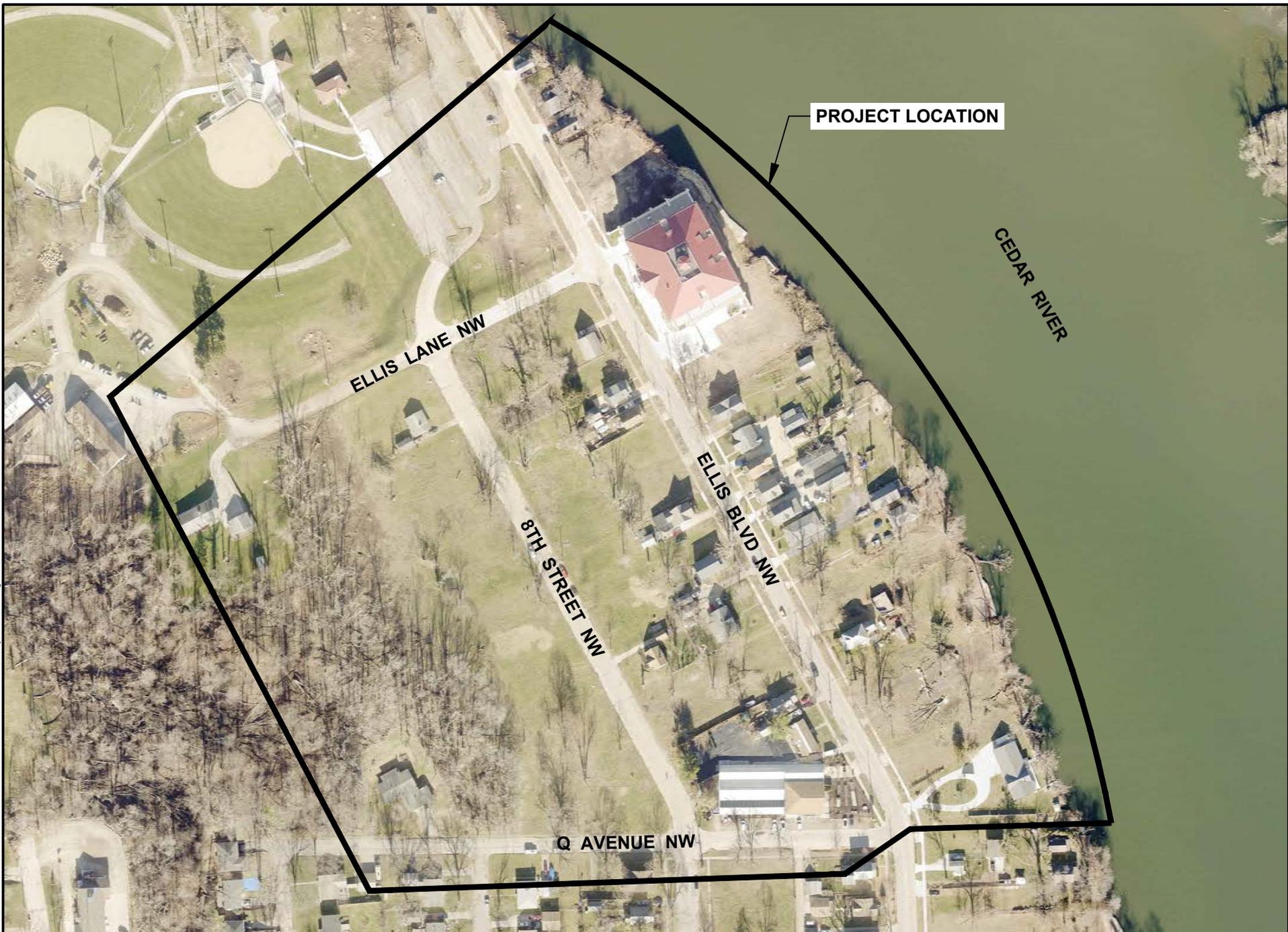
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

Cadd File Name: W:\PROJECTS\CIP\3131\SUB-PROJECTS\WestSide\ACQUISITION\MAPS\CADD FILES\West Side Project Locations.dwg



**WEST SIDE FLOOD CONTROL SYSTEM**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA, R/W-NAC

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution accepting the established fair market value in the amount of \$1,000 for the acquisition of Mineral Rights from land located on the east side of the Cedar River, north of Quaker Oats and south of Wenig Road NE, owned by David H. Murdock, in connection with the Cedar River, Flood Risk Management Project – Reach 1 – South Railyard Floodwall project.

CIP/DID #3314200-00

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

**Background:** On November 27, 2018, the City of Cedar Rapids, Iowa (City) and Department of the Army – United States Army Corps of Engineers (USACE) executed the Project Partnership Agreement for the Cedar River, Cedar Rapids, Iowa, Flood Risk Management Project.

As the non-Federal Sponsor the City is required to purchase the Mineral Rights to accommodate the proposed Cedar River Flood Control System (FCS), South Railyard Floodwall project. Several attempts were made by the City to contact the Mineral Rights owner. The owner has not been responsive to the City.

Compensation amount offered of \$1,000 for the acquisition of rights 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 rights. This action is an expediency to maintain the construction schedule to protect the City's project letting. If the owner is willing, the City will remain available to negotiate to reach a mutually agreeable settlement to conclude this transaction. If an agreement is executed and approved by City Council prior to convening the Linn County Compensation Commission, the eminent domain proceedings will terminate.

**Action/Recommendation:** The Public Works Department recommends the City Council adopt the resolution accepting the established fair market value of \$1,000 for the acquisition of Mineral Rights from land located on the east side of the Cedar River, north of Quaker Oats and south of Wenig Road NE required for the subject project.

**Alternative Recommendation:** Do not proceed with acquiring the proposed Mineral Rights under the eminent domain proceedings and direct City staff to abandon or reconfigure.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 331/331100/3314200, FCS - 33101

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, On November 27, 2018, the City of Cedar Rapids, Iowa (City) and Department of the Army – United States Army Corps of Engineers (USACE) executed the Project Partnership Agreement for the Cedar River, Cedar Rapids, Iowa, Flood Risk Management Project, and

WHEREAS, Cook Appraisal Commercial Valuation Research Group prepared an appraisal to establish the fair market value in the amount of \$1,000 for the acquisition of Mineral Rights from property located on the east side of the Cedar River, north of Quaker Oats and south of Wenig Road NE, owned by David H. Murdock as required for the Cedar River, Flood Risk Management Project – Reach 1- South Railyard Floodwall project, and

WHEREAS, the Flood Control Program Manager has determined the need to purchase the Mineral Rights in order to accommodate the proposed project, and

WHEREAS, the Flood Control Program Manager 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 River, Flood Risk Management Project – Reach 1- South Railyard Floodwall project, (Fund 331, Dept ID 331100, Project 3314200, FCS),

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 \$1,000 for the acquisition of Mineral Rights from land located on the east side of the Cedar River, north of Quaker Oats and south of Wenig Road NE affected by the Cedar River, Flood Risk Management Project – Reach 1- South Railyard Floodwall project.

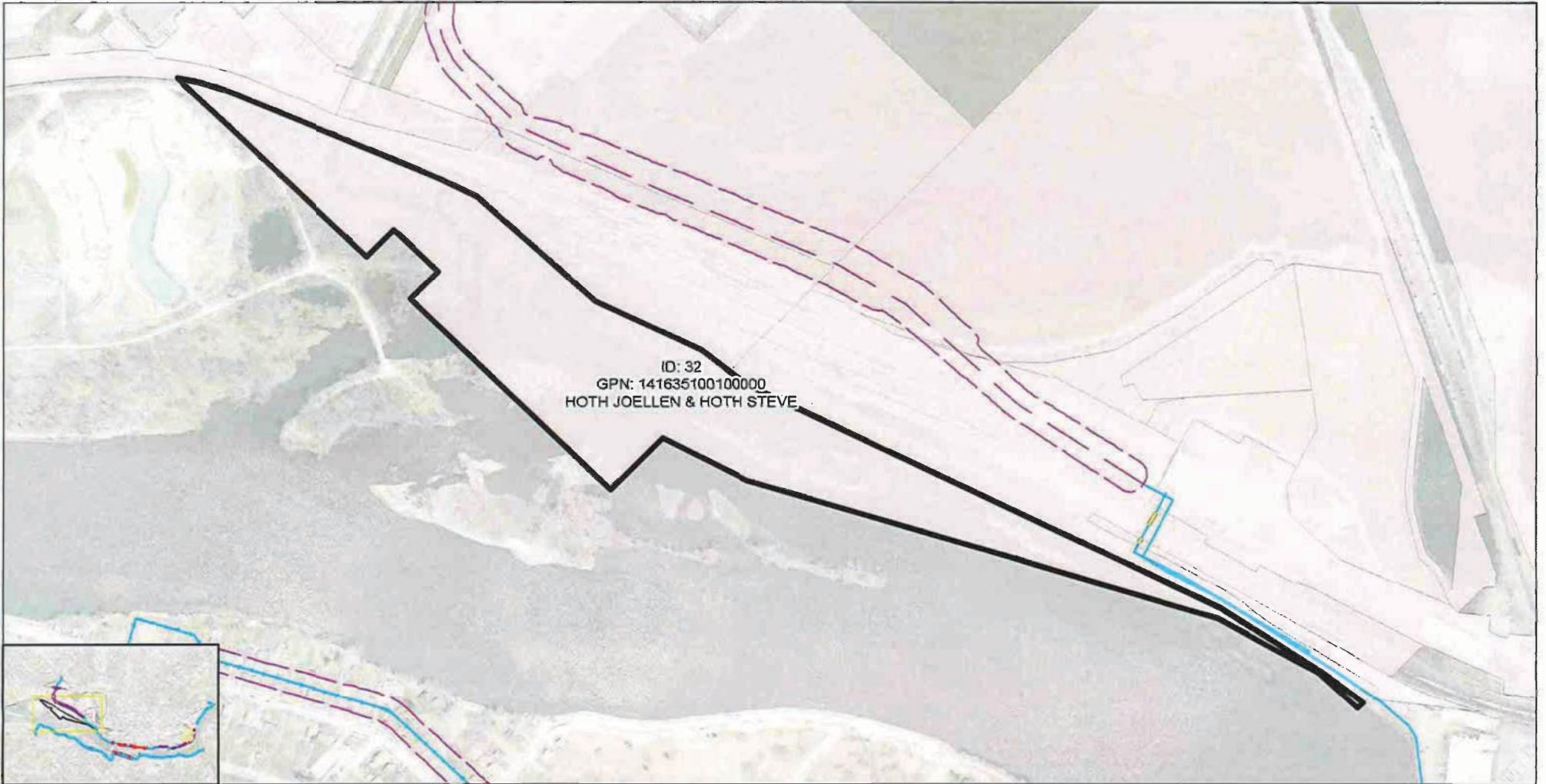
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

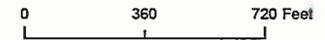
ClerkSignature



**Cedar Rapids Flood Wall Control System**  
**Parcel: 141635100100000**

**Legend**

- Removable Wall
- Detention & Development Area
- Gate
- Levee
- Permanent Wall
- Non-City Owned





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA, R/W-NAC

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution referring to the Linn County Compensation Commission the partial acquisition of right-of-way and a temporary grading easement for construction from land located at 1904 Mount Vernon Road SE, owned by Megh, Inc., in connection with the Mt Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

CIP/DID #3012149-00

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

**Background:** The right-of-way and temporary easement is required to accommodate the proposed Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project. Negotiations are proceeding between the City and the property owner. However, in order to protect the City's project letting, the City will file an application for eminent domain proceedings if the City and the property owner come to an impasse with negotiations. Until the compensation commission hearing, negotiations will continue between both parties to reach a mutually agreeable settlement to conclude this transaction.

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

**Action/Recommendation:** The Public Works Department recommends that the City Council approve the referral to the Linn County Compensation Commission to obtain the required partial acquisition from 1904 Mount Vernon Road SE, owned by Megh, Inc.

**Alternative Recommendation:** Direct City staff to abandon or reconfigure the project if City Council does not refer this matter to the Linn County Compensation Commission to obtain the required partial acquisition from 1904 Mount Vernon Road SE, owned by Megh, Inc., for the Mt Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012149 SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Director has determined the need for right-of-way and a temporary grading easement for construction is necessary for the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project, (CIP No. 3012149), and

WHEREAS, the additional right-of-way and temporary grading easement for construction is located on the property at 1904 Mount Vernon Road SE, and the owner of said property is Megh, Inc., and

WHEREAS, the City has initiated negotiations with Megh, Inc. for the acquisition and has made good faith effort to acquire the required right-of-way and temporary grading easement for construction, and

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

WHEREAS, the City Council has allocated Capital Improvement funds for the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project (Fund 301, Dept ID301000, Project 3012149 SLOST), now therefore

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Attorney is hereby authorized and directed to refer this property right-of-way acquisition matter to the Linn County Compensation Commission to determine the fair compensation value and allow the property to be acquired with the following description:

See Attached Right-of-Way Acquisition Plat  
See Attached Temporary Construction Easement Exhibit

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature





# TEMPORARY CONSTRUCTION EASEMENT

## DESCRIPTION

A PART OF LOT 10, BLOCK 5, BEVER'S FOURTH ADDITION TO CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 8 SAID BLOCK 5; THENCE NORTH 88°31'13" WEST ALONG THE SOUTH LINE OF SAID BLOCK 5, A DISTANCE OF 128.06 FEET TO THE SOUTHEAST CORNER OF SAID LOT 10; THENCE NORTH 2°00'17" WEST ALONG THE EAST LINE OF SAID LOT 10, A DISTANCE OF 7.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°31'13" WEST, 58.01 FEET; THENCE NORTH 1°59'02" WEST, 9.00 FEET; THENCE SOUTH 87°59'07" WEST, 6.00 FEET TO THE WEST LINE OF SAID LOT 10; THENCE NORTH 1°59'02" WEST ALONG SAID WEST LINE, A DISTANCE OF 14.48 FEET; THENCE NORTH 88°00'58" EAST, 10.00 FEET; THENCE SOUTH 1°59'02" EAST, 8.69 FEET; THENCE SOUTH 88°31'14" EAST, 54.00 FEET TO THE EAST LINE OF SAID LOT 10; THENCE SOUTH 2°00'17" EAST ALONG SAID EAST LINE, A DISTANCE OF 15.03 FEET TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES (991 S.F.) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

## INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:  
 TIM FORINASH  
 SNYDER & ASSOCIATES, INC.  
 5005 BOWLING ST. SW SUITE A  
 CEDAR RAPIDS, IOWA 52404  
 319-362-9394  
 twforinash@snyder-associates.com  
 SERVICE PROVIDED BY:  
 SNYDER & ASSOCIATES, INC.  
 SURVEY LOCATED:  
 LOT 10, BLOCK 5  
 BEVER'S FOURTH ADDITION TO CEDAR RAPIDS

REQUESTED BY:  
 CITY OF CEDAR RAPIDS  
 ENGINEERING DEPARTMENT

## LEGEND

Survey	Found	Set
Section Corner	●	△
1/2" Rebar, Yellow Cap #26175 (Unless Otherwise Noted)	●	○
ROW Rail	■	
Calculated Point	+	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	-----	
Section Line	-----	
1/4 Section Line	-----	
1/4 1/4 Section Line	-----	
Temporary Easement		

## PROPERTY ADDRESS

1904 MOUNT VERNON ROAD SE  
 CEDAR RAPIDS, IA 52403  
 GPN - 142248501600000

## DEED HOLDER

MEGH INC  
 DBA CENEX  
 1904 MOUNT VERNON ROAD SE  
 CEDAR RAPIDS, IA 52403

## PREPARED FOR

CITY OF CEDAR RAPIDS  
 ENGINEERING DEPARTMENT

MOUNT VERNON ROAD SE  
 FROM 14TH STREET SE  
 TO 20TH STREET SE

CEDAR RAPIDS CONTRACT  
 NUMBER - 3012149-04

## DATE OF SURVEY

11-03-2020

## BASIS OF BEARING

THE SOUTH LINE OF  
 BLOCK 5 IS ASSUMED TO  
 BEAR SOUTH 88°31'13" EAST

**MOUNT VERNON ROAD SE  
 FROM 14TH STREET SE TO 20TH STREET SE  
 PARCEL 32 - MEGH INC**



Project No: 1190275

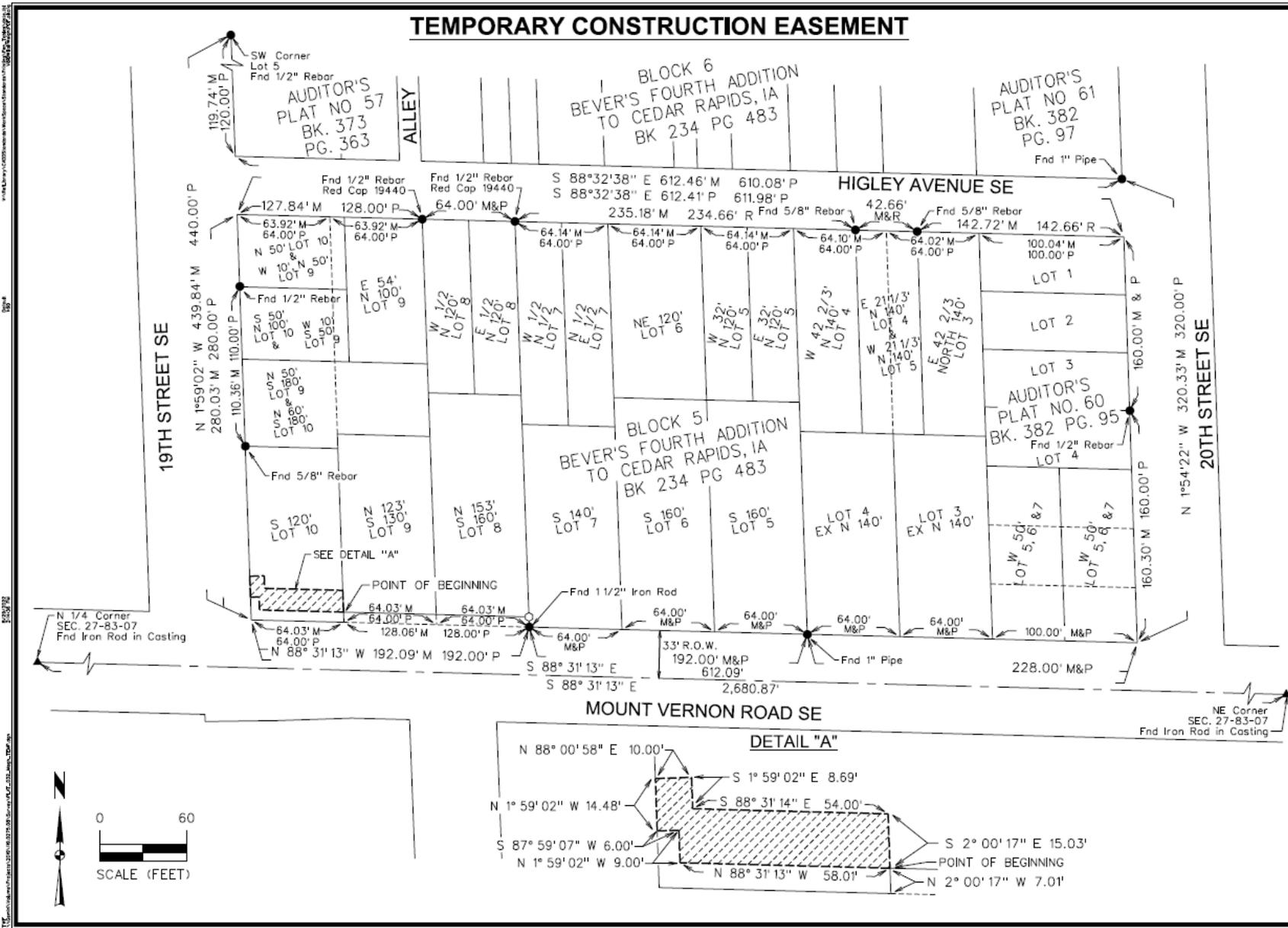
Sheet 1 of 2

**SNYDER & ASSOCIATES, INC.**  
 5005 BOWLING STREET, SUITE A  
 CEDAR RAPIDS, IA 52404  
 319-362-9394 | www.snyder-associates.com

CEDAR RAPIDS, IOWA  
 Surveyor: TWF  
 Checked By: TWF  
 Date: 03/27/22  
 Scale: 1" = 40'

Sheet 1 of 2

# TEMPORARY CONSTRUCTION EASEMENT



<b>PROJECT</b>	MOUNT VERNON ROAD SE FROM 14TH STREET SE TO 20TH STREET SE	PARCEL 32 - MEGH INC	SNYDER & ASSOCIATES, INC. I
<b>CLIENT</b>	CEDAR RAPIDS, IOWA		
<b>DATE</b>	03/27/22		
<b>SCALE</b>	1" = 60'		
<b>PROJECT NO.</b>	1190275		
<b>SHEET</b>	2 of 2		

**SNYDER & ASSOCIATES**

5000 BOWLING STREET S.W.  
CEDAR RAPIDS, IA 52404  
319-365-8384 | www.snyder-assocs.com



## MT VERNON ROAD SE FROM 14<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET PAVEMENT IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** City Council

**Presenter at Meeting:** Angie Charipar

**Contact Person:** Angie Charipar

**Cell Phone Number:** 319-538-2316

**E-mail Address:** A.Charipar@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing the Mayor to attend the US Conference of Mayor's 91<sup>st</sup> Winter Meeting in Washington, DC January 17, 2023, to January 20, 2023, at a cost of \$3,527.87. CIP/DID #CNC001-23

**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 91<sup>st</sup> Winter Meeting will focus on some of the most pressing challenges facing our cities and key priorities of America's mayors including mental health, public safety, technology and innovation, infrastructure, and jobs.

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

**Alternative Recommendation:**

**Time Sensitivity:** Meeting begins January 17, 2023

**Resolution Date:** January 10, 2023

**Budget Information:** 101000

**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 City Manager is hereby authorized to approve the Business Travel Report for Mayor Tiffany O'Donnell's attendance at the US Conference of Mayors' 91st Winter Meeting in Washington DC from January 17 to January 20, 2023, at a cost of \$3,527.87 (Fund # 101000).

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Water Pollution Control

**Presenter at Meeting:** Roy Hesemann

**Alternate Contact Person:** Roy Hesemann

**Phone Number/Ext.:** 538-5970/521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution approving the Business Travel Report for Lauren O'Neil, WPC Plant Manager, to attend the National Association of Clean Water Agencies (NACWA) 2023 Winter Conference in Sonoma, CA in February 2023 for an estimated amount of \$4,032.20.

CIP/DID #WPC011023-01

**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 Lauren O'Neil, WPC Plant Manager, to attend the NACWA 2023 Winter Conference in Sonoma, CAC in February 2023 is \$4,032.20.

The justification for attendance at the NACWA 2023 Winter Conference is that Lauren will be engaging with other professional clean water leaders, receiving high-value information, discovering innovative programs and best practices, and exploring relevant topics that are essential to our Utilities Department.

**Action/Recommendation:** The Utilities Department recommends that City Council approve the Resolution authorizing Lauren O'Neil, WPC Plant Manager, to attend the NACWA 2023 Winter Conference in Sonoma, CA in February 2023.

**Alternative Recommendation:** N/A

**Time Sensitivity:** 1-10-23

**Resolution Date:** 1-10-23

**Budget Information:** To be funded from the Utilities Department – Water Pollution Control fiscal year 2023 operations and maintenance budget and coded to 542102-611-611005-611010.

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Utilities Department recommends that Lauren O'Neil, WPC Plant Manager, be authorized to attend the National Association of Clean Water Agencies (NACWA) 2023 Winter Conference in Sonoma, CA in February 2023, and

WHEREAS, the estimated costs are \$4,032.20, and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Business Travel Report submitted by Lauren O'Neil, WPC Plant Manager, be hereby approved for her to attend the National Association of Clean Water Agencies (NACWA) in Sonoma, CA in February 2023 for an estimated amount of \$4,032.20. The trip cost will be funded from the Utilities Department – Water Pollution Control fiscal year 2023 operations and maintenance budget and coded to 542102-611-611005-611010.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution accepting work and fixing amount to be assessed for the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project (**Paving for Progress**).  
CIP/DID #3012095-00

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

**Background:** Construction has been completed by Dave Schmitt Construction Co., Inc. for the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project. This is a previously approved Capital Improvements Project (CIP No. 3012095-03) with a final construction amount of \$1,799,433.60. Final amount proposed to be assessed to the benefited properties is \$50,370. The preliminary assessment amount was approved by City Council on November 3, 2020. The Public Works Department has inspected the completed work and determined the work to be in substantial conformance with the contract requirements.

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

**Alternative Recommendation:** Increase the City's contribution towards the cost of improvements. The FY 2023 budget does not include additional funds for contributions, so funding source would have to be identified if the Council wants to pursue this option.

**Time Sensitivity:** Must be acted on by January 10, 2023 due to assessment schedule per State code timeline.

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012095 SLOST; 625625000/6250051-2016062 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION ACCEPTING WORK AND FIXING AMOUNT TO BE ASSESSED

WHEREAS, on March 23, 2021, the City of Cedar Rapids, Iowa, entered into contract with Dave Schmitt Construction Co., Inc. of Cedar Rapids, Iowa, for the construction of the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project within the City, as therein described; and

WHEREAS, said contractor has substantially completed the construction of said improvements, known as the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project in accordance with the terms and conditions of said contract and plans and specifications, as shown by the certificate of the Engineer filed with the Clerk on December 20, 2022:

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

Section 1. That said report of the Engineer be and the same is hereby approved and adopted and said improvements are hereby accepted as having been substantially completed in accordance with the said plans, specifications, and contract. The total construction contract cost of the improvements payable under said contract is hereby determined to be \$1,799,433,.60.

Section 2. The total cost of improvements including construction, engineering, legal and administrative costs are determined to be \$50,370.

BE IT FURTHER RESOLVED, that the Engineer is hereby instructed to prepare a final plat and schedule showing the separate lots or parcels of ground subject to assessment for the cost of the C Street SW from Bowling Street to Handley Drive Pavement and Sidewalk Improvements project together with the names of the owners thereof, so far as practicable, and the amount assessable by law against each lot or parcel of ground so assessable, and against any railway or street railway legally assessable therefor, and \$50,370 of the whole amount of the cost of said improvements shall be assessed against the benefited properties, but not in excess of the amounts so assessed in the preliminary plat and schedule for the improvement, and filed in the office of the Clerk.

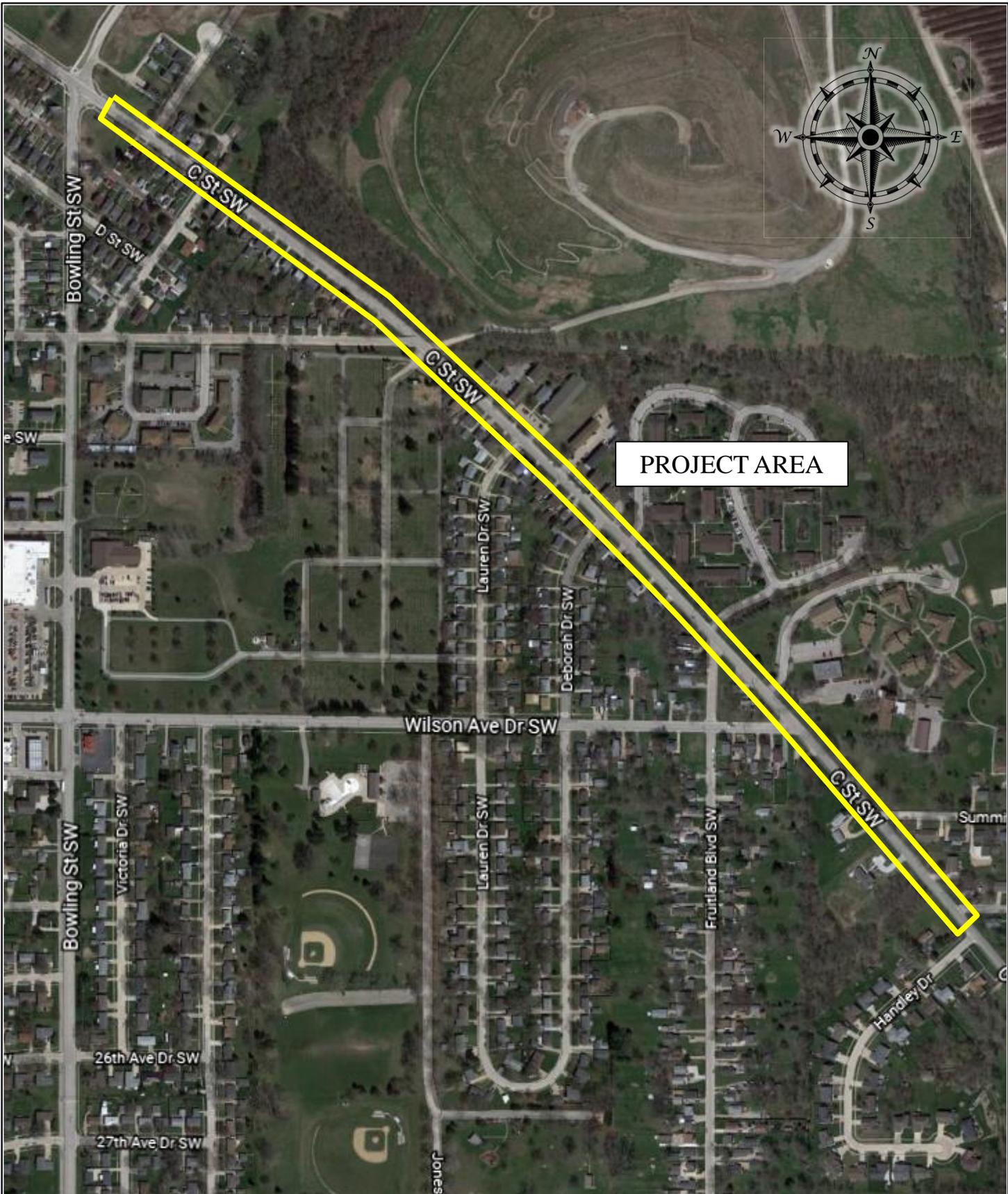
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



**C STREET SW FROM BOWLING STREET TO  
HANDLEY DRIVE PAVEMENT AND SIDEWALK  
IMPROVEMENTS**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** CONSENT AGENDA

Resolution setting a public hearing for February 14, 2023 to consider the Resolution of Necessity (Proposed) for the construction of the 2023 Sanitary Sewer Service Replacement project.  
CIP/DID #6550043-00

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

**Background:** In preparation for Paving for Progress road projects, the condition of sanitary sewer services located beneath proposed pavement improvements are televised to inspect their condition. In cases where bituminous fiber (Orangeburg) or damaged sanitary sewer services are found, they are removed and replaced within the public right-of-way to protect the public's investment in the new road surface. This project will replace Orangeburg/broken sanitary sewer services in advance of road projects on 18th Street SW, 25th Street Drive SE, 29th Street NW, 2nd Avenue/Forest Drive SE, Ford Avenue NW, Jacolyn Drive NW, Red Fox Road SE, Sue Lane NW, and Tomahawk Trail SE. The assessments will cover the cost of the repairs.

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.

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 February 14, 2023 to receive public comments. Property owners in the assessment district will receive written notices of the project, proposed preliminary assessment amounts, and public hearing date. Following the public hearing, council will consider one of the following options:

1. Adopt the Resolution of Necessity as proposed and proceed with the project and special assessment.
2. Amend the preliminary assessments, then adopt the Resolution of Necessity and proceed with the project.
3. Defer action until a specified later date
4. Abandon the special assessment

**Action/Recommendation:** The Public Works Department recommends adoption of the proposed Resolution of Necessity and setting of a public hearing on February 14, 2023 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:** January 10, 2023

**Budget Information:** CIP No.655/6550000/6550043 NA

**Local Preference Policy:** NA

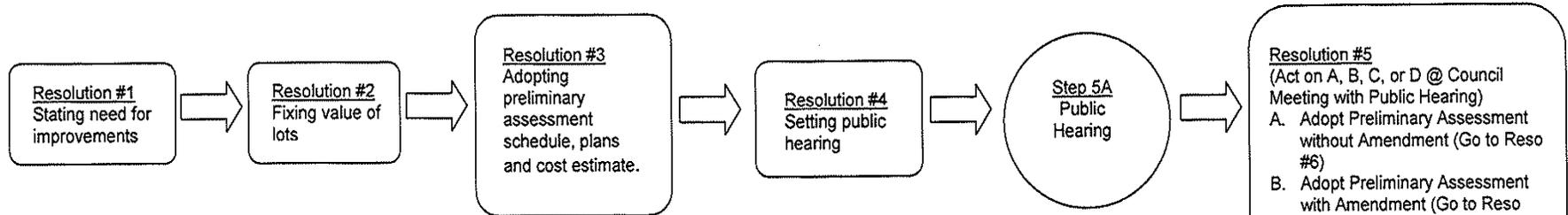
**Explanation:** NA

**Recommended by Council Committee:** NA

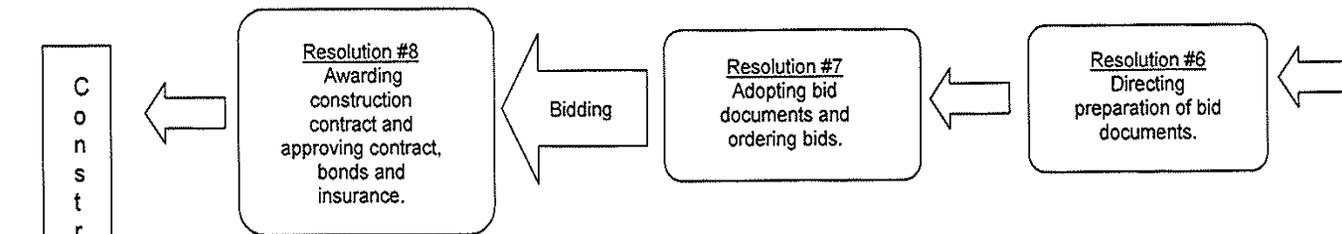
**Explanation:** NA

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

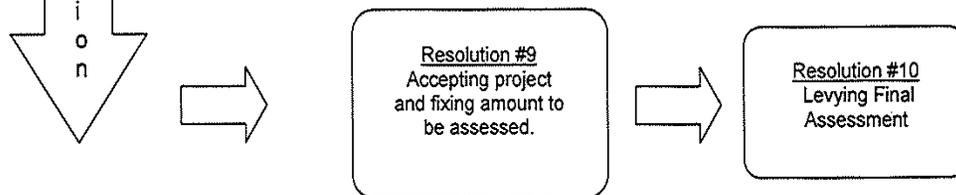
### PRELIMINARY ASSESSMENT ACTIONS



### NORMAL DESIGN, BIDDING, AND CONSTRUCTION ACTIONS

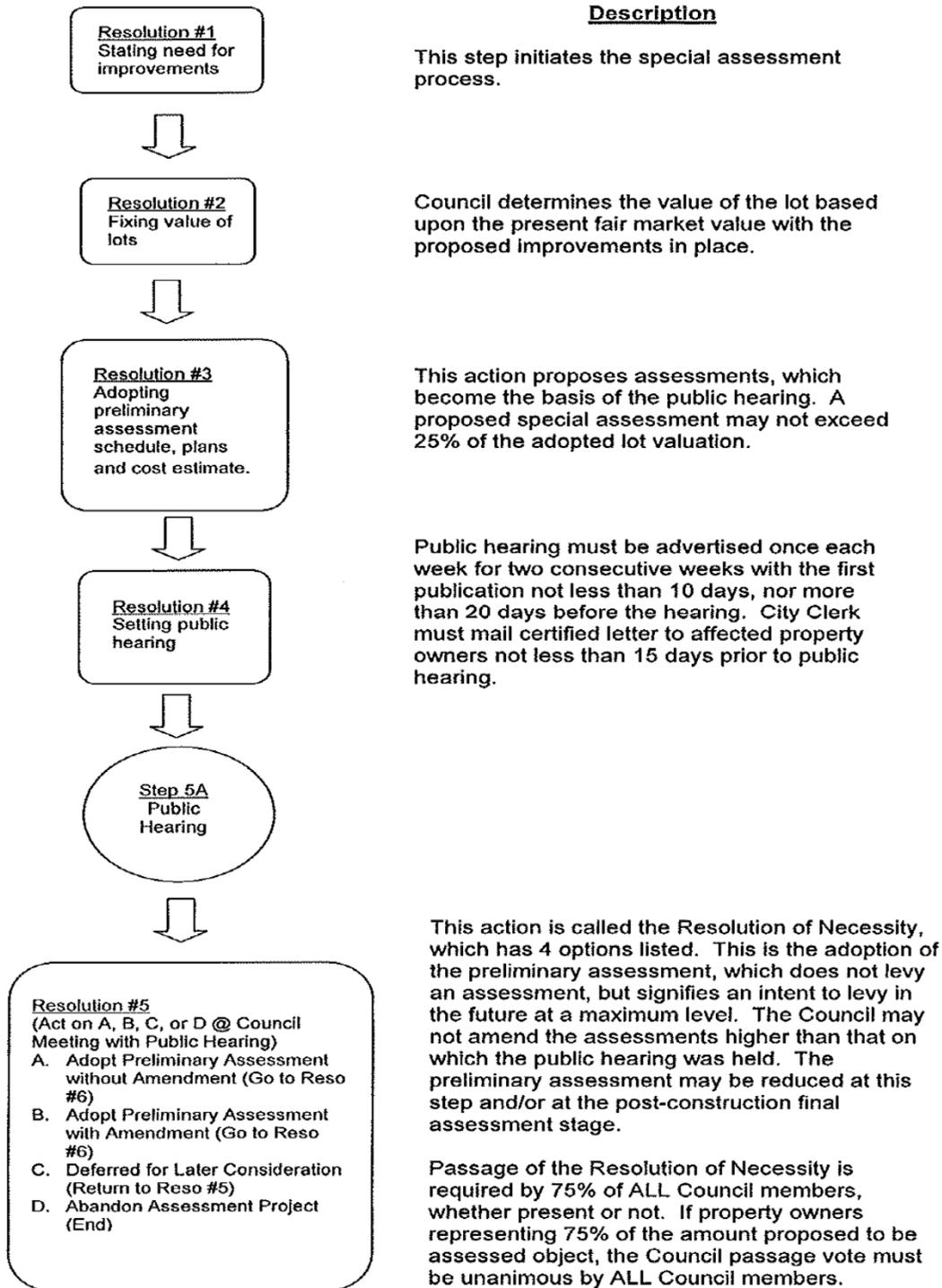


### FINAL ASSESSMENT ACTIONS



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

## CITY COUNCIL ACTIONS IN SPECIAL ASSESSMENT PROCESS PRELIMINARY ASSESSMENT



RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION SETTING A PUBLIC HEARING DATE FOR FEBRUARY 14, 2023  
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 2023 Sanitary Sewer Service Replacement 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 2023 Sanitary Sewer Service Replacement 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 by this Resolution.

Said improvements within said District are located and described in the "Notice to Property Owners", set out by 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 14th day of February, 2023 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.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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 2023 Sanitary Sewer Service Replacement project of the types and in the location as follows:

GPN & Legal Description:

GPN	Legal Description
142935600400000	HILLCREST 2ND STR/LB 4 9
141427900500000	COUNTRY CLUB HEIGHTS STR/LB 20 4
143020200500000	WENKSTERN'S 6TH STR/LB 9
132525101800000	CEDAR HILLS UNIT ONE STR/LB 50
141432601100000	MITVALSKY'S 2ND STR/LB 10
141432601200000	MITVALSKY'S 2ND STR/LB 11
143032700400000	LA CRESTA HEIGHTS 1ST STR/LB 24
142420600700000	INDIAN CREEK HILLS 9TH STR/LB 152
142427800300000	INDIAN CREEK HILLS 7TH STR/LB 113
142427800100000	INDIAN CREEK HILLS 7TH STR/LB 115
142427700500000	INDIAN CREEK HILLS 7TH STR/LB 118
142427900600000	INDIAN CREEK HILLS 7TH STR/LB 106
142427600200000	INDIAN CREEK HILLS 6TH STR/LB 89
142428200700000	INDIAN CREEK HILLS 4TH STR/LB 64
142428100200000	INDIAN CREEK HILLS 4TH STR/LB 76
142428200100000	INDIAN CREEK HILLS 4TH STR/LB 70
142428100700000	INDIAN CREEK HILLS 4TH STR/LB 71
142430100800000	EAST HIGHLANDS 5TH STR/LB 83

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

Sanitary sewer service repair and replacement

The Cedar Rapids City Council will meet at 12:00 p.m., on the 14<sup>th</sup> day of February, 2023 at the Cedar Rapids Council Chambers, 3<sup>rd</sup> floor of City Hall, 101 1<sup>st</sup> 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.

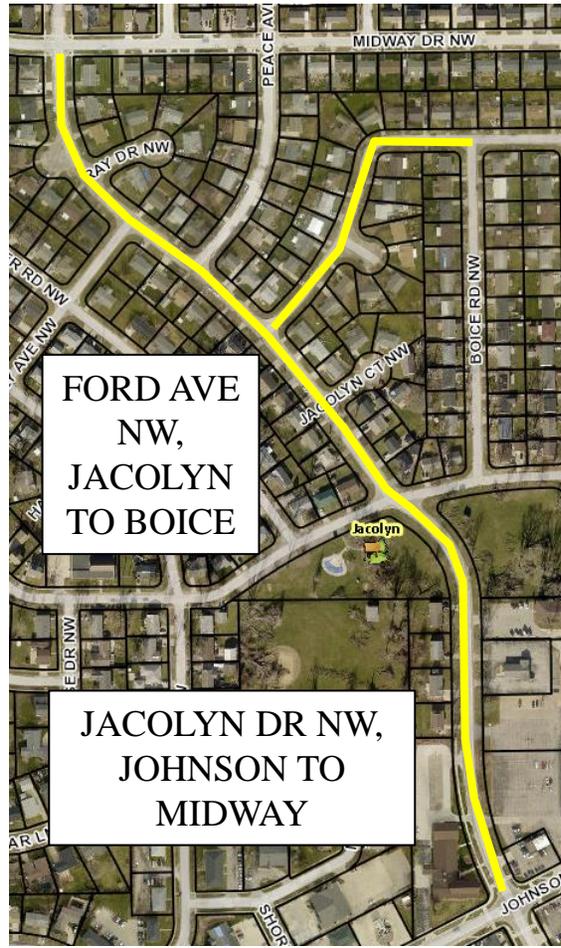
Alissa Van Sloten  
City Clerk, Cedar Rapids, Iowa

(END OF NOTICE)



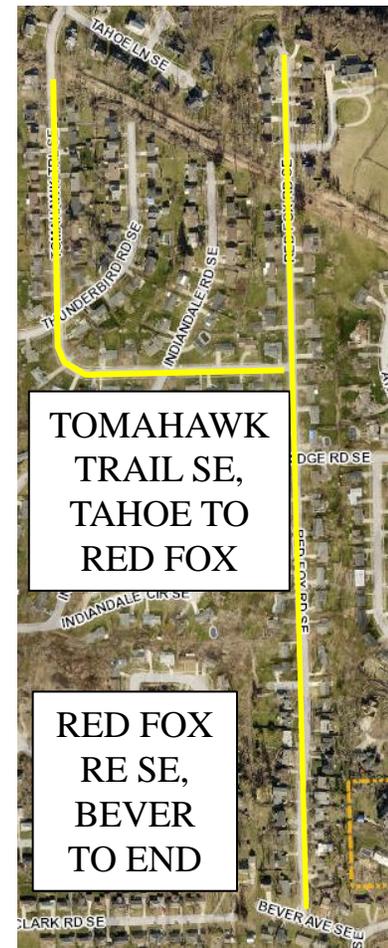
25<sup>TH</sup> ST DR SE,  
2<sup>ND</sup> AVE TO  
COUNTRY  
CLUB PKWY

2<sup>ND</sup> AVE/FOREST  
DR SE, COTTAGE  
GROVE TO 23<sup>RD</sup>  
ST DR



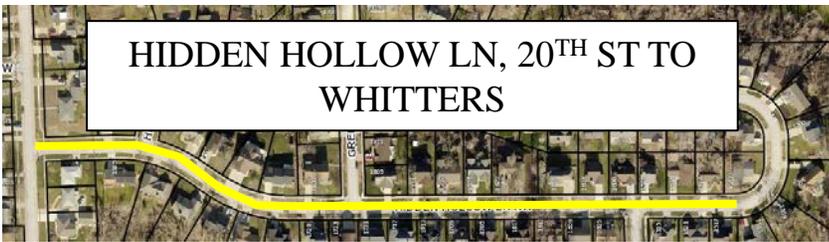
FORD AVE  
NW,  
JACOLYN  
TO BOICE

JACOLYN DR NW,  
JOHNSON TO  
MIDWAY



TOMAHAWK  
TRAIL SE,  
TAHOE TO  
RED FOX

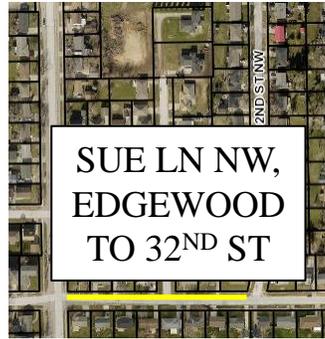
RED FOX  
RD SE,  
BEVER  
TO END



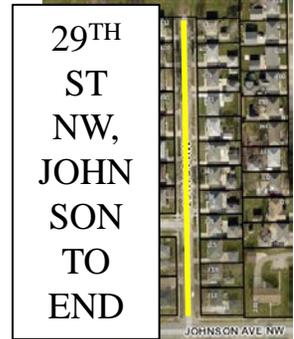
HIDDEN HOLLOW LN, 20<sup>TH</sup> ST TO  
WHITTERS



18<sup>TH</sup> ST SW, 10<sup>TH</sup>  
AVE TO 8<sup>TH</sup> AVE



SUE LN NW,  
EDGEWOOD  
TO 32<sup>ND</sup> ST



29<sup>TH</sup>  
ST  
NW,  
JOHN  
SON  
TO  
END



**2023 SANITARY SEWER SERVICE REPLACEMENT PROJECT**



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Scott Mather

**Contact Person:** Caleb Mason

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

**Phone Number/Ext.:** (319) 521-7678

**Description of Agenda Item:** CONSENT AGENDA

Resolution setting a public hearing for February 14, 2023 and consultation with affected taxing entities on the proposed Amendment No. 8 to the Second Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area. CIP/DID #OB283396

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** The action initiates the process to amend the Central Business Urban Renewal Plan. The Plan is being amended accordance with Chapter 403 of the Iowa Code – the Urban Renewal Law – to incorporate projects and activities anticipated to be undertaken in accordance within the Urban Renewal being. As part of the process, the City must consult with taxing agencies on the activities and associated tax increments that may be used in conjunction with the projects.

Amendment No. 8 to the Plan incorporates the proposed parking ramp at 1<sup>st</sup> & 1<sup>st</sup> into the Urban Renewal Plan as a precursor to provide statutory authority necessary to sell bonds at a future date.

The following is the timeline and steps for the Plan Amendment:

- Jan. 10            Resolution Setting a Public Hearing
- Jan. 23            Consultation with affected taxing agencies
- Feb. 14            Public Hearing/Resolution approving Amendment No. 8 to URA Plan

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

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

**Time Sensitivity:** NA

**Resolution Date:** January 10, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

RESOLUTION SETTING DATES OF A CONSULTATION AND PUBLIC HEARING ON  
A PROPOSED AMENDMENT NO. 8 TO THE SECOND AMENDED AND RESTATED  
URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS URBAN RENEWAL AREA

WHEREAS, on February 9, 1966, the City Council of the City of Cedar Rapids, Iowa approved the Urban Renewal Plan (the "Original Plan", and as so amended shall be referred to herein as the "Plan") for the Central Business Urban Renewal Area (the "Urban Renewal Area") f/k/a Civic Center Urban Renewal Area; and

WHEREAS, the City Council has made the following amendments to the Original Plan:

<u>Amendment</u>	<u>Resolution No.</u>	<u>Date</u>
<b>Amendment No. 1</b>	<b>1255-06-79</b>	<b>June 27, 1979</b>
<b>Amendment No. 2</b>	<b>1470-09-81</b>	<b>September 21, 1981</b>
<b>Amendment No. 3</b>	<b>0185-02-82</b>	<b>February 10, 1982</b>
<b>Amendment No. 4</b>	<b>0492-04-85</b>	<b>April 17, 1985</b>
<b>Amendment No. 5</b>	<b>2292-12-88</b>	<b>December 7, 1988</b>
<b>Amended and Restated (6)</b>	<b>0044-01-97</b>	<b>January 8, 1997</b>
<b>Second Amended and Restated (7)</b>	<b>1427-10-12</b>	<b>October 23, 2012</b>
<b>Amendment No. 1 to Second Amended and Restated (8)</b>	<b>0513-04-13</b>	<b>April 9, 2013</b>
<b>Amendment No. 2 to Second Amended and Restated (9)</b>	<b>0965-06-13</b>	<b>June 25, 2014</b>
<b>Amendment No. 3 to Second Amended and Restated (10)</b>	<b>0455-04-15</b>	<b>April 14, 2015</b>
<b>Amendment No. 4 to Second Amended and Restated (11)</b>	<b>0812-06-17</b>	<b>June 27, 2017</b>
<b>Amendment No. 5 to Second Amended and Restated (12)</b>	<b>0001-01-19</b>	<b>January 8, 2019</b>
<b>Amendment No. 6 to Second Amended and Restated (13)</b>	<b>0155-02-22</b>	<b>February 8, 2022</b>
<b>Amendment No. 7 to Second Amended and Restated (14)</b>	<b>1594-10-22</b>	<b>October 25, 2022</b>

WHEREAS, this Urban Renewal Area currently includes and consists of:

Beginning at a point at the intersection of the easterly right-of-way line of Fifth Street SE and the southerly right-of-way line of Fifth Avenue SE being the Point of Beginning; thence Southwesterly along said southerly right-of-way line of the Fifth Avenue SE to a point of

intersection with the easterly right-of-way line of Fourth Street SE; thence Southeasterly along said easterly right-of-way line of Fourth Street SE to a point of intersection with the southerly right-of-way line of Ninth Avenue SE; thence Southwesterly along said southerly right-of-way line of Ninth Avenue SE to a point of intersection with the east bank of the Red Cedar River; thence Northwesterly along the east bank of the Cedar River to the southerly right-of-way line of Eighth Avenue SE; thence Southwesterly along said southerly right-of-way line of Eighth Avenue SE to a point of intersection with the southerly right-of-way line of Diagonal Drive SW; thence Westerly along said southerly right-of-way line of Diagonal Drive SW to its intersection with the westerly right-of-way line of First Street SW; thence Northwesterly along said westerly right-of-way line of First Street SW to a point of intersection with the southerly right-of-way line of Fourth Avenue SW; thence Westerly along said southerly right-of-way line of Fourth Avenue SW to a point of intersection with the westerly right-of-way line of Second Street SW; thence Northwesterly along said westerly right-of-way line of Second Street SW to a point of intersection with the northerly right-of-way line of Second Avenue SW; thence Northeasterly along said northerly right-of-way line of Second Avenue SW to a point of intersection with the westerly right-of-way line of the alley located between First Street SW and Second Street SW; thence Northwesterly along said westerly right-of-way line of the alley located between First Street SW and Second Street SW to a point of intersection with the southerly right-of-way line of vacated A Avenue NW; thence Westerly along said southerly right-of-way line of vacated A Avenue NW to a point of intersection with the easterly vacated right-of-way line of Second Street NW; thence Northwesterly along said easterly vacated right-of-way line of Second Street NW to a point of intersection with the southerly right-of-way line of E Avenue NW; thence Westerly along said southerly right-of-way line of E Avenue NW to a point of intersection with the westerly right-of-way line of Third Street NW; thence Northerly along said westerly right-of-way line of Third Street NW to a point of intersection with the northerly right-of-way line of I Avenue NW; thence Easterly along said northerly right-of-way line of I Avenue NW to a point of intersection with the westerly right-of-way line of First Street NW; thence Northerly along said westerly right-of-way line of First Street NW to a point of intersection with the southerly right-of-way line of the Chicago and Northwestern Railroad; thence Easterly along said southerly right-of-way line of the Chicago and Northwestern Railroad to a point of intersection with the easterly bank of the Red Cedar River; thence Southerly along said easterly bank of the Red Cedar River to a point of intersection with the southerly right-of-way line of vacated D Avenue NE; thence Easterly along said southerly right-of-way line of vacated D Avenue NE to a point of intersection with the easterly property line of Lot 2 of Auditor's Plat No. 208; thence Southerly and southeasterly along the easterly property lines of Fractional Blocks 14 and 15, Original Town to a point of intersection with the westerly extension of the northerly right-of-way line of the alley located one hundred and forty feet northerly of B Avenue NE; thence Northeasterly along the northerly right-of-way line of said alley located one hundred and forty feet northerly of B Avenue NE extended to a point of intersection with the easterly right-of-way line of Second Street NE; thence Southeasterly along said easterly right-of-way line of Second Street NE to a point of intersection with the northerly right-of-way line of B Avenue NE; thence Northeasterly along said northerly right-of-way line of B Avenue NE to a point of intersection with the easterly right-of-way line of Third Street NE; thence Southeasterly along said easterly right-of-way line of Third Street NE to the northerly right-of-way line of the alley first located one hundred and forty feet northerly of A Avenue NE; thence Northeasterly along said northerly right-of-way line of the alley first located one hundred and forty feet northerly of A Avenue NE to Fourth Street NE; thence Southeasterly along said easterly right-of-way line of Fourth Street NE to a point of intersection with the northerly alley right-of-way line first located one hundred and forty feet northerly of First Avenue East; thence Northeasterly along said northerly alley right-of-way line first located one hundred and forty feet northerly of First Avenue East to a point of intersection with the easterly right-of-way line of Fifth Street NE; thence Southeasterly along said easterly right-of-way line of Fifth Street NE to the Point of Beginning.

WHEREAS, City staff has caused there to be prepared a form of Amendment No. 8 to the Second Amended and Restated Plan ("Amendment No. 8" or "Amendment"), a copy of which is attached hereto as Exhibit 1 and has been placed on file for public inspection in the office of the City Clerk and which is incorporated herein by reference, the purpose of which is to update the list of eligible projects to be undertaken within the Area; and

WHEREAS, it is desirable that the area be redeveloped as part of the overall redevelopment covered by the Plan, as amended; and

WHEREAS, this proposed Amendment No. 8 adds no new land; and

WHEREAS, the Iowa statutes require the City Council to notify all affected taxing entities of the consideration being given to the proposed Amendment No. 8 and to hold a consultation with such taxing entities with respect thereto, and further provides that the designated representative of each affected taxing entity may attend the consultation and make written recommendations for modifications to the proposed division of revenue included as a part thereof, to which the City shall submit written responses as provided in Section 403.5, as amended; and

WHEREAS, the Iowa statutes further require the City Council to hold a public hearing on the proposed Amendment No. 8 subsequent to notice thereof by publication in a newspaper having general circulation within the City, which notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the Amendment and shall outline the general scope of the urban renewal project under consideration, with a copy of the notice also being mailed to each affected taxing entity.

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

1. That the consultation on the proposed Amendment No. 8 required by Section 403.5(2) of the Code of Iowa, as amended, shall be held on Monday, January 23, 2023 at 9:30 a.m., in the Culver Conference room, 3<sup>rd</sup> Floor City Hall, 101 First Street SE, Cedar Rapids, and the Economic Development Manager, or his delegate, is hereby appointed to serve as the designated representative of the City for purposes of conducting the consultation, receiving any recommendations that may be made with respect thereto and responding to the same in accordance with Section 403.5.
2. That the City Clerk is authorized and directed to cause a notice of such consultation to be sent by regular mail to all affected taxing entities, as defined in Section 403.17(1), along with a copy of this Resolution and the proposed Plan; the form of consultation notice is attached hereto as Exhibit 2.
3. That a public hearing shall be held on the proposed Plan before the City Council at its meeting which commences at 12:00 p.m. on Tuesday, February 14, 2023.
4. That the City Clerk is authorized and directed to publish notice of this public hearing in the Cedar Rapids Gazette, once on a date not less than four (4) nor more than twenty (20) days before the date of the public hearing, and to mail a copy of the notice by ordinary mail to each affected taxing entity; the form of notice is attached hereto as Exhibit 3.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

**Exhibit 1**



**AMENDMENT NO. 8 TO THE SECOND AMENDED AND  
RESTATED URBAN RENEWAL PLAN**

**CENTRAL BUSINESS URBAN RENEWAL AREA**

<b><u>Amendment</u></b>	<b><u>Resolution No.</u></b>	<b><u>Date</u></b>
Amendment No. 1	1255-06-79	June 27, 1979
Amendment No. 2	1470-09-81	September 21, 1981
Amendment No. 3	0185-02-82	February 10, 1982
Amendment No. 4	0492-04-85	April 17, 1985
Amendment No. 5	2292-12-88	December 7, 1988
Amended and Restated (6)	0044-01-97	January 8, 1997
Second Amended and Restated (7)	1427-10-12	October 23, 2012
Amendment No. 1 to Second Amended and Restated (8)	0513-04-13	April 9, 2013
Amendment No. 2 to Second Amended and Restated (9)	0965-06-13	June 25, 2014
Amendment No. 3 to Second Amended and Restated (10)	0455-04-15	April 14, 2015
Amendment No. 4 to Second Amended and Restated (11)	0812-06-17	June 27, 2017
Amendment No. 5 to Second Amended and Restated (11)	0001-01-19	January 8, 2019
Amendment No. 6 to Second Amended and Restated (12)	0155-02-22	February 8, 2022
Amendment No. 7 to Second Amended and Restated (14)	1594-10-22	October 25, 2022

**Approved by City Council  
Resolution No. \_\_\_\_\_**

**1.0 INTRODUCTION**

**1.1 Purpose and Background**

The Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the Central Business Urban Renewal Area ("Area" or "Urban Renewal Area") was originally adopted on February 9, 1966 and is formerly known as the Civic Center Urban Renewal Area. The Urban Renewal Plan is being amended by this Amendment No. 8 to the Second Amended and Restated Urban Renewal Plan ("Amendment") to update the list of eligible projects. This Amendment adds no new land to the Area. Except as modified by this Amendment, the provisions of the original Urban Renewal Plan are hereby ratified, confirmed, and approved and shall remain in full force and effect as provided herein. In case of any conflict or uncertainty, the terms of this Amendment shall control. Any subsections in the original Plan not mentioned in this Amendment shall continue to apply to the Plan.

**1.2 Central Business Urban Renewal Plan Amendments**

Section 11.0 of the Urban Renewal Plan provides that the Urban Renewal Plan may be amended from time to time to include changes in the Urban Renewal Area, to add or change land use controls and regulations, to modify goals or types of renewal activities, or to amend property acquisition and disposition guidelines. The City Council may amend the Urban Renewal Plan by resolution after holding a public hearing on the proposed change in accordance with applicable Iowa law.

Amendment No. 8 to the Amended and Restated Urban Renewal Plan for the Central Business Urban Renewal Area is consistent with this provision.

**2.0 PROPOSED URBAN RENEWAL PROJECT ACTIVITIES**

In accordance with Chapter 403 of the Code of Iowa, the Urban Renewal Plan for the Urban Renewal Area is amended to add the following project activities under Subsection 7.1 which are expected to be undertaken:

Development Agreements

The following are private redevelopment projects which are expected to be undertaken:

Project	Description & Rationale	Estimated total Tax Increments
None as a part of this Amendment		

Public Improvements

Use of tax increments within the Project Area for improvements to streets, highways, avenues, public ways, and public grounds; installation of street lighting fixtures, connections and facilities; installation and repair of traffic signals and control devices; construction, reconstruction, and repair of sidewalks and pedestrian underpasses and overpasses; improvement and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches; construction, reconstruction, repair, and relocation of sanitary sewer, storm sewer, water, and fiber optic infrastructure, including:

Project	Project Description	Estimated Indebtedness for the Project
Public Parking Ramp at 3 <sup>rd</sup> Street SW & 2 <sup>nd</sup> Avenue SW	On April 12, 2022 the City entered into a Purchase, Sale, and Development Agreement (“Agreement”) with 1 <sup>st</sup> & 1 <sup>st</sup> LLC pursuant to Resolution NO. 0449-04-22. As part of the Agreement, the City agreed to construct a parking ramp to serve parking requirements of the proposed redevelopment project and possible other parking demands the City determines is needed for the general growth and redevelopment of the neighborhood, the scope, scale and design in the City’s sole discretion. The City proposes to finance the construction of the public parking ramp utilizing general obligation urban renewal bonds. While the scale and scope of the parking ramp has not been determined, initial projections conclude the ramp size will be between 450-550 parking spaces. Using an estimated \$30,000 per parking space, the total cost of the ramp is \$13,500,000-\$16,500,000. The total estimated cost does not include financing costs. The City has received approval from the Iowa Economic Development Authority of Reinvestment District. Pursuant to Ordinance No. 047-22 establishing the Cedar Rapids Central Reinvestment District, \$6,000,000 of the Reinvestment District funds received by the City are devoted to service debt incurred in connection with the parking ramp.	\$13,500,000 - \$16,500,00

**Public Building Analysis**

Chapter 403 of the Iowa Code (“Urban Renewal Law”) requires a “public building analysis” to be performed for public building projects being undertaken in accordance with an urban renewal plan which are proposed to be financed, in whole or in part, from the division of revenue under Section 403.19. The Urban Renewal Law further requires an analysis of alternative development options and funding for such projects, and reasons why such funding options would be less feasible than the use of incremental tax revenues to fund the project. If this project is ultimately approved by the City, the City intends to finance the cost of the project through general obligation urban renewal bonds abated, in whole or part, with tax increment collected within the Urban Renewal Area, and therefore requires the following public building analysis.

On April 12, 2022 the City entered into a Purchase, Sale, and Development Agreement (“Agreement”) with 1<sup>st</sup> & 1<sup>st</sup> LLC. The execution of the Agreement represents the culmination of competitive, multi-year process to identify a developer and master-planned redevelopment project for approximately 8 acres of City-owned property the City had acquired after the 2008 Flood. The proposed project memorialized in the Agreement constitutes the largest redevelopment project in the Central Business Urban Renewal Area in decades. The master plan agreed upon by the City and Developer provides for the vacation/disposition of alley and street rights-of-way which is to be redeveloped into a public plaza area and the developer is obligated to construct a phased mixed-use master plan consisting of approximately 9 buildings with a combined private investment of \$81.5 million. In addition, the Developer is obligated to create no fewer than 200 full time equivalent jobs at the project, which are to be retained through the duration of the Agreement. In connection with the Developer’s private investment and construction of the Minimum Improvements and satisfying other conditions in the Agreement, the City agreed to construct a public parking ramp to be used, by occupants of the redevelopment project, and to serve other parking needs of the area as determined by the City. The parking ramp is to be owned and maintained by the City for the benefit of the general public and the Developer has not been granted any special legal entitlement to the ramp. In addition, it is anticipated that this ramp would be a direct benefit to County residents and/or Cedar Rapids Community School District tax payers who may be work at the development project and be a monthly parker, patronize commercial or retail establishments in the development or neighborhood, or attend an event in the community which the parking ramp is supporting.

It is anticipated that the City would begin design and planning for the parking ramp in calendar year 2023 (FY23 & FY24), with construction anticipated to begin in calendar year 2024 (FY24 & FY25). The following alternatives were explored for this project:

- A) Alternative Development Options – As part of the negotiation of the Agreement, the City considered various alternatives to constructing a public parking ramp, including providing incentives to the Developer for a privately owned and financed ramp, and alternative site configurations of the Developer’s master plan which would provide adequate surface and/or parking within buildings. These options were not considered feasible due to the following reasons: (i) the construction of a ramp by the Developer was determined not to be financially feasible due to anticipated cost of construction and anticipated market-rate revenues (including public subsidy), and (ii) the various configurations to fit adequate surface parking to serve the development were not consistent with the City’s zoning regulations, Future Land Use, Comprehensive Plan, and Urban Renewal Plan. Therefore, the preferred alternative master plan for the site is the inclusion of a parking ramp facility to consolidate parking in one location to provide adequate public gathering area, maximized density & building heights consistent with the Future Land Use plan, Comprehensive Plan, zoning regulations, and the Urban Renewal Plan.
- B) Alternative Funding Options – Alternative funding measures were considered for this project including: parking system revenue, Hotel/Motel Tax, regular General Obligation Bonds, Iowa Reinvestment District funds, and Local Option Sales Tax. Parking system revenue was evaluated as an option to fund the parking ramp, however, there is not sufficient cash-on-hand available, or projected in the near term, to finance the ramp. Hotel Motel Tax is not an option due to existing long term financial commitments to repay existing City debt. Local option sales tax is not an option as the ballot language enabling LOST specified eligible uses to only include street repair and related improvements, not public buildings. Regular general obligation bonds will only allow the City to issue \$1M in debt without an election to fund the project and the amount needed is significantly higher. The City is applying up to \$6M of Iowa Reinvestment District Funds which were approved by the Iowa Economic Development Authority Board to abate debt service on the bonds issued for the ramp. However, these IRA funds alone are insufficient to finance an entire ramp in the size and scope that is anticipated to be adequate to serve the proposed redevelopment and additional parking demand for the area. Accordingly, financing this as an urban renewal project is the most logical and appropriate approach.

The Urban Renewal Area was established, in part, on the basis as an “economic development area” which, in the context of the Urban Renewal Law, corresponds to the creation and/or retention of jobs. As part of the Agreement, the Developer is obligated to the creation and/or retain no fewer than 200 jobs in connection with their redevelopment. The construction of the ramp is essential for the Developer to attract office, service and retail uses to the project and correspondingly create and retain jobs. In addition, the parking ramp is anticipated to serve additional needs including proposed River Recreation Whitewater Bypass Channel, the McGrath Amphitheatre, and for future private redevelopment in the area, all of which would result in additional job creation and/or retention which benefits all taxing entities. For this, and other reasons described above, utilizing tax increment to fund this project, in whole or in part, is an appropriate undertaking within Iowa Code chapter 403, and the Urban Renewal Plan.

Property Acquisition

The following is a list of properties anticipated to be acquired by the City to further the objectives of the Plan and in accordance with the Urban Renewal Law:

175 3<sup>rd</sup> Street SW

The cost of acquisition is not anticipated to exceed \$1,200,000.00, some or all of which may be abated with tax increment from the Area.

Property Disposition

The following is a list of properties anticipated to be disposed of by sale or lease for private redevelopment by the City to further the objectives of the Plan and in accordance with Section 403.8 of the Urban Renewal Law:

*No properties are expected to be disposed of as part of this Amendment*

## Programs

The City intends to use tax increments for the following programs:

Program	Program Description	Estimated Indebtedness
No programs associated with this Amendment		

## Administration

Use of tax increments for legal, consulting, recording, publication, administration and oversight of eligible projects, housing market analysis, project financial gap analysis reports, real estate appraisals, and other miscellaneous fees associated with projects occurring within the Area in an amount estimated at \$50,000.

### **3.0 EFFECTIVE DATE**

This Amendment No. 8 to the Second Amended and Restated Urban Renewal Plan for the Central Urban Renewal Area shall be deemed to be effective upon the adoption of a City Council Resolution approving the said amended Urban Renewal Plan. The Urban Renewal Plan, as so amended, shall remain in full force until amended or rescinded by the City Council.

### **4.0 CITY INDEBTEDNESS**

The estimated amount of debt to be incurred by the updated urban renewal projects identified in this Amendment are outlined in *Section 2*. The estimated project costs in this Amendment are estimates only and will be incurred and spent over a number of years. In no event will the City's constitutional debt limit be exceeded. The City Council will consider each project proposal on a case-by-case basis to determine if it is in the City's best interest to participate before approving an urban renewal project or expense. It is further expected that such indebtedness may be financed in whole or in part with tax increment revenues from the Urban Renewal Area, as amended. Subject to the foregoing, the anticipated aggregate indebtedness to be incurred for the proposed urban renewal projects identified in this Amendment is estimated to be up to \$17,750,000 (this estimate does not include debt service or financing costs related to debt issuance, which will be incurred over the life of the Area or the reduction from the Iowa Reinvestment District Funds of \$6 million).

Currently, the City of Cedar Rapids' outstanding general obligation indebtedness is \$334,460,000 (as of Fiscal Year 2023 beginning July 1, 2022). The Constitution of the State of Iowa limits the amount of City debt outstanding at any time to no more than five (5) percent of the value (as shown by the last certified state and county tax list) of all taxable property within the City. The City's constitutional debt limit is \$619,645,885 as of July 1, 2022 (FY2023).

### **5.0 REPEALER**

Any parts of the previous Plan, as previously amended, in conflict with this Amendment are hereby repealed.

### **6.0 SEVERABILITY**

If any part of the Amendment is determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the previously adopted Plan as a whole, or any part of the Plan or this Amendment not determined to be invalid or unconstitutional.

## **7.0 LAND USES AND DEVELOPMENT PLAN**

Cedar Rapids has a general plan for the physical development of the City as a whole outlined in EnvisionCR, adopted January 27, 2015 and amended on March 28, 2017. The goals and objectives of the Urban Renewal Plan, as amended, including the urban renewal projects identified in this Amendment, are in conformity with EnvisionCR.

This Urban Renewal Plan, as amended, does not in any way replace or modify the City's current land use planning or zoning regulation process.

The need, if any, for improved traffic, public transportation, public utilities, recreational and community facilities, or other public improvements within the Urban Renewal Area is set forth in the Plan, as amended. As the Area develops, the need for public infrastructure extensions and upgrades will be evaluated and planned for by the City

## **Exhibit 2**

NOTICE OF A CONSULTATION TO BE HELD BETWEEN THE CITY OF CEDAR RAPIDS, STATE OF IOWA AND ALL AFFECTED TAXING ENTITIES CONCERNING THE PROPOSED AMENDMENT NO. 8 TO THE SECOND AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City of Cedar Rapids, State of Iowa will hold a consultation with all affected taxing entities, as defined in Section 403.17(1) of the Code of Iowa, as amended, commencing at \_\_\_\_\_, in the Culver conference room of City Hall, 101 First Street SE, Cedar Rapids, Iowa concerning a proposed Urban Renewal Plan amendment, a copy of which is attached hereto.

Each affected taxing entity may appoint a representative to attend the consultation. The consultation may include a discussion of the estimated growth in valuation of taxable property included in the proposed Urban Renewal Area, the fiscal impact of the division of revenue on the affected taxing entities, the estimated impact on the provision of services by each of the affected taxing entities in the proposed Urban Renewal Area, and the duration of any bond issuance included in the Amendment. Note that the Amendment includes an analysis of alternative development options and funding for a public building and why such options are less feasible than the proposed urban renewal project.

The designated representative of any affected taxing entity may make written recommendations for modifications to the proposed division of revenue no later than seven days following the date of the consultation. The Economic Development Manager, or his delegate, as the designated representative of the City of Cedar Rapids, State of Iowa, shall submit a written response to the affected taxing entity, no later than seven days prior to the public hearing on the proposed Urban Renewal Plan, addressing any recommendations made by that entity for modification to the proposed division of revenue.

This notice is given by order of the City Council of the City of Cedar Rapids, State of Iowa, as provided by Section 403.5 of the Code of Iowa, as amended.

Dated this 10th Day of January, 2023.

(End of Notice)

### **Exhibit 3**

#### NOTICE OF PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED AMENDMENT NO. 8 TO THE SECOND AMENDED AND RESTATED URBAN RENEWAL PLAN FOR THE CENTRAL BUSINESS URBAN RENEWAL AREA IN THE CITY OF CEDAR RAPIDS, STATE OF IOWA

The City Council of the City of Cedar Rapids, State of Iowa, will hold a public hearing before itself at its meeting which commences at 12:00 P.M. on Tuesday, February 14, 2023, to consider adoption of a proposed Amendment No. 8 to the Second Amended and Restated Urban Renewal Plan (the "Amendment") of the Central Business Urban Renewal Area in the City of Cedar Rapids, State of Iowa, legally described in the Plan.

A copy of the Amendment is on file for public inspection in the office of the City Clerk, City Hall, City of Cedar Rapids, Iowa.

The City of Cedar Rapids, State of Iowa is the local public agency which, if such Amendment is approved, shall undertake the urban renewal activities described in such Amendment.

The general scope of the urban renewal activities under consideration in the Amendment is to remediate slum and blight and promote the growth and retention of qualified industries and businesses in the Urban Renewal Area through various public purpose and special financing activities outlined in the Amendment. To accomplish the objectives of the Amendment, and to encourage the further economic development of the Urban Renewal Area, the Amendment provides that such special financing activities may include, but not be limited to, the making of loans or grants of public funds to private entities under Chapters 403 and 15A of the Code of Iowa. The City also may reimburse or directly undertake the installation, construction and reconstruction of substantial public improvements, including, but not limited to, street, water, sanitary sewer, storm sewer or other public improvements. The Amendment provides that the City may issue bonds or use available funds for purposes allowed by the Plan, as amended, and that tax increment reimbursement of the costs of urban renewal projects may be sought if and to the extent incurred by the City. Specifically, this proposed Amendment No. 8 includes the use of tax increments resulting from the division of revenue pursuant to Chapter 403.19 of the Code of Iowa for private redevelopment projects and for a related public parking ramp.

The proposed Amendment No. 8 further updates the list of other eligible projects to be undertaken within the Area. The proposed Amendment adds no new land. Other provisions of the Plan not affected by the Amendment would remain in full force and effect.

Any person or organization desiring to be heard shall be afforded an opportunity to be heard at such hearing.

This notice is given by order of the City Council of the City of Cedar Rapids, State of Iowa, as provided by Section 403.5 of the Code of Iowa.

Dated this 10th day of January, 2023.

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City Clerk, City of Cedar Rapids, State of Iowa



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** David Houg

**Contact Person:** Caleb Mason

**Cell Phone Number:** 319-286-5188

**E-mail Address:** C.Mason@cedar-rapids.org

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

A public hearing will be held on January 24, 2023 to consider a change of zone for property at 4400 6<sup>th</sup> Street SW from I-LI, Light Industrial District, to I-GI, General Industrial District, as requested by Roger Cassill.

CIP/DID: #RZNE-033439-2022

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

**Background:** This request will be reviewed by the City Planning Commission on January 5, 2023. The Commission's recommendation will be included on the City Council cover sheet for the public hearing.

The applicant proposes rezoning approximately 94 acres to the General Industrial District (I-GI). The property is currently used as a car racing center, convention hall and storage. The rezoning would allow a portion of the property to be used as a salvage yard (subject to separate approval as a Conditional Use). The Future Land Use Map designation for this property is Urban-High Intensity.

A Public Hearing to allow for public input and the First Reading of the Ordinance will be held on January 24, 2023. 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 adoption of the motion setting the public hearing.

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

**Time Sensitivity:** N/A

**Resolution Date:** NA

**Budget Information:** NA

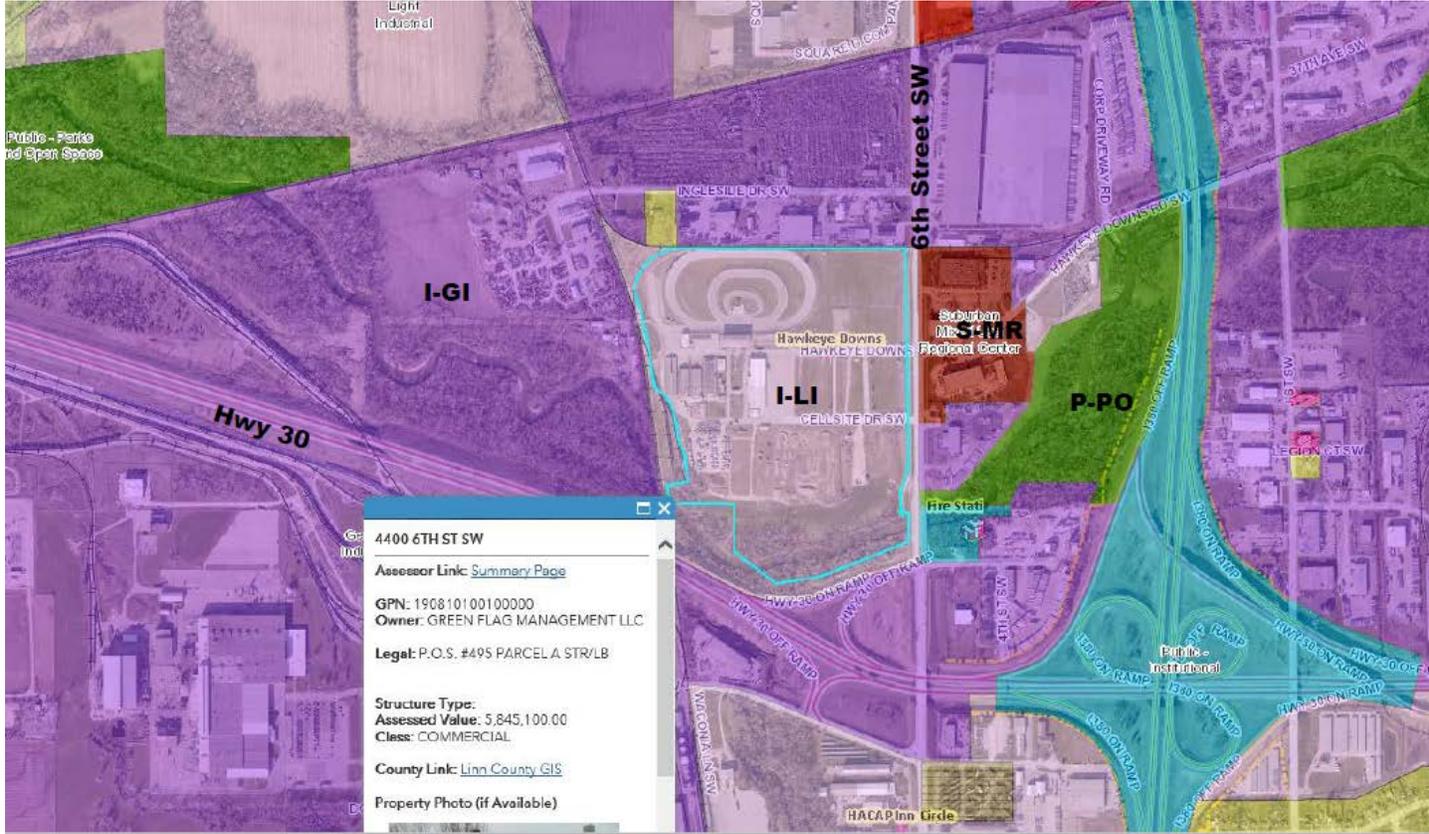
**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:**

**Rezoning Site Location:**





## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services

**Presenter at Meeting:** David Houg

**Contact Person:** Caleb Mason

**Cell Phone Number:** 319-538-5188

**E-mail Address:** C.Mason@cedar-rapids.org

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

A public hearing will be held on January 24, 2023 to consider a change of zone for property at 6600 Gibson Drive NE from S-RL1, Suburban Residential Low Single Unit District, to S-RL1-PUD, Suburban Residential Low Single Unit with a Planned Unit Development Overlay, as requested by Harvest Investments, LLC.

CIP/DID: #RZNE-033402-2022

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

**Background:** This request will be reviewed by the City Planning Commission on January 5, 2023. The Commission's recommendation will be included on the City Council cover sheet for the public hearing.

The applicant proposes a planned unit development overlay for approximately 12.5 acres to allow for construction of an age-restricted gated residential development. The proposal includes up to 36 detached single unit homes on a single parcel developed with a clubhouse. The Future Land Use Map designation for this area is Urban Low Intensity.

A Public Hearing to allow for public input and the First Reading of the Ordinance will be held on January 24, 2023. 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 adoption of the motion setting the public hearing.

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

**Time Sensitivity:** N/A

**Resolution Date:** NA

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:**

**Rezoning Site Location:**





## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Scott Mather

**Contact Person:** Caleb Mason

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

**Phone Number/Ext.:** (319) 521-7678

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

Motion setting a public hearing for January 24, 2023, to consider a Development Agreement with Sinclair on Sixteenth, LLC for the redevelopment of property at 705 16<sup>th</sup> Ave SE. CIP/DID#TIF-0077-2022

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** On January 24, 2023, the City Council will hold a public hearing to consider the Development Agreement with Sinclair on Sixteenth, LLC (LLC created by Watts Group Development, Inc) for the redevelopment of property at 705 16<sup>th</sup> Ave SE. On December 6, 2022, the City Council authorized a project term sheet which outlined preliminary deal points which would be included in a development agreement.

The following is summary of the proposed terms of the Agreement:

- + Minimum Investment: \$10.7 million
- + Minimum Improvements
  - o Construction of a 32-unit multifamily building
  - o Construction of two 4-plex townhome buildings
  - o All units are market rate
- + Financial Incentives
  - o City to provide a reimbursement of 100% of the tax increments up to (i) a net present value (NPV) of \$2.1 million at 6% discount rate and discounting payments to completion date or (ii) 20 consecutive annual payments

**Action/Recommendation:** City staff recommends approving the Resolution

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

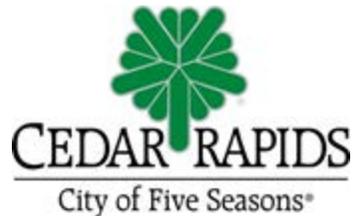
**Time Sensitivity:** NA

**Resolution Date:** January 24, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Scott Mather

**Contact Person:** Caleb Mason

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

**Phone Number/Ext.:** (319) 521-7678

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

Motion setting a public hearing for January 24, 2023, to consider a Development Agreement with 1395 Stamy Road, LLC for the redevelopment of property at 2738 Edgewood Road SW. CIP/DID#TIF-0076-2022

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** On January 24, 2023, the City Council will hold a public hearing to consider the Development Agreement with 1395 Stamy Road, LLC for the redevelopment of property at 2738 Edgewood Road SW. On December 6, 2022, the City Council authorized the standard incentive for the project under the Brownfield/Grayfield Redevelopment – Economic Development Program.

The following is summary of the proposed terms of the Agreement:

- + Minimum Investment - \$5.4 million capital investment
- + Minimum Improvements:
  - o Demolition of two existing commercial buildings
  - o Construction of a new of a new 17,000 square ft commercial building
- + Employment:
  - o No less than 15 Full Time Employees shall be employed at the Project by November 1, 2025 and continuing through the Effective Date of the Agreement
  - o Developer to submit annual certifications of employees at the Project
- + Incentives
  - o City to reimburse up to 50% of the Tax Increments generated by the Minimum Improvements for a period of 10-years
  - o Annual Economic Development Grants subject to employment threshold

The Brownfield/Grayfield Economic Development Program provides a 10-year, 50% rebate of increased taxes generated by the project. Based on the investment and estimated post-development value, the project is expected to generate \$1.3 million in total taxes over a 10-year period, of which \$223,000 would be rebated back to the company.

**Action/Recommendation:** City staff recommends approving the Resolution

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

**Time Sensitivity:** NA

**Resolution Date:** January 24, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023, and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on February 8, 2023 for the 1<sup>st</sup> Avenue W from 18<sup>th</sup> Street to 10<sup>th</sup> Street Pavement Rehabilitation and Traffic Signal Improvements project (estimated cost is \$3,910,000).

CIP/DID #3018002-02

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

**Background:** This project lies within State of Iowa Highway 922 right of way, and correspondingly the City has secured an Iowa DOT funding grant for a Resurfacing, Restoration, or Rehabilitation (3R) project.

The project consists of pavement rehabilitation of 1st Avenue West from the intersection with 18<sup>th</sup> Street through the intersection with 10<sup>th</sup> Street. The project includes pavement patching, intersection reconstruction, lane reconstruction, storm sewer improvements, sanitary sewer improvements, City potable water utility relocations/adjustments and ADA sidewalk ramp improvements. This project also includes traffic signal improvements at existing signalized intersections of 1<sup>st</sup> Avenue West at 18<sup>th</sup>, 15<sup>th</sup>, 13<sup>th</sup> and 10<sup>th</sup> Streets.

**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 January 24, 2023, and advertising for bids by publishing notice to bidders for the project.

**Alternative Recommendation:** The alternatives are to delay the project, repackage it with other improvements, or to abandon the project.

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

**Budget Information:** 301/301000/3018002, NA, SLOST

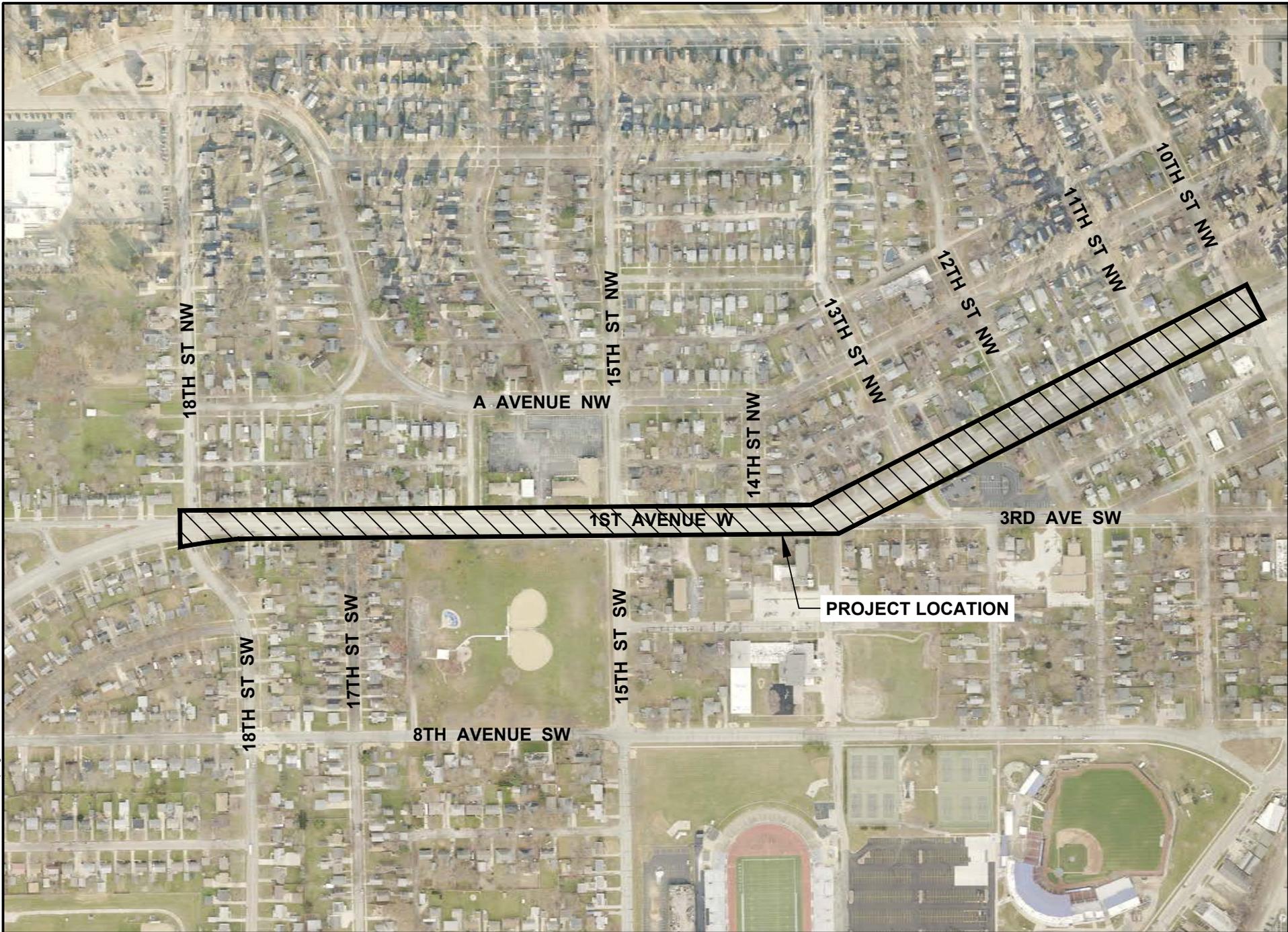
**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

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**1ST AVENUE W FROM 18TH STREET TO 10TH STREET PAVEMENT  
REHABILITATION AND TRAFFIC SIGNAL IMPROVEMENTS**



3018002-02



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on February 1, 2023 for the 26<sup>th</sup> Street SE from Meadowbrook Drive to Bever Avenue project (estimated cost is \$2,180,000) (**Paving for Progress**).

CIP/DID #3012380-02

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

**Background:** This project includes the reconstruction of 26<sup>th</sup> Street SE from Meadowbrook Drive to Bever Avenue. Improvements include concrete roadway, stormwater sewer, sanitary sewer, water main, ADA compliant sidewalks and pedestrian ramps

**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 January 24, 2023 and advertising for bids by posting notice to bidders for the project.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

**Budget Information:** 301/301000/3012380

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



## 26<sup>TH</sup> STREET SE FROM MEADOWBROOK DRIVE TO BEVER AVENUE



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on January 25, 2023 for the East Post Road SE from North of Bever Avenue to South of Indian Creek Bridge project (estimated cost is \$640,000) **(Paving for Progress)**.

CIP/DID #3012404-02

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

**Background:** This project includes an asphalt overlay, a PCC reconstruction of Trail Ridge Road SE between East Post Road and Bever Avenue SE, installation of ADA compliant pedestrian ramps, and replacement of existing storm sewer structures. These improvements will extend the service life of the street.

**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 January 24, 2023 and advertising for bids by posting notice to bidders for the project.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

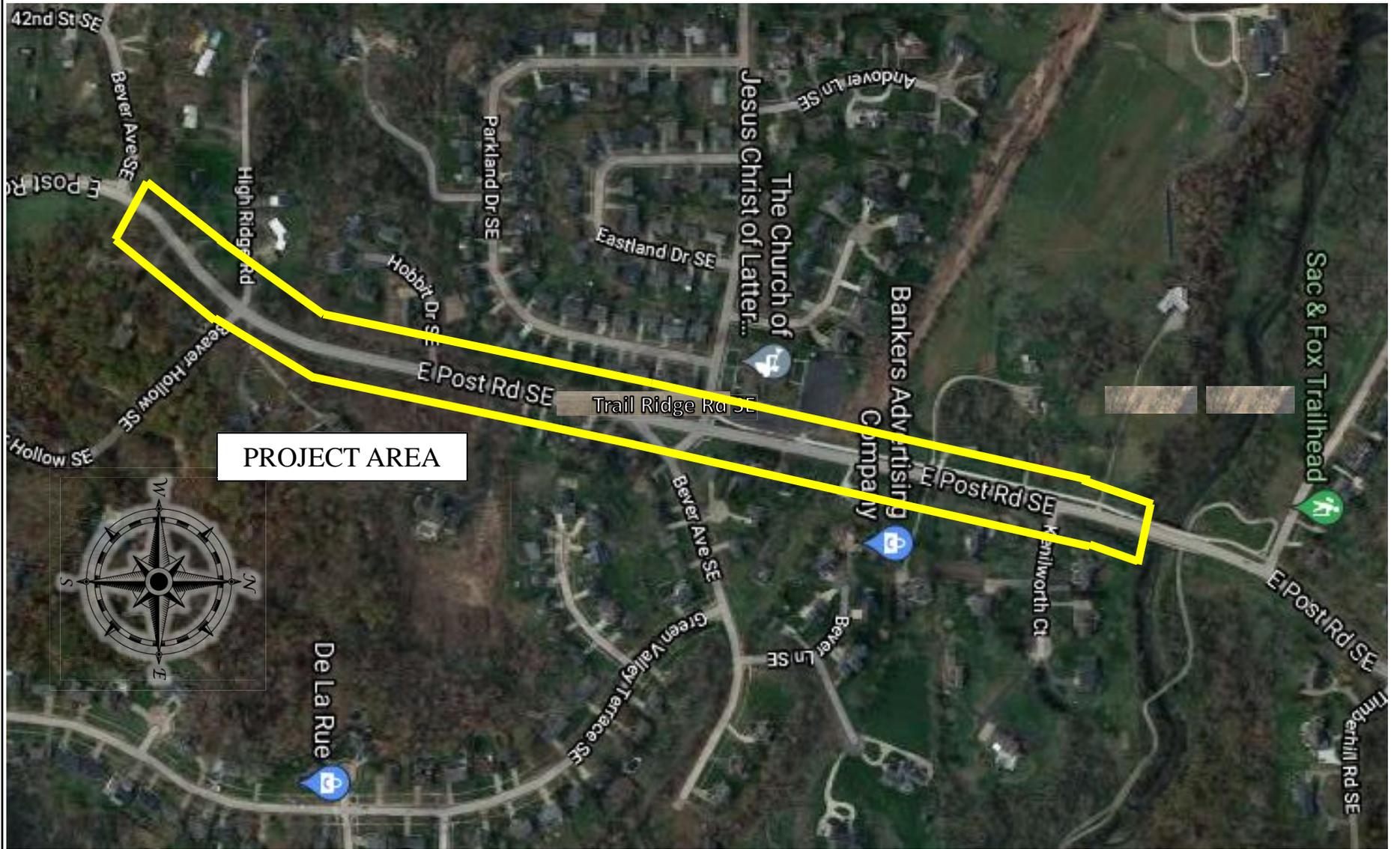
**Budget Information:** 301/301000/3012404

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



PROJECT AREA



**EAST POST ROAD SE BETWEEN NORTH OF BEVER AVENUE  
TO SOUTH OF THE INDIAN CREEK BRIDGE**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Ben Worrell, P.E.

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023, and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on February 8, 2023, for the FY23 Sanitary Sewer Lining project (estimated cost is \$1,500,000).

CIP/DID #655999-11

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

**Background:** This project will correct sanitary sewer defects found during routine televising operations. The purpose of the project is to repair damaged areas of sanitary sewer to maintain functionality and reduce infiltration. Typical issues found are roots, pipe cracks, and minor holes. Construction will begin after approval of contract documents and is anticipated to be completed by December 2023.

**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 January 24, 2023 and advertising for bids by posting notice to bidders for the project.

**Alternative Recommendation:** Defer project to the future.

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

**Budget Information:** 655/655000/655999, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Douglas F. Wilson, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on February 8, 2023 for the Ingleside Drive SW Reconstruction project (estimated cost is \$2,610,000) (**Paving for Progress**).  
CIP/DID #3012344-03

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

**Background:** This contract includes pavement reconstruction, ditch cleanout and regrading, and culvert installation for Ingleside Drive SW. Construction is planned for 2023.

**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 January 24, 2023 and advertising for bids by posting notice to bidders for the project.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

**Budget Information:** 301/301000/3012380 SLOST, 655/655000/6550116 NA, 625/625000/6250051 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

PROJECT AREA

Ingleside Dr SW

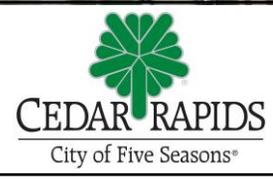
Ingleside Dr SW

Ingleside Dr SW

6th St SW

6th St SW

6th St SW



# INGLESIDE DRIVE SW RECONSTRUCTION



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Motion setting public hearing date for January 24, 2023 and directing publication thereof, filing plans and/or specifications, form of contract and estimated cost, advertising for bids by posting notice to bidders as required by law, and authorizing City officials or designees to receive and open bids and publicly announce the results on February 1, 2023 for the Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project (estimated cost is \$600,000).

CIP/DID #3018004-03

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

**Background:** The overall goal is to connect 18<sup>th</sup> Street SW with 6<sup>th</sup> Street SW with a new roadway, water main, and other public improvements. This is the first bid package and will construct watermain to provide service to the new development at the SW corner of existing 6<sup>th</sup> Street SW and St. Martin Blvd. Additional phases to construct other infrastructure improvements to support new development in the area are planned.

The infrastructure improvements have been broken into different phases to keep City agreed upon time frames for the development schedule, to allow additional time for material ordering, and to start work as soon as possible in the spring.

**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 January 24, 2023 and advertising for bids by publishing notice to bidders for the project.

**Alternative Recommendation:** The alternatives are to delay the project to a future year or to abandon the project.

**Time Sensitivity:** Normal

**Resolution Date:** January 24, 2023

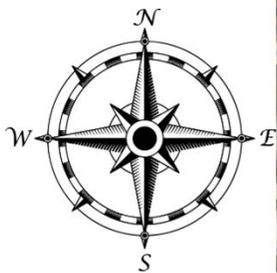
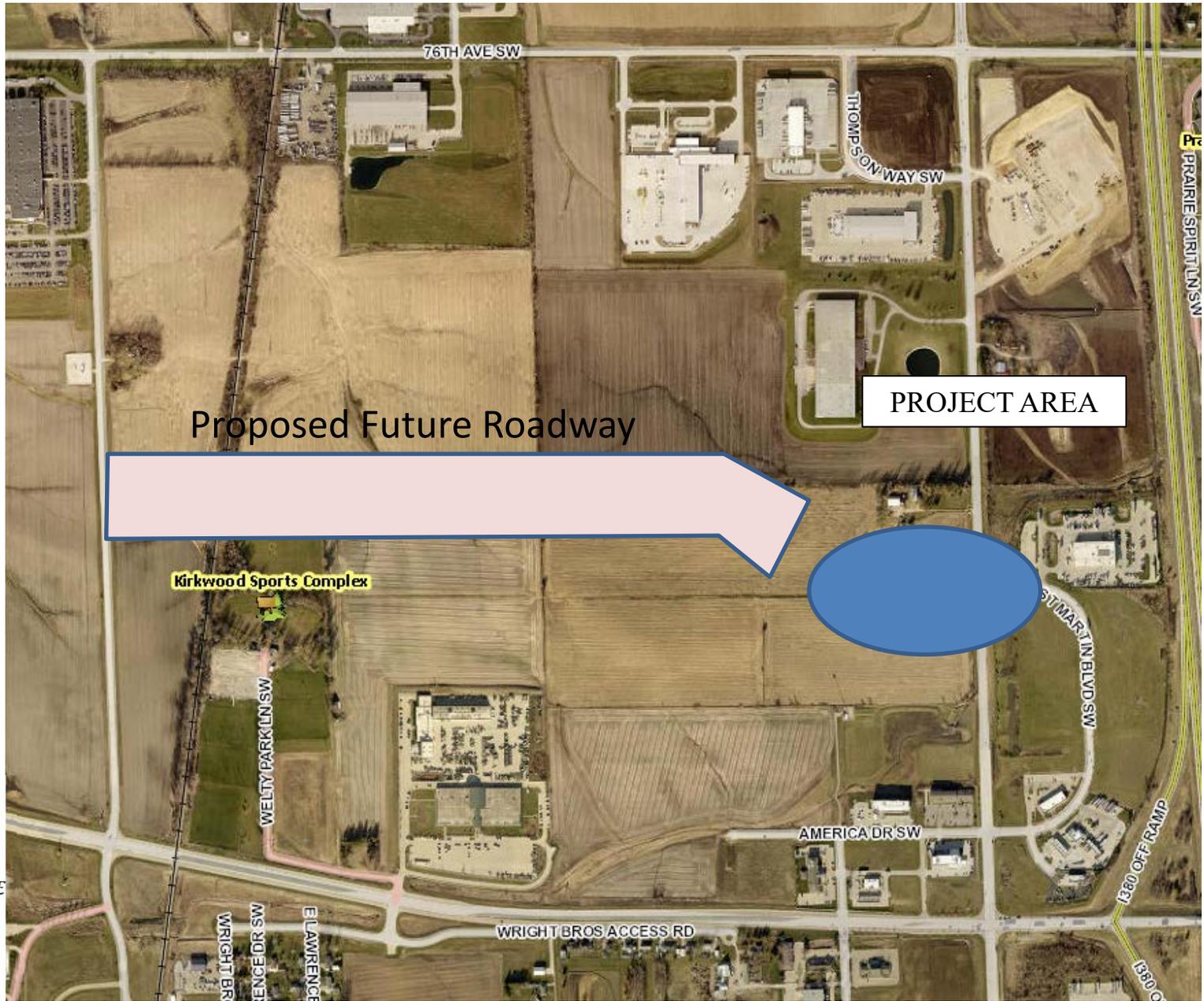
**Budget Information:** 301/301000/3018004

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



# Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Chief Jerman

**Contact Person:** Chief Jerman

**Cell Phone Number:** 319-640-5518

**E-mail Address:** W.Jerman@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

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

- a. 7 Star Liquor & Tobacco Outlet, 502 E Avenue NW (first offense – \$300).

CIP/DID #CIG005466-05-2022

- b. Casey's General Store #3756, 4560 16<sup>th</sup> Avenue SW (first offense – \$300).

CIP/DID #CIG005446-04-2022

- c. Fas Mart #5148, 550 Wilson Avenue SW (first offense – \$300).

CIP/DID #CIG005529-05-2022

- d. Gyro Hut, 1455 Mount Vernon Road SE (first offense – \$300).

CIP/DID #CIG005598-06-2022

- e. Hy-Vee Food Store #3, 20 Wilson Avenue SW (first offense – \$300).

CIP/DID #CIG005492-05-2022

- f. Neighborhood Food, Liquor & Tobacco, 1601 6<sup>th</sup> Street SW (first offense – \$300).

CIP/DID #CIG005548-05-2022

- g. Pink Clouds Smoke Shop, 1400 6<sup>th</sup> Street SW, Suite 103 (first offense – \$300).

CIP/DID #CIG005478-05-2022

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

**Background:** The above violations occurred on or about December 3 (Casey's General Store #3756, Fas Mart #5148, Hy-Vee Food Store #3 and Neighborhood Food, Liquor & Tobacco) and December 17 (7 Star Liquor & Tobacco Outlet, Gyro Hut and Pink Clouds Smoke Shop), 2022, and have been processed through the Clerk of District Court. The store attendants were found guilty. The permit holders have signed the consent to the assessment and waived their right to a hearing.

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

**Alternative Recommendation:** If the local authority does not pursue the civil penalties, the state will. However, they will also keep the money from the civil penalties. This permit holders have paid the civil penalties to the City of Cedar Rapids. Per Iowa State Code, 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

**Contact Person:** Chief Jerman

**Cell Phone Number:** 319-640-5518

**E-mail Address:** W.Jerman@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

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

- a. BP to Go #2, 1120 Old Marion Road NE (first offense - \$500).  
CIP/DID # LIQR005419-04-2022
- b. Casey's General Store #2850, 5655 C Street SW (first offense - \$500).  
CIP/DID # LIQR000242-04-2013

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

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

On November 8, 2022, Ruth Gill was cited for selling alcohol to persons under Legal age, Citation No. 13512422211081647193, violation of Iowa Code Section 123.49(2)(h). (Sale of alcohol to a person under the legal age) The said offense occurred on or about November 8, 2022, on the premises at **BP to Go #2, 1120 Old Marion Road SE.**

On November 7, 2022, Richard Bailey was cited for selling alcohol to persons under Legal age, Citation No. 13506502211071712308, violation of Iowa Code Section 123.49(2)(h). (Sale of alcohol to a person under the legal age) The said offense occurred on or about November 7, 2022, on the premises at **Casey's General Store #2850, 5655 C Street SW.**

At the time of the above violation, Ruth Gill and Richard Bailey were employees of a liquor control licensee and/or beer permit holder. Since this violation occurred after January 1, 1998, and this being the first conviction of violation of this section within a period of two (2) years, as per Iowa Code section 123.50(3)(a), as amended provides that a licensee who violates said section shall be assessed a civil penalty in the amount of \$500.00.

Iowa Code section 123.39, as amended, provides among other things that a criminal conviction is not a prerequisite to the imposition of a civil penalty. This section also provides that local authorities shall retain such civil penalties if the proceeding to impose the penalty is conducted by the local authority.

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

**Action/Recommendation:** Assess civil penalty (The licensees have submitted payment of the civil penalty.)

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

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

**Resolution Date:** N/A

**Budget Information:**

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

**Explanation:** NA

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

**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Chief Jerman

**Contact Person:** Chief Jerman

**Cell Phone Number:** 319-640-5518

**E-mail Address:** W.Jerman@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

- a. Bandana's Bar-B-Q, 3707 1st Avenue SE.
- b. Brew #54, 3301 J Street SW (new – formerly Kwik Shop #560).
- c. Brew #55, 2904 Center Point Road NE (new – formerly Kwik Shop #561).
- d. Brew #56, 1001 1st Avenue SW (new - formerly Kwik Shop #563).
- e. Brew #57, 4201 Center Point Road NE (new - formerly Kwik Shop #565).
- f. Casey's General Store #2778, 201 8<sup>th</sup> Avenue SE.
- g. Gilligan's Pub & Grub, 912 1<sup>st</sup> Avenue NW.
- h. Godfather's Pizza, 3647 ½ 1<sup>st</sup> Avenue SE (new-new ownership).
- i. In n' Out Wine & Spirits, 1500 1st Avenue NE.
- j. JW's Pub & Grub, 58 Miller Avenue SW.
- k. La Cantina, 5400 Edgewood Road NE.
- l. Mulligan's Pub, 1060 Old Marion Road NE, Suite #A.
- m. Otis' Tailgators Sports Bar, 3969 Center Point Road NE.
- n. Ramada Hotel and Conference Center, 525 33rd Avenue SW.

CIP/DID #OB1145716

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

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

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:**

**Budget Information:**

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

**Explanation:** NA

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

**Explanation:** NA



## Cedar Rapids Police Department Memorandum

**To:** Chief Jerman

**From:** Lt. Robinson

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

**Date:** 1/4/2022

Business Name/Address	Total Calls	Public Intox	Intox Driver	Disturbances
Bandana's Bar-B-Q 3707 1ST AVE SE	8	0	0	1
Brew #54 3301 J ST SW	24	0	0	7
Brew #55 2904 CENTER POINT RD NE	53	0	0	8
Brew #56 1001 1ST AVE SW	67	8	0	18
Brew #57 4201 CENTER POINT RD NE	38	0	0	1
Casey's General Store #2778 201 8TH AVE SE	460	0	0	21
Gilligan's Pub & Grub 912 1ST AVE NW	12	0	0	3
Godfather's Pizza 3647 1/2 1ST AVE SE	0	0	0	0
In n' Out Wine & Spirits 1500 1ST AVE NE	48	0	0	13
JW's Pub & Grub 58 MILLER AVE SW	25	1	0	5
La Cantina (NE) 5400 EDGEWOOD RD NE	2	0	0	0
Mulligan's Pub 1060 OLD MARION RD NE	46	0	0	1
Otis' Tailgators Sports Bar 3969 CENTER POINT RD NE	21	2	0	5
Ramada Hotel and Conference Center 525 33RD AVE SW	107	1	0	15



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance

**Presenter at Meeting:** Heidi Stiffler

**Contact Person:** Heidi Stiffler

**Phone Number/Ext.:** 5824

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

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

Resolutions approving:

- a. Payment of bills. CIP/DID #FIN2023-01
- b. Payroll. CIP/DID #FIN2023-02

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

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

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

**Alternative Recommendation:** NA

**Time Sensitivity:** Normal

**Resolution Date:** January 10th, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the attached listing of bills dated the 10th day of January, 2023, has been examined and approved by the proper departments,

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

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 Interim 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	\$ 00,000.00	Human Resources	\$ 00,000.00
Aquatics Operation	\$ 00,000.00	Information Technology	\$ 00,000.00
Attorney	\$ 00,000.00	Joint Communications	\$ 00,000.00
Building Services Division	\$ 00,000.00	Parks Operations	\$ 00,000.00
CD – Federal Programs	\$ 00,000.00	Police	\$ 000,000.00
CR Public Library	\$ 000,000.00	Public Works	\$ 00,000.00
City Manager	\$ 00,000.00	PW – Engineering	\$ 000,000.00
Civil Rights	\$ 0,000.00	Purchasing Services	\$ 0,000.00
Clerk	\$ 00,000.00	Recreation	\$ 00,000.00
Comm Develop – DOD	\$ 00,000.00	Sewer Operations	\$ 00,000.00
Council	\$ 0,000.00	Street Operations	\$ 000,000.00
Development Services	\$ 00,000.00	Traffic Engineering	\$ 00,000.00
Facilities Maint Service	\$ 00,000.00	Transit	\$ 000,000.00
Finance	\$ 00,000.00	Treasury Operations	\$ 00,000.00
Finance – Analysts	\$ 00,000.00	Utilities	\$ 00,000.00
Financial Operations	\$ 00,000.00	Utilities – Solid Waste	\$ 000,000.00
Fire	\$ 000,000.00	Veterans Memorial	\$ 00,000.00
Five Seasons Parking	\$ 0,000.00	Water Operations	\$ 000,000.00
Fleet Maintenance	\$ 00,000.00	Water Pollution Control	\$ 000,000.00
Golf Operations	\$ 00,000.00		
		<b>Grand Total</b>	<b>\$ 0,000,000.00</b>

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:  
ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** City Clerk

**Presenter at Meeting:** Alissa Van Sloten

**Contact Person:** Alissa Van Sloten

**Phone Number:** 319-286-5270

**E-mail Address:** a.vansloten@cedar-rapids.org

**Description of Agenda Item:** Boards and commissions

Resolution thanking the following individual:

- a. Vote of thanks to Lisa Peloquin for serving on the City Planning Commission and the Zoning Advisory Group.

CIP/DID #OB572803; #CD-0048-2018

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

**Background:** This agenda includes a vote of thanks for a member of the City Planning Commission and the Zoning Advisory Group who recently submitted a letter of resignation.

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

**Alternative Recommendation:**

**Time Sensitivity:** None

**Resolution Date:** January 10, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Lisa Peloquin has devoted considerable time and effort as a member of the City Planning Commission and the Zoning Advisory Group,

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 Lisa Peloquin for serving as a member of the City Planning Commission and the Zoning Advisory Group.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Solid Waste and Recycling

**Presenter at Meeting:** Patricia Hall

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

1. Resolutions approving assessment actions:  
Intent to assess – Solid Waste and Recycling – cleanup costs – 11 properties.

CIP/DID #SWM-001-23

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

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

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

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

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

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

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

**Time Sensitivity:**

**Resolution Date:** 1/10/2023

**Budget Information:**

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** No

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

NUISANCE ABATEMENTS

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

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

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the intent to assess against the property and for the amounts shown on the attached listing, will be made by the City Council after 30 days of the date passed, and notice was given by mailing to the owners of the described and enumerated tracts, a notice of this proposed assessment, stating the amount of the assessment and the description of the property, and on what account, and that objections to said proposed assessment may be filed prior to 3:30 pm, February 8, 2023.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

## INTENT TO ASSESS 1/10/2023

			INTENT TO ASSESS 1/6/2023
#	Balance Due	District #	Premise Address
1	293.00	5	3209 Bramble Rd SW
2	305.00	3	1428 3 <sup>rd</sup> Ave SE
3	365.00	1	1027 12 <sup>th</sup> St NE
4	329.00	5	1300 22 <sup>nd</sup> Ave SW
5	330.00	5	1215 21 <sup>st</sup> Ave SW0
6	350.00	5	1129 20 <sup>th</sup> Ave SW
7	1,127.29	5	3315 Dunham Dr SW
8	377.00	2	210 34 <sup>th</sup> St Dr SE
9	293.00	4	829 E Ave NW
10	540.00	3	619 A Ave NW
11	353.00	3	517 18 <sup>th</sup> St NE
	11		Grand Total
	4,662.29		Number of Properties



## Council Agenda Item Cover Sheet

**Submitting Department:** Solid Waste and Recycling

**Presenter at Meeting:** Patricia Hall

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** Intent and levy assessments

Resolutions approving assessment actions:

- a. Levy Assessment – Solid Waste and Recycling – cleanup costs – two 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 November 22 2022).

CIP/DID #SWM—017-22

**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. 1762-11-22 November 22, 2022.

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:** 1/10/2023

**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

## LEVY ASSESSMENT (TO BE LIENED) 1/10/2023

			LEVY ASSESSMENT 1/10/2023
#	Balance Due	District #	Premise Address
1	601.29	2	523 41 <sup>st</sup> St NE
2	615.00	4	717 8 <sup>th</sup> Ave SW
			Grand Total
	1,216.29	2	Number of Properties



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** Intent and levy assessments

Intent to Assess – Utilities-Water Division – delinquent municipal utility bills – 35 properties.

CIP/DID #WTR011023-01

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

**Background:**

The Utilities Department – Water Division is responsible for the billing and collection of municipal utility bills for water, sewer, storm sewer, solid waste and recycling services provided to our customers. The 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) to the customer and property owner giving them 30 days to pay their delinquent municipal utility bill before the 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 hereby approved.

**Alternative Recommendation (if applicable):** The City Council could decide not to lien delinquent municipal utility bills by council resolution and collect the delinquent municipal bills by another process or system.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**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 14th day of February 2023. 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., February 14, 2023.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

LIEN INTENTS 1/10/2023				
#		Balance Due	Premise Address	Council District #
1		\$ 141.37	82 MILLER AVE SW #1	5
2		\$ 362.41	100 MILLER AVE SW	5
3		\$ 279.51	188 WEST POST RD NW	4
4		\$ 301.99	252 JACOLYN DR NW	4
5		\$ 201.21	327 30TH STREET DR SE	2
6		\$ 95.39	384 19TH ST SE	3
7		\$ 265.59	645 19TH AVE SW	5
8		\$ 67.81	906 HAROLD DR SE	3
9		\$ 654.78	941 16TH AVE SW	5
10		\$ 152.72	1017 39TH ST SE	3
11		\$ 112.61	1037 10TH ST SE	3
12		\$ 123.96	1060 12TH ST NE	1
13		\$ 55.43	1219 20TH AVE SW	5
14		\$ 302.65	1301 B AVE NW	4
15		\$ 326.19	1329 10TH ST NW	1
16		\$ 216.39	1424 11TH ST SW	4
17		\$ 452.57	1429 STAUB CT NE	2
18		\$ 217.10	1529 6TH AVE SE	3
19		\$ 89.78	1600 MAPLEWOOD DR NE - UPPER	2
20		\$ 98.02	1636 B AVE NW	4
21		\$ 374.81	1644 ELAINE DR NW	1
22		\$ 594.85	1659 11TH ST NW	1
23		\$ 155.56	2019 JOHNSON AVE NW	4
24		\$ 139.79	2220 8TH AVE SW	4
25		\$ 272.74	2230 MT VERNON RD SE	3
26		\$ 157.35	2617 18TH ST SW	5
27		\$ 344.95	3121 BEVER AVE SE	3
28		\$ 544.66	3243 SOUTH RIDGE DR SW	5
29		\$ 91.20	3250 SPRUCE AVE SE	3
30		\$ 272.49	3608 OAKLAND RD NE	2
31		\$ 289.77	4524 E AVE NW	4
32		\$ 1,061.53	4619 1ST AVE SW #8	4
33		\$ 131.30	5511 TOWER TERRACE RD NE	1
34		\$ 335.19	6617 WATERVIEW DR SW	5
35		\$ 96.03	6723 CREEKSIDE DR NE #2	2
		<b>\$ 9,379.70</b>	<b>Grand Total</b>	
		<b>35</b>	<b>Number of Properties</b>	
		<b>\$ 55.43</b>	<b>Balance Due - Low</b>	
		<b>\$ 1,061.53</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** Intent and levy assessments

Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 14 properties.

CIP/DID #WTR112222-01

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

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

Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated
- Notice of Intent to Assess Resolution is approved by the City Council and a letter is mailed to the customer and property owner
- Special Assessment Resolution 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. 1763-11-22 on November 22, 2022.

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 hereby approved.

**Alternative Recommendation:** The City Council could decide not to lien delinquent municipal utility bills by council resolution and collect the delinquent municipal bills by another process or system.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**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

**SPECIAL ASSESSMENTS (TO BE LIENED) 1/10/2023**

<b>SPECIAL ASSESSMENTS 1/10/2023</b>				
<b>LIEN INTENTS 11/22/2022</b>				
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>	<b>Council District #</b>
1		\$ 88.91	82 MILLER AVE SW #2	5
2		\$ 276.53	157 15TH AVE SW	3
3		\$ 57.11	200 3RD AVE SW #202	3
4		\$ 239.67	225 CRANDALL DR NE	2
5		\$ 180.32	333 30TH STREET DR SE	2
6		\$ 472.62	520 PEACE AVE NW	4
7		\$ 566.35	719 9TH AVE SW	4
8		\$ 504.76	812 8TH AVE SW	4
9		\$ 336.68	840 10TH ST SW	4
10		\$ 134.01	944 M ST SW	3
11		\$ 78.87	1026 34TH ST NE	2
12		\$ 341.27	1252 CENTER ST NE	2
13		\$ 113.53	1428 30TH ST NE	2
14		\$ 352.91	1816 K ST SW	3
		<b>\$ 3,743.54</b>	<b>Grand Total</b>	
		<b>14</b>	<b>Number of Properties</b>	
		<b>\$ 57.11</b>	<b>Balance Due - Low</b>	
		<b>\$ 566.35</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** r.hesemann@cedar-rapids.org

**Description of Agenda Item:** Intent and levy assessments

Levy assessment – Utilities – Water Division – delinquent municipal utility bills – 19 properties.

CIP/DID #WTR120622-01

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

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

Below are the steps taken in typical situations:

- Friendly Reminder is mailed
- Final Notice is mailed
- Door Tag is placed at premise
- Services are terminated
- Notice of Intent to Assess Resolution is approved by the City Council and a letter is mailed to the customer and property owner
- Special Assessment Resolution 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. 1813-12-22 on December 6, 2022.

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 hereby approved.

**Alternative Recommendation:** The City Council could decide not to lien delinquent municipal utility bills by council resolution and collect the delinquent municipal bills by another process or system.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**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

**SPECIAL ASSESSMENTS (TO BE LIENED) 1/10/2023**

<b>SPECIAL ASSESSMENTS 1/10/2023</b>				
<b>LIEN INTENTS 12/06/2022</b>				
<b>#</b>		<b>Balance Due</b>	<b>Premise Address</b>	<b>Council District #</b>
1		\$ 230.58	188 DAY ST NW	4
2		\$ 488.20	230 11TH ST NW	4
3		\$ 516.39	415 35TH ST SE	3
4		\$ 51.37	419 MOOSE DR NW	4
5		\$ 343.15	436 36TH ST NE	2
6		\$ 161.14	509 14TH ST SE	3
7		\$ 200.92	616 20TH AVE SW	5
8		\$ 118.84	925 16TH AVE SW	5
9		\$ 189.97	1200 K ST SW	3
10		\$ 168.53	1321 1ST ST SW	3
11		\$ 301.26	1364 1ST AVE NW	4
12		\$ 167.59	1524 7TH AVE SE	3
13		\$ 208.14	1529 7TH AVE SE	3
14		\$ 222.31	1602 13TH AVE SE	3
15		\$ 376.79	1742 6TH AVE SE	3
16		\$ 86.42	1910 C ST SW	3
17		\$ 236.09	2231 HAMILTON ST SW	5
18		\$ 394.91	2350 C AVE NE	2
19		\$ 98.14	3109 SUE LN NW	4
		<b>\$ 4,560.74</b>	<b>Grand Total</b>	
		<b>19</b>	<b>Number of Properties</b>	
		<b>\$ 51.37</b>	<b>Balance Due - Low</b>	
		<b>\$ 516.39</b>	<b>Balance Due - High</b>	



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting Portland Cement Concrete pavement in Edgewood Road Park First Addition and approving 4-year Maintenance Bond submitted by E & F Paving Company, LLC in the amount of \$379,513.35.

CIP/DID #FLPT-031931-2021

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

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

**Action/Recommendation:** The Public Works Department recommends adoption of the Resolution to accept the maintenance bond as submitted from E & F Paving Company, LLC

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Private

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, E & F Paving Company, LLC has filed a Maintenance Bond executed by Swiss Re Corporate Solutions America Insurance Corporation in the sum of \$379,513.35 for Portland Cement Concrete (PCC) pavement in Edgewood Road Park First Addition, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the acceptance of this street by the City of Cedar Rapids does not relieve Garling Construction, Inc of the responsibility for:

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

The above items shall remain the responsibility of Garling Construction, Inc. until such time as all the adjacent area has been developed and proper erosion control measures have been accomplished, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond filed by E & F Paving Company, LLC be and the same is hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting sanitary sewer in Parkland Grove First Addition and approving 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$69,236.

CIP/DID #FLPT-032499-2021

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

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

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Private

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Co. has constructed sanitary sewer in Parkland Grove First Addition, and

WHEREAS, said work has now been completed, and Rathje Construction Co. has filed a 4-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$69,236 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting storm sewer in Parkland Grove First Addition and approving 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$172,336.

CIP/DID #FLPT-032499-2021

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

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

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Private

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Co. has constructed storm sewer in Parkland Grove First Addition, and

WHEREAS, said work has now been completed, and Rathje Construction Co. has filed a 4-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$172,336 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

**Description of Agenda Item:** Maintenance bonds

Water system improvements in Parkland Grove 1st Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$47,140.

CIP/DID #2022055-01

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

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

The Developer, TW Homes, Inc., was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Parkland Grove 1st Addition (Project No. 2022055). The Contractor, Rathje Construction Co. has installed 865 feet of 8-inch C-900 PVC water main, services and appurtenances on Sequoia Drive SW.

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

**Action/Recommendation:** The Utilities Department – Water Division is recommending acceptance of the water system improvements in Parkland Grove 1st Addition (Project No. 2022055) and the Contractor's 4-year Maintenance Bond #54247358 in the amount of \$47,140 submitted by Rathje Construction Co.

**Alternative Recommendation:** There is no alternative recommendation but an alternative action is to not accept this project. If this project is not accepted, it cannot be closed out and the 4-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this project.

**Time Sensitivity:** None, routine item

**Resolution Date:** 1/10/2023

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Developer, TW Homes, Inc., was granted permission by the Utilities Department - Water Division to install 865 feet of 8-inch C-900 PVC water main, services and appurtenances on Sequoia Drive SW, all in Parkland Grove 1st Addition (Project No. 2022055), to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Rathje Construction Co. of Marion, Iowa, as Principal, has filed a 4-year Maintenance Bond (Bond No. 54247358) executed by United Fire & Casualty Company, as Surety, in the sum of \$47,140 (Forty-Seven Thousand One Hundred Forty Dollars and No/100) covering said work.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains and appurtenances installed in Parkland Grove 1st Addition (Project No. 2022055), be hereby accepted, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond submitted by Rathje Construction Co., as Principal, and executed by United Fire & Casualty Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting sanitary sewer in Parkland Grove Second Addition and approving 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$76,898.

CIP/DID #FLPT-032778-2022

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

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

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Private

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Co. has constructed sanitary sewer in Parkland Grove Second Addition, and

WHEREAS, said work has now been completed, and Rathje Construction Co. has filed a 4-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$76,898 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Maintenance bonds

Resolution accepting storm sewer in Parkland Grove Second Addition and approving 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$160,365.

CIP/DID #FLPT-032778-2022

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

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

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

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Private

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, Rathje Construction Co. has constructed storm sewer in Parkland Grove Second Addition, and

WHEREAS, said work has now been completed, and Rathje Construction Co. has filed a 4-year Maintenance Bond, executed by United Fire & Casualty Company in the sum of \$160,365 covering said work, now therefore

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

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

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

**Description of Agenda Item:** Maintenance bonds

Water system improvements in Parkland Grove 2nd Addition and 4-year Maintenance Bond submitted by Rathje Construction Co. in the amount of \$111,430.

CIP/DID #2022093-01

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

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

The Developer, TW Homes, Inc., was granted permission by the Water Division to install 8-inch water mains, services, and appurtenances in Parkland Grove 2nd Addition (Project No. 2022093). The Contractor, Rathje Construction Co. has installed 2,017.5 feet of 8-inch C-900 PVC water main, services and appurtenances on Sequoia Drive and Teton Street SW. The underground water utilities are completed; however, final street construction is proposed for some future date from valve # 2831A-6 to blow off # 2831A-3BO and will require future water inspections.

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

**Action/Recommendation:** The Utilities Department – Water Division is recommending acceptance of the water system improvements in Parkland Grove 2nd Addition (Project No. 2022093) and the Contractor's 4-year Maintenance Bond #54249136, in the amount of \$111,430 submitted by Rathje Construction Co. and reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established.

**Alternative Recommendation:** There is no alternative recommendation but an alternative action is to not accept this project. If this project is not accepted, it cannot be closed out and the 4-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this project.

**Time Sensitivity:** None, routine item

**Resolution Date:** 1/10/2023

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Developer, TW Homes, Inc., was granted permission by the Utilities Department - Water Division to install 2,017.5 feet of 8-inch C-900 PVC water main, services and appurtenances on Sequoia Drive and Teton Street SW, all in Parkland Grove 2nd Addition (Project No. 2022093), to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Rathje Construction Co. of Marion, Iowa, as Principal, has filed a 4-year Maintenance Bond (Bond No. 54249136) executed by United Fire & Casualty Company, as Surety, in the sum of \$111,430 (One Hundred Eleven Thousand Four Hundred Thirty Dollars and No/100) covering said work, and

WHEREAS, the underground water utilities are completed; however, final street construction is proposed for some future date from valve # 2831A-6 to blow off # 2831A-3BO and will require future water inspections.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains and appurtenances installed in Parkland Grove 2nd Addition (Project No. 2022093) be hereby accepted, and that the Utilities Department Water Division is reserving the right to re-inspect and require maintenance for the Public water system improvements until the remaining street construction is completed and final grade is established, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond submitted by Rathje Construction Co., as Principal, and executed by United Fire & Casualty Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

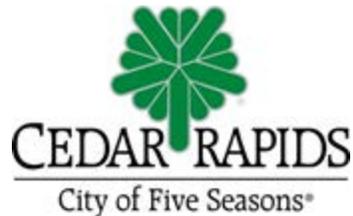
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MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

**Description of Agenda Item:** Maintenance bonds

Water system improvements in Prairie AFNR and 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co. in the amount of \$11,362.75.

CIP/DID #2021048-01

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

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

The Developer, Peak Construction Group, Inc., was granted permission by the Water Division to install 12-inch water main, services, and appurtenances in Prairie AFNR (Project No. 2021048). The Contractor, Schrader Excavating and Grading Co. has installed 68.5 feet of 12-inch DIP water main, services and appurtenances on 76th Avenue SW.

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

**Action/Recommendation:** The Utilities Department – Water Division is recommending acceptance of the water system improvements in Prairie AFNR (Project No. 2021048) and the Contractor's 4-year Maintenance Bond #54249158 in the amount of \$11,362.75 submitted by Schrader Excavating and Grading Co.

**Alternative Recommendation:** There is no alternative recommendation but an alternative action is to not accept this project. If this project is not accepted, it cannot be closed out and the 4-year maintenance bond period cannot begin and the City could be subject to claims since the Contractor has completed this project.

**Time Sensitivity:** None, routine item

**Resolution Date:** 1/10/2023

**Budget Information:** N/A

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Developer, Peak Construction Group, Inc., was granted permission by the Utilities Department - Water Division to install 68.5 feet of 12-inch DIP water main, services and appurtenances on 76th Avenue SW, all in Prairie AFNR (Project No. 2021048) to the City of Cedar Rapids, and

WHEREAS, said work has now been completed and Schrader Excavating and Grading Co. of Walford, Iowa, as Principal, has filed a 4-year Maintenance Bond (Bond No. 54249158) executed by United Fire & Casualty Company, as Surety, in the sum of \$11,362.75 (Eleven Thousand Three Hundred Sixty-Two Dollars and 75/100) covering said work

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the water mains and appurtenances installed in Prairie AFNR (Project No. 2021048) be hereby accepted, and

BE IT FURTHER RESOLVED that the 4-year Maintenance Bond submitted by Schrader Excavating and Grading Co., as Principal, and executed by United Fire & Casualty Company, as Surety, be hereby approved and filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Accept projects

Authorizing execution of Change Order No. 17 Final deducting the amount of \$164,812.92 and adoption of a resolution accepting project and authorizing final payment in the amount of \$1,500 to Dave Schmitt Construction Co., Inc. for the PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E project (original contract amount was \$2,014,159.41; final contract amount is \$1,970,150.32).

CIP/DID #301240-10

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

Construction has been substantially completed by Dave Schmitt Construction Co., Inc. for the PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E project. This is an approved Capital Improvements Project (CIP No. 301240-10) with a final construction contract amount of \$1,970,150.32. Funding resources for this project were approved in FY23 and prior years and the project is completed within the approved budget.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 17 Final and adoption of the Resolution to accept the project and issue final payment to the contractor in the amount of \$1,500.

**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) and City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:**

CIP No. 301240, NA.....	1,557,078
CIP No. 306022, NA.....	<u>467,105</u>
Construction Estimate .....	2,024,183
Construction Contingency .....	<u>299,880</u>
Construction Budget (Rounded) .....	2,324,000

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E project (Contract No. 301240-10), has been substantially completed in accordance with the approved plans and specifications, and

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. 17 Final deducting the amount of \$164,812.92 with Dave Schmitt Construction Company, Inc. for the PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E, Contract No. 301240-10. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,014,159.41
Change Order No. 1	1,481.00
Change Order No. 2	5,477.77
Change Order No. 3	1,977.75
Change Order No. 4	2,940.26
Change Order No. 5	24,413.44
Change Order No. 6	16.00
Change Order No. 7	651.70
Change Order No. 8	2,258.19
Change Order No. 9	14,722.46
Change Order No. 10	17,108.69
Change Order No. 11	12,349.53
Change Order No. 12	9,732.94
Change Order No. 13	10,283.92
Change Order No. 14	10,008.44
Change Order No. 15	4,392.23
Change Order No. 16	2,989.52
Change Order No. 17 Final	<u>(164,812.92)</u>
Amended Contract Amount	\$1,970,150.32

General ledger coding for this Change Order to be as follows: \$48,320.87 301-301000-30185-301240; (\$211,840.19) 301-301000-30186-301240; (\$1,293.60) 306-306000-30686-306022

NOW THEREFORE, BE IT FURTHER RESOLVED, that based on the City Engineer's recommendation, the PCC Sidewalk, PCC Pavement, and Traffic Signals Phase 4A project on 1st Avenue E. from 325' S. of 34th Street – 40th Street; on 40th Street Drive S.E. from 1st Avenue E. to 350' E. of 1st Avenue E.; on 38th Street from 150' W. of 1st Avenue E. to 300' E of 1st Avenue E project (Contract No. 301240-10) 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 \$1,500 to Dave Schmitt Construction Co., Inc. as final payment.

The final contract price is \$1,970,150.32 distributed as follows: \$65,241.63 301-301000-30185-301240; \$1,547,505.53 301-301000-30186-301240; \$357,403.16 306-306000-30686-306022

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

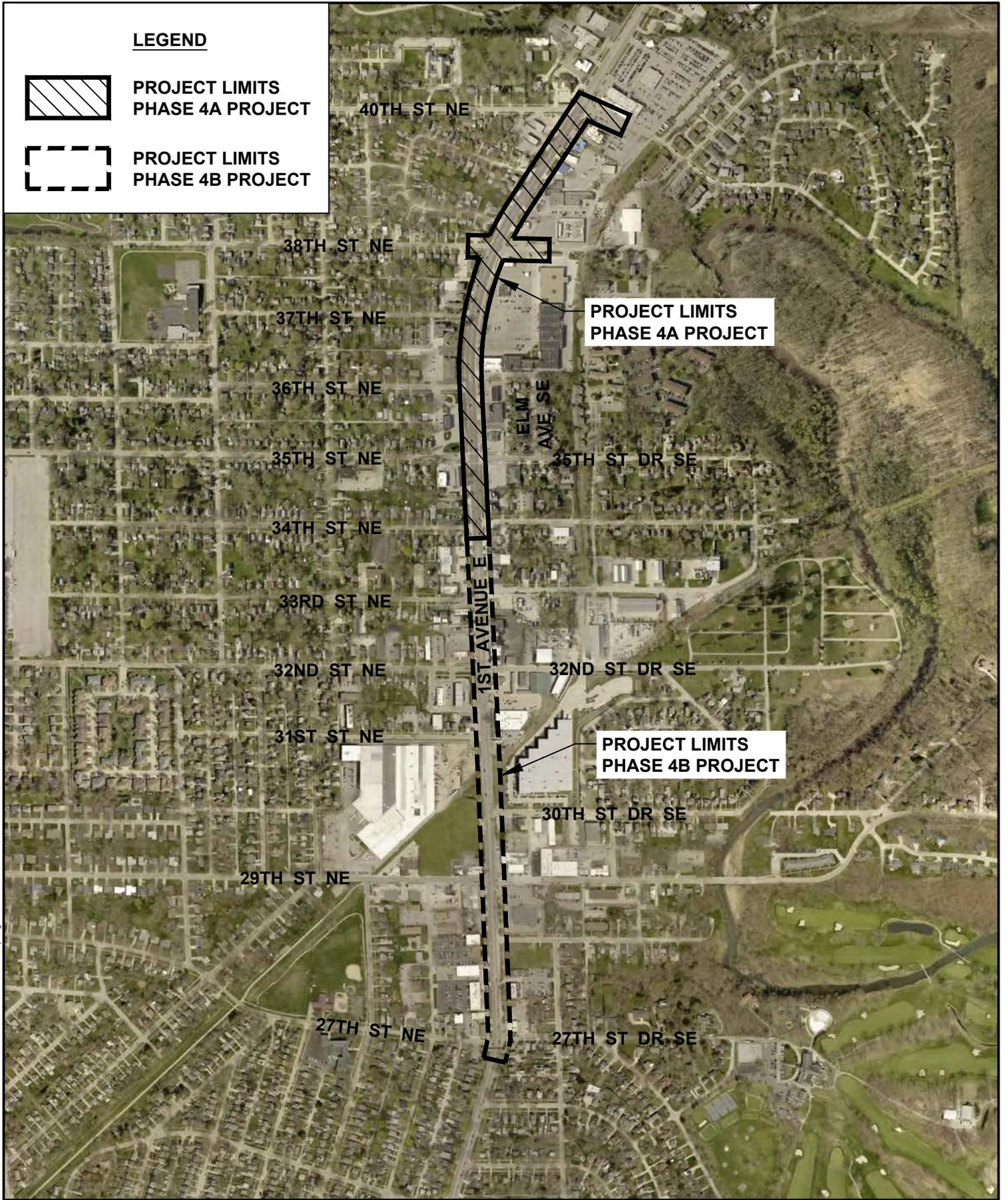
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**PROJECT LIMITS  
PHASE 4A PROJECT**



**PROJECT LIMITS  
PHASE 4B PROJECT**

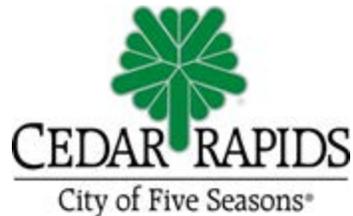


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**1ST AVENUE E FROM 34TH STREET TO 40TH STREET  
PHASE 4A**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Accept projects

Authorizing execution of Change Order No. 5 Final deducting the amount of \$5,660.32 and resolution accepting project, authorizing final payment in the amount of \$25,010.76 and approving the 2-year Performance Bond submitted by Greg's Lawn & Landscaping for the Indian Creek Tree Restoration project (original contract amount was \$429,559; final contract amount is \$500,215.28).

CIP/DID #655625-08

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Several trees needed to be replaced at no fault of the contractor due to damage from deer pushing in the field fencing and eating the trees.

Construction has been substantially completed by Greg's Lawn Service, Inc. for the Indian Creek Tree Restoration project. This is an approved Capital Improvements Project (CIP No. 655625-08) with a final construction contract amount of \$500,215.28. Funding resources for this project were approved in FY23 and prior years and the project is completed within the approved budget.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No 5 Final and adoption of the Resolution to accept the project and performance bond and issue final payment to the contractor in the amount of \$25,010.76.

**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, two-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:** January 10, 2023

**Budget Information:** 655625 NA - \$485,107

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the Indian Creek Tree Restoration project (Contract No. 655625-08), has been substantially completed in accordance with the approved plans and specifications, and

WHEREAS, a Performance Bond dated October 11, 2016 in the amount of \$429,559 covering said work filed by Greg's Lawn & Landscaping and executed by West Bend Mutual Insurance Company provides a 2-year correction period for defects in materials and workmanship, and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 Final deducting the amount of \$5,660.32 with Greg's Lawn Service, Inc. for the Indian Creek Tree Restoration project, Contract No. 655625-08. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$429,559.00
Change Order No. 1	1,950.00
Change Order No. 2	365.00
Change Order No. 3	50,001.60
Change Order No. 4	24,000.00
Change Order No. 5 Final	<u>(5,660.32)</u>
Amended Contract Amount	\$500,215.28

General ledger coding for this Change Order to be as follows: (\$5,660.32) 655-655000-65586-655625

NOW THEREFORE, BE IT FURTHER RESOLVED, that based on the City Engineer's recommendation, the Indian Creek Tree Restoration project (Contract No. 655625-08) 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 \$25,010.76 to Greg's Lawn & Landscaping as final payment.

The final contract price is \$500,215.28 distributed as follows: \$500,215.28 655-655000-65586-655625

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

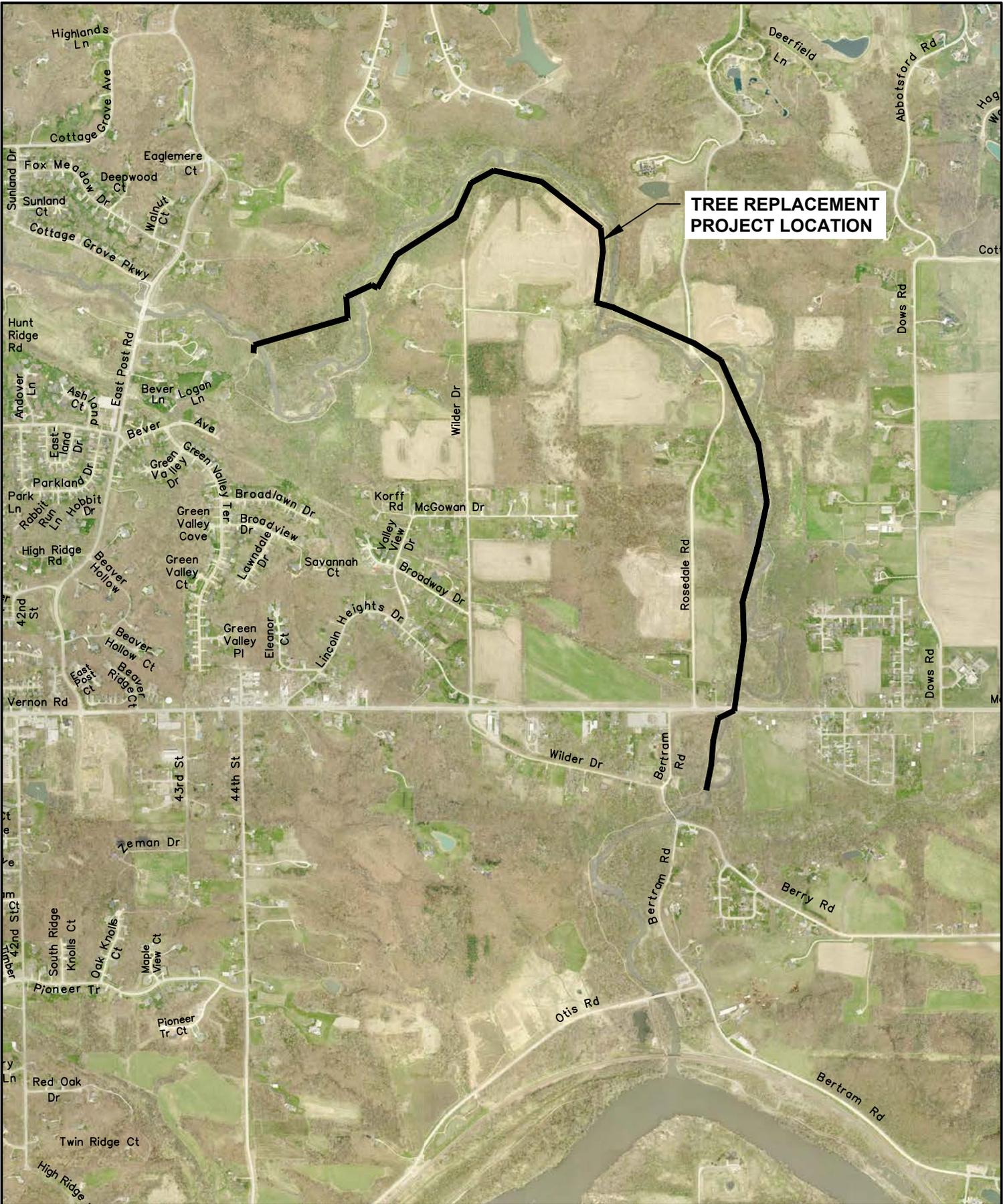
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MayorSignature

Attest:

ClerkSignature



**TREE REPLACEMENT  
PROJECT LOCATION**



**INDIAN CREEK TREE REPLACEMENT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Accept projects

Resolution accepting project, authorizing final payment in the amount of \$3,458.05 to Midwest Concrete, Inc. for the 2022 Transit Stop project (original contract amount was \$40,951; final contract amount is \$69,161.06).

CIP/DID #306995-03

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

**Background:** Construction has been substantially completed by Midwest Concrete, Inc. for the 2022 Transit Stop project. This is an approved Capital Improvements Project (CIP No. 306995-01) with a final construction contract amount of \$69,161.06. Funding resources for this project were approved in FY22 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 issue final payment to the contractor in the amount of \$3,458.05.

**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) and City could be subject to claims since Contractor has fulfilled the terms of the construction contract.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 306995, 3012074

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City Engineer certifies construction contract work on the 2022 Transit Stop project (Contract No. 306995-03), has been substantially completed by Midwest Concrete, Inc. in accordance with the approved plans and specifications, and

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

Original Contract Amount	\$40,951.00
Change Order No. 1	<u>28,210.06</u>
Amended Contract Amount	\$69,161.06

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that based on the City Engineer's recommendation, the 2022 Transit Stop project (Contract No. 306995-03) be and the same is hereby accepted as being substantially complete, and the City of Cedar Rapids Finance Director is authorized and directed to issue a warrant in the sum of \$3,458.05 to Midwest Concrete, Inc. as final payment.

The final contract price is \$69,161.06 distributed as follows: \$41,881.23 665-665000-18401-665300; \$27,279.83 301-301000-7970-3012074

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



## Council Agenda Item Cover Sheet

**Submitting Department:** Transit

**Presenter at Meeting:** Brad DeBrower

**Contact Person:** Angie Charipar

**Cell Phone Number:** 319-538-1062

**E-mail Address:** A.Charipar@cedar-rapids.org

**Description of Agenda Item:** CONSENT AGENDA

Resolution authorizing application to the Corridor Metropolitan Planning Organization for transportation funds and committing to provide local matching funds contingent upon award and acceptance of transportation grant funds.

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

**Background:**

The Corridor MPO is soliciting applications from member jurisdictions for federal funding for eligible roads, trails, and transit projects for Federal Fiscal Years 2027 and 2028. Cedar Rapids Transit will be applying to the Corridor MPO for \$1,267,000 in federal funds in FFY27 and \$1,330,000 in federal funds in FFY28 for the purchase of two heavy-duty buses and one medium-duty bus both years to replace buses that will exceed their federal replacement thresholds.

**Action/Recommendation:** To pass the resolution.

**Alternative Recommendation:** None

**Time Sensitivity:** An authorizing resolution must be included in the application.

**Resolution Date:** January 10, 2023

**Budget Information:** The federal funds will fund up to 80% of the cost of the buses and significantly reduce the amount of local funds needed for these CIP projects.

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

**Explanation:** NA

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

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

AUTHORIZING APPLICATION TO THE CORRIDOR METROPOLITAN PLANNING ORGANIZATION (CORRIDOR MPO) FOR TRANSPORTATION FUNDS AND COMMITTING TO PROVIDE LOCAL MATCHING FUNDS CONTINGENT UPON AWARD AND ACCEPTANCE OF TRANSPORTATION GRANT FUNDS.

WHEREAS, the Corridor MPO is soliciting applications from member jurisdictions for federal funding for eligible roads, trails, and transit projects for Federal Fiscal Years 2027 and 2028.

WHEREAS, the City of Cedar Rapids, doing business as Cedar Rapids Transit, has a need to replace buses that are used in the fixed-route transit and ADA paratransit services.

WHEREAS, Cedar Rapids Transit will be applying to the Corridor MPO for \$1,267,000 in federal funds in FFY27 and \$1,330,000 in federal funds in FFY28 for the purchase of two heavy-duty buses and one medium-duty bus for both years to replace buses that exceed their federal replacement thresholds.

WHEREAS, the City of Cedar Rapids has the legal jurisdiction and authority to purchase, operate and maintain the proposed capital projects, has sufficient non-federal funds to provide the local match for capital projects, and will have the funds to operate and maintain the buses as purchased under this project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that Cedar Rapids Transit is authorized on behalf of the City of Cedar Rapids to apply for transportation funds to the Corridor Metropolitan Planning Organization as follows:

1. The City agrees to conform with the regulations, statutes, terms, and conditions described in the application and instructions.
2. The City will comply with the conditions of accepting transportation funding from the Corridor Metropolitan Planning Organization.
3. The City commits to provide the matching funds as proposed in the funding application contingent upon award, and acceptance, of federal funding.
4. The City is under no obligation to perform the project if the application for funding is not approved.
5. If federal funds are approved for the project, the City will include the required local matching funds in its Capital Improvements Program, and the City will adequately maintain the buses through their respective federal replacement thresholds.

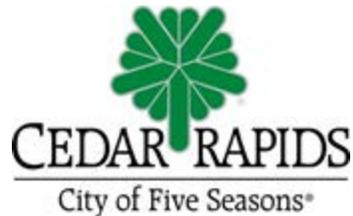
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MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of an Iowa Department of Transportation Federal-aid Agreement for a City Highway Bridge Program Project with the Iowa Department of Transportation (IDOT) for the C Street SW over Prairie Creek project.

CIP/DID #305155-00

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

**Background:** The City recognizes the need to replace the C Street SW bridge over Prairie Creek due to it being at the end of its usable life. The City applied for funding through the City Highway Bridge Program through the Iowa DOT. We were notified of receiving \$1,500,000 through this program to help reconstruct FHWA Structure Number: 001500 (C Street SW Over Prairie Creek). This funding will help pay for eligible construction costs for this structure. The project must be let within three years of the date of the signed Iowa DOT agreement.

**Action/Recommendation:** The Public Works Department recommends approving the resolution authorizing execution of an Agreement between the Iowa DOT and the City of Cedar Rapids for the C Street SW over Prairie Creek Bridge Replacement project. Upon City approval, signed agreements will be returned to the Iowa DOT for necessary signatures.

**Alternative Recommendation:** If the City does not sign, the money will not be granted to Cedar Rapids for this project. The money will be forfeited.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 305/305000/305155 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Iowa Department of Transportation (Iowa DOT) approved \$1,500,000 in funding for the C Street SW Over Prairie Creek project, and

WHEREAS, the Iowa DOT has submitted Agreement No. 6-22-HBP-037 for the C Street SW Over Prairie Creek project, and

WHEREAS, the City Engineer recommends authorizing execution of Agreement No. 6-22-HBP-037 with the Iowa DOT,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are authorized to execute IDOT Agreement No. 6-22-HBP-037 for an Iowa Department of Transportation Federal-aid Agreement for a City Highway Bridge Program Project with the Iowa Department of Transportation in the amount of \$1,500,000 in connection with the C Street SW Over Prairie Creek project (CIP No. 305155-00).

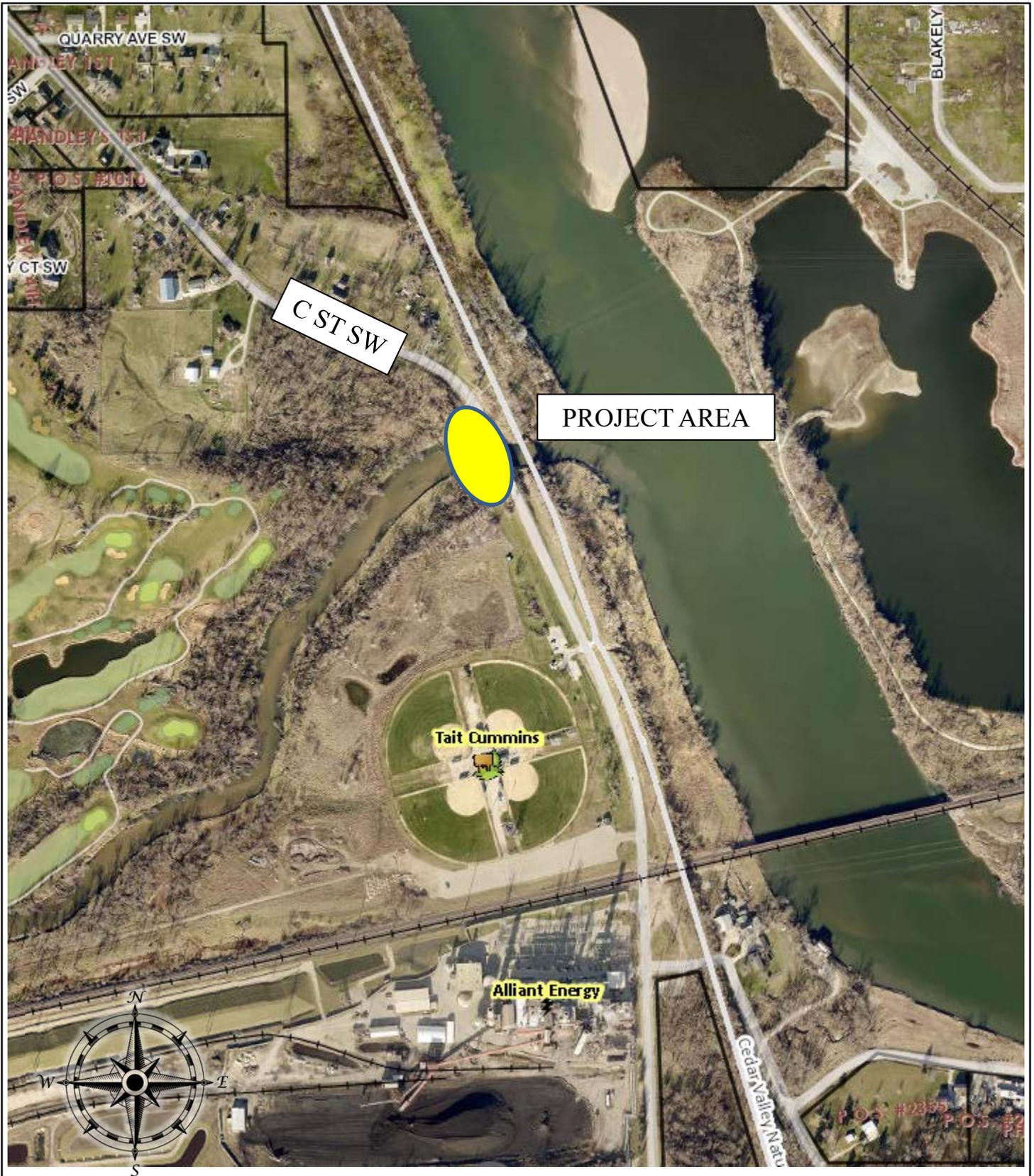
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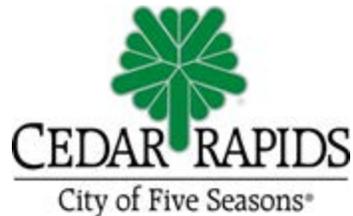
MayorSignature

Attest:

ClerkSignature



## C STREET SW OVER PRAIRIE CREEK



## Council Agenda Item Cover Sheet

**Submitting Department:** Finance

**Presenter at Meeting:** Heidi Stiffler

**Contact Person:** Yvonne Aubrey

**Phone Number/Ext.:** 286-5008

**E-mail Address:** y.aubrey@cedar-rapids.org

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

Resolution authorizing purchase of excess casualty insurance coverage through TrueNorth Companies, LLC from States Self-Insurers Risk Retention Group for the City of Cedar Rapids in the amount of \$585,327

CIP/DID #FIN2023-04

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

**Background:** The City of Cedar Rapids entered into an agreement with TrueNorth to handle all insurance needs. TrueNorth, on behalf of the City, solicited renewal quotes from States Self-Insurers Risk Retention Group. The excess casualty insurance policy being purchased will provide \$10 million in coverage per occurrence and aggregate, with a \$500,000 deductible per occurrence.

Excess casualty insurance provides an advantage to the City's risk financing program by reducing its exposure to large losses and smoothing the uncertainty of the cost of risk. The excess casualty insurance policy will cover losses stemming from automobile and transit liability, general liability, law enforcement liability, public officials liability, employment practices liability and sexual misconduct liability.

The cost for the renewal policy is \$585,327. Last year the cost was \$527,557.

**Action/Recommendation:** City Council approve purchase of the excess casualty insurance policy in the amount of \$585,327 for January 15, 2023-January 15, 2024.

**Alternative Recommendation:** Do not purchase excess casualty insurance.

**Time Sensitivity:**

**Resolution Date:** January 10, 2023

**Budget Information:** Risk Management Property/Liability Fund

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, TrueNorth Companies, LC (TrueNorth) was instructed to solicit renewal quotes for excess casualty insurance coverage for the period of January 15, 2023 through January 15, 2024.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Finance Department is authorized to issue payment to TrueNorth Companies LC in the amount of \$585,327 for excess casualty insurance coverage from States Self-Insurers Risk Retention for the City of Cedar Rapids for the period of January 15, 2023 through January 15, 2024.

Funding will be from the Risk Fund budget (525104-011-011000).

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Greg Buelow

**Contact Person:** Kevin Ciabatti

**Cell Phone Number:** 319-423-2786

**E-mail Address:** K.Ciabatti@cedar-rapids.org

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

Amendment No. 2 to the contract with D.W. Zinser Company for remediation and demolition of three properties for the Building Services Division to reflect the cost for the mitigation of sewer line issues at 1323 Ellis Boulevard NW for an amount not to exceed \$5,100 (original contract amount was \$47,175; total contract amount with this amendment is \$60,555).

CIP/DID #PUR0722-019

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

**Background:** D.W. Zinser Company was awarded the contract for the remediation and demolition of three properties. Amendment No. 2 adds \$5,100 to the contract for the mitigation of sewer line issues at 1323 Ellis Boulevard NW.

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

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:**

**Local Preference Policy:** Yes

**Explanation:**

**Recommended by Council Committee:** No

**Explanation:**

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and D.W. Zinser Company are parties to a contract for remediation and demolition of three properties for the Building Services Division; and

WHEREAS, both parties have agreed to amend the contract to reflect mitigation of sewer line issues at 1323 Ellis Boulevard NW; and

WHEREAS, Amendment No. 2 will add \$5,100 to the Contract; and

WHEREAS a summary of the Contract is as follows:

Original Contract	Signed by the CITY 09/09/2022	\$47,175
Amendment No. 1	Signed by the CITY 09/30/2022	\$8,280
Amendment No. 2	Pending	\$5,100
Total not to exceed		\$60,555

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to amend the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 919 stream bank credits in the amount of \$76,277 for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project.

CIP/DID #301965-00

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

**Background:** The Earhart Lane SW Extension to Walford Road project impacts the alignment of existing Hoosier Creek. In addition to bridge construction, the stream needs realignment to better flow through the proposed bridge over Hoosier Creek. In order to do this, we need a permit from the U.S. Army Corps of Engineers (USACE). The permit requires the City to purchase or create and maintain in perpetuity its own stream mitigation area. In order to maintain the project timeline, the City must buy into an already existing stream mitigation bank. A stream mitigation bank is created and maintained in perpetuity by a professional wetlands manager. City staff recommends buying into a nearby stream mitigation bank.

The project is required to replace 919 stream credits. The closest available credits in our basin which have been created and maintained by “the Central Indiana Mitigation Providers” and is named the Pabst Wetland and Stream Mitigation Bank. This bank is located within our primary basin area and has been approved that we utilize this bank by the USACE. The purchase price is \$83 per credit.

Under this purchase, the vendor will provide the USACE accredited Stream Credits, meeting the requirements of the USACE permit.

The bank will not hold the credits for us until the purchase agreement is signed and a 10% down payment has been made.

**Action/Recommendation:** Adopt resolution authorizing execution of a purchase agreement with the Central Indiana Mitigation Providers for 919 stream credits in the amount of \$76,277 within the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project.

**Alternative Recommendation:** Abandon the project and defer to a different construction year or create a City owned and maintained stream mitigation area.

**Time Sensitivity:** High. Wetlands credits are currently available and available for a limited time only.

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301965

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the proposed Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project will impact 919 credits of stream for the bridge construction, and

WHEREAS, according to the requirements of the Clean Water Act and regulations promulgated thereunder, the City must mitigate for impacts to streams as part of the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project, and

WHEREAS, the City is proposing to purchase 919 stream bank credits at a rate of \$76,277 within the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project from the Central Indiana Mitigation Providers, and

WHEREAS, the Public Works Department and USACE recommend authorizing execution of Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 919 stream bank credits in the amount of \$76,277 for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are hereby authorized to execute a Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 919 stream bank credits in the amount of \$76,277 for the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard – Phase 3 project, and

BE IT FURTHER RESOLVED, that the Finance Director is authorized to issue payment in the amount of \$76,277 to the Central Indiana Mitigation Providers for said stream bank credits, to be mailed along with the executed Purchase Agreement.

General ledger coding for this Purchase Agreement to be as follows:

Fund 301, Dept ID 301000, Project 301965-00      \$76,277

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



PROJECT AREA



# Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard Phase 3



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 3,570 stream bank credits in the amount of \$296,310 for the Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project.  
CIP/DID #3018004-00

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

**Background:** The Innovation Drive SW from 18<sup>th</sup> Street SW to 6<sup>th</sup> Street project impacts the alignment of existing Hoosier Creek. In addition to three culvert constructions, we need to realign the stream outside of the proposed roadway limits. In order to do this, we need a permit from the U.S. Army Corps of Engineers (USACE). The permit requires the City to purchase or create and maintain in perpetuity its own stream mitigation area. In order to maintain the project timeline, the City must buy into an already existing stream mitigation bank. A stream mitigation bank is created and maintained in perpetuity by a professional wetlands manager. City staff recommends buying into a nearby stream mitigation bank.

The project is required to replace 3,570 stream credits. The closest available credits in our basin which have been created and maintained by “the Central Indiana Mitigation Providers” and is named the Pabst Wetland and Stream Mitigation Bank. This bank is located within our primary basin area and the City has been approved by the USACE to utilize this bank. The purchase price is \$83 per credit or \$296,310 total for the City project.

Under this purchase, the vendor will provide the (USACE) accredited Stream Credits, meeting the requirements of the USACE permit.

The bank will not hold the credits for the City until the purchase agreement is signed and a 10% down payment has been made.

**Action/Recommendation:** Adopt resolution authorizing execution of a purchase agreement with Central Indiana Mitigation Providers for 3,570 stream bank credits in the amount of \$296,310 within the Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project.

**Alternative Recommendation:** Abandon the project and defer to a different construction year or create a City owned and maintained stream mitigation area.

**Time Sensitivity:** High. Stream bank credits are currently available for a limited time only.

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3018004 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the proposed Innovation Drive SW project will impact 3,570 credits of stream for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A, and

WHEREAS, according to requirements of the Clean Water Act and regulations promulgated thereunder, the City must mitigate for impacts to streams as part of the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project, and

WHEREAS, the City is proposing to purchase 3,570 stream bank credits at a rate of \$296,310 with the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project from the Central Indiana Mitigation Providers, and

WHEREAS, the Public Works Department and U.S. Army Corps of Engineers recommend authorizing execution of Mitigation Credit Purchase Agreement with Central Indiana Providers for 3,570 stream bank credits in the amount of \$296,310 for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are hereby authorized to execute a Mitigation Credit Purchase Agreement with Central Indiana Mitigation Providers for 3,570 stream bank credits in the amount of \$296,310 for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project, and

BE IT FURTHER RESOLVED, that the Finance Director is authorized to issue payment in the amount of \$296,310 to the Central Indiana Mitigation Providers for said stream bank credits, to be mailed along with the executed Purchase Agreement.

General ledger coding for this Purchase Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3018004-00      \$296,310

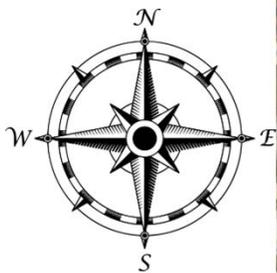
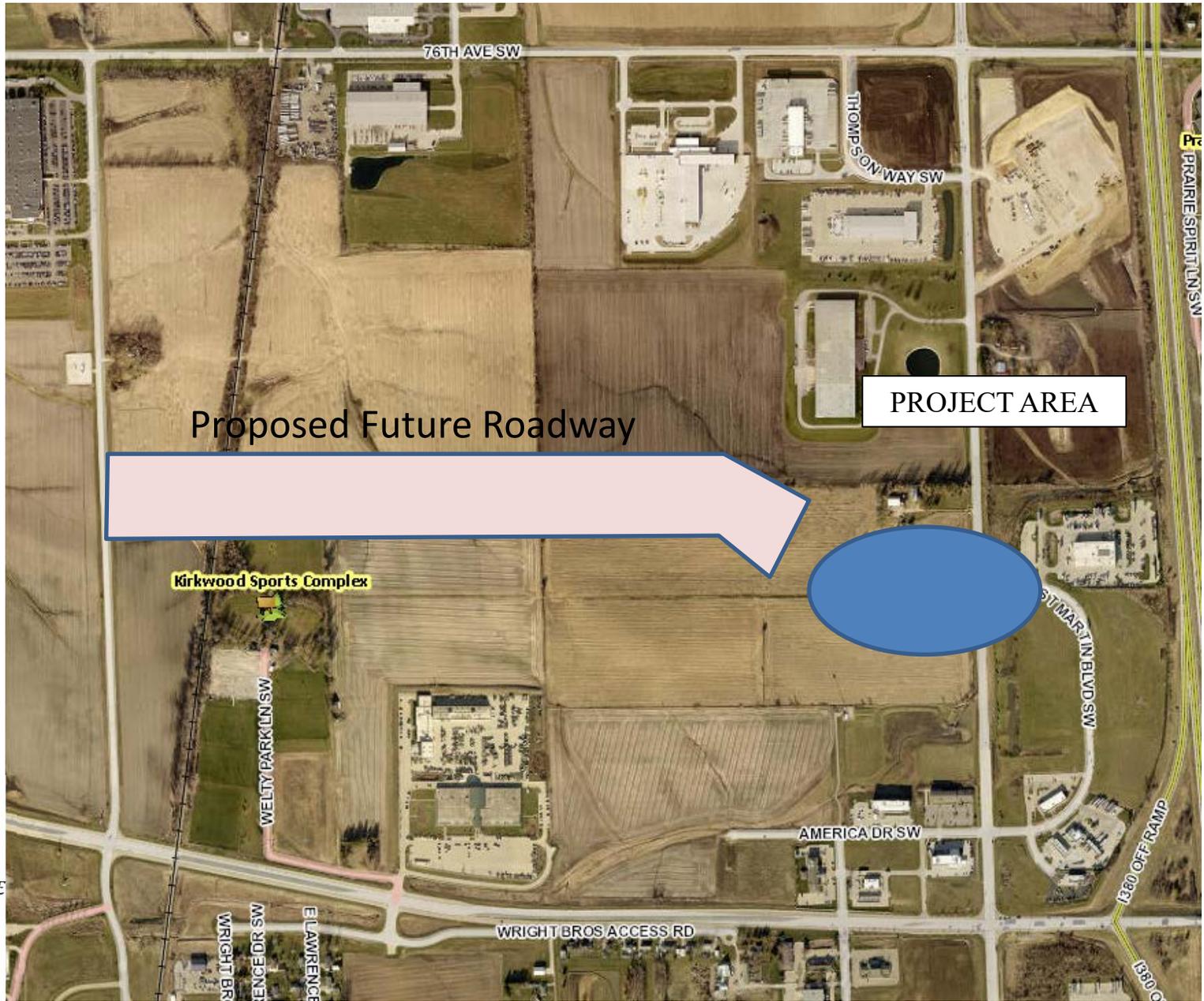
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



# Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Mitigation Credit Purchase Agreement with the Dry Run Creek Mitigation Bank Providers for 0.20 Emergent Wetlands credits in the amount of \$6,800 for the Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project.

CIP/DID #3018004-00

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

**Background:** The Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project impacts the alignment of existing Hoosier Creek. In addition to three culvert constructions, we need to realign the stream outside of the proposed roadway limits. In order to do this, we need a permit from the U.S. Army Corps of Engineers (USACE). The permit requires the City to purchase or create and maintain in perpetuity its own Emergent Wetland mitigation area. In order to maintain the project timeline, the City must buy into an already existing Emergent Wetland mitigation bank. An Emergent Wetland bank is created and maintained in perpetuity by a professional wetlands manager. City staff recommends buying into a nearby Emergent Wetland mitigation bank.

The project is required to replace 0.20 credits of Emergent Wetland. The closest available credits in our basin which have been created and maintained by the "Dry Run Creek Mitigation Bank". This bank is located within our primary basin area and the City has been approved by the USACE to utilize this bank. The purchase price is \$34,000 per credit or \$6,800 total for the City project.

Under this purchase, the vendor will provide the (USACE) accredited Emergent Wetland Credits, meeting the requirements of the USACE permit.

**Action/Recommendation:** Adopt resolution authorizing execution of a Mitigation Credit Purchase Agreement with the Dry Run Creek Mitigation Bank Providers for 0.20 Emergent Wetlands credits in the amount of \$6,800 for the Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A project.

**Alternative Recommendation:** Abandon the project and defer to a different construction year or create a City owned and maintained wetland mitigation area.

**Time Sensitivity:** High. Wetlands credits are currently available for a limited time only.

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3018004 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the proposed Innovation Drive project will impact 0.20 credits of emergent wetlands for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project, and

WHEREAS, according to requirements of the Clean Water Act and regulations promulgated thereunder, the City must mitigate for impacts to emergent wetlands as part of the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project, and

WHEREAS, the City is proposing to purchase 0.20 emergent wetland bank credits at a rate of \$6,800 with the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project from the Dry Run Creek Mitigation Bank Providers, and

WHEREAS, the Public Works Department and U.S. Army Corps of Engineers recommend authorizing execution of Mitigation Credit Purchase Agreement with the Dry Run Creek Mitigation Bank Providers for 0.20 emergent wetland bank credits in the amount of \$6,800 for the Innovation Drive SW project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the City Manager and City Clerk are hereby authorized to execute a Mitigation Credit Purchase Agreement with the Dry Run Creek Mitigation Bank Providers for 0.20 emergent wetland bank credits in the amount of \$6,800 for the Innovation Drive SW from 18th Street to 6th Street SW Roadway Construction Bid Package 2A project, and

BE IT FURTHER RESOLVED, that the Finance Director is authorized to issue payment in the amount of \$6,800 to the Dry Run Creek Mitigation Bank Providers for said stream bank credits, to be mailed along with the executed Purchase Agreement.

General ledger coding for this Purchase Agreement to be as follows:

Fund 301, Dept ID 301000, Project 3018004-00      \$6,800

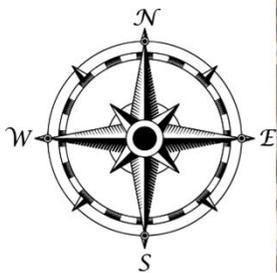
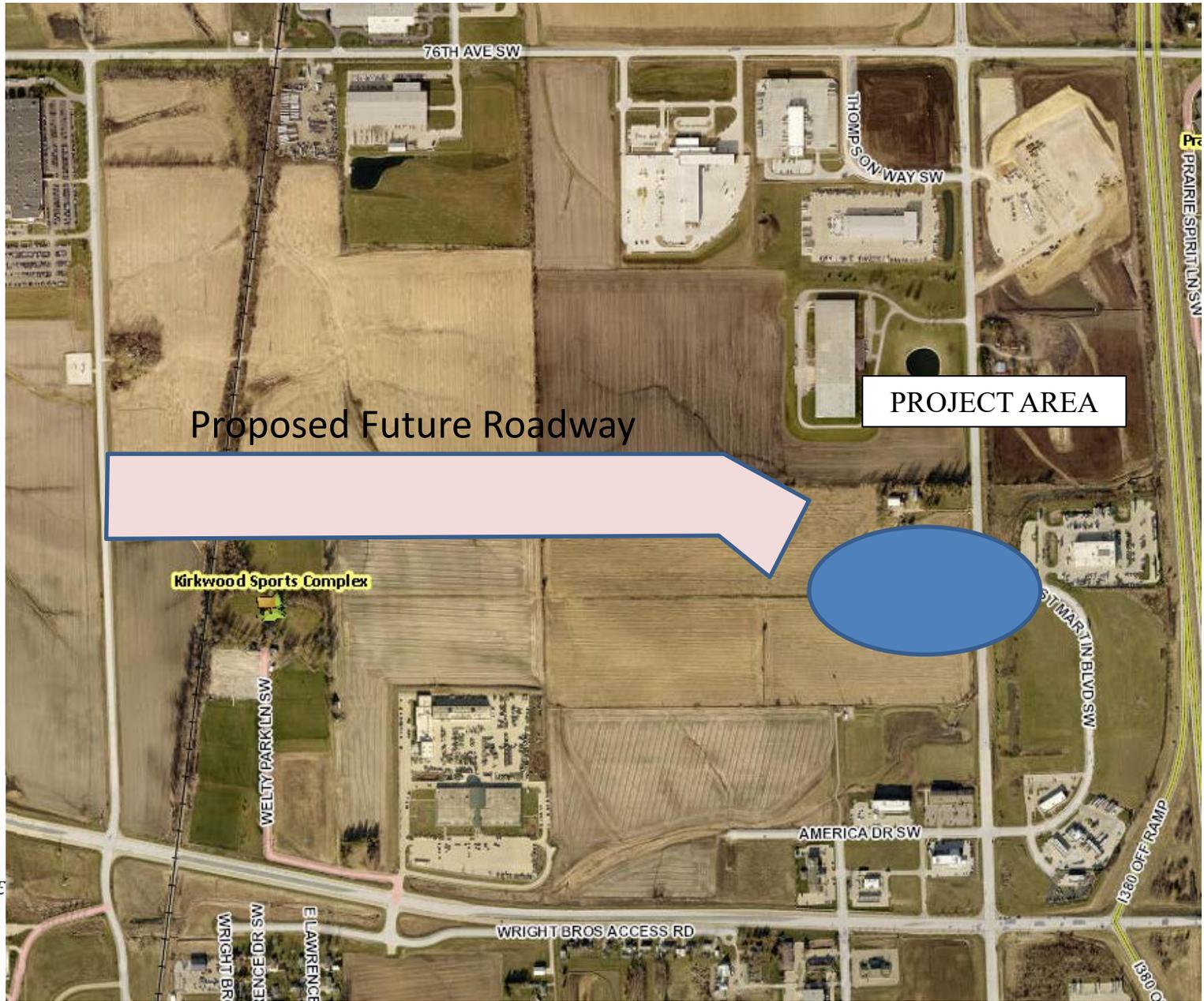
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



# Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW Roadway Construction Bid Package 2A



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Terry Tiedemann

**Contact Person:** Bob Hammond

**Cell Phone Number:** (319) 440-1005

**E-mail Address:** R.Hammond@cedar-rapids.org

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

Amendment No. 6 to renew contract with TEAM Services, Inc. for material testing services for the Public Works Department for one year for an amount not to exceed \$65,000 (original contract amount was \$35,000; renewal contract amount is \$65,000).

CIP/DID #PUR1018-077

<b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply
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**Background:** TEAM Services, Inc. provides material testing services for various City departments. Amendment No. 6 is to renew the contract for the period of January 1, 2023 through December 31, 2023 for an annual amount not to exceed \$65,000. No renewal options remain.

History of Contract to Date:

Description	Authorization	Dates
Initial Term of Contract	Signed by the CITY 11/29/18	1/1/2019-12/31/2019
Amendment No. 1 to renew Contract	Signed by the CITY 01/10/20	1/1/2020-12/31/2020
Amendment No. 2 to renew Contract	Signed by the CITY 01/22/21	1/1/2021-12/31/2021
Amendment No. 3 to increase volume	Resolution No. 1116-07-21	Effective 07/27/2021
Amendment No. 4 to increase volume	Resolution No. 1677-11-21	Effective 11/09/2021
Amendment No. 5 to renew Contract	Resolution No. 0033-01-22	1/1/2022–12/31/2022
Amendment No. 6 to renew Contract	Pending	1/1/2023–12/31/2023

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 6 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** Various Department Budgets

**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 TEAM Services, Inc. are parties to a contract for the annual as-needed purchase of material testing services for the City; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$65,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Signed by the CITY 11/29/18	1/1/2019 - 12/31/2019
Amendment No. 1 to renew Contract	Signed by the CITY 01/10/20	1/1/2020 - 12/31/2020
Amendment No. 2 to renew Contract	Signed by the CITY 01/22/21	1/1/2021 - 12/31/2021
Amendment No. 3 to increase volume	Resolution No. 1116-07-21	Effective 07/27/2021
Amendment No. 4 to increase volume	Resolution No. 1677-11-21	Effective 11/09/2021
Amendment No. 5 to renew Contract	Resolution No. 0033-01-22	1/1/2022 – 12/31/2022
Amendment No. 6 to renew Contract	Pending	1/1/2023 – 12/31/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 6 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Joy Huber

**Contact Person:** Casey Drew

**Cell Phone Number:** 319-538-1064

**E-mail Address:** C.Drew@cedar-rapids.org

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

Fleet Services Division purchase of One (1) 1 Ton Chassis with Flatbed from McGrath Ford in the amount of \$94,905.

CIP/DID #PUR1022-087

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

**Background:** Purchasing Services requested bids on behalf of the Fleet Services Division for one (1) 1 Ton Chassis with Flatbed. One vendor responded, McGrath Ford in the amount of \$94,905.

**Action/Recommendation:** Authorize the Fleet Division to make this purchase.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 073-073000-554000-073002

**Local Preference Policy:** Yes

**Explanation:** McGrath is a local vendor.

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

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for the purchase of One (1) 1 Ton Chassis with Flatbed on behalf of the Fleet Services Division; and

WHEREAS, bids were received from 1 Vendor; and

WHEREAS, the Fleet Services Division recommends that this bid be awarded to McGrath Ford as the overall lowest responsive and responsible bidder in the amount of \$94,905.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Fleet Services Division is authorized to purchase the 1 Ton Chassis with Flatbed as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Joy Huber

**Contact Person:** Heidi Stiffler

**Cell Phone Number:** 319-538-1064

**E-mail Address:** H.Stiffler@cedar-rapids.org

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

Fleet Services Division purchase of One (1) 1 Ton Chassis with Flatbed from McGrath Ford in the amount of \$94,905.

CIP/DID #PUR1022-087

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

**Background:** Purchasing Services requested bids on behalf of the Fleet Services Division for one (1) 1 Ton Chassis with Flatbed. One vendor responded, McGrath Ford in the amount of \$94,905.

**Action/Recommendation:** Authorize the Fleet Division to make this purchase.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 073-073000-554000-073002

**Local Preference Policy:** Yes

**Explanation:** McGrath is a local vendor

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

**Explanation:** NA



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Jason Stancliffe

**Contact Person:** Heidi Stiffler

**Cell Phone Number:** 319-538-1064

**E-mail Address:** H.Stiffler@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements  
 Contract with Nelson Electric Company for Automatic Transfer Switch Replacement project for Facilities Maintenance Services in the amount of \$90,679.75.  
 CIP/DID #PUR1122-117

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

**Background:** Purchasing Services solicited bids on behalf of Facilities Maintenance Services for an Automatic Transfer Switch Placement for the police department. One Vendor responded, Nelson Electric Company in the amount of \$90,679.75.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute the Contract PUR1122-117 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 553000-360-081200-3603023

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

**Explanation:** NA

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

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Purchasing Services Division issued a Request for Bid for Automatic Transfer Switch Replacement on behalf of Facilities Maintenance Services; and

WHEREAS, bids were received from one (1) Vendor; and

WHEREAS, Facilities Maintenance Services recommends that the contract be awarded to Nelson Electric Company as the overall lowest responsive and responsible bidder, for an amount not to exceed \$90,679.75;

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



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Gretchen Barske

**Contact Person:** Rachelle Stewart

**Cell Phone Number:** (319) 249-9551

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

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

Amendment No. 1 to renew contract with Holmes Murphy and Associates for Benefit Consulting Services for the Human Resources Department for three years for an amount not to exceed \$180,000 (original contract amount was \$180,000; renewal contract amount is \$180,000).

CIP/DID #PUR0819-035

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

**Background:** Proposals were solicited in 2019 for Benefit Consulting Services with responses received from four firms. The contract was awarded to Holmes Murphy and Associates for an initial period of January 1, 2020 through December 31, 2022.

Amendment No. 1 is to renew the contract for an additional 3-year period from January 1, 2023 through December 31, 2025 for an annual amount not to exceed \$60,000. There are no additional renewal options remaining.

History of Contract to Date:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1628-12-19	1/1/2020 – 12/31/2022
Amendment No. 1 to renew Contract	Pending	1/1/2023 – 12/31/2025

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 521104-013-013000

**Local Preference Policy:** Yes

**Explanation:** Local preference points were applied when proposals were evaluated in 2019 but did not change the award outcome.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Holmes Murphy and Associates are parties to a contract for Benefit Consulting Services for the Human Resources Department; and

WHEREAS, both parties have agreed to renew the contract for an additional three-year period for an amount not to exceed \$180,000 (\$60,000 annually); and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1628-12-19	1/1/2020 – 12/31/2022
Amendment No. 1 to renew contract	Pending	1/1/2023 – 12/31/2025

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 1 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Sean Hanna

**Contact Person:** Julie Macauley

**Cell Phone Number:** 319-929-0594

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 5 to renew contract with USIC Locating Services, Inc. for Fiber Locating and Marking Services for the Information Technology Department for an annual amount not to exceed \$170,000 (original contract amount was \$170,000; renewal contract amount is \$170,000).  
 CIP/DID #PUR1117-079

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

This project is to provide locating and marking services for portions of the Joint Communications Network (JCN). The JCN is comprised of the City of Cedar Rapids, Cedar Rapids School District and Linn County.

USIC Locating Services, Inc. was awarded the contract through Resolution No. 1698-12-17. This contract renewal is for the period of January 1, 2023 through December 31, 2023. This Contract Renewal covers year six of the contract with the no renewal options remaining.

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

**Alternative Recommendation:**

**Time Sensitivity:**

**Resolution Date:** January 10, 2023

**Budget Information:** 101-109000-251108

**Local Preference Policy:** Yes

**Explanation:** No local company provided a bid

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and USIC Locating Services, Inc. are parties to a contract for as-needed fiber locating and marking services for the Information Technology Department; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$170,000; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 1698-12-17	01/01/2018-12/31/2018
Amendment No. 1 contract renewal	Resolution No. 1578-12-18	01/01/2019-12/31/2019
Amendment No. 2 contract renewal	Resolution No. 1630-12-19	01/01/2020-12/31/2020
Amendment No. 3 contract renewal	Resolution No. 0052-01-21	01/01/2021-12/31/2021
Amendment No. 4 contract renewal	Resolution No. 0035-01-22	01/01/2022-12/31/2022
Amendment No. 5 contract renewal	Pending	01/01/2023-12/31/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 5 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Michael Duffy

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Resolution authorizing the Public Works Department to purchase the Mobile Pathfinder System from Aries Industries, Inc. in the amount of \$70,945.  
 CIP/DID #43-23-008

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

**Background:** The primary purpose of the Aries Mobile Pathfinder TV Inspection System with Tractor, is to visually inspect and document conditions of sewer pipes for reoccurring and preventative maintenance along with post-boring inspection needs. The Public Works Department, Sewer Maintenance Division, would like to complete the update process of the current Aries system that was started approximately ten years ago. The current system is outdated, and some of the major components are failing. The purchase is to complete the upgrade, utilizing trade-in opportunities that would not be offered elsewhere. No additional training is needed on the Aries system, as staff is already using it.

**Action/Recommendation:** Authorize the Public Works Department to purchase the Aries Mobile Pathfinder System.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 651000 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Public Works Department requests approval to purchase the Mobile Pathfinder System for the Sewer Maintenance Division from Aries Industries, Inc. in the amount of \$70,945, and

WHEREAS, funds are available in the FY23 Sewer Operating Fund (651000 NA) to proceed with the purchase of the Mobile Pathfinder System from Aries Industries, Inc., and

WHEREAS, the Public Works Director / City Engineer recommends the purchase of the required equipment from Aries Industries, Inc.,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA that the Public Works Department is authorized to purchase the Mobile Pathfinder System from Aries Industries, Inc. in the amount of \$70,945.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Fleet Maintenance

**Presenter at Meeting:** Heidi Stiffler

**Contact Person:** Heidi Stiffler

**Cell Phone Number:** 319-361-9533

**E-mail Address:** h.stiffler@cedar-rapids.org

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

Fleet Services Division purchase of an easement machine and trailer for the Sewer division from Mid-Iowa Solid Waste Co. Inc. in the total amount of \$89,571.49.

CIP/DID #FLT122

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

**Background:** As the City of CR grows, more sewer lines are increasingly being installed in areas that are difficult to reach with our typical large trucks and equipment, to perform proper cleaning and maintenance. Currently, Sewer team members typically park the jetter truck as close to the sewer lines as possible, and several members manually drag and pull hose under high water pressure while cleaning sewer lines. This technique often results in damaged property and risk of injury.

An easement machine would make these operations safer and create efficiencies in the operation. An easement machine makes it easy to clean out pipes, drains, sewers and culvers in rough terrain and locations currently inaccessible to typical jetter trucks. It is simple to operate and highly maneuverable, eliminating the need for workers to struggle dragging hoses long distances.

The 2023 Sewer Equipment Company of America JAJ-600WH easement machine is a standalone, tracked, walk-behind, self-propelled portable jetter machine with a powered hose reel. It acts as an "extension" of the existing jetter line of the truck and extends the reach of the jetter truck by 500 to 600 feet without requiring staff to pull and drag hose. This would allow the Sewer team safer and easier access to backyards and hard-to-reach areas that are challenging for the typical jetter truck alone. An easement machine would take less team members to perform the task and require less physical effort to perform the operations.

A 12' trailer specifically designed for this easement machine would also be purchased to safely transport and store the easement machine. The trailer includes a fold-down tailgate and aluminum toolbox.

The Sewer Equipment Company of America JAJ-600WH easement machine and trailer are being purchased from Mid-Iowa Solid Waste Co., Inc. under Sourcewell's Contract 101221-SCA for "Sewer Vacuum". The easement machine is priced at \$74,634.56; the trailer is priced at \$12,536.93; freight and delivery \$2,400.00 for a total cost of \$89,571.49.

**Action/Recommendation:** The Fleet Services Division recommends approval of this resolution authorizing this purchase.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Fund 073 Dept ID 073000, Project 073002

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

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

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS the City's Sewer Division desires an "easement machine" and trailer to perform sewer cleaning and maintenance operations more effectively and safely in areas that are inaccessible or difficult and unsafe to navigate with current equipment, and

WHEREAS the Fleet Services Division has solicited a quotation for the purchase of one 2023 Sewer Equipment Company of America JAJ-600WH easement machine and accompanying specialized trailer from Mid-Iowa Solid Waste Co. Inc. for budgeted new equipment for the Sewer Division, and,

WHEREAS Mid-Iowa Solid Waste Co. Inc. is the current holder of Sourcewell Contract 101221-SCA for "Sewer Vacuum", and can provide the requested easement machine and trailer at the contracted price, and

WHEREAS the cost of the 2023 Sewer Equipment Company of America JAJ-600WH easement machine is \$74,634.56; the cost of the trailer is \$12,536.93; freight and delivery charges are \$2,400 for a total cost of \$89,571.49, budgeted in FY 2023 GL Fund 073, Dept ID 073000, Project 073002, and

WHEREAS the Fleet Services Division recommends the purchase of said 2023 Sewer Equipment Company of America easement machine and trailer from Mid-Iowa Solid Waste Co. Inc. in the total amount of \$89,571.49.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the recommendation above be accepted subject to the terms and conditions of the bid documents, and

BE IT FURTHER RESOLVED that the Fleet Services Division is hereby authorized to purchase the named equipment from Mid-Iowa Solid Waste Co. Inc. as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Mark Jones

**Contact Person:** Roy Hesemann

**Cell Phone Number:** (319) 521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

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

Amendment No. 2 to renew contract with Enviromark for Cleanup Services of Various Properties for the Solid Waste & Recycling Division for one year for an amount not to exceed \$75,000 (original contract amount was \$45,000; renewal contract amount is \$75,000).

CIP/DID #PUR0622-398

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

**Background:** A contract was executed in 2022 between the Solid Waste & Recycling Division and Enviromark for cleanup services of various properties on an as-needed basis. The contract pricing is based on Iowa DOT Contract #2021-8208. The original contract period was July 1, 2022 through December 31, 2022 and allows for renewal by mutual agreement.

Amendment No. 2 is to renew the contract for the period of January 1, 2023 through December 31, 2023 for an amount not to exceed \$75,000 with pricing as follows:

Description	UOM	Firm-Fixed Price
Hourly rate including all materials, equipment and labor for two (2) Bio-Hazard Technicians to provide containment of bio-hazardous waste, transient debris, any litter that possesses health and safety risk, removal of contaminated contents, and personal protective equipment.	HR	\$150
Skid Loader, Operator, and Attachment	DAY	\$2,500
Roll Off Truck, Driver, and 30 Yard Container	DAY	\$1,500

Summary of Contract to Date:

Description	Authorization	Dates
Initial Term of Contract	Signed by CITY 09/16/2022	07/01/2022 – 12/31/2022
Amendment No. 1 to add items	Signed by CITY 11/23/2022	Effective 10/01/2022
Amendment No. 2 to renew Contract	Pending	01/01/2023 – 12/31/2023

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

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 521105-641-641000

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Enviromark are parties to a contract for the annual as-needed purchase of cleanup services of various properties for the Solid Waste & Recycling Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$75,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Signed by CITY 09/16/2022	07/01/2022 – 12/31/2022
Amendment No. 1 to add items	Signed by CITY 11/23/2022	Effective 10/01/2022
Amendment No. 2 to renew Contract	Pending	01/01/2023 – 12/31/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 2 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Transit

**Presenter at Meeting:** Brad DeBrower

**Contact Person:** Angie Charipar

**Cell Phone Number:** 319-538-1062

**E-mail Address:** A.Charipar@cedar-rapids.org

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

Purchase of two 35-foot, ADA-accessible, heavy-duty, low-floor diesel buses from Gillig LLC for a cost of \$522,000 each for a total cost of \$1,044,000.

CIP/DID #665277 Heavy Duty Buses

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

**Background:** The City has budgeted FY23 funds in CIP #665277 to purchase two 35-foot, ADA-accessible, heavy-duty, low-floor diesel buses for our fixed-route bus service. Federal funds will be secured to cover up to 80% of the cost of the buses. The vehicles will be purchased through the Washington State Transit Bus Cooperative Agreement between the State of Iowa and the State of Washington (RFP# 2020 06710-01). Gillig LLC is an authorized vendor under the cooperative agreement.

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

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

**Time Sensitivity:** The production of these buses is scheduled to start approximately 14 months after the receipt of the purchase order.

**Resolution Date:** January 10, 2023

**Budget Information:** Funding is included in the FY23 budget in CIP #665277 – Heavy Duty Buses.

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Transit Division has a need to purchase heavy-duty buses for the Cedar Rapids Transit fixed-route bus service; and

WHEREAS, the Washington State Transit Bus Cooperative Agreement between the State of Iowa and the State of Washington (RFP# 2020 06710-01) is approved by the Iowa DOT for the purchase of rolling stock (buses) by Iowa public transit systems; and

WHEREAS, Gillig LLC is an authorized vendor under the cooperative agreement; and

WHEREAS, the funding for this purchase is included in the FY23 budget in CIP #665277;

WHEREAS, federal funds will be secured to cover up to 80% of the cost of buses;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the Transit Division is authorized to purchase two 35-foot, ADA-accessible, heavy-duty, low-floor diesel buses from Gillig LLC for a cost of \$522,000 each for a total cost of \$1,044,000.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Brian Heimer

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 1 to renew the contract with Crawford Quarry Company, Inc. for Storage of Lime Sludge for the Water Division for an annual amount not to exceed \$200,000. (Original contact amount was \$200,000; renewal contract amount is \$200,000).  
 CIP/DID #PUR1021-116

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

**Background:** Crawford Quarry Company Inc. possesses a Beneficial Use Designation from the IDNR to store the lime sludge. The contract renewal period will be January 1, 2023, through December 31, 2023. This contract contains three additional one-year renewal options. The annual amount not to exceed is \$200,000. The estimated amount of sludge is 20,000 tons. Crawford Quarry Company, Inc. will be compensated for the actual number of tons of sludge hauled to their site.

Description	UOM	Firm Fixed Price
Storage of Lime Sludge	Ton	\$19.50

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 1 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 521108-6214-621001-62107

**Local Preference Policy:** NA

**Explanation:**

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Crawford Quarry are parties to a contract for the annual as-needed storage of lime sludge for the Water Division; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period to be January 1, 2023 through December 31, 2023 for an annual amount not to exceed \$200,000; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1950-12-21	01/01/2022-12/31/2023
Amendment No. 1 to renew contract	Pending	Effective 01/01/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 1 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Kevin Kirchner

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

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

**Description of Agenda Item:** Purchases, contracts and agreements  
Amendment No. 4 to contract with Ferguson Waterworks for Water Meter Installation for the Water Division to reflect the cost for additional work for an amount not to exceed \$300,000 (original contract amount was \$289,200; total contract amount with this amendment is \$589,200).  
CIP/DID #PUR0721-029

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

**Background:** Ferguson Waterworks was awarded the contract for Water Meter Installation for the Water Division through Resolution No. 1225-08-21. The current contract period is July 1, 2022 through June 30, 2023. Due to an increase in the amount of work, an additional \$300,000 is being added to the contract.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 4 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 621-621005-521105

**Local Preference Policy:** Yes

**Explanation:** N/A

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Ferguson Waterworks are parties to a contract for water meter installation for the Water Division; and

WHEREAS, both parties have agreed to amend the contract to reflect an increase in the work in the amount of \$300,000; and

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

Initial Term of Contract	Resolution No. 1225-08-21	08/01/2021-07/31/2022
Amendment No. 1 Pricing structure update	Signed by CITY 10/27/2021	Effective 08/01/2021
Amendment No. 2 to Renew Contract	Resolution No. 1107-07-22	08/01/2022-07/31/2023
Amendment No. 3 to adjust term of contract	Signed by CITY 10/05/2022	Effective 07/01/2022
Amendment No. 4 to increase volume of Work	Pending	Effective 01/10/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to amend the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Jason Decker

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

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

Amendment No. 5 to renew the Contract with Crawford Quarry Company for Lagoon Ash Sand Storage for the Water Pollution Control Facility for an amount not to exceed \$155,000 (original contract amount was \$60,000; total contract amount with this amendment is \$155,000).

CIP/DID #PUR1119-112

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

The Water Pollution Control Facility generates ash sand from the waste incineration process, which is pumped into a lagoon storage area. The ash sand is periodically removed from the lagoon to prevent it from overflowing. The ash sand can only be stored or incorporated into an area that has obtained a DNR Beneficial Use Designation, which Crawford Quarry Company has obtained.

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

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 521108-611-611001-611026

**Local Preference Policy:** Yes

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Crawford Quarry Company are parties to a contract for Lagoon Ash Sand Storage for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an amount not to exceed \$155,000; and

WHEREAS, the annual not to exceed amount for this contract renewal period (01/01/2023 to 12/31/2023) shall be \$155,000; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 1633-12-19	01/01/2020-12/31/2020
Amendment No. 1 contract renewal	Resolution No. 0301-02-21	01/01/2021-12/31/2021
Amendment No. 2 additional volume of work	Resolution No. 1304-08-21	Effective 08/01/2021
Amendment No. 3 contract renewal	Resolution No. 1839-12-21	01/01/2022-12/31/22
Amendment No. 4 additional volume of work	Resolution No. 1847-12-22	Effective 10/01/2022
Amendment No. 5 contract renewal	Pending	01/01/2023-12/31/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 5 as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Jason Decker

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 2 to the contract with Mike McMurrin Trucking, Inc. for Land Application of Biosolids for the Water Pollution Control Facility to reflect the additional cost of an increase in volume of work for an amount not to exceed \$19,672.79 (original contract amount was \$142,500; total contract amount with this amendment is \$ 162,172.79).  
 CIP/DID #PUR0221-218

<p><b>EnvisionCR Element/Goal:</b> Routine business - EnvisionCR does not apply</p>
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**Background:** This is to perform land application of biosolids. Biosolids are incinerated in the WPC multi-hearth incinerator. When the incinerator is shut down for maintenance, the biosolids are either land applied as a fertilizer on farm fields or hauled to a landfill. Due to an increase in volume of Biosolids, an additional \$19,672.79 is being added to the contract.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment 2 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10<sup>th</sup>, 2023

**Budget Information:** 521108-611-611001-611043

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and Mike McMurrin Trucking, Inc. are parties to a contract for the annual as-needed land application of biosolids for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to add an additional \$19,672.79 to the contract due to an additional volume of work; and

WHEREAS, the contract amount for the period March 1, 2022 through February 28, 2023, has increased from \$142,500 to \$162,172.79; and

WHEREAS, a summary of the contract is as follows:

Original Contract	Resolution No. 0500-04-21	03/01/2021-02/28/2022
Amendment No. 1 contract renewal	Resolution No. 0327-03-22	03/01/2022-02/28/2023
Amendment No. 2 to increase contract	Pending	Effective 12/01/2022

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 Amendment No. 2 to amend the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Purchasing

**Presenter at Meeting:** Aaron Orcutt

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 319-521-5752

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Amendment No. 4 to renew the contract with USP Technologies for hydrogen peroxide for the Water Pollution Control Facility for an annual amount not to exceed \$115,000 (original contract amount was \$100,000; renewal contract amount is \$115,000).  
 CIP/DID #PUR1019-072

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

**Background:**

Hydrogen Peroxide is used in a tank at the final lift building. Peroxide is injected into the Waste Activated stream in order to reduce the amount of Hydrogen Sulfide that occurs in the Gravity Belt Thickener process.

USP Technologies was awarded the contract for the as-needed purchase and delivery of hydrogen peroxide through Resolution No. 1504-12-19. Amendment No. 4 is to renew the contract for the period January 1, 2023 - December 31, 2023, with one additional one-year renewal option.

The price per gallon, delivered, for 2023 will be \$3.81, for an annual not-to-exceed price of \$115,000.

**Action/Recommendation:** Authorize the City Manager and the City Clerk to execute Amendment No. 4 as described herein.

**Alternative Recommendation:**

**Time Sensitivity:** Medium

**Resolution Date:** January 10, 2023

**Budget Information:** 531104-611-611001

**Local Preference Policy:** Yes

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids and USP Technologies are parties to a contract for the annual as-needed purchase and delivery of hydrogen peroxide 50% technical grade for the Water Pollution Control Facility; and

WHEREAS, both parties have agreed to renew the contract for an additional one-year period for an annual amount not to exceed \$115,000; and

WHEREAS, the contract period is January 1, 2023 - December 31, 2023 with one additional one-year renewal option; and

WHEREAS, a summary of the contract is as follows:

Description	Authorization	Dates
Initial Term of Contract	Resolution No. 1504-12-19	01/01/2020 - 12/31/2020
Amendment No. 1 to renew Contract	Resolution No. 1552-12-20	01/01/2021 - 12/31/2021
Amendment No. 2 to renew Contract	Resolution No. 1948-12-21	01/01/2022 - 12/31/2022
Amendment No. 3 to add Surcharge	Signed by the CITY 06/29/22	Effective June 1, 2022
Amendment No. 4 to renew Contract	Pending	01/01/2023 – 12/31/2023

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are authorized to execute Amendment No. 4 to renew the contract as described herein.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Ben Worrell, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of Amendment No. 4 to the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$47,600 to identify, evaluate, and pursue external funding opportunities in connection with the E Avenue NW West of 28<sup>th</sup> Street Stormwater Detention Basin project (original contract amount was \$475,364; total contract amount with this amendment is \$593,300).

CIP/DID #304504-01

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

**Background:** The City's ongoing Stormwater Masterplan effort has identified key capital improvement projects within the E Avenue NW watershed to help reduce downstream flooding. This project will expand an existing stormwater detention basin to increase storage volumes during rain events. It will also include water quality improvement features inside of the basin.

This Amendment will add to the Scope of Services for HR Green the creation of applications to pursue grant funding opportunities through the Federal Emergency Management Agency and the Iowa Department of Agriculture and Land Stewardship, as well as performance of other related work associated with the application processes.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 4 of the Professional Services Agreement with HR Green, Inc. specifying an increased amount not to exceed \$47,600.

**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:** January 10, 2023

**Budget Information:** 304/304000/304504, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, on September 10, 2019, City Council passed Resolution No. 1122-09-19, approving a Professional Services Agreement with HR Green, Inc. for engineering design services for the E Avenue NW West of 28th Street Stormwater Detention Basin project, and

WHEREAS, the City and Consultant desire to amend the Scope of Services as indicated in the original Agreement and City approved amendments,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are authorized to sign Amendment No. 4 to the Professional Services Agreement with HR Green, Inc. in the amount of \$47,600 for the E Avenue NW West of 28th Street Stormwater Detention Basin project (304504-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$475,364
Amendment No. 1	\$39,606
Amendment No. 2	\$30,730
Amendment No. 3	\$0
Amendment No. 4	\$47,600
	_____
Amended Contract Amount	\$593,300

General ledger coding for this amendment to be as follows:

Fund 304, Dept ID 304000, Project 304504 NA	\$47,600
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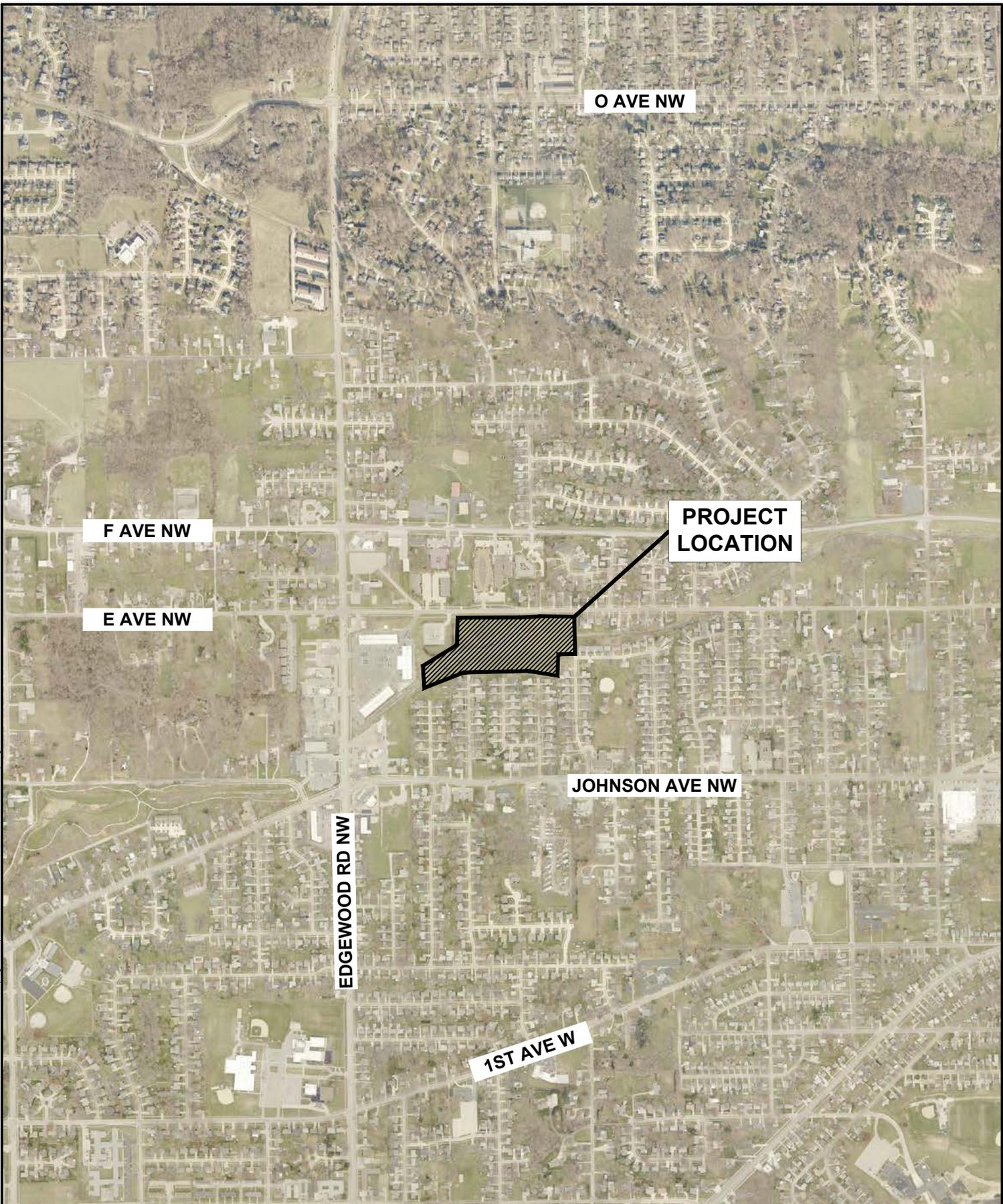
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MayorSignature

Attest:

ClerkSignature



Cadd File Name: W:\PROJECTS\CIP\304\304504 E Ave NW w of 28th Street Detention Basin (Hagers's Zoning\304504-01 HRGreen\COUNCIL AGENDA\council map.dwg



**E AVENUE NW WEST OF 28TH STREET STORMWATER  
DETENTION BASIN**





## Council Agenda Item Cover Sheet

**Submitting Department:** Water

**Presenter at Meeting:** Roy Hesemann

**Contact Person:** Roy Hesemann

**Cell Phone Number:** 521-5752

**E-mail Address:** R.Hesemann@cedar-rapids.org

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

Amendment No. 12 to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$57,700 for the modified scope of work for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project (original contract amount was \$880,000; total contract amount with this amendment is \$2,030,200).

CIP/DID #625902-01

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

### Background:

In December of 2021, the mechanism within Softener Basin 2 at the J Avenue Water Treatment Plant experienced a sudden failure. Utilities staff looked into options for repairing this unit, but due to the nature of the failure, it was found that repairing the unit would take months to complete and would bear a significant cost. While the plant is still capable of producing its rated capacity of potable water, having Softener 2 out of service limits the redundancy within the plant. Should another softener unit fail, the maximum treatment capacity of the plant would be compromised. Given these conditions, Utilities staff recommended replacement of the failed mechanism in Softener 2, followed by similar replacement of the mechanism within Softener 1 as quickly as possible.

The City issued a Professional Service Agreement with Strand Associates, Inc. for engineering design services related to the replacement of the Softeners 1 and 2 mechanisms. The project design was completed and was issued for bids.

Upon completion of the bidding phase of the project, it was determined that modifications to the original scope of engineering services were desired to address additional needs. The modifications to the previously amended scope of services will accommodate the following:

1. Additional costs related to setting up a Submittal Exchange site to share submittals and other project related documents between the City, the Contractor, and the Engineer.
2. Additional construction review meetings and site visits.
3. Amend project schedule intermediate construction milestone dates and extend the final completion and project closeout from October 31, 2024 to October 31, 2025.

**Action/Recommendation:** The Utilities Department – Water Division staff recommends approval of Amendment No. 12 with Strand Associates, Inc. for the J Avenue Water Treatment Plant Process Improvements – Phase 2 Project and that the City Manager and City Clerk be authorized to execute said Agreement.

**Alternative Recommendation:** None

**Time Sensitivity:** Action needed 1-10-23

**Resolution Date:** 1-10-23

**Budget Information:** The project will be coded to the following CIP fund: 553000-625-625000-x-x-625902.

**Local Preference Policy:** Yes

**Explanation:** Consultant selection process gives preference to local firms.

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids Utilities Department – Water Division executed a Professional Services Agreement with Strand Associates, Inc. on January 12, 2016 for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project (Contract No. 625902-01), and

WHEREAS, the goal of the Project was to rehabilitate and upgrade the existing Softener Basins, provide a new clarification basin sludge pumping system, a new coagulant chemical feed system, and replace the existing lime slaking and feeding equipment. Strand Associates, Inc. was selected to provide design and construction administration services for the Phase 2 Improvements project, and

WHEREAS, on September 27, 2022, the City Council awarded the construction project to Tricon General Construction, Inc., and

WHEREAS, after completion of the bidding phase of the project, it was determined that modifications to the original scope of engineering services are desired to address additional needs. The modifications to the scope of services will accommodate the following:

1. Additional costs related to setting up a Submittal Exchange site to share submittals and other project related documents between the City, the Contractor, and the Engineer.
2. Additional construction review meetings and site visits.
3. Amend project schedule intermediate construction milestone dates and extend the final completion and project closeout from October 31, 2024 to October 31, 2025.

WHEREAS, Strand Associates, Inc. has proposed to provide the additional services for an amount not to exceed \$57,700 and

WHEREAS, the Utilities Department – Water Division staff have determined that the proposed cost is fair and reasonable for the proposed scope of work and recommends approval of Amendment No. 12 with Strand Associates, Inc. for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that Amendment No. 12, to the Professional Services Agreement with Strand Associates, Inc. for an amount not to exceed \$57,700 for the J Avenue Water Treatment Plant Process Improvements – Phase 2 project (Contract No. 625902-01) be hereby approved and that the City Manager and City Clerk be hereby authorized to execute said Amendment.

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

Original Contract Amount	\$ 880,000
Amendment No. 1 – Amend Scope of Services	+ 231,000
Amendment No. 2 – No Cost, Adjust Schedule	0
Amendment No. 3 – Amend Scope of Services	+ 243,000
Amendment No. 4 – Amend Scope of Services	+ 109,000
Amendment No. 5 – Amend Scope of Services	+ 99,600
Amendment No. 6 – No Cost, Adjust Schedule	0

Amendment No. 7 – No Cost, Amend Schedule Dates	0
Amendment No. 8 – No Cost, Adjust Close-Out Schedule	0
Amendment No. 9 – No Cost, Amend Scope of Services	0
Amendment No. 10 – No Cost, Adjust Closeout Date	0
Amendment No. 11 – Amend Scope of Services	+ 409,900
Amendment No. 12 – Amend Scope of Services	+ 57,700
Amended Contract Amount	<u>\$2,030,200</u>

To be funded from the Utilities Department – Water Division Capital Improvement Projects budget and coded to the following CIP fund: 553000-625-625000-x-x-625902.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Rob Davis, PE

**Contact Person:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of Amendment No. 7 to the Professional Services Agreement with WSP USA, Inc. specifying a deducted amount of \$55,938.04 for design services in connection with the ConnectCR Project Implementation project (original contract amount was \$1,268,461; total contract amount with this amendment is \$2,617,924.68)

CIP/DID#327001-01

**EnvisionCR Element/Goal:** ConnectCR Goal 5: Support the development of an effective, regional, multimodal transportation system.

**Background:** WSP USA Inc. and the City entered into a design contract in 2020 to cover both the Cedar Lake and Lightline Bridge components of the Connect CR project. Currently, preliminary design has been completed on the Cedar Lake component and 30% design has been completed on the Lightline Bridge component.

Amendment No. 7 to the design contract has two main components:

- 1) Removal of all remaining scope and fee associated with the Cedar Lake component. The Public Works Department and WSP have mutually agreed that it is in the best interest of the project for WSP to focus solely on the Lightline Bridge component. The amount of this deduction is \$162,675.04.
- 2) Addition of scope of services for a separate bid package for the demolition of the existing railroad bridge to make way for and thereby accelerate the Lightline bridge construction. The amount of this addition is \$106,737.

The net of these two items is a net contract deduction.

**Action/Recommendation:** The Public Works Department recommends adoption of the resolution authorizing execution of Amendment No. 7 of the Professional Services Agreement with WSP USA, Inc. specifying a deducted amount of \$55,938.04

**Alternative Recommendation:** Alternative exists to also discontinue services for the design of the Lightline Bridge component, but doing so will add extra cost and protract the final plan delivery.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 327/327000/327001

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, WSP USA Inc. is currently under contract for design of the ConnectCR Project Implementation project, and

WHEREAS, the City of Cedar Rapids has requested a contract amendment for WSP USA, Inc. to remove concurrently contracted services for work related to the Cedar Lake component of Connect CR valued at (\$162,675.04), and

WHEREAS, additional services are also proposed for the same amendment associated with design and contracting of the demolition of the existing railroad bridge to make way for the new Lightline trail bridge component of Connect CR valued at \$106,737, and

WHEREAS, the Public Works Department recommends approval of Amendment 7 with WSP USA, Inc in the net deduct amount of \$55,938.04,

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. 7 to the engineering consultant agreement with WSP USA, Inc. to deduct the amount of \$55,938.04 for the ConnectCR Project Implementation (327001-01). A summary of the contract amendments for this contract is as follows:

Original Contract Amount:	\$1,268,461
Amendment No. 1	\$24,860
Amendment No. 2	\$327,850
Amendment No. 3	\$1,052,691.72
Amendment No. 4	\$0
Amendment No. 5	\$0
Amendment No. 6	\$0
Amendment No. 7	(\$55,938.04)
	<hr/>
Amended Contract Amount	\$2,617,924.68

General ledger coding for this amendment to be as follows:

Fund 327, Dept ID 327000, Project 327001	(\$55,938.04)
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PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 3 in the amount of \$70,397.46 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW project (original contract amount was \$8,852,304; total contract amount with this amendment is \$8,973,203.24).  
 CIP/DID #3312510-30

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Item 8006: An abandoned fuel tank was discovered while excavating the wall footing. After direction from the engineer, the tank was properly transported and disposed of at a local steel scrap yard.
- WCD #4-Item 8007-8020: All the items are associated with ITC #1, #2, & #3. The post bid water and storm sewer changes are due to not being incorporated in the initial design.
- Item 8020: The mast arm lengths were extended 5 LF.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 3 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Iowa Flood Mitigation Funds

**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 in the amount of \$70,397.46 with Boomerang Corp. for the 1st Street NW/SW Flood Control System from E Avenue NW to 2nd Avenue SW, Contract No. 3312510-30. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$8,817,304.00
Original Incentive Value	35,000.00
Change Order No. 1	17,301.81
Change Order No. 2	33,199.97
Change Order No. 3	<u>70,397.46</u>
Amended Contract Amount	\$8,973,203.24

General ledger coding for this Change Order to be as follows: \$70,397.46 331-331100-7972-33312510

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Authorizing execution of Change Order No. 18 in the amount of \$147,465.40 with Boomerang Corp. for the 6th Street SW from 33rd Avenue to Wilson Avenue Pavement, Sidewalk and Water Main Improvements project (original contract amount was \$6,684,495.60; total contract amount with this amendment is \$8,407,861.51) **(Paving For Progress)**.

CIP/DID #301695-03

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Item 162: Various additional areas damaged by utility relocation work as well as project related work required restoration with sod to blend into existing yards.
- WCD #18: Item 8057 & 127: Additional full depth pavement patching was necessary to repair the existing pavement before the asphalt surfacing could be placed. This item reflects the additional cost for full depth patches above and beyond the original quantity.
- Item 8058: At the southwest corner of 6<sup>th</sup> St & Wilson Ave, Alliant Energy, MidAmerican Energy, Lumen and possibly other fiber utilities were in direct conflict with the proposed new storm sewer installation. The conflicts were significant enough that they had to be resolved before the storm sewer could be installed. Several utilities had to coordinate to relocate their infrastructure, which took about 2 weeks to complete.
- Items 99 & 92: The plan elevations of structures 60 & 61 were too low, creating unsafe slopes next to the adjacent Evergreen driveway and sidewalk. Minor adjustments were necessary to achieve more manageable slopes.
- Items 26, 92, 103, 180 & 8059: Existing topography created drainage issues at the intersection of 6<sup>th</sup> St & 27<sup>th</sup> Ave that resulted in storm water ponding. Two area intakes were added at the edge of the southwest and northwest radii to facilitate positive drainage of the intersection. A sawing subcontractor mobilized to the jobsite to cut the adjacent intake to make the connection.
- Item 8, 112, 131, 180: Existing topography created drainage issues at the Washmohr Car Wash parking lot that resulted in storm water ponding near Structure 45. Structure 45 was lowered, and additional parking lot was replaced to facilitate positive drainage to Structure

45. A Sawing subcontractor remobilized to the jobsite to cut the adjacent intake and pavement.

- Item 7, 106, 112, 131, 180: Additional parking lot pavement removal and replacement and curb and gutter at Altorfer's was necessary due to the irregular elevation and flow of the existing parking lot and to ensure proper drainage of storm water from the adjacent parking lot area. A sawing subcontractor remobilized to the jobsite to cut the adjacent pavement. The setup crew had to take down the curb and gutter forms after discovering the drainage issues and demobilized the area while additional pavement removals could be coordinated and completed. The setup crew remobilized after the additional pavement was removed to re-setup the curb and gutter forms to complete the work.
- Item 8060: Turning truck traffic cracked several recently replaced curb ramps. During replacement, reinforcement was added to the pedestrian ramps for added durability.
- Item 179: Additional construction survey was needed due to the redesign of wall #3, staking for utility conflicts with wall #1, plan revisions to the curb alignment on the northwest and southwest corners of 6<sup>th</sup> St & Wilson Ave, to proposed plans at Hometown Auto and re-staking of Hometown Auto parking lot.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 18 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301-301000-301695 SLOST; 301-301000-301695 NA; 625-625000-6250051-2015074 NA; 655-655000-655999 NA

**Local Preference Policy:** No

**Explanation:** Code of Iowa applies for public improvement projects.

**Recommended by Council Committee:** Yes

**Explanation:** Previously approved by Infrastructure Committee

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. 18 the amount of \$147,465.40 with Boomerang Corp. for the 6th Street SW from 33rd Avenue to Wilson Avenue Pavement, Sidewalk and Water Main Improvements, Contract No. 301695-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$6,557,495.60
Original Incentive Value	127,000.00
Change Order No. 1	33,120.00
Change Order No. 2	(3,950.10)
Change Order No. 3	108,941.00
Change Order No. 4	36,781.84
Change Order No. 5	30,554.65
Change Order No. 6	132,824.20
Change Order No. 7	142,345.60
Change Order No. 8	7,773.59
Change Order No. 9	13,681.00
Change Order No. 10	300,821.58
Change Order No. 11	1,640.00
Change Order No. 12	5,597.16
Change Order No. 13	1,061.00
Change Order No. 14	65,058.51
Change Order No. 15	399,276.01
Change Order No. 16	192,550.05
Change Order No. 17	107,824.42
Change Order No. 18	<u>147,465.40</u>
Amended Contract Amount	\$8,407,861.51

General ledger coding for this Change Order to be as follows: \$111,163.25 301-301000-7970-301695; \$36,248.15 301-301000-30185-301695; \$54 625-625000-6250051-6252015074

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



**6TH STREET SW PAVEMENT REHABILITATION AND WATER  
MAIN IMPROVEMENTS FROM 33<sup>RD</sup> AVENUE TO WILSON  
AVENUE**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 6 in the amount of \$4,413 with Boomerang Corp. for the 8th Avenue SW from 15th Street to Rockford Road Improvements project (original contract amount was \$2,834,118; total contract amount with this amendment is \$3,285,677.04). **(Paving for Progress)**.

CIP/DID #3012101-04

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 6 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301-301000-3012101 SLOST; 625-625000-6250051-2016061 NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** Yes

**Explanation:** Approved Paving for Progress project.

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$4,413 with Boomerang Corp. for the 8th Avenue SW from 15th Street to Rockford Road Improvements, Contract No. 3012101-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,784,118.00
Original Incentive Value	50,000.00
Change Order No. 1	68,476.49
Change Order No. 2	226,104.55
Change Order No. 3	64,965.22
Change Order No. 4	26,254.51
Change Order No. 5	61,345.27
Change Order No. 6	<u>4,413.00</u>
Amended Contract Amount	\$3,285,677.04

General ledger coding for this Change Order to be as follows: \$4,413.00 301-301000-7970-3012101

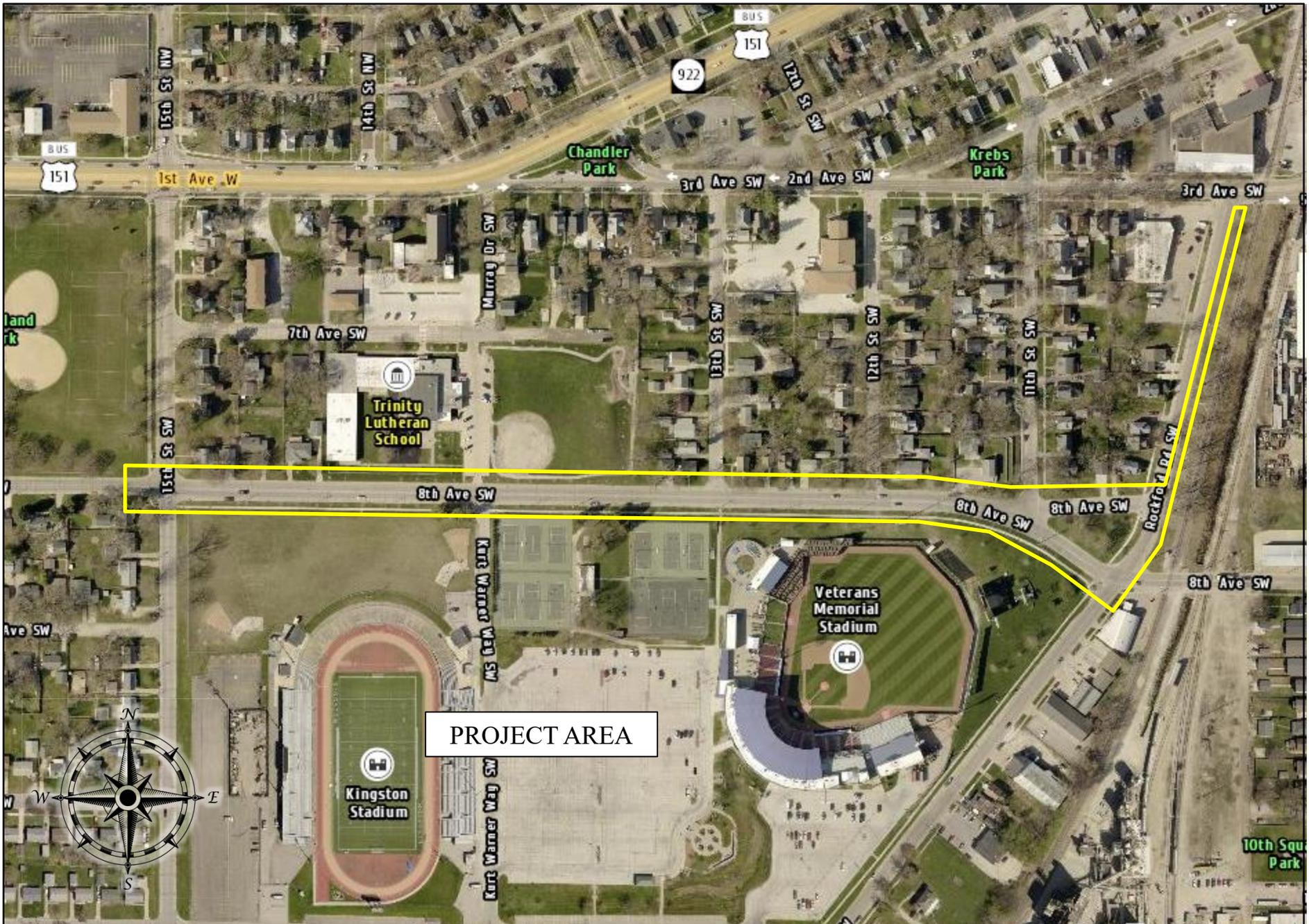
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MayorSignature

Attest:

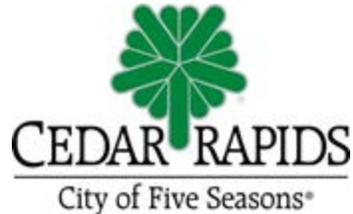
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PROJECT AREA



# 8<sup>TH</sup> AVENUE SW FROM 15<sup>TH</sup> STREET TO ROCKFORD ROAD IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 3 in the amount of \$9,630.75 with Boomerang Corp. for the Czech Village 12th Avenue SW Detention Basin project (original contract amount was \$1,873,929; total contract amount with this amendment is \$1,965,968.29).  
 CIP/DID #3313520-62

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- WCD #4-Item 8018: Excavation and disposal of large concrete chunks while excavating the detention basin.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 3 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** Iowa Flood Mitigation Funds (detention basin), General Obligation bonds (14<sup>th</sup> Avenue SW cul-de-sac)

**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 in the amount of \$9,630.75 with Boomerang Corp. for the Czech Village 12th Avenue SW Detention Basin, Contract No. 3313520-62. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,873,929.00
Change Order No. 1	50,111.14
Change Order No. 2	32,297.40
Change Order No. 3	<u>9,630.75</u>
Amended Contract Amount	\$1,965,968.29

General ledger coding for this Change Order to be as follows: \$9,630.75 331-331100-7972-3313520

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 5 in the amount of \$38,434.25 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector project (original contract amount was \$6,357,840.10; total contract amount with this amendment is \$6,533,167.42) **(Paving for Progress)**.

CIP/DID #301963-03

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Added three long side water services
- Added 12-inch gate valve at the UPRR crossing along the proposed 6<sup>th</sup> St NW alignment.
- Added blowoff device at the UPRR crossing along the proposed 6<sup>th</sup> St NW alignment.
- Quantity overruns based upon additional work required and authorized by the Project Engineer.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 5 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301963 SLOST 625/625000/625884/2018059 301987

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$38,434.25 with Boomerang Corp. for the Ellis Boulevard and 6th Street NW Connector, Contract No. 301963-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$6,357,840.10
Change Order No. 1	34,794.89
Change Order No. 2	7,305.32
Change Order No. 3	11,737.55
Change Order No. 4	83,055.31
Change Order No. 5	<u>38,434.25</u>
Amended Contract Amount	\$6,533,167.42

General ledger coding for this Change Order to be as follows: \$4,668 301-301000-30187-301963; \$33,766.25 625-625000-625884-6252018059

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



PROJECT AREAS



# ELLIS BOULEVARD AND 6<sup>TH</sup> STREET NW CONNECTOR PROJECT



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Authorizing execution of Change Order No. 17 in the amount of \$29,213.05 with Boomerang Corp. for the Oakland Road NE and Old Marion Road NE from Center Street to Regent Street Pavement Reconstruction project (original contract amount was \$4,848,174.70; total contract amount with this amendment is \$5,551,377.96). **(Paving For Progress)**  
CIP/DID #3012148-08

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- WCD #11: Item 8026: During placement of water main, it was discovered that the existing water main locates were incorrect and that the existing water main in fact was about 10 feet east of where it was expected to be. The water division had difficulty accurately locating the water main, so Boomerang was asked to expose the existing water main as they installed the new main. During this process, the existing water main took an unexpected turn and was hit by the excavator, causing a water main break. A pipe laser was lost due to the break as well as some other equipment.
- Item 13, 15, 8022 & 8023: It was discovered during installation of the new storm sewer that the new storm sewer conflicted with existing sanitary sewer services at many locations. Per CR supplement to SUDAS specification 1040-1.06, allowances for adjustment of unit prices for quantities in excess of 125% of the total bid can be made if the character of the work or the unit costs thereof are materially changed due to unforeseen events.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 17 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/3010000/3012148 SLOST; 625/6250000/6250051-2016065 NA;  
655/6550000/6550074 NA

**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. 17 in the amount of \$29,213.05 with Boomerang Corp. for the Oakland Road NE and Old Marion Road NE from Center Street to Regent Street Pavement Reconstruction, Contract No. 3012148-08. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$4,748,174.70
Original Incentive Value	100,000.00
Change Order No. 1	10,474.00
Change Order No. 2	154,166.99
Change Order No. 3	7,917.00
Change Order No. 4	34,750.00
Change Order No. 5	16,671.84
Change Order No. 6	7,923.02
Change Order No. 7	43,910.94
Change Order No. 8	35,635.96
Change Order No. 9	30,582.99
Change Order No. 10	40,975.07
Change Order No. 11	35,108.62
Change Order No. 12	138,661.72
Change Order No. 13	64,572.06
Change Order No. 14	21,336.56
Change Order No. 15	15,044.00
Change Order No. 16	16,259.44
Change Order No. 17	<u>29,213.05</u>
Amended Contract Amount	\$5,551,377.96

General ledger coding for this Change Order to be as follows: \$23,642.53 301-301000-7970-3012148; \$5,570.52 625-625000-6250051-6252016065

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



2021 Construction

2022 Construction



**OAKLAND ROAD NE AND OLD MARION ROAD NE FROM  
CENTER STREET TO REGENT STREET  
PAVEMENT RECONSTRUCTION**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 13 in the amount of \$18,731.86 with Boomerang Corp. for the Shaver Road NE - Bridge and Floodwall Construction project (original contract amount was \$6,662,890.20; total contract amount with this amendment is \$7,334,420.92).  
 CIP/DID #3314510-51

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Item 73: An SW-502 and SW-512 were removed from the project and replaced with SW 505.
- Item 128: The measured area of the bridge approach was larger than the plan quantity.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 13 submitted by Boomerang Corp.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** GO Bonds

**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. 13 in the amount of \$18,731.86 with Boomerang Corp. for the Shaver Road NE - Bridge and Floodwall Construction, Contract No. 3314510-51. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$6,617,890.20
Original Incentive Value	45,000.00
Change Order No. 1	9,405.00
Change Order No. 3	30,000.00
Change Order No. 3	423,759.46
Change Order No. 4	6,989.72
Change Order No. 5	99,890.00
Change Order No. 6	1,560.00
Change Order No. 7	23,037.72
Change Order No. 8	2,674.70
Change Order No. 9	2,970.00
Change Order No. 10	928.00
Change Order No. 11	30,719.38
Change Order No. 12	20,864.88
Change Order No. 13	<u>18,731.86</u>
Amended Contract Amount	\$7,334,420.92

General ledger coding for this Change Order to be as follows: \$18,571.86 331-331100-33101-3314510; \$160 625-625000-6250092-6252019073

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

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

Authorizing execution of Change Order No. 7 deducting the amount of \$1,464.05 with BWC Excavating, LC for the Center Point Road NE from Coe Road to Lincoln Avenue Reconstruction and One-Way to Two-Way Conversion project (original contract amount was \$2,968,311.55; total contract amount with this amendment is \$3,129,972.54) **(Paving for Progress)**.  
CIP/DID #3012094-07

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- WCD #2 Revised:
- Item 8004: An existing tree stump was in the ROW within the project limits. To achieve an aesthetically pleasing appearance post final grading, the stump needed to be ground. It could not be removed due to the presence of existing utilities within the root system.
- Item 8005: Two trees in front of 620/622 Center Point Road NE require removal due to damage to the root systems during installation of new water services and storm sewer. Includes stump removal.
- Item 8006: An existing handhole that houses both JCN and Verizon fibers was in the way of proposed storm sewer improvements and required relocation. The handhole needed to be relocated to between the ROW and sidewalk, which required several feet of each fiber in each direction to be exposed and re-laid to accommodate the handhole relocation.
- Item 8007: An existing abandoned 4-inch water service stub and valve were discovered while installing storm pipe #4 in front of A & D Auto. This existing valve and service stub were leaking and required repair.
- Item 8008: The new 24-inch water main west of Center Point Rd NE on F Ave NE had to be raised because as designed it was in conflict with the sanitary sewer service to North Point. As a result, the new 24-inch water main is shallower than expected. Insulation is necessary to protect the water main from freezing until full water main flow is achieved after the next Center Point Rd project from Lincoln to J Ave.
- Item 8009: During excavation of the bore pit north of CN Railroad for the 24-inch water main, it was discovered that the existing water service to 748 Center Point Rd NE (Hometown Auto) was in direct conflict with the shoring required in the bore pit. The water

service had to be completely replaced because it was lead and lowered to avoid the conflict with the bore pit shoring.

- Item 8010: During placement of new 24-inch water main starting at Lincoln Ave NE and moving south, it was discovered the existing water main was cracked in at least one spot and one valve was leaking profusely which negatively impacted the quality of the excavated trench material as well as the trench foundation material. It was also discovered that the existing water services to the residences on the east side of Center Point Rd NE were lead and in conflict with the new water main at the design elevation. It is reasonable to expect that the existing water services to the north would also be in conflict with the proposed 24-inch water main on the next project, so it was decided to lower the new water main 1.5 feet to avoid the conflict with those services and those within the project limits on this contract. Lowering the water main also slowed the placement of new water main due to excessive ground water and significant water introduced to the trench due to existing leaking water valve and cracked existing water main. This item covers the removal and replacement of newly placed water main and fittings, additional pumps and piping to remove excessive groundwater and leaking water main water, and additional Class 10 excavation to place the water main lower than design elevation.
- Item 8011: After the 24" x 12" cross was installed at Center Point Rd NE & F Ave E it was discovered that the existing 12" water main was in conflict with the new water main and that the HDPE fittings needed for Cathodic Protection of the new water main were not identified in the contract documents. Removal and replacement of the 24" x 12" cross and associated water main was necessary to adjust the new water main to avoid the existing 12" water main that needed to remain in service until the new water main passed inspection and to install the HDPE fittings.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 7 submitted by BWC Excavating, LC.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/3010000/3012094 SLOST; 625/6250000/6250051-2017023 NA

**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. 7 deducting the amount of \$1,464.05 with BWC Excavating, LC for the Center Point Road NE from Coe Road to Lincoln Avenue Reconstruction and One-Way to Two-Way Conversion, Contract No. 3012094-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,948,311.55
Original Incentive Value	20,000.00
Change Order No. 1	4,925.00
Change Order No. 2	809.75
Change Order No. 3	7,479.15
Change Order No. 4	58,106.64
Change Order No. 5	27,997.90
Change Order No. 6	63,806.60
Change Order No. 7	<u>(1,464.05)</u>
Amended Contract Amount	\$3,129,972.54

General ledger coding for this Change Order to be as follows: (\$1,464.05) 301-301000-7970-3012094

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



PROJECT AREA



**Center Point Road NE from Coe Road to  
Lincoln Avenue Reconstruction and One-Way  
to Two-Way Conversion**



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 7 in the amount of \$13,031 with Dave Schmitt Construction Co., Inc. for the Trail Ridge Road SE from Red Fox Road to Indiandale Road project (original contract amount was \$1,334,501.10; total contract amount with this amendment is \$1,406,606.70) **(Paving for Progress)**.  
 CIP/DID #3012291-02

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- WCD #6: Item 8011: During installation of Intake 15, existing storm sewer was discovered to the east of the new intake. This storm sewer was connected to Intake 15 to maintain storm water flow.
- WCD #7: Item 8012: During installation of 36-inch storm sewer in front of 3856 Trail Ridge Rd SE, a conflict between the proposed storm sewer and the existing water service was discovered. The crew had to dig back along the water service in order to lower it below the proposed storm sewer.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 7 submitted by Dave Schmitt Construction Co., Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012291 SLOST

**Local Preference Policy:** NA  
**Recommended by Council Committee:** NA

**Explanation:** 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. 7 in the amount of \$13,031 with Dave Schmitt Construction Co., Inc. for the Trail Ridge Road SE from Red Fox Road to Indiandale Road, Contract No. 3012291-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,334,501.10
Change Order No. 1	4,062.40
Change Order No. 2	8,958.00
Change Order No. 3	6,056.46
Change Order No. 4	10,884.90
Change Order No. 5	7,792.50
Change Order No. 6	21,320.34
Change Order No. 7	<u>13,031.00</u>
Amended Contract Amount	\$1,406,606.70

General ledger coding for this Change Order to be as follows: \$13,031 301-301000-7970-3012291

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

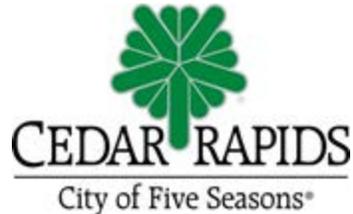
MayorSignature

Attest:

ClerkSignature



## TRAIL RIDGE ROAD SE FROM RED FOX ROAD TO INDIANDALE ROAD



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 6 Final deducting the amount of \$188,075.83 with Eastern Iowa Excavating & Concrete, LLC for the Cottage Grove Avenue SE Improvements from Forest Drive to 34th Street project (original contract amount was \$1,699,653.35; total contract amount with this amendment is \$1,736,679.36). **(Paving for Progress)**  
 CIP/DID #3012286-04

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 6 Final submitted by Eastern Iowa Excavating & Concrete, LLC.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012286 SLOST

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 Final deducting the amount of \$188,075.83 with Eastern Iowa Excavating & Concrete, LLC for the Cottage Grove Avenue SE Improvements from Forest Drive to 34th Street, Contract No. 3012286-04. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,699,653.35
Change Order No. 1	55,086.99
Change Order No. 2	2,518.00
Change Order No. 3	47,266.91
Change Order No. 4	119,211.30
Change Order No. 5	1,018.64
Change Order No. 6 Final	<u>(188,075.83)</u>
Amended Contract Amount	\$1,736,679.36

General ledger coding for this Change Order to be as follows: (\$170,630.83) 301-301000-7970-3012286; (\$14,025) 625-625000-6250051-6252019081; (\$3,420) 655-655000-65585-6550043

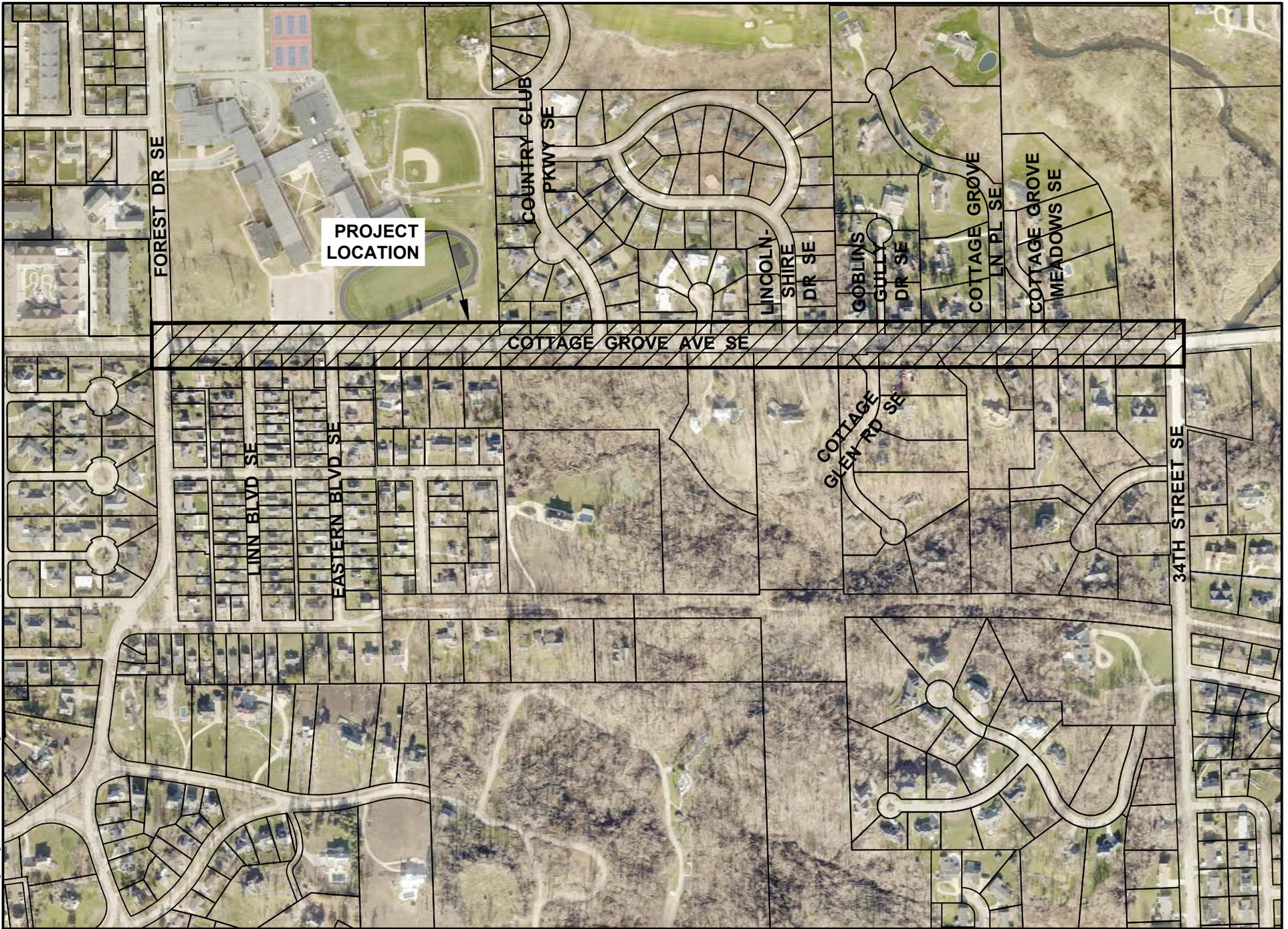
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LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



**COTTAGE GROVE AVENUE SE IMPROVEMENTS  
FOREST DRIVE TO 34TH STREET**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 7 in the amount of \$1,132.50 with Peterson Contractors, Inc. for the McCloud Run East Floodwall Construction project (original contract amount was \$1,438,510.45; total contract amount with this amendment is \$1,569,483.63).  
 CIP/DID #3314510-52

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 7 submitted by Peterson Contractors, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 3314510 – GO Bonds (Shaver Road); 3312410 – Iowa Flood Mitigation Bonds (Amphitheater)

**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. 7 in the amount of \$1,132.50 with Peterson Contractors, Inc. for the McCloud Run East Floodwall Construction, Contract No. 3314510-52. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$1,425,010.45
Original Incentive Value	13,500.00
Change Order No. 1	32,895.50
Change Order No. 2	37,156.00
Change Order No. 3	11,418.00
Change Order No. 4	31,458.49
Change Order No. 5	12,252.70
Change Order No. 6	4,659.99
Change Order No. 7	<u>1,132.50</u>
Amended Contract Amount	\$1,569,483.63

General ledger coding for this Change Order to be as follows: \$1,132.50 331-331100-33101-3314510

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 7 in the amount of \$28,316.05 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements project (original contract amount was \$3,066,077.50; total contract amount with this amendment is \$3,686,499.43).  
 CIP/DID #301987-03

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Added 199.39 SY of additional brick pavers on the NW side of 1<sup>st</sup> Ave W and 3<sup>rd</sup> St in order to adjust the finished grade elevations and achieve positive drainage.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 7 submitted by Pirc-Tobin Construction, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301987, NA; 306286, NA; 625824-2020070; 665300; 3312510, IFM

**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. 7 in the amount of \$28,316.05 with Pirc-Tobin Construction, Inc. for the 1st Avenue W from 6th Street to 1st Street Pavement Rehabilitation and Traffic Signal Improvements, Contract No. 301987-03. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,006,077.50
Original Incentive Value	60,000.00
Change Order No. 1	67,531.88
Change Order No. 2	156,783.39
Change Order No. 3	70,179.69
Change Order No. 4	79,987.49
Change Order No. 5	109,355.60
Change Order No. 6	108,267.83
Change Order No. 7	<u>28,316.05</u>
Amended Contract Amount	\$3,686,499.43

General ledger coding for this Change Order to be as follows: \$28,316.05 301-301000-30185-301987

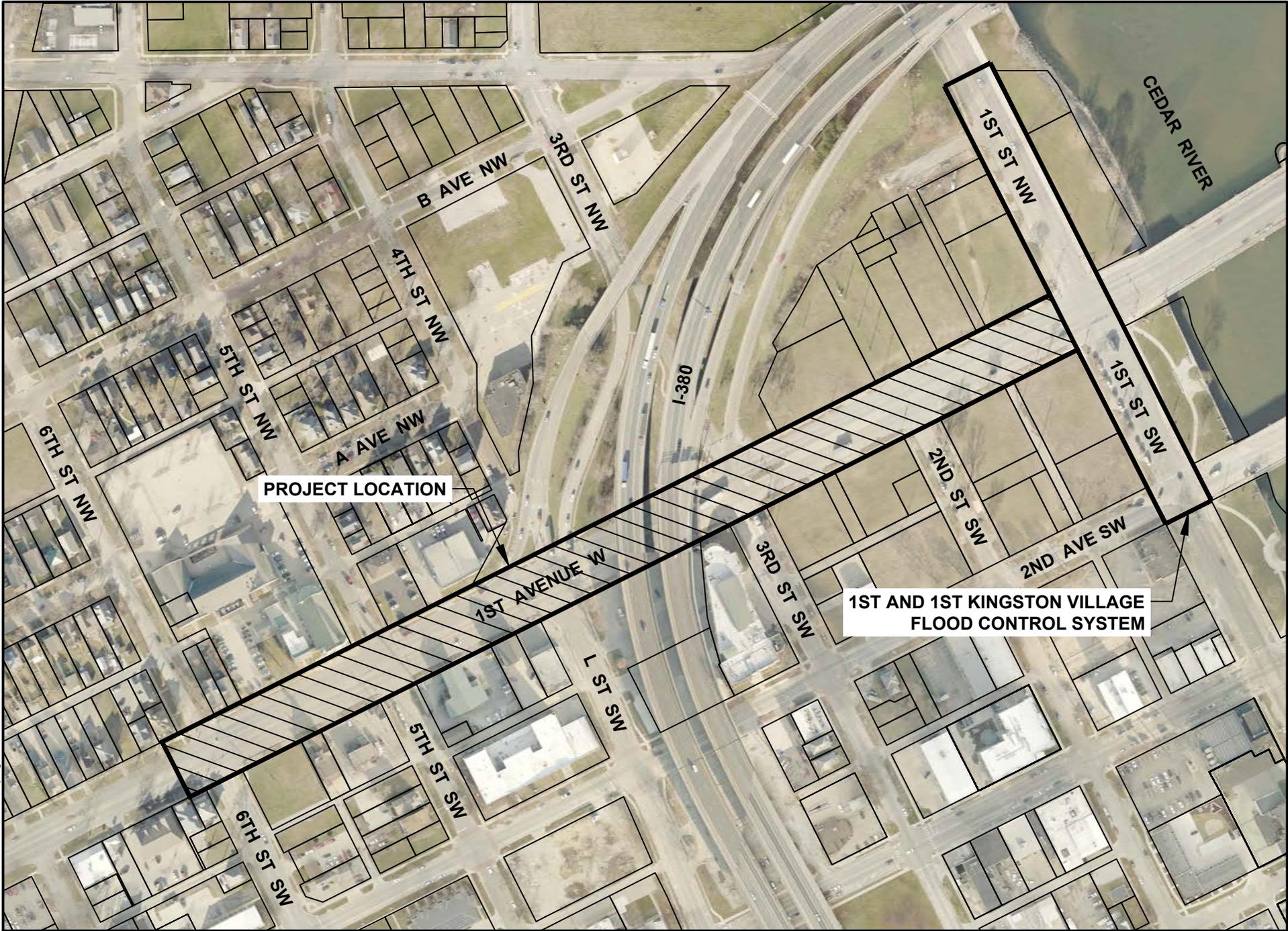
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LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



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**1ST AVENUE W FROM 6TH STREET TO 1ST STREET  
 PAVEMENT REHABILITATION AND TRAFFIC SIGNAL IMPROVEMENTS**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 2 in the amount of \$14,351.52 with Pirc-Tobin Construction, Inc. for the 2022 Collins Road and Northland Avenue NE Median Improvements project (original contract amount was \$242,504.13; total contract amount with this amendment is \$279,933.86).

CIP/DID #301885-01

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 2 submitted by Pirc-Tobin Construction, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301885, NA

**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. 2 in the amount of \$14,351.52 with Pirc-Tobin Construction, Inc. for the 2022 Collins Road and Northland Avenue NE Median Improvements, Contract No. 301885-01. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$242,504.13
Change Order No. 1	23,078.21
Change Order No. 2	<u>14,351.52</u>
Amended Contract Amount	\$279,933.86

General ledger coding for this Change Order to be as follows: \$14,351.52 301-301000-30185-301885

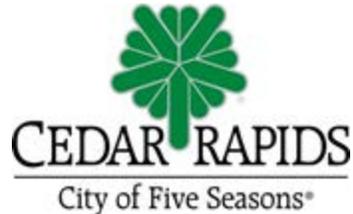
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MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 2 in the amount of \$432 with Pirc-Tobin Construction, Inc. for the Cedar River Trail SE Reconstruction, CRANDIC Railroad to 16th Avenue project (original contract amount was \$655,010.05; total contract amount with this amendment is \$753,329.57).  
 CIP/DID #3316510-72

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 2 submitted by Pirc-Tobin Construction, Inc.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** GO Bonds

**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. 2 in the amount of \$432 with Pirc-Tobin Construction, Inc. for the Cedar River Trail SE Reconstruction, CRANDIC Railroad to 16th Avenue, Contract No. 3316510-72. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$640,010.05
Original Incentive Value	15,000.00
Change Order No. 1	97,887.52
Change Order No. 2	<u>432.00</u>
Amended Contract Amount	\$753,329.57

General ledger coding for this Change Order to be as follows: \$432 331-331100-33101-3316510

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Authorizing execution of Change Order No. 5 in the amount of \$22,521.89 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements project (original contract amount was \$500,925.14; total contract amount with this amendment is \$685,874.16).

CIP/DID #3315510-67

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- WCD #3 Item 8016: A new traffic signal base that was planned on future project was added to the southeast corner of the intersection so brick pavers, sidewalk and curb ramps completed on the current project would not have to be removed on the future project.
- WCD #4 Item 8017: During installation of Intake 4 and Pipe C it was discovered that Intake 4 needed to be moved to facilitate ADA compliance of the handicap parking stall and loading zone. The intake box, 3 sections of storm sewer pipe and some granular backfill had to be removed and re-laid to accommodate the changes.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 5 submitted by Rathje Construction Co.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** CIP No. 3315510 – \$415,000 General Obligation Bonds

**Local Preference Policy:** NA

**Explanation: NA**

**Recommended by Council Committee: NA**

**Explanation: NA**

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 5 in the amount of \$22,521.89 with Rathje Construction Co. for the 1st Avenue E and 1st Street NE Temporary Traffic Signal and Pavement Improvements, Contract No. 3315510-67. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$495,925.14
Original Incentive Value	5,000.00
Change Order No. 1	1,925.38
Change Order No. 2	150,686.75
Change Order No. 3	1,400.00
Change Order No. 4	8,415.00
Change Order No. 5	<u>22,521.89</u>
Amended Contract Amount	\$685,874.16

General ledger coding for this Change Order to be as follows: \$22,521.89 331-331100-33101-3315510

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Orders No. 10 in the amount of \$1,500 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project (original contract amount was \$3,910,292.97; total contract amount with this amendment is \$4,392,076.63).  
 CIP/DID #325069-07

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- After placement of the new HMA trail it was discovered that the new trail elevation was at or slightly above some of the basement windows of the adjacent apartment complex south of the trail at 235 Shelly Ln NW. The yard does appear to drain very slowly to the east. Since the slope of the existing yard was very gradual, and it's possible that the trail elevation has restricted drainage to the north, an SW-512 area intake was added at the low point on the east end of the yard and connected to existing storm sewer to promote faster drainage of the area.

**Action/Recommendation:** The Public Works Department recommends approval of Change Orders No. 10 submitted by Rathje Construction Co.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012384  
 325/325000/325069  
 625/625000/625884-6252040

655/655000/6550099

The Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW project is being awarded prior to the adoption of the FY23 budget and FY23 funding is being committed with this award.

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** 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. 10 in the amount of \$1,500 with Rathje Construction Co. for the Cherokee Trail (Phase 2B) from Cherry Hill Park to Sharon Lane, Along Gordon Avenue through Cherokee Park to Midway Drive NW, Contract No. 325069-07. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$3,910,292.97
Change Order No. 1	60,280.00
Change Order No. 2	.00
Change Order No. 3	249,331.10
Change Order No. 4	20,405.48
Change Order No. 5	31,673.84
Change Order No. 6	105,947.84
Change Order No. 7	10,487.73
Change Order No. 8	73.32
Change Order No. 9	2,084.35
Change Order No. 10	<u>1,500.00</u>
Amended Contract Amount	\$4,392,076.63

General ledger coding for these Change Orders to be as follows: \$1,500 325-325000-32586-325069

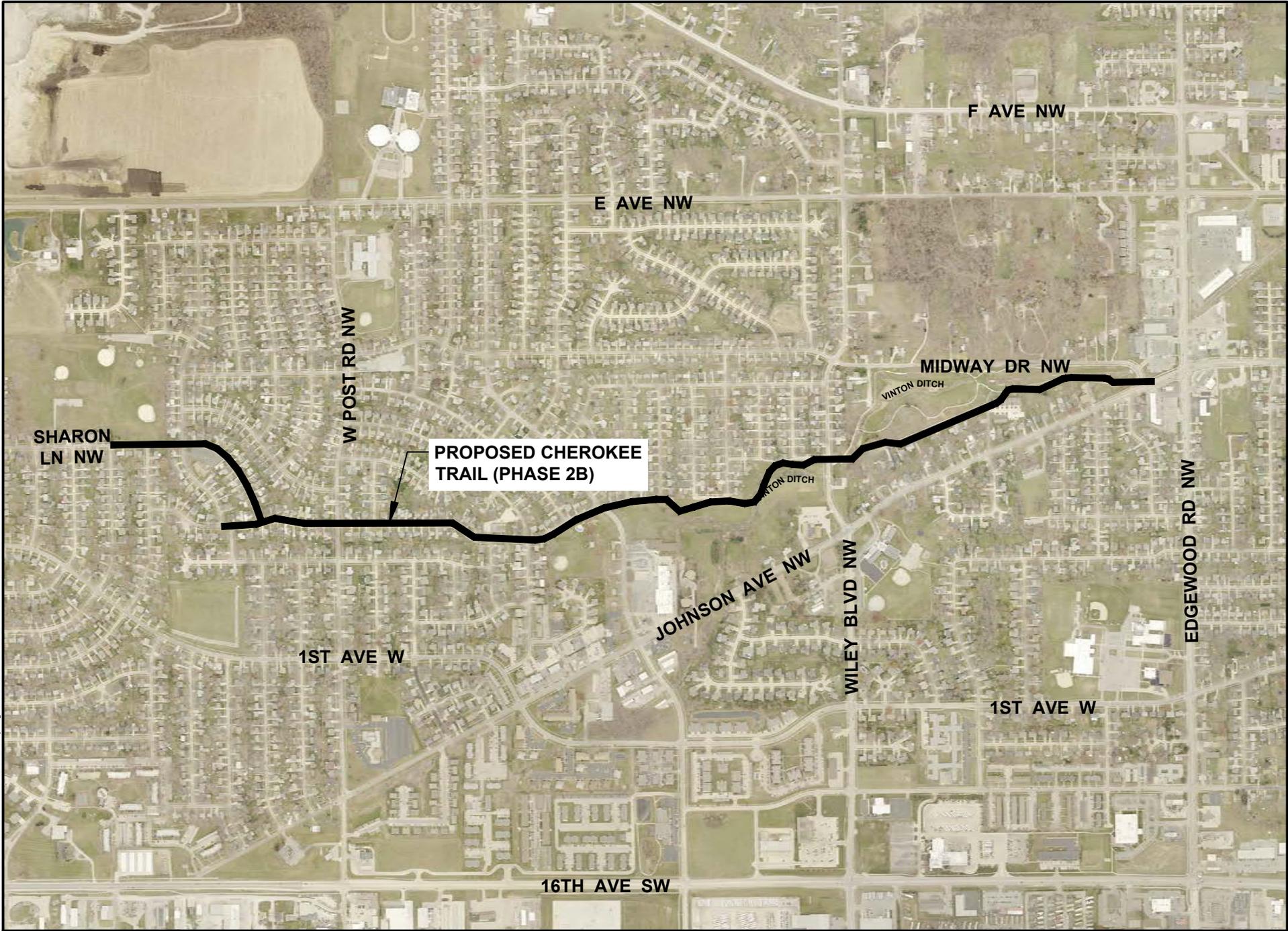
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MayorSignature

Attest:

ClerkSignature



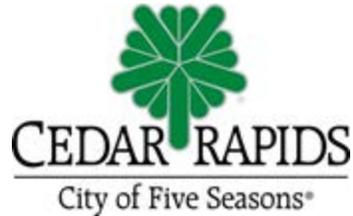
**PROPOSED CHEROKEE TRAIL (PHASE 2B)**



**CHEROKEE TRAIL (PHASE 2B)  
FROM CHERRY HILL PARK TO SHARON LANE, ALONG GORDON AVENUE,  
THROUGH CHEROKEE PARK TO MIDWAY DRIVE NW**



Cadd File Name: W:\PROJECTS\CIP\325069 Cherokee Trail\325069 Council Map.dwg



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Brenna Fall, PE

**Contact Person:** Bob Hammond **Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** Purchases, contracts and agreements  
 Authorizing execution of Change Order No. 6 in the amount of \$83,581.47 with Tschiggfrie Excavating Co. for the Lindale Trail Phase 1 From Council Street to East of C Avenue NE project (original contract amount was \$2,553,646.76; total contract amount with this amendment is \$2,775,203.87).  
 CIP/DID #325071-02

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

**Background:** This is a contract change order to adjust the contract price based on the actual quantities of completed work and additional work based on contractor quotes reviewed and accepted based on the scope of work. The unit prices remain the same as originally bid and the contract price is adjusted in accordance with the provisions specified in the terms and conditions.

- Increased pavement areas due to private utility conflicting with proposed improvements. Additional pavement removal and replacement was required to relocate buried fiber optic utilities.

**Action/Recommendation:** The Public Works Department recommends approval of Change Order No. 6 submitted by Tschiggfrie Excavating Co.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 325/325000/325071 NA, DOT STIP and TAP Grants

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager is authorized to sign Change Order No. 6 in the amount of \$83,581.47 with Tschiggfrie Excavating Co. for the Lindale Trail Phase 1 From Council Street to East of C Avenue NE, Contract No. 325071-02. A cost summary of the contract changes for this project is as follows:

Original Contract Amount	\$2,553,646.76
Change Order No. 1	21,706.24
Change Order No. 2	21,827.50
Change Order No. 3	14,942.36
Change Order No. 4	45,237.22
Change Order No. 5	34,262.32
Change Order No. 6	<u>83,581.47</u>
Amended Contract Amount	\$2,775,203.87

General ledger coding for this Change Order to be as follows: \$66,658.67 325-325000-325086-325071; \$16,922.80 325-325000-32585-325071

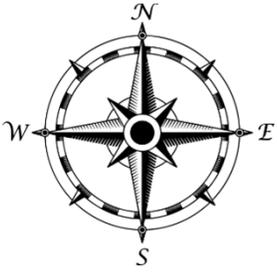
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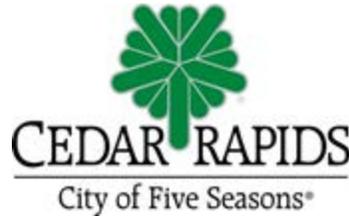
MayorSignature

Attest:

ClerkSignature



## Lindale Trail Phase 1



## Council Agenda Item Cover Sheet

**Submitting Department:** Development Services Department

**Presenter at meeting:** Tyrell Gingerich

**Contact Person:** Caleb Mason

**Cell Phone Number:** 319-521-5188

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

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

Resolution accepting a Warranty Deed with Acquisition plat for the dedication of street right-of-way along the east side of Sunshine Street SW located south of Old River Road SW and east of C Street SW, from owner Karen R. Pence.

CIP/DID #PLSV-033458-2022

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

**Background:** As a condition of Plat of Survey No. 2687 approval the City requires a 30' half-width right-of-way dedication of Sunshine Street SW adjacent to Plat of Survey No. 2687 requested by Karen R. Pence.

**Action/Recommendation:** The Development Services Department recommends accepting the additional right-of-way as required by the Subdivision Ordinance.

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

**Time Sensitivity:** NA

**Resolution Date:** January 10, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

Location Map:



Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the Owner submitted Plat of Survey No. 2687 for property located at the southeast corner of Old River Road SW & Sunshine Street SW, and

WHEREAS, it was determined that pursuant to Chapter 31.01(d)3.D. of City Code additional right-of-way dedication was needed prior to Plat of Survey approval, and

WHEREAS, Karen R. Pence is the current owner of said adjacent land, and has submitted to the City the following executed documents for right-of-way dedication adjacent to her property and along Sunshine Street SW:

1. Warranty Deed with Acquisition Plat for Sunshine Street SW right-of-way dedication.

WHEREAS, the Warranty Deed with Acquisition Plat 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, the Warranty Deed with Acquisition Plat, noted above be and the same are hereby accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10<sup>th</sup> day of January, 2023.

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,455 and accepting a temporary construction easement from Eighteen Eighteen, LLC from land located at 1818 Blairs Ferry Road NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

CIP/DID #301878-00

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

**Background:** In a previous fiscal year, the City Council approved funding towards the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

The easement is required to accommodate the proposed Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,455 and accepting a Temporary Construction Easement from Eighteen Eighteen, LLC.

**Alternative Recommendation:** Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301878

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Eighteen Eighteen, LLC, 1818 Blairs Ferry Road NE, Cedar Rapids, Iowa 52402, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary construction easement at 1818 Blairs Ferry Road NE to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$1,455
TOTAL	<u>\$1,455</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project (Fund 301, Dept. ID 301000, Project 301878),

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 Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Construction Easement are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED\_DAY\_TAG

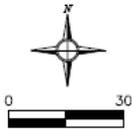
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MayorSignature

Attest:

ClerkSignature

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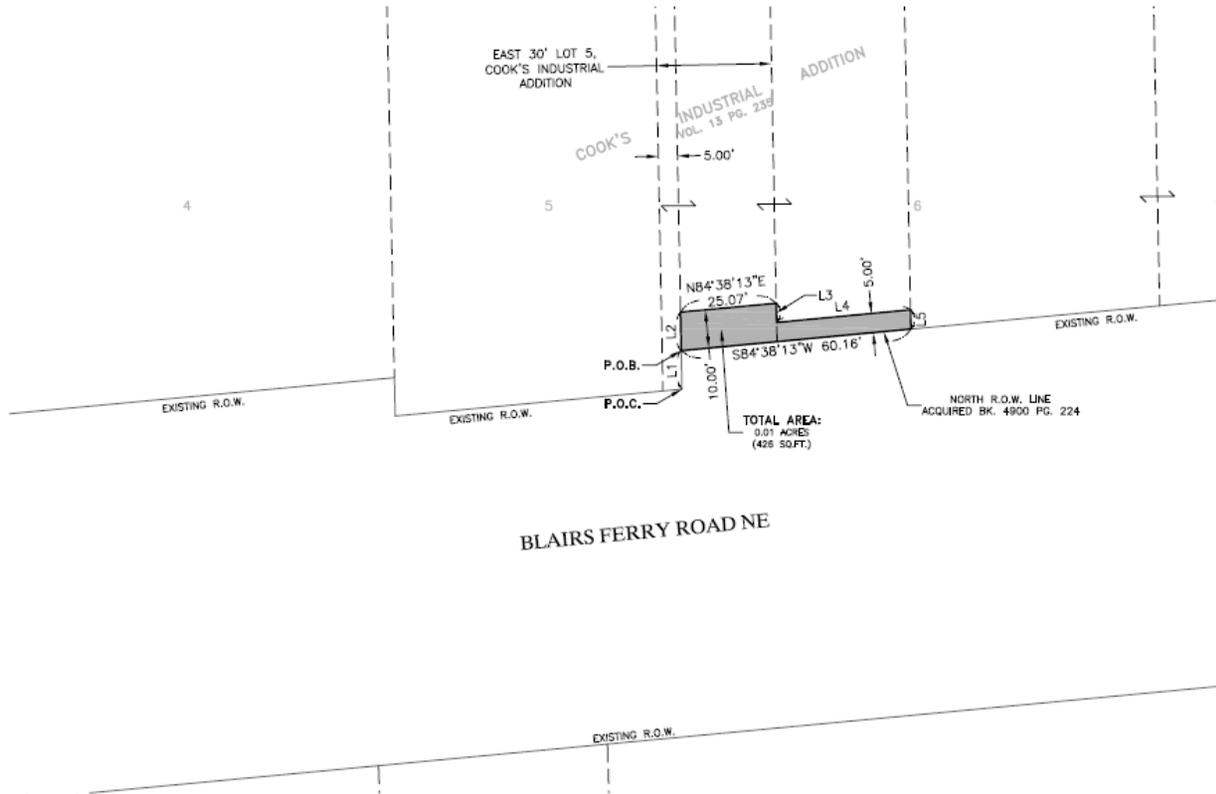


## TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

BLAIRS FERRY ROAD NE FROM NORTH TOWNE PLACE TO SAMMI DRIVE SIDEWALK INFILL.

CITY PROJECT NO. 301878

Prepared by & Return to: R. Rodney Klien, Anderson-Bogert Engineers & Surveyors, Inc.  
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629



### Legal Description

PART OF LOT 5 AND PART OF LOT 6, COOK'S INDUSTRIAL ADDITION TO CEDAR RAPIDS, IOWA FURTHER DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 5 FEET OF THE EAST 30 FEET OF SAID LOT 5;  
 THENCE N01°07'47"W ALONG THE EAST LINE OF THE WEST 5 FEET OF THE EAST 30 FEET OF SAID LOT 5, 10.03 FEET TO THE NORTHWEST CORNER OF THE PARCEL ACQUIRED BY RESOLUTION FILED IN BOOK 4900, PAGE 224 OF THE COUNTY RECORDER BEING THE EXISTING NORTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE AND THE POINT OF BEGINNING;  
 THENCE CONTINUING N01°07'47"W ALONG SAID EAST LINE, 10.03 FEET;  
 THENCE N84°38'13"E, 25.07 FEET TO THE EAST LINE OF SAID LOT 5;  
 THENCE S01°07'47"E ALONG SAID EAST LINE, 5.01 FEET;  
 THENCE N84°38'13"E, 35.10 FEET TO THE WEST LINE OF THE EAST 65 FEET OF SAID LOT 6;  
 THENCE S01°07'47"E ALONG SAID WEST LINE, 5.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE;  
 THENCE S84°38'13"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 60.16 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES (426 SQ.FT.), MORE OR LESS.  
 SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

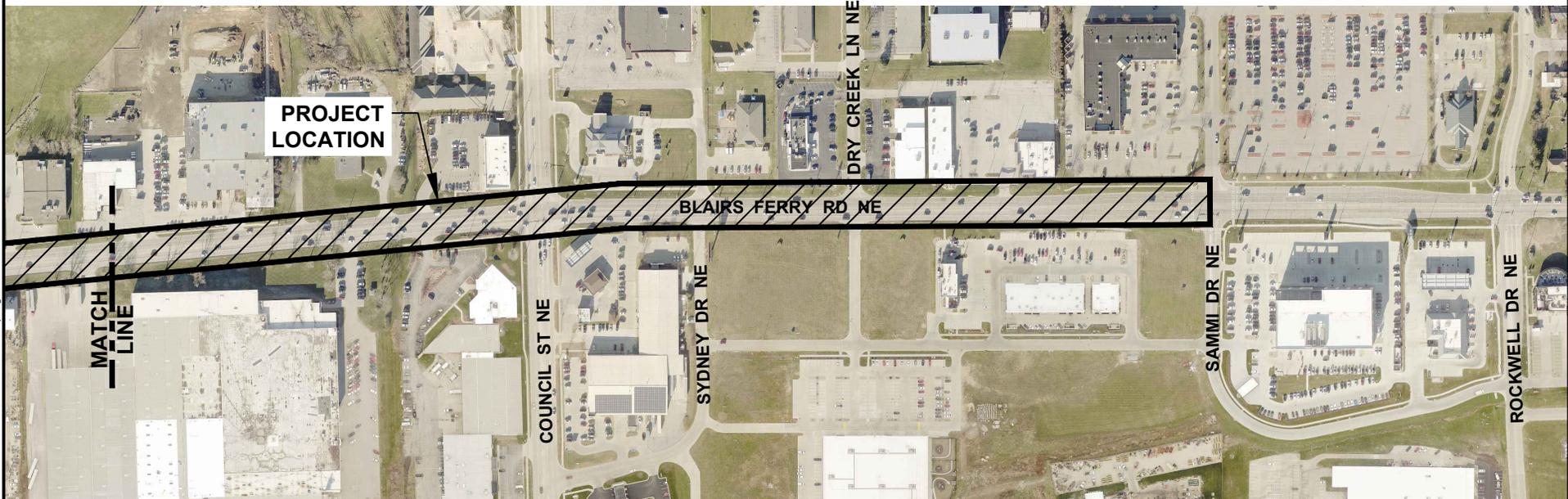
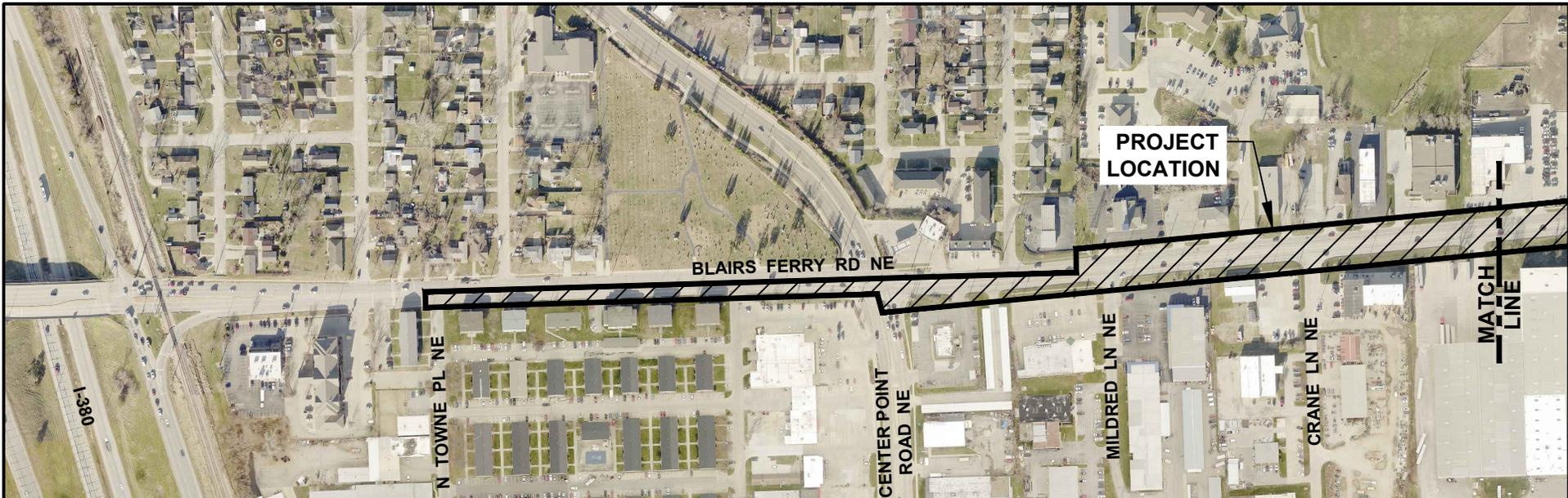
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N01°07'47"W	10.03
L2	N01°07'47"W	10.03
L3	S01°07'47"E	5.01
L4	N84°38'13"E	35.10
L5	S01°07'47"E	5.01

- Legend**
- Boundary Line ————
  - Adjoining Lot Line - - - - -
  - Section Line ————
  - Building Setback Line - · - · - ·
  - Found 1/2" Rebar (unless noted) ●
  - Set 1/2"x30" Rebar w/Orange Cap #18646 ○
  - Found Cut "x" X
  - Set Section/Quarter Corner ▲
  - Found Section/Quarter Corner △
  - Measured (M)
  - Record (R)

**NOTES:**  
 1. DISTANCES ARE IN FEET AND DECIMALS THEREOF.  
 2. BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.  
 3. TEMPORARY EASEMENT WILL EXPIRE UPON COMPLETION OF CONSTRUCTION AND THE ACCEPTANCE OF THE CITY OF CEDAR RAPIDS.

PROPRIETOR: EIGHTEEN EIGHTEEN, LLC  
 OPN: 14041-28003-00000  
 MAILING ADDRESS:  
 1818 BLAIRS FERRY RD NE  
 CEDAR RAPIDS, IA 52402

SURVEY PERFORMED: FEBRUARY, 2022  
 PARCEL 8  
 1818 BLAIRS FERRY RD NE  
 Project Number: 221053  
 Drawn By: B.Y. Approved By: R.R.K. Scale: 1"=30'  
 Date: 12/15/22 Ref. Book #241  
 CEDAR RAPIDS CITY OF IOWA  
 ANDERSON BOGERT  
 Sheet No. 1 of 1



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**BLAIRS FERRY ROAD NE SIDEWALK INFILL FROM  
NORTH TOWNE PLACE NE TO SAMMI DRIVE NE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$1,700 and accepting a temporary construction easement from Palmer Holdings, LLC from land located 5515 Council Street NE in connection with the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

CIP/DID #301878-00

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

**Background:** In a previous fiscal year the City Council approved funding towards the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

The temporary construction easement is required to accommodate the proposed Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill improvements project including sidewalk infill. Compensation amounts proposed are based on comparisons of similar properties to the subject property.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$1,700 and accepting a Temporary Construction Easement from Palmer Holdings, LLC.

**Alternative Recommendation:** Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure the Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301878

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Palmer Holdings, LLC, 3417 Garden View Court NE, Cedar Rapids, Iowa 52411, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary construction easement at 5515 Council Street NE to the City of Cedar Rapids for consideration as follows:

Temporary Construction Easement	\$1,700
---------------------------------	---------

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Blairs Ferry Road NE from North Towne Place NE to Sammi Drive NE Sidewalk Infill (Fund 301, Dept. ID 301000, Project 301878),

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 Purchase Agreement as described herein, and

BE IT FURTHER RESOLVED that the Purchase Agreement and the Temporary Construction Easement are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



# TEMPORARY CONSTRUCTION EASEMENT EXHIBIT

BLAIRS FERRY ROAD NE FROM NORTH TOWNE PLACE TO SAMMI DRIVE SIDEWALK INFILL

CITY PROJECT NO. 301878

Prepared by & Return to: R. Rodney Kilen, Anderson-Bogert Engineers & Surveyors, Inc.  
4001 River Ridge Dr. N.E. Cedar Rapids, Iowa 52402 (319) 377-4629

NE 1/4 NE 1/4  
SEC. 4-83-7

BEATON'S FIRST ADDITION  
VOL. 5104 PG. 48

EXISTING R.O.W.

EXISTING R.O.W.

BLAIRS FERRY ROAD NE

SOUTH R.O.W. LINE  
ACQUIRED BK. 5281 PG. 166

TOTAL AREA:  
0.01 ACRES  
(500 SQ.FT.)

N84°37'19"E  
20.00'

EXISTING R.O.W.  
S02°00'02"E  
10.17'

EXISTING R.O.W.

N01°44'01"W  
25.05'

S01°44'01"E  
25.05'

S84°38'01"W  
20.00'

NE 1/4 NE 1/4  
SEC. 4-83-7

NE 1/4 NE 1/4  
SEC. 4-83-7

### Legend

Boundary Line	—————
Adjoining Lot Line	- - - - -
Section Line	—————
Building Setback Line	.....
Found 1/2" Rebar (unless noted)	•
Set 1/2" x 30" Rebar w/Orange Cap #18646	o
Found Cut "X"	X
Set Section/Quarter Corner	△
Found Section/Quarter Corner	▲
Measured	(M)
Record	(R)

- NOTES:
- DISTANCES ARE IN FEET AND DECIMALS THEREOF.
  - BEARINGS HEREON ARE BASED UPON IOWA STATE PLANE NAD 83 NORTH ZONE.
  - TEMPORARY EASEMENT WILL EXPIRE UPON COMPLETION OF CONSTRUCTION AND THE ACCEPTANCE OF THE CITY OF CEDAR RAPIDS.

PROPRIETOR: PALMER HOLDINGS, L.L.C.  
 GPN: 14041-29001-00000  
 MAILING ADDRESS:  
 % CONNIE & JEFF PALMER  
 3417 GARDEN VIEW CT NE  
 CEDAR RAPIDS, IA 52411

### Legal Description

PART OF THE NE 1/4 NE 1/4 OF SECTION 4, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH P.M., LINN COUNTY, IOWA FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL ACQUIRED BY ACQUISITION PLAT FILED IN BOOK 5281, PAGE 166 OF THE COUNTY RECORDER;

THENCE N84°37'19"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF BLAIRS FERRY ROAD NE AS ACQUIRED BY SAID ACQUISITION PLAT FILED IN BOOK 5281, PAGE 166, 20.00 FEET;

THENCE S01°44'01"E, 25.05 FEET;

THENCE S84°38'01"W, 20.00 FEET;

THENCE N01°44'01"W, 25.05 FEET TO THE POINT OF BEGINNING CONTAINING 0.01 ACRES (500 SQ.FT.) MORE OR LESS.

SUBJECT TO EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

SURVEY PERFORMED:  
FEBRUARY, 2022

PARCEL 45  
5515 COUNCIL ST NE  
Project Number: 221053

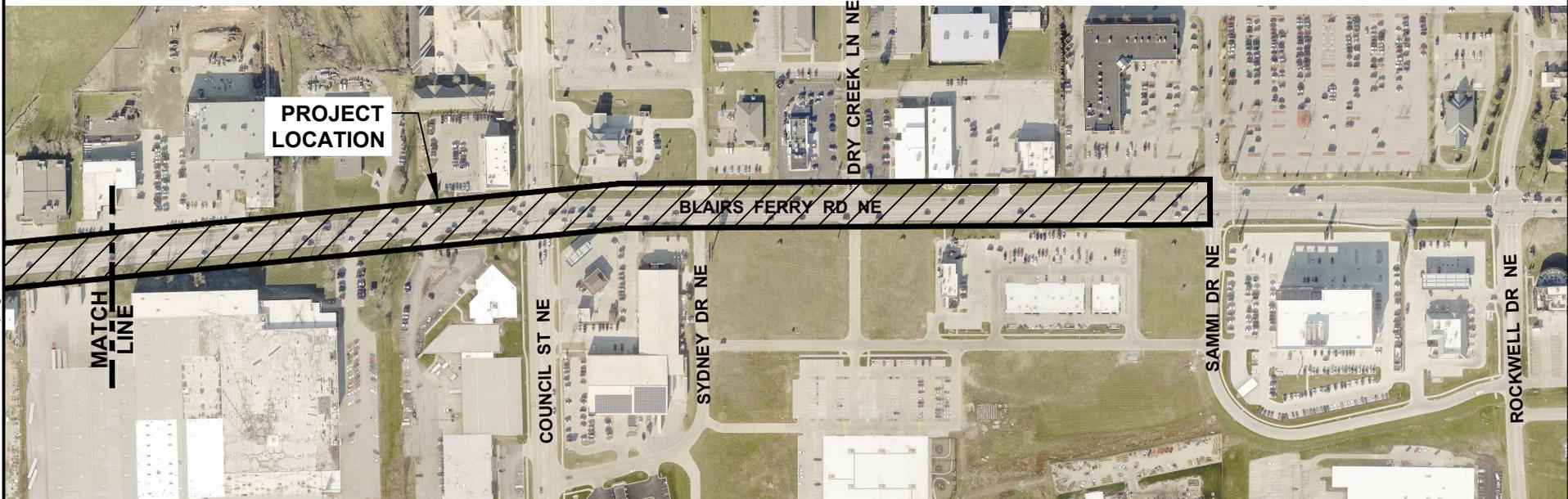
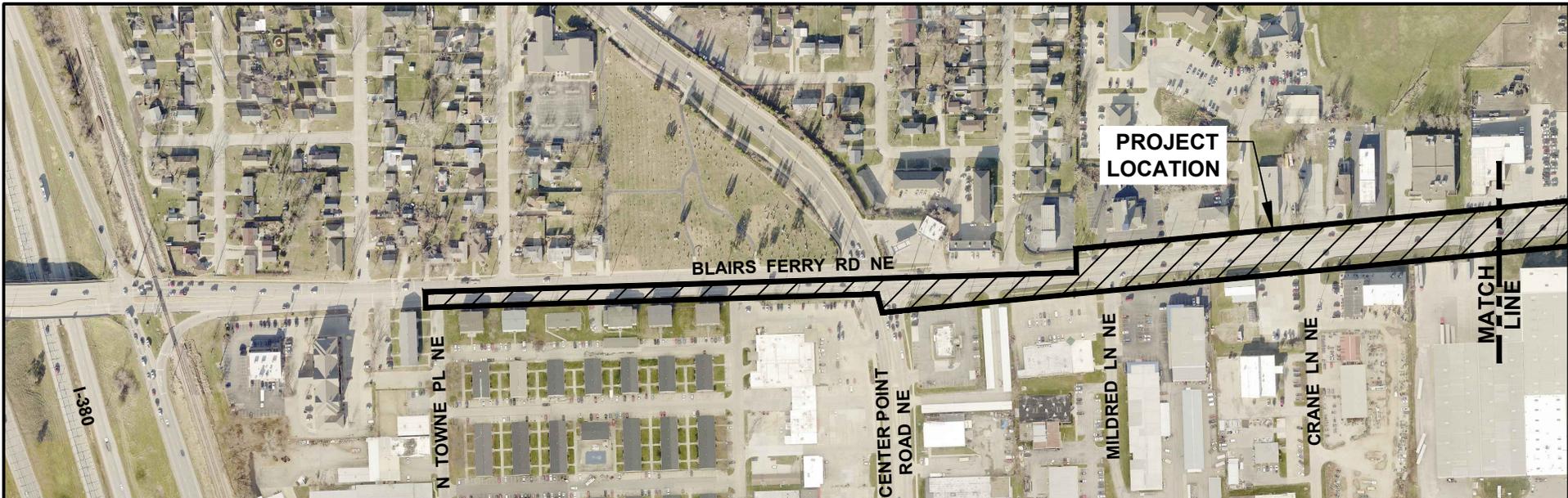
Drawn By: BJK  
Date: 12/15/22  
Field Book #241



Clerk:



Sheet No.  
1  
of  
1



Cadd File Name: W:\PROJECTS\CIP\301878\301878\_Council\_Map.dwg



**BLAIRS FERRY ROAD NE SIDEWALK INFILL FROM  
NORTH TOWNE PLACE NE TO SAMMI DRIVE NE**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a purchase agreement in the amount of \$8,200 and accepting a warranty deed for right-of-way, an easement for drainage and a temporary grading easement for construction from Shirley L. Votroubek, from vacant land located at 115 Benesh Lane in connection with the Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard Phase-3 project.

CIP/DID #301965-00

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

**Background:** This right-of-way and easements are required to accommodate extending Earhart Lane approximately 2,400 feet south, providing a connection to Walford Road. The project will include roadway paving, sanitary sewer extension, water main extension, storm sewer, lighting, and a new bridge for the stream crossing over South Hoosier Creek.

The compensation amount proposed is based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a purchase agreement in the amount of \$8,200 and accepting a warranty deed, an easement for drainage and a temporary grading easement for construction from Shirley L. Votroubek.

**Alternative Recommendation:** Do not proceed with acquiring the proposed acquisition and direct City staff to abandon or reconfigure the Earhart Lane SW extension project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301965

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Shirley L. Votroubek, c/o Leland C. Votroubek, Attorney in Fact for Shirley L. Votroubek, 319 Walford Road, Cedar Rapids, Iowa, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat  
See Attached Permanent Drainage Easement Plat

has agreed to convey the necessary right-of-way, an easement for drainage and a temporary grading easement for construction from vacant land located at 115 Benesh Lane, to the City of Cedar Rapids for consideration as follows

Right-of-Way	\$1,800
Permanent Easement	\$2,500
Temporary Easement	\$3,900
TOTAL	<u>\$8,200</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way, an easement for drainage and a temporary grading easement for construction in accordance with the terms set for the in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Earhart Lane SW Extension from Walford Road to Wright Brothers Boulevard Phase-3 Project (Fund 301, Dept ID 301000, Project 301965),

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 Purchase Agreement as described herein.

BE IT FURTHER RESOLVED, that the Purchase Agreement and the Temporary Grading Easement for Construction is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and the Easement for Drainage from Shirley L. Votroubek, 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

STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10<sup>th</sup> day of January, 2023.

ClerkSignature

# RIGHT-OF-WAY ACQUISITION PLAT

## PLAT DESCRIPTION

A PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 28; THENCE NORTH 1° 55' 48" WEST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 28, A DISTANCE OF 49.28 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WALFORD ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 1° 55' 48" WEST ALONG SAID WEST LINE, A DISTANCE OF 850.55 FEET; THENCE NORTH 88° 04' 12" EAST, 2.00 FEET; THENCE SOUTH 1° 55' 48" EAST, 850.61 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE SOUTH 00° 09' 27" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 2.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.04 ACRES (1,700 S.F.) MORE OR LESS

PROPERTY SUBJECT TO ANY AND ALL EASEMENT OF RECORD.

AREA ABOVE RESERVED FOR RECORDER

### INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:  
 TIM FORINASH, PLS  
 SNYDER & ASSOCIATES, INC.  
 5005 BOWLING ST. SW SUITE A  
 CEDAR RAPIDS, IOWA 52404  
 319-362-9394  
 twforinash@snyder-associates.com

SERVICE PROVIDED BY:  
 SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:  
 SOUTHWEST 1/4 SOUTHEAST 1/4  
 SEC. 28-82-07

REQUESTED BY:  
 CITY OF CEDAR RAPIDS

### LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Orange Cap #19515 (Unless Otherwise Noted)	●	○
ROW Rail	✕	
Calculated Point	+	
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	-----	
Section Line	-----	
1/4 Section Line	-----	
1/4 1/4 Section Line	-----	
Easement Line	-----	

### DATE OF SURVEY

03/04/2022 - 05/13/2022

### BASIS OF BEARING

THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-82-07 IS ASSUMED TO BEAR SOUTH 1°55'48" EAST

### OWNER

Shirley L. Votroubek



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

*Tim Forinash* 11/1/22  
 Timothy W. Forinash, P.L.S. Date

License Number 26175  
 My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:  
 Sheet 1 of 1

EARHART LANE SW ROADWAY EXTENSION FROM  
 WALFORD ROAD TO WRIGHT BROTHERS BOULEVARD PHASE 3  
 PARCEL 1 - RIGHT-OF-WAY ACQUISITION PLAT  
 CEDAR RAPIDS, IOWA

**SNYDER & ASSOCIATES, INC.**  
 5005 BOWLING STREET S.W.  
 CEDAR RAPIDS, IA 52404  
 319-362-9394 | www.snyder-associates.com

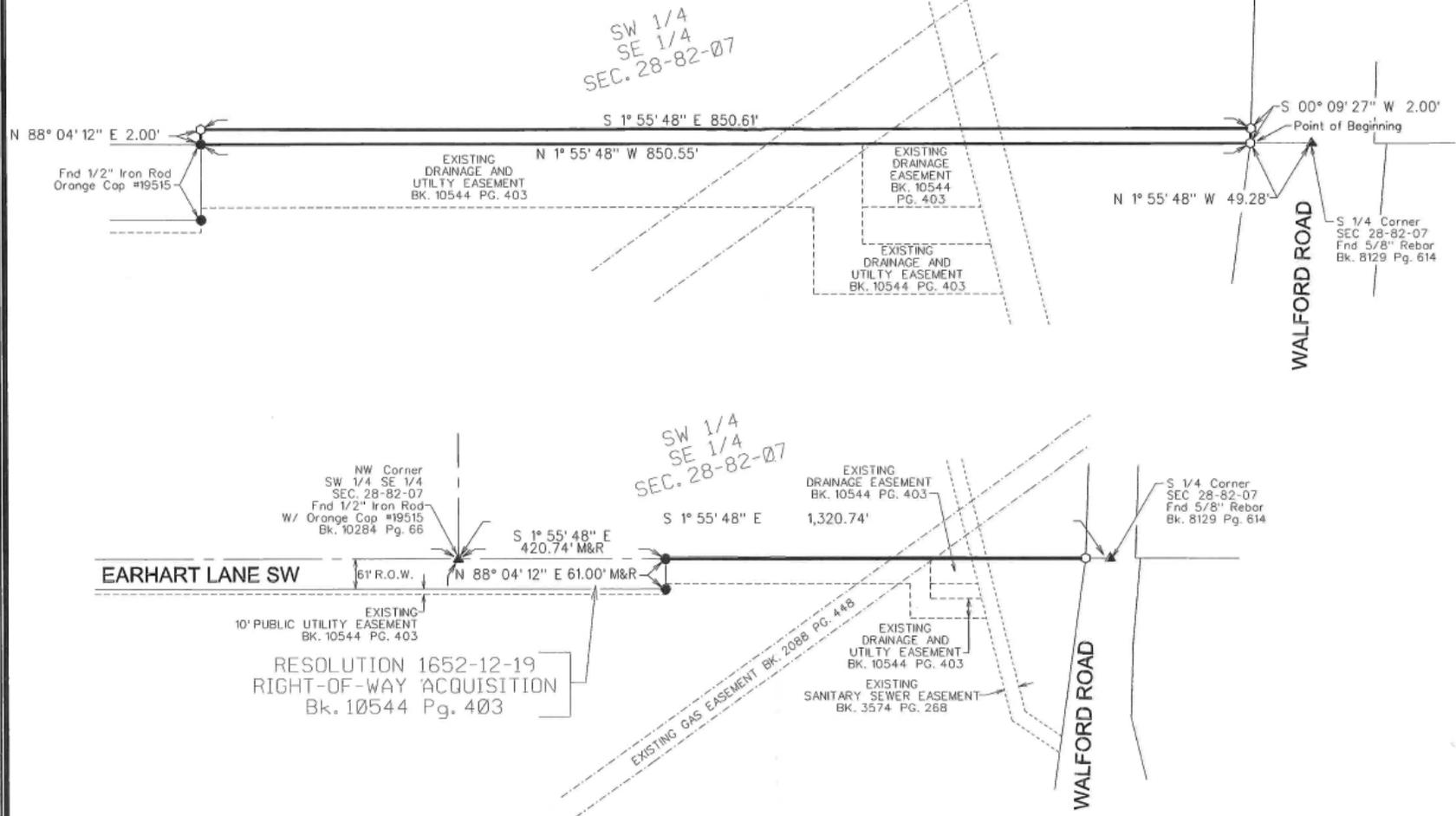


Project No: 1180117

Sheet 1 of 2

DATE	11-1-2022	BY	
REVISION			
Drawn By	TWF	Scale	As Shown
Check By		Date	05/26/22
Project No.	1180117	Sheet	1 of 2

# RIGHT-OF-WAY ACQUISITION PLAT



SW 1/4  
SE 1/4  
SEC. 28-82-07

SW 1/4  
SE 1/4  
SEC. 28-82-07

EARHART LANE SW

WALFORD ROAD

WALFORD ROAD

RESOLUTION 1652-12-19  
RIGHT-OF-WAY ACQUISITION  
Bk. 10544 Pg. 403



DATE	1-2-07
REVISION	
CHECKED BY	TWF
DATE	05/26/22
PROJECT NO.	1180117
SHEET	2 of 2

**SNYDER & ASSOCIATES, INC.**  
5005 BOWLING STREET S.W.  
315-352-8284 | www.snyder-associates.com

**EARHART LANE SW ROADWAY EXTENSION FROM WALFORD ROAD TO WRIGHT BROTHERS BOULEVARD PHASE 3**  
PARCEL 1 - RIGHT-OF-WAY ACQUISITION PLAT  
CEDAR RAPIDS, IOWA

# PERMANENT DRAINAGE EASEMENT PLAT

## PLAT DESCRIPTION

A PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 82 NORTH, RANGE 7 WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 28; THENCE NORTH 1° 55' 48" WEST ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 28, A DISTANCE OF 238.11 FEET; THENCE NORTH 88° 04' 12" EAST, 2.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 1° 55' 48" WEST, 174.96 FEET; THENCE NORTH 88° 00' 35" EAST, 34.00 FEET; THENCE SOUTH 1° 55' 48" EAST, 175.00 FEET; THENCE SOUTH 88° 04' 12" WEST, 34.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.14 ACRES (5,949 S.F.) MORE OR LESS

PROPERTY SUBJECT TO ANY AND ALL EASEMENT OF RECORD.

AREA ABOVE RESERVED FOR RECORDER

### INDEX LEGEND

SURVEYOR'S NAME / RETURN TO:  
 TIM FORINASH, PLS  
 SNYDER & ASSOCIATES, INC.  
 5005 BOWLING ST. SW SUITE A  
 CEDAR RAPIDS, IOWA 52404  
 319-362-9394  
 twforinash@snyder-associates.com

SERVICE PROVIDED BY:  
 SNYDER & ASSOCIATES, INC.

SURVEY LOCATED:  
 SOUTHWEST 1/4 SOUTHEAST 1/4  
 SEC. 28-82-07

REQUESTED BY:  
 CITY OF CEDAR RAPIDS

### LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Orange Cap #26175 (Unless Otherwise Noted)	●	○
ROW Rail	+	
Calculated Point	I	
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	---	
Section Line	---	
1/4 Section Line	---	
1/4 1/4 Section Line	---	
Easement Line	---	

### DATE OF SURVEY

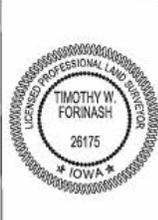
03/04/2022 - 05/13/2022

### BASIS OF BEARING

THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-82-07 IS ASSUMED TO BEAR SOUTH 1°55'48" EAST

### OWNER

Shirley L. Votroubek



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

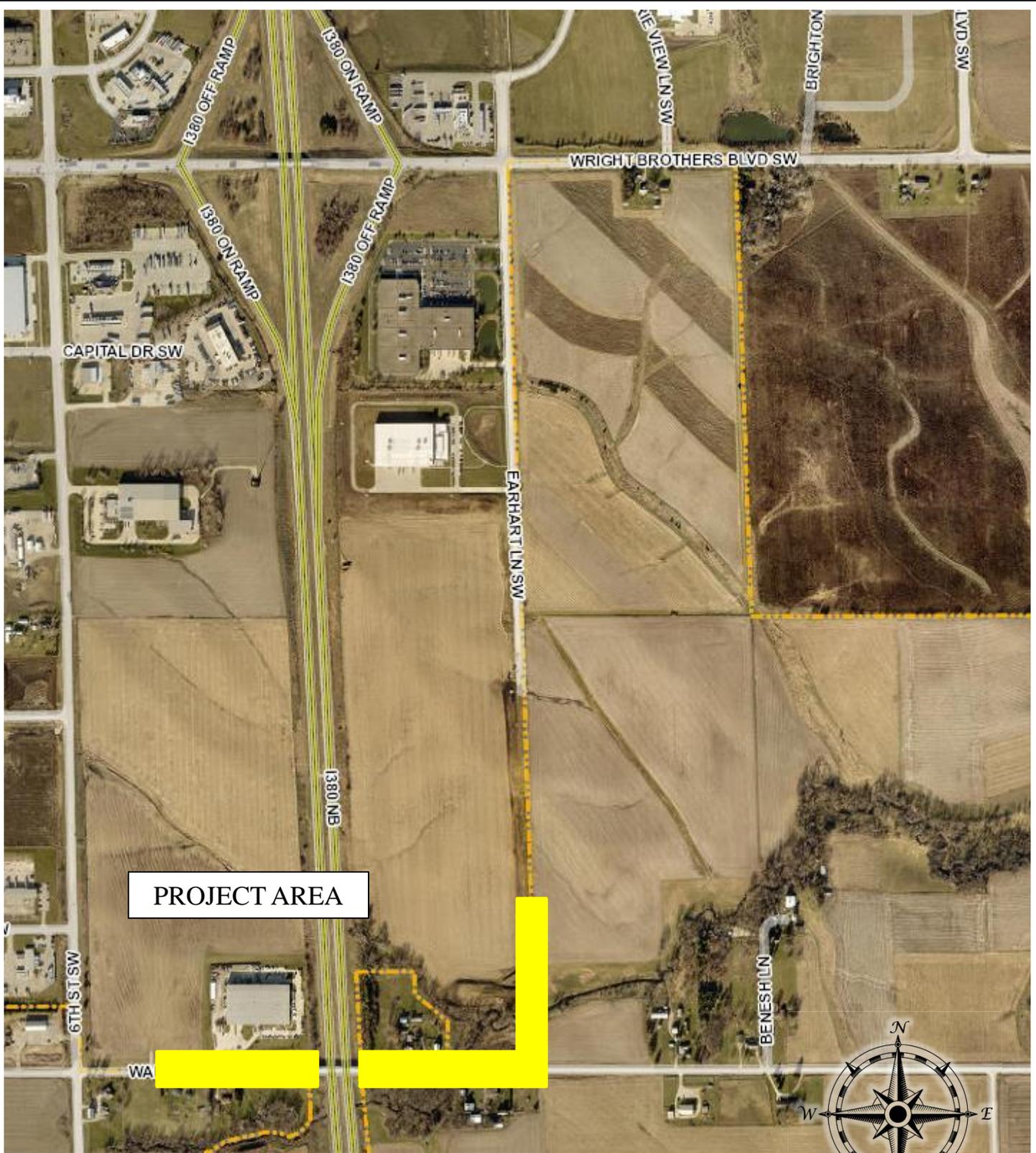
*Tim Forinash*      11/1/22  
 Timothy W. Forinash, P.L.S.      Date

License Number    26175  
 My License Renewal Date is December 31, 2023

Pages or sheets covered by this seal:  
 Sheet 1 of 1

<b>EARHART LANE SW ROADWAY EXTENSION FROM WALFORD ROAD TO WRIGHT BROTHERS BOULEVARD PHASE 3</b> <b>PARCEL 1 - PERMANENT DRAINAGE EASEMENT PLAT</b> <b>SNYDER &amp; ASSOCIATES, INC.</b>	CEDAR RAPIDS, IOWA 5005 BOWLING STREET S.W. CEDAR RAPIDS, IOWA 52404 319-362-9394   twforinash@snyder-associates.com
Project No: 1180117 Sheet 1 of 2	DATE: 11/1/22 Scale: 1"=200' Checked By: TWF Date: 05/26/22 Engineer: [Blank] Technician: [Blank]





PROJECT AREA



### Earhart Lane SW Roadway Extension from Walford Road to Wright Brothers Boulevard



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of an Agreement for Temporary Construction Easement in the amount of \$400 from Wesley A. and Cassandra L. Brown, from land located at 356 Hampden Drive NE, in connection with the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012439-00

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

**Background:** In a previous fiscal year, the City Council approved funding towards the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project.

This easement is required to accommodate the proposed Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. Improvements include pavement reconstruction, replacement of sanitary sewer services, as necessary, and bringing existing sidewalk ramps into compliance with ADA requirements. The compensation amount offered to owner is based on comparisons of similar properties.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of the Agreement for Temporary Construction Easement in the amount of \$400 from Wesley A. and Cassandra L. Brown.

**Alternative Recommendation:** Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/3010000/3012439/SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Wesley A. and Cassandra L. Brown, 356 Hampden Drive NE, Cedar Rapids, Iowa 52402, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary easement for construction at 356 Hampden Drive NE, to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$400
TOTAL	<u>\$400</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary construction easement in accordance with the terms set forth in the Agreement for Temporary Construction Easement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. (Fund 301, Dept. ID 3010000, Project 3012439 SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Agreement for Temporary Construction Easement as described herein.

BE IT FURTHER RESOLVED that the Agreement for Temporary Construction Easement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

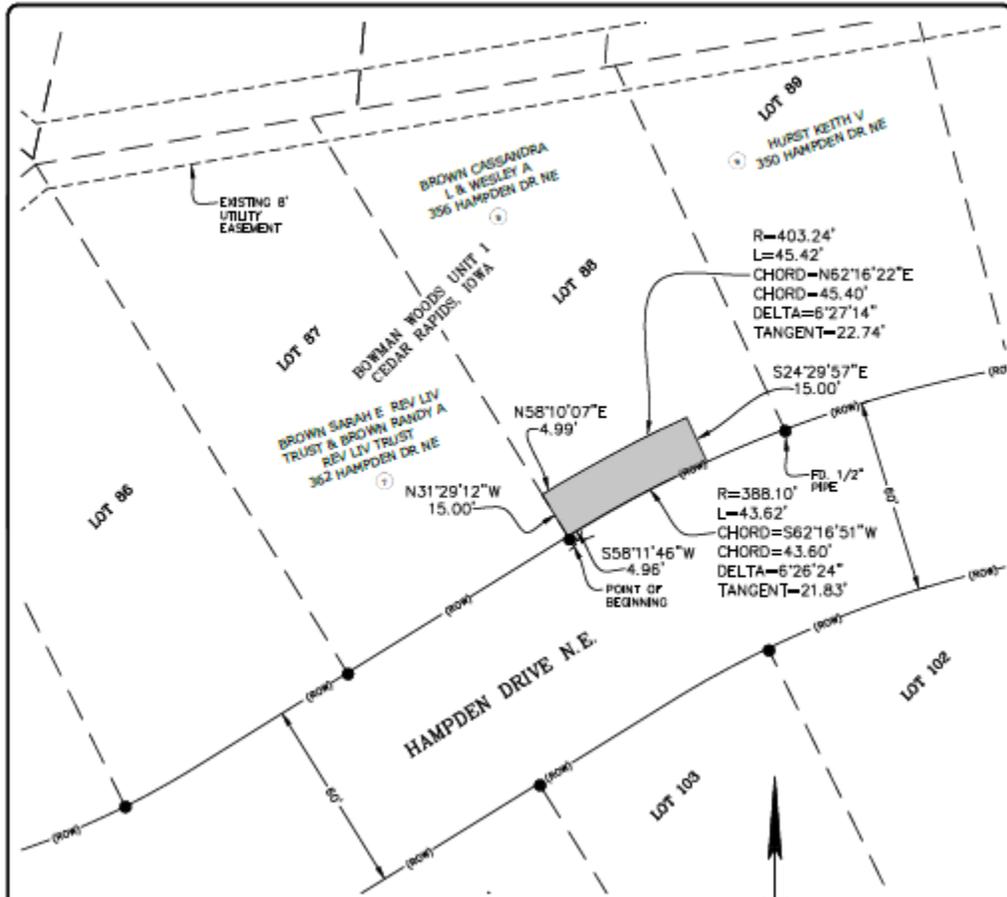
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



**EXHIBIT LEGEND**

- FD. 5/8" REBAR UNLESS NOTED
- 1/4" — TEMPORARY CONSTRUCTION EASEMENT
- - - EXISTING LOT LINE
- (ROW) EXISTING RIGHT OF WAY

SURVEY FIELD WORK PERFORMED: 7/26/2022

TEMPORARY CONSTRUCTION EASEMENT 742 SQ.FT.



PREPARED FOR:  
CITY OF CEDAR RAPIDS  
CIP NO. 3012439

OWNER:  
WESLEY A. AND  
CASSANDRA L. BROWN  
356 HAMPDEN DR. N.E.  
CEDAR RAPIDS, IOWA

ENGINEER:  
MATT JOHNSON P.E.

COMPANY:  
HALL & HALL ENGINEERS INC.  
1860 BOYSON ROAD  
HIAWATHA, IOWA 52233  
319-362-9548

PARENT PARCEL:  
WARRANTY DEED BOOK 10532, PAGE 164

LOT 88, "BOWMAN WOODS UNIT ONE" IN THE CITY OF CEDAR RAPIDS, IOWA

LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT:  
THAT PORTION OF LOT EIGHTY-EIGHT (88), BOWMAN WOODS UNIT ONE IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 88; THENCE N31°29'12"W ON THE SOUTHWESTERLY LINE OF SAID LOT 88, A DISTANCE OF 15.00 FEET; THENCE N58°10'07"E, 4.99 FEET TO THE BEGINNING OF A 403.24 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY AND HAVING A LONG CHORD OF 45.40 FEET BEARING N62°16'22"E; THENCE NORTHEASTERLY ON THE ARC OF SAID CURVE, 45.42 FEET; THENCE S24°29'57"E, 15.00 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 88 AND THE BEGINNING OF A 388.10 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY AND HAVING A LONG CHORD OF 43.60 FEET BEARING S62°16'51"W; THENCE SOUTHWESTERLY ON SAID SOUTHEASTERLY LINE AND THE ARC OF SAID CURVE, 43.62 FEET; THENCE S58°11'46"W ON SAID SOUTHEASTERLY LINE, 4.96 FEET TO THE POINT OF BEGINNING.  
DESCRIBED PARCEL CONTAINS 742 SQ.FT.

Project Number: 9969-22-3  
Sheet: 1 of 1  
Scale: 1"=40'  
Field Book No: 296  
Date: 11/11/2022

Sheet Title:  
**EXHIBIT**  
**PARCEL NO. 8 TEMPORARY CONSTRUCTION EASEMENT**  
LOT 88, BOWMAN WOODS UNIT 1  
CEDAR RAPIDS, LINN COUNTY, IOWA

**HALL & HALL ENGINEERS, INC.**  
1860 BOYSON ROAD, HIAWATHA, IOWA 52233  
PHONE: (319) 362-9548 FAX: (319) 362-7558  
CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE  
LAND SURVEYING • LAND DEVELOPMENT PLANNING  
www.hallandhall.com

Designed by:DLK Drawn by:DLK Checked by:MLJ

CAD File: I:\Projects\9969-22-03 Cedar Rapids\9969-22-03 TRAP CONST EASEMENT\DWG\Plan\9969-22-03 TRAP CONST EASEMENT 302019.dwg Date Plotted: Nov 11, 2022 - 10:50am Plotted By: MJOHNSON



PROJECT AREA



### Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of an Agreement for Temporary Construction Easement in the amount of \$50 from Jarred J. Recker, from land located at 320 Hampden Drive NE, in connection with the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project (**Paving for Progress**).

CIP/DID #3012439-00

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

**Background:** In a previous fiscal year, the City Council approved funding towards the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project.

THIS easement is required to accommodate the proposed Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. Improvements include pavement reconstruction, replacement of sanitary sewer services, as necessary, and bringing existing sidewalk ramps into compliance with ADA requirements. The compensation amount offered to owner is based on comparisons of similar properties.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of the Agreement for Temporary Construction Easement in the amount of \$50 from Jarred J. Recker.

**Alternative Recommendation:** Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/3010000/3012439/SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Jarred J. Recker, 320 Hampden Drive NE, Cedar Rapids, Iowa 52402, OWNER of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary easement for construction at 320 Hampden Drive NE, to the City of Cedar Rapids for consideration as follows:

Temporary Easement	\$50
TOTAL	<u>\$50</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary easement for construction in accordance with the terms set forth in the Agreement for Temporary Construction Easement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction project. (Fund 301, Dept. ID 3010000, Project 3012439 SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Agreement for Temporary Construction Easement as described herein.

BE IT FURTHER RESOLVED that the Agreement for Temporary Construction Easement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

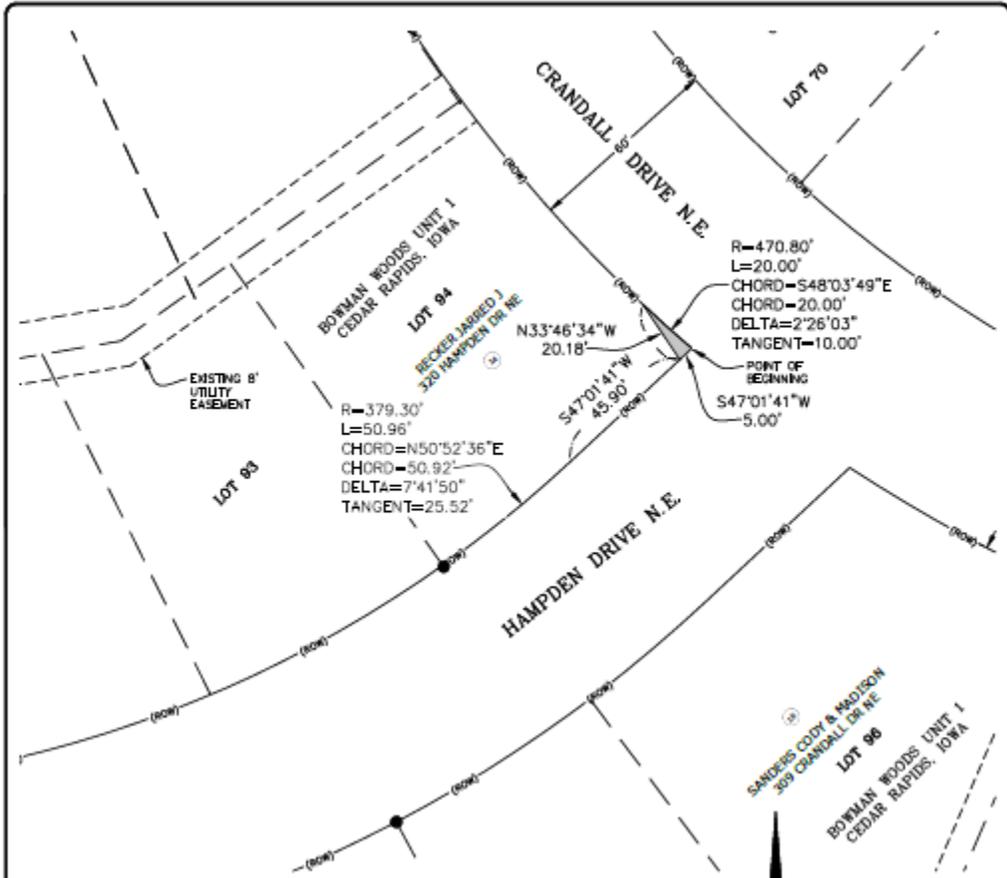
PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



**EXHIBIT LEGEND**

- FD. 5/8" REBAR UNLESS NOTED
- TEMPORARY CONSTRUCTION EASEMENT
- - - EXISTING LOT LINE
- (ROW) EXISTING RIGHT OF WAY

SURVEY FIELD WORK PERFORMED:  
7/26/2022

TEMPORARY CONSTRUCTION EASEMENT  
48 SQ.FT.



PREPARED FOR:  
CITY OF CEDAR RAPIDS  
CIP NO. 3012439

OWNER:  
JARRED J. RECKER  
320 HAMPDEN DR. N.E.  
CEDAR RAPIDS, IOWA

ENGINEER:  
MATT JOHNSON P.E.

COMPANY:  
HALL & HALL ENGINEERS INC.  
1860 BOYSON ROAD  
HIAWATHA, IOWA 52233  
319-362-9548

PARENT PARCEL:  
WARRANTY DEED BOOK 7389, PAGE 81

LOT 94, "BOWMAN WOODS UNIT ONE" IN THE CITY OF CEDAR RAPIDS, IOWA

LEGAL DESCRIPTION TEMPORARY CONSTRUCTION EASEMENT:  
THAT PORTION OF LOT NINETY-FOUR (94), BOWMAN WOODS UNIT ONE IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA DESCRIBED AS FOLLOWS:  
BEGINNING AT THE MOST EASTERLY CORNER OF SAID LOT 94; THENCE S47°01'41"W ON THE SOUTHEASTERLY LINE OF SAID LOT 94, A DISTANCE OF 5.00 FEET; THENCE N33°46'34"W, 20.18 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 94 AND THE BEGINNING OF A 470.80 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY AND HAVING A LONG CHORD OF 20.00 FEET BEARING S48°03'49"E; THENCE SOUTHEASTERLY ON THE ARC OF SAID CURVE, 20.00 FEET TO THE POINT OF BEGINNING.

DESCRIBED PARCEL CONTAINS 48 SQ.FT.

Project number: 9969-22-3	Sheet: 1 of 1	Scale: 1"=40'	Field Book No: 286	Date: 11/17/2022	Sheet Title: <b>EXHIBIT</b> <b>PARCEL NO. 14 TEMPORARY CONSTRUCTION EASEMENT</b> <b>LOT 94, BOWMAN WOODS UNIT 1</b> <b>CEDAR RAPIDS, LINN COUNTY, IOWA</b>	<p>HALL &amp; HALL ENGINEERS, INC. 1860 BOYSON ROAD, HIAWATHA, IOWA 52233 PHONE: 319.362.9548 FAX: 319.362.7588 WWW.HALLANDHALL.COM</p> <p>CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE LAND SURVEYING • LAND DEVELOPMENT PLANNING</p> <p>Designed by:DLK Drawn by:DLK Checked by:ML</p>
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CAD File: L:\Projects\9903\9969 Cedar Rapids\9969-22-03 Hampden Drive NE from Devonshire Dr to Crandall Dr\Reconstruction\DWG\Plan\9969-22-03 TEMP CONST EASEMENT\_302019.dwg Date Plotted: Nov 17, 2022 - 11:19am Plotted By: MJOHNSON



PROJECT AREA



### Hampden Drive NE from Devonshire Drive to Crandall Drive Pavement Reconstruction



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of an Agreement in the amount of \$1,650 and accepting a temporary construction easement from the Cedar Rapids Airport Commission from land located at 8840 6<sup>th</sup> Street SW in connection with the Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project.

CIP/DID #3018004-00

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

**Background:** In a previous fiscal year City Council approved funding towards the Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project

This easement is required to accommodate the proposed construction of the Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project, for the addition of turn lanes and a round-a-bout on 18<sup>th</sup> Street at the intersection with Innovation Drive SW. Compensation amounts proposed are based on comparisons of similar properties to the subject property provided by a qualified appraiser hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of the Agreement in the amount of \$1,650 and accepting a Temporary Construction Easement from the Cedar Rapids Airport Commission.

**Alternative Recommendation:** Do not proceed with acquiring the proposed temporary construction easement and direct City staff to abandon or reconfigure Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3018004 NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, the City of Cedar Rapids (CITY), Owner of the real property, and the Cedar Rapids Airport Commission, (COMMISSION), Manager/Controller of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

and,

WHEREAS, the CITY and COMMISSION have agreed to the terms and conditions whereby land owned by the CITY and managed and controlled by the COMMISSION for The Eastern Iowa Airport (AIRPORT) is released by the COMMISSION for airport purposes so that it may be used by the CITY as a temporary construction easement for the Innovation Drive from 18th Street to 6th Street SW project for the necessary temporary construction easement along the north portion of 8840 6th Street SW, to the CITY for consideration as follows:

Temporary Easement	\$1,650
TOTAL	<u>\$1,650</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary construction easement to release the land from its use for airport purposes and in accordance with the terms set forth in the Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Innovation Drive from 18th Street to 6th Street SW project (Fund 301, Dept. ID 301000, Project 3018004),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the aforementioned terms and conditions in the Agreement that the City Manager and City Clerk are hereby authorized to execute the Agreement as described herein, and

BE IT FURTHER RESOLVED that the Agreement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

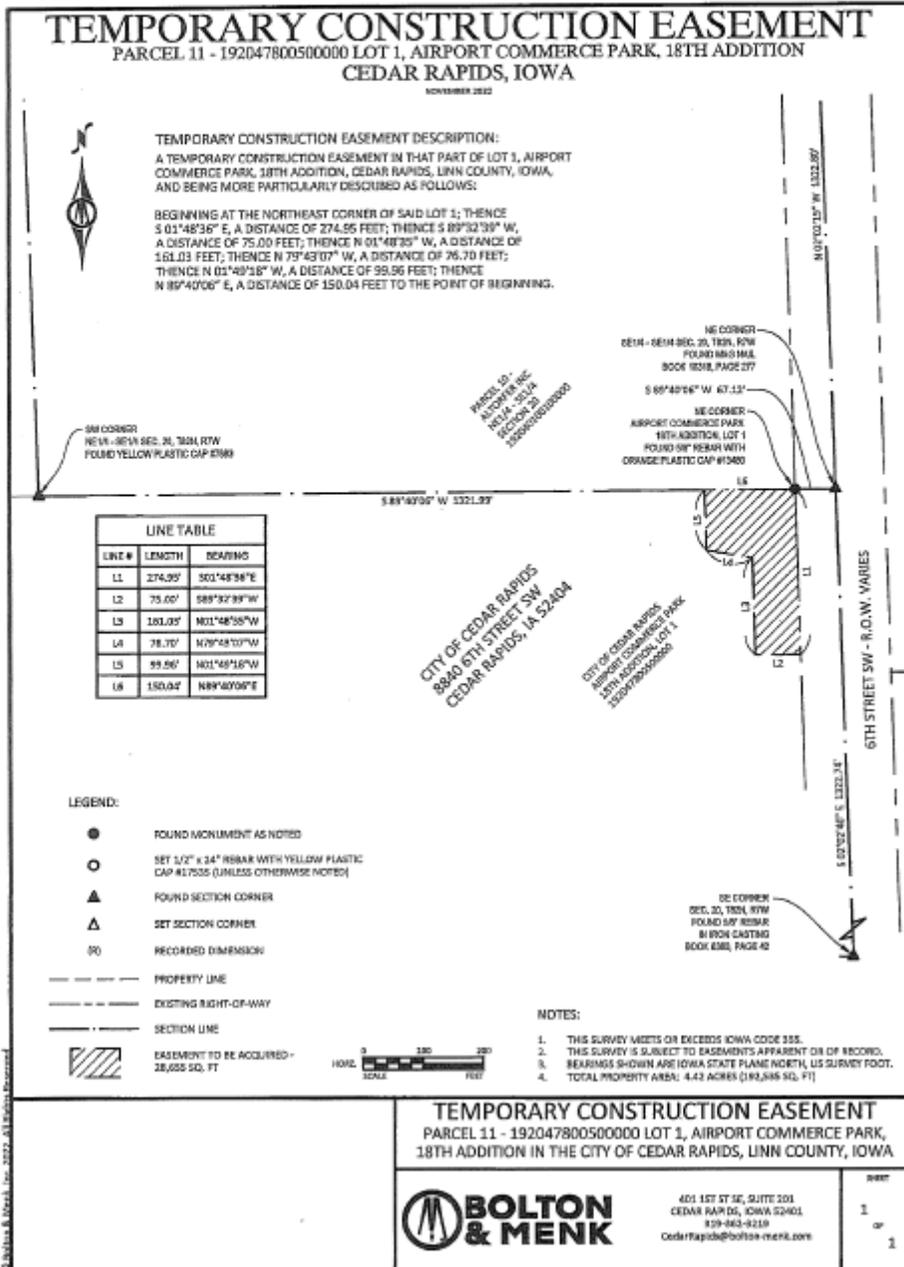
Attest:

ClerkSignature

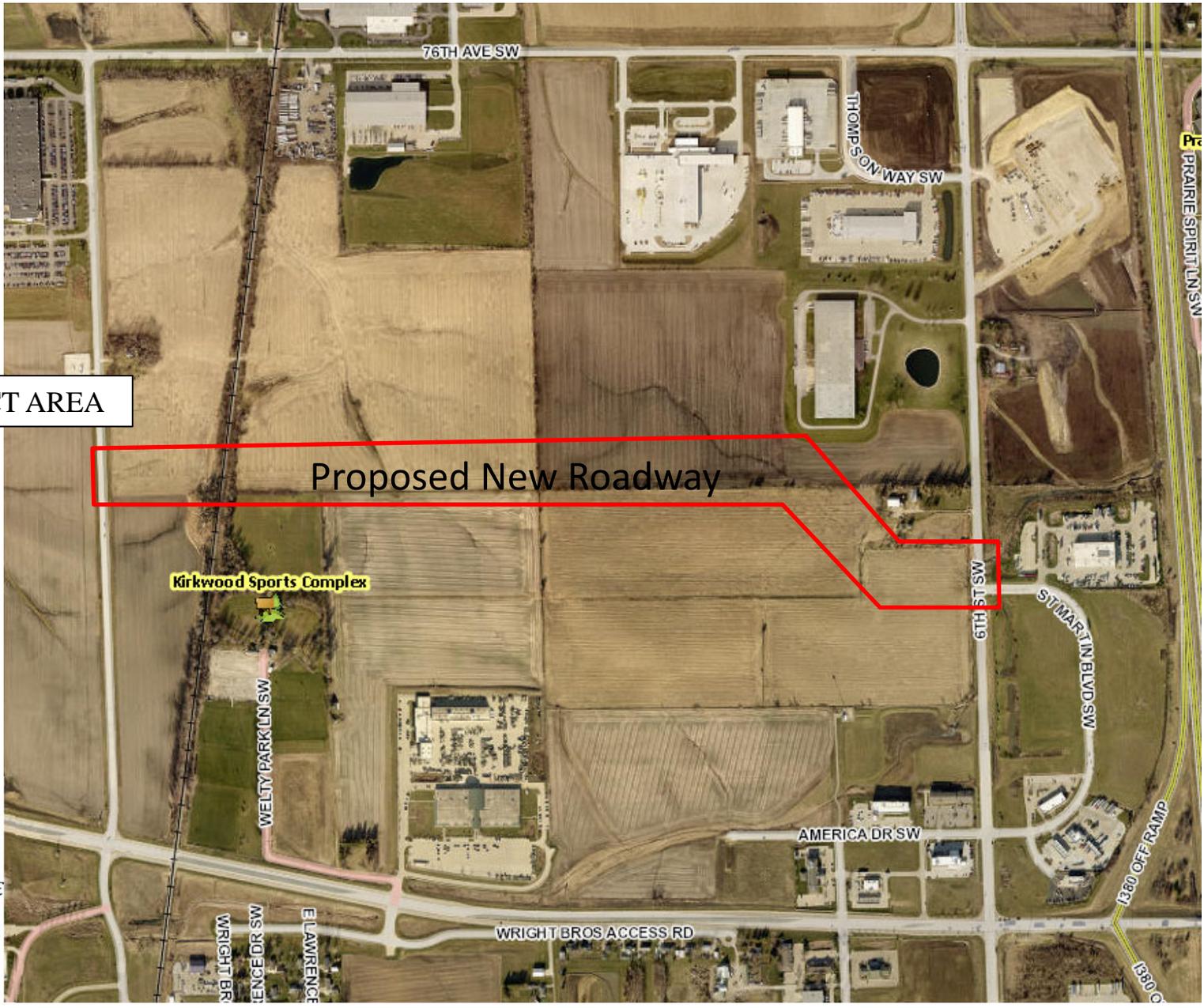
# EXHIBIT A

INDEX LEGEND	
LOCATION	PARCEL 11 - 192047800500000 AIRPORT COMMERCE PARK, 18TH ADDITION, LOT 1, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR	CITY OF CEDAR RAPIDS
PROPRIETOR	CITY OF CEDAR RAPIDS MAILING ADDRESS: 101 1ST STREET SE, CEDAR RAPIDS, IA 52401
SURVEYOR	EUGENE R. GREYER P.L.S. #17535
SURVEYOR COMPANY	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. GREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (319) 262-9219

FOR RECORDER USE ONLY

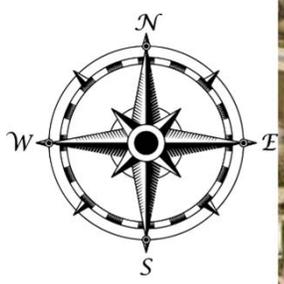


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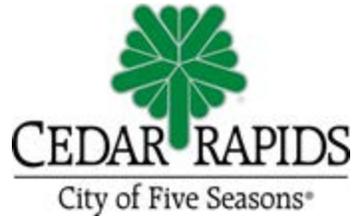


PROJECT AREA

Proposed New Roadway



# Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$345,000 and accepting a warranty deed for right-of-way and temporary construction easement from Altorfer, Inc. from land located at 8400 6<sup>th</sup> Street SW and vacant land located west and adjacent to 8400 6<sup>th</sup> Street SW in connection with the Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project. CIP/DID #3018004-00

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

**Background:** In a previous fiscal year City Council approved funding towards the Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project.

The right-of-way and easement are required to accommodate the proposed construction of Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project and for the addition of turn lanes and round-a-bout on 18<sup>th</sup> Street SW at the intersection with Innovation Drive. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$345,000 and accepting warranty deed and temporary construction easement from Altorfer, Inc.

**Alternative Recommendation:** Do not proceed with acquiring the proposed right-of-way and temporary construction easement and direct City staff to abandon or reconfigure Innovation Drive from 18<sup>th</sup> Street to 6<sup>th</sup> Street SW project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3018004 NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Altorfer, Inc., 2600 6th Street SW, Cedar Rapids, Iowa, 52401, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plats

has agreed to convey the necessary right-of-way and a temporary construction easement from land located at 8400 6th Street SW, and vacant land located west and adjacent to 8400 6th Street SW, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$317,500
Temporary Easement	\$27,500
TOTAL	<u>\$345,000</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and temporary construction easement in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Innovation Drive from 18th Street to 6th Street SW Project (Fund 301, Dept ID 301000, Project 3018004),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein.

BE IT FURTHER RESOLVED, that the Purchase Agreement and the Temporary Construction Easement are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed and all other Documents from Altorfer, Inc. be accepted and recorded in the Office of the Linn County Recorder and thereafter filed with the City of Cedar Rapids Finance Director.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

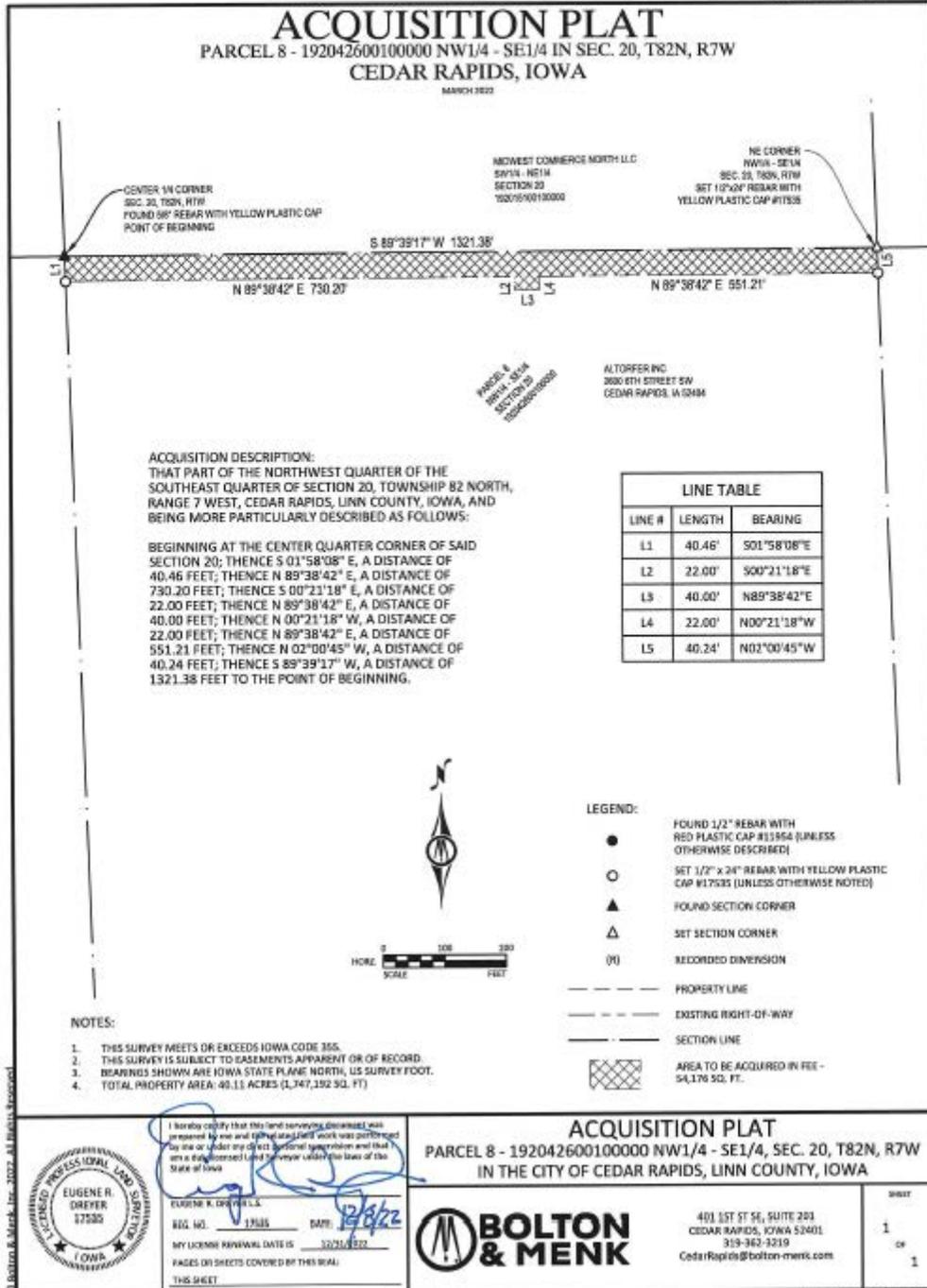
STATE OF IOWA     )  
                                  ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10th day of January, 2023.

ClerkSignature

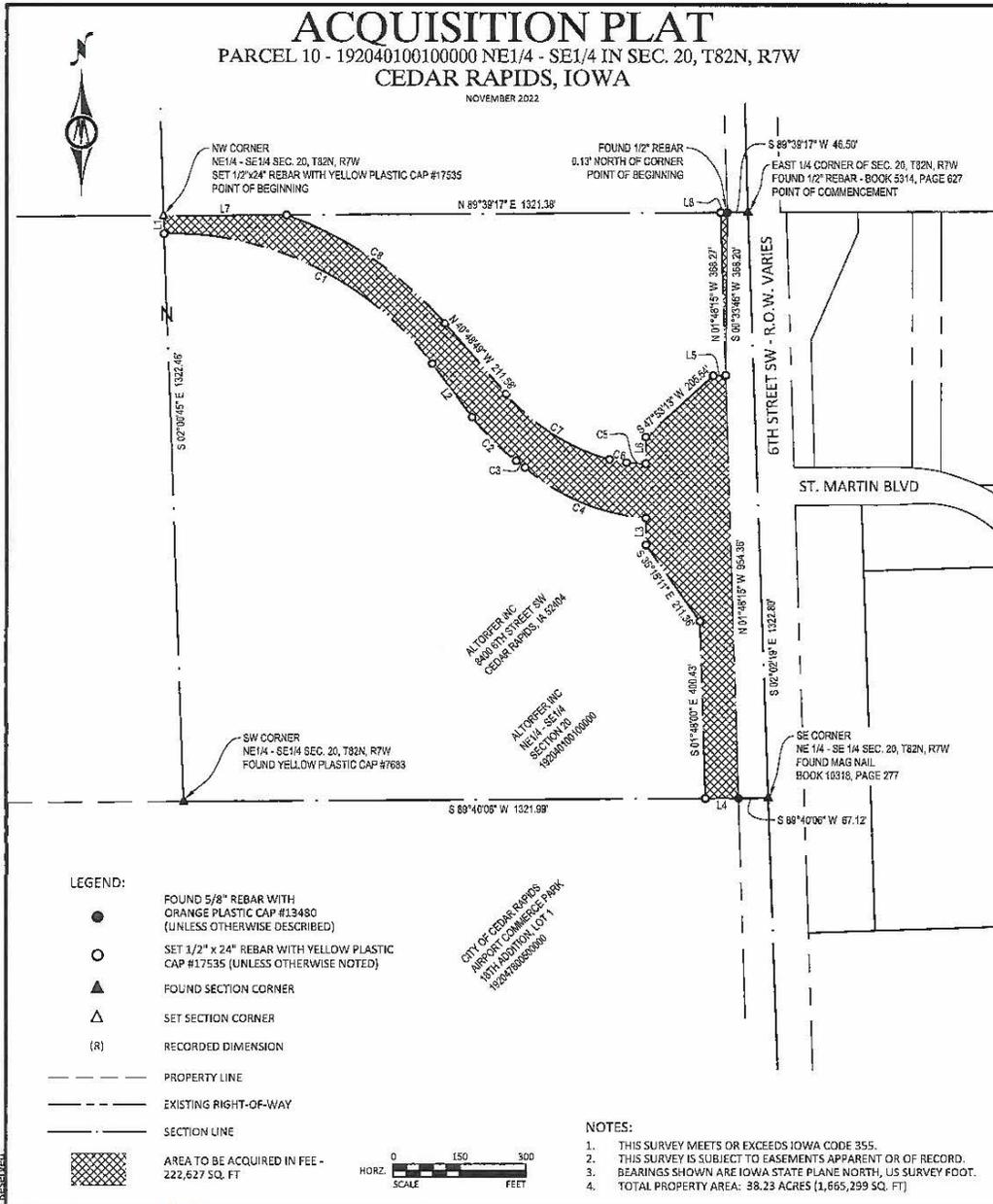
INDEX LEGEND	
LOCATION	PARCEL 8 - 192042600100000 NW1/4 - SE1/4, SECTION 20, T-82N, R-7W, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	ALTORFER INC ATTN: COREY NUJHUNG 2600 6TH ST SW, CEDAR RAPIDS, IA 52404
SURVEYOR:	EUGENE R. DREYER P.L.S. # 17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (319) 362-3219

FOR RECORDER USE ONLY



INDEX LEGEND	
LOCATION	PARCEL 10 - 192040100100000 NE1/4 - SE1/4 SECTION 20, T-82-N, R-7-W, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	ALTORFER INC ATTN: COREY NUEHRING 2600 6TH STREET SW, CEDAR RAPIDS, IA 52404
SURVEYOR:	EUGENE R. DREYER P.L.S. #17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (319) 362-3219

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I hereby certify that this land surveying document was prepared by me and the related field work was performed by me or under my direct personal supervision and that I am a duly licensed and duly sworn under the laws of the State of Iowa.

**EUGENE R. DREYER, P.L.S.**  
 LICENSE NUMBER: 17535 DATE: 11/2/22  
 MY LICENSE RENEWAL DATE IS 12/31/2022  
 PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET

**ACQUISITION PLAT**  
 PARCEL 10 - 192040100100000 NE1/4 - SE1/4, SEC. 20, T82N, R7W  
 IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IA

**BOLTON & MENK**

401 1ST ST SE, SUITE 201  
 CEDAR RAPIDS, IOWA 52401  
 319-362-3219  
 CedarRapids@bolton-menk.com

SHEET  
1  
OF  
2

INDEX LEGEND	
LOCATION	PARCEL 10 - 192040100100000 NE1/4 - SE1/4 SECTION 20, T-82-N, R-7-W, CEDAR RAPIDS, LINN COUNTY, IOWA
REQUESTOR:	CITY OF CEDAR RAPIDS
PROPRIETOR:	ALTORFER INC ATTN: COREY NUEHRING 2600 6TH STREET SW, CEDAR RAPIDS, IA 52404
SURVEYOR:	EUGENE R. DREYER P.L.S. #17535
SURVEYOR COMPANY:	BOLTON & MENK, INC.
RETURN TO:	EUGENE R. DREYER, BOLTON & MENK, INC. 401 1ST ST SE, SUITE 201, CEDAR RAPIDS, IA 52401 (519) 362-3219

FOR RECORDER USE ONLY

## ACQUISITION PLAT

PARCEL 10 - 192040100100000 NE1/4 - SE1/4 IN SEC. 20, T82N, R7W  
CEDAR RAPIDS, IOWA

NOVEMBER 2022

### ACQUISITION DESCRIPTION:

THAT PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 82 NORTH, RANGE 7 WEST, CEDAR RAPIDS, LINN COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LINE TABLE		
LINE #	LENGTH	BEARING
L1	40.24'	S02°00'45"E
L2	150.37'	S36°52'58"E
L3	60.00'	S00°13'06"E
L4	75.02'	N89°40'06"E
L5	28.00'	S88°11'45"W
L6	60.00'	S00°15'02"E
L7	278.01'	S89°39'17"W
L8	15.21'	N89°39'17"E

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE S 02°00'45" E, A DISTANCE OF 40.24 FEET TO THE BEGINNING OF A 735.41 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, LONG CHORD BEARING S 64°08'20" E, A DISTANCE OF 673.56 FEET WITH A DELTA OF 54°30'35"; THENCE 699.65 FEET ALONG SAID CURVE; THENCE S 36°52'58" E, A DISTANCE OF 150.37 FEET TO THE BEGINNING OF A 460.48 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING S 45°36'41" E, A DISTANCE OF 139.76 FEET WITH A DELTA OF 17°27'25"; THENCE 140.30 FEET ALONG SAID CURVE TO THE BEGINNING OF A 275.50 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING S 51°43'03" E, A DISTANCE OF 25.21 FEET WITH A DELTA OF 05°14'40"; THENCE 25.22 FEET ALONG SAID CURVE TO THE BEGINNING OF A 471.73 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING S 67°21'23" E, A DISTANCE OF 296.92 FEET WITH A DELTA OF 36°41'13"; THENCE 302.05 FEET ALONG SAID CURVE; THENCE S 00°13'06" E, A DISTANCE OF 60.00 FEET; THENCE S 35°15'11" E, A DISTANCE OF 211.36 FEET; THENCE S 01°48'00" E, A DISTANCE OF 400.43 FEET; THENCE N 89°40'06" E, A DISTANCE OF 75.02 FEET; THENCE N 01°48'15" W, A DISTANCE OF 954.36 FEET ALONG THE WEST RIGHT-OF-WAY OF 6TH STREET SW; THENCE S 88°11'45" W, A DISTANCE OF 28.00 FEET; THENCE S 47°53'13" W, A DISTANCE OF 205.54 FEET; THENCE S 00°15'02" E, A DISTANCE OF 60.00 FEET TO THE BEGINNING OF A 467.70 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING N 86°20'10" W, A DISTANCE OF 43.69 FEET WITH A DELTA OF 05°21'14"; THENCE 43.70 FEET ALONG SAID CURVE TO THE BEGINNING OF A 274.50 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING N 79°12'57" W, A DISTANCE OF 39.21 FEET WITH A DELTA OF 08°11'27"; THENCE 39.24 FEET ALONG SAID CURVE TO THE BEGINNING OF A 468.45 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, LONG CHORD BEARING N 57°58'01" W, A DISTANCE OF 276.32 FEET WITH A DELTA OF 34°18'25"; THENCE 280.49 FEET ALONG SAID CURVE; THENCE N 40°48'49" W, A DISTANCE OF 211.58 FEET TO THE BEGINNING OF A 844.20 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, LONG CHORD BEARING N 55°44'39" W, A DISTANCE OF 433.61 FEET WITH A DELTA OF 23°45'44"; THENCE 438.52 FEET ALONG SAID CURVE; THENCE S 89°39'17" W, A DISTANCE OF 278.01 FEET TO THE POINT OF BEGINNING.

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH LENGTH	CH BEARING
C1	699.65'	735.41'	54°30'35"	673.56'	S64°08'20"E
C2	140.30'	460.48'	17°27'25"	139.76'	S45°36'41"E
C3	25.22'	275.50'	5°14'40"	25.21'	S51°43'03"E
C4	302.05'	471.73'	36°41'13"	296.92'	S67°21'23"E
C5	43.70'	467.70'	5°21'14"	43.69'	N86°20'10"W
C6	39.24'	274.50'	8°11'27"	39.21'	N79°12'57"W
C7	280.49'	468.45'	34°18'25"	276.32'	N57°58'01"W
C8	438.52'	844.20'	23°45'44"	433.61'	N55°44'39"W

AND ALSO,  
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 20;  
THENCE S 89°39'17" W, A DISTANCE OF 46.50 FEET TO THE POINT OF BEGINNING; THENCE S 00°33'46" W, A DISTANCE OF 368.20 FEET; THENCE N 01°48'15" W, A DISTANCE OF 368.27 FEET; THENCE N 89°39'17" E, A DISTANCE OF 15.21 FEET TO THE POINT OF BEGINNING.

## ACQUISITION PLAT

PARCEL 10 - 192040100100000 NE1/4 - SE1/4, SEC. 20, T82N, R7W  
IN THE CITY OF CEDAR RAPIDS, LINN COUNTY, IA

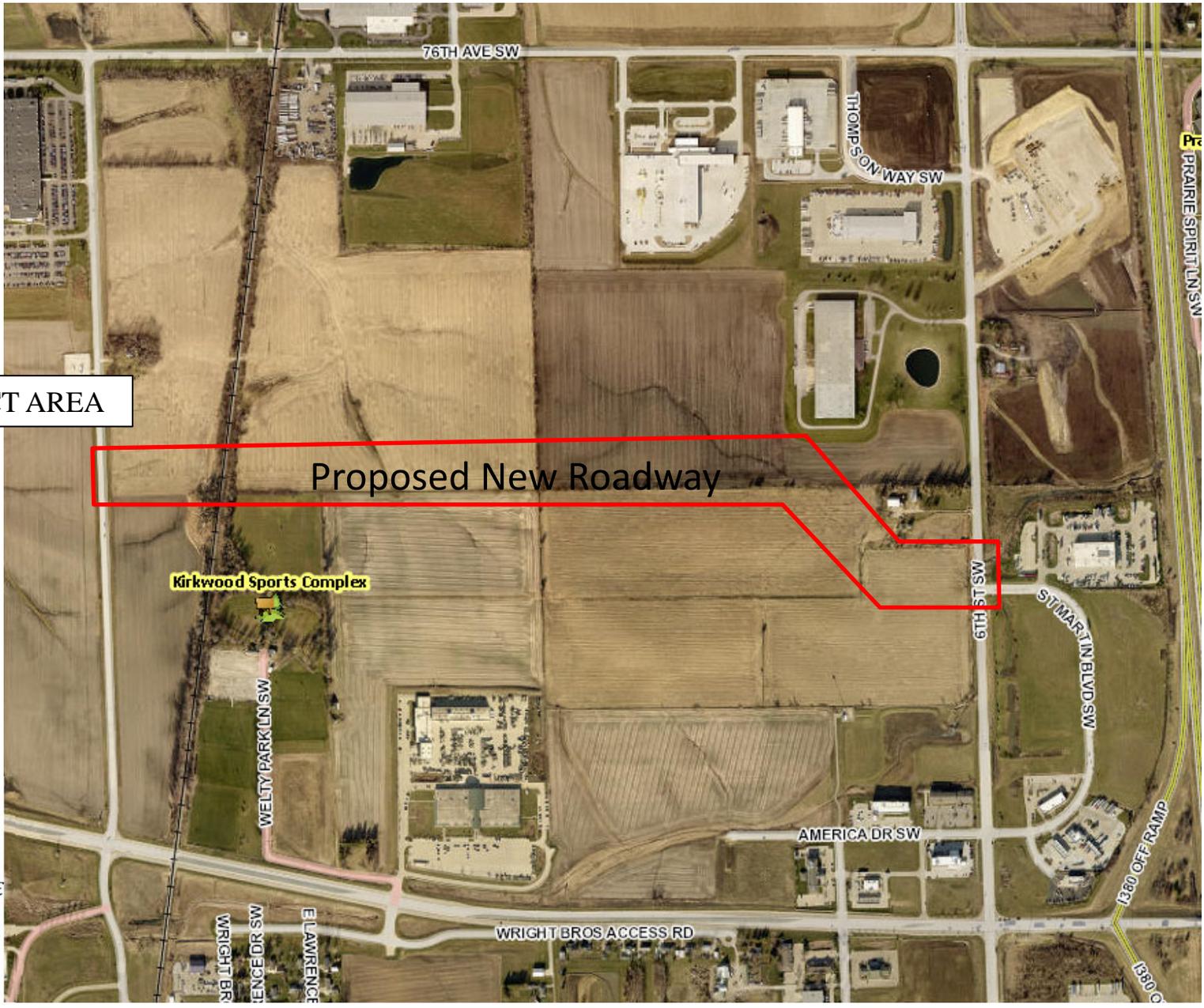


401 1ST ST SE, SUITE 201  
CEDAR RAPIDS, IOWA 52401  
319-362-3219  
CedarRapids@bolton-menk.com

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OF  
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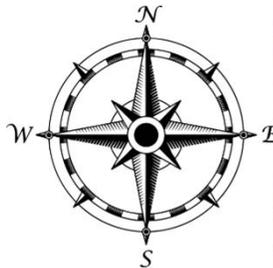
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PROJECT AREA

Proposed New Roadway

Kirkwood Sports Complex



# Innovation Drive SW from 18<sup>th</sup> Street to 6<sup>th</sup> Street



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$5,400 and accepting a warranty deed for right-of-way and a temporary grading easement for construction from Amber N. Eterno from land located at 1926 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvement project (**Paving for Progress**). CIP/DID #3012149-00

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

**Background:** In a previous fiscal year, City Council approved funding towards the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

This right-of-way and temporary easement are required to accommodate the proposed project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and a review appraiser's recommendation hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$5,400 and accepting a warranty deed and a temporary grading easement for construction from Amber N. Eterno.

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

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012149 SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Amber N. Eterno, 1926 Mount Vernon Road SE, Cedar Rapids, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1926 Mount Vernon Road SE, Cedar Rapids, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$4,535
Temporary Easement	\$820
Damages	\$45
TOTAL	<u>\$5,400</u>

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements Project (Fund 301, Dept ID 301000, Project 3012149, SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein, and

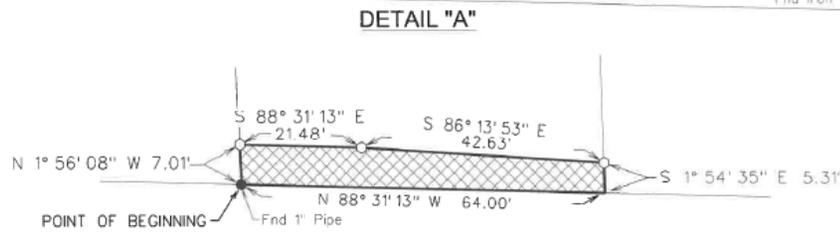
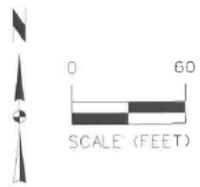
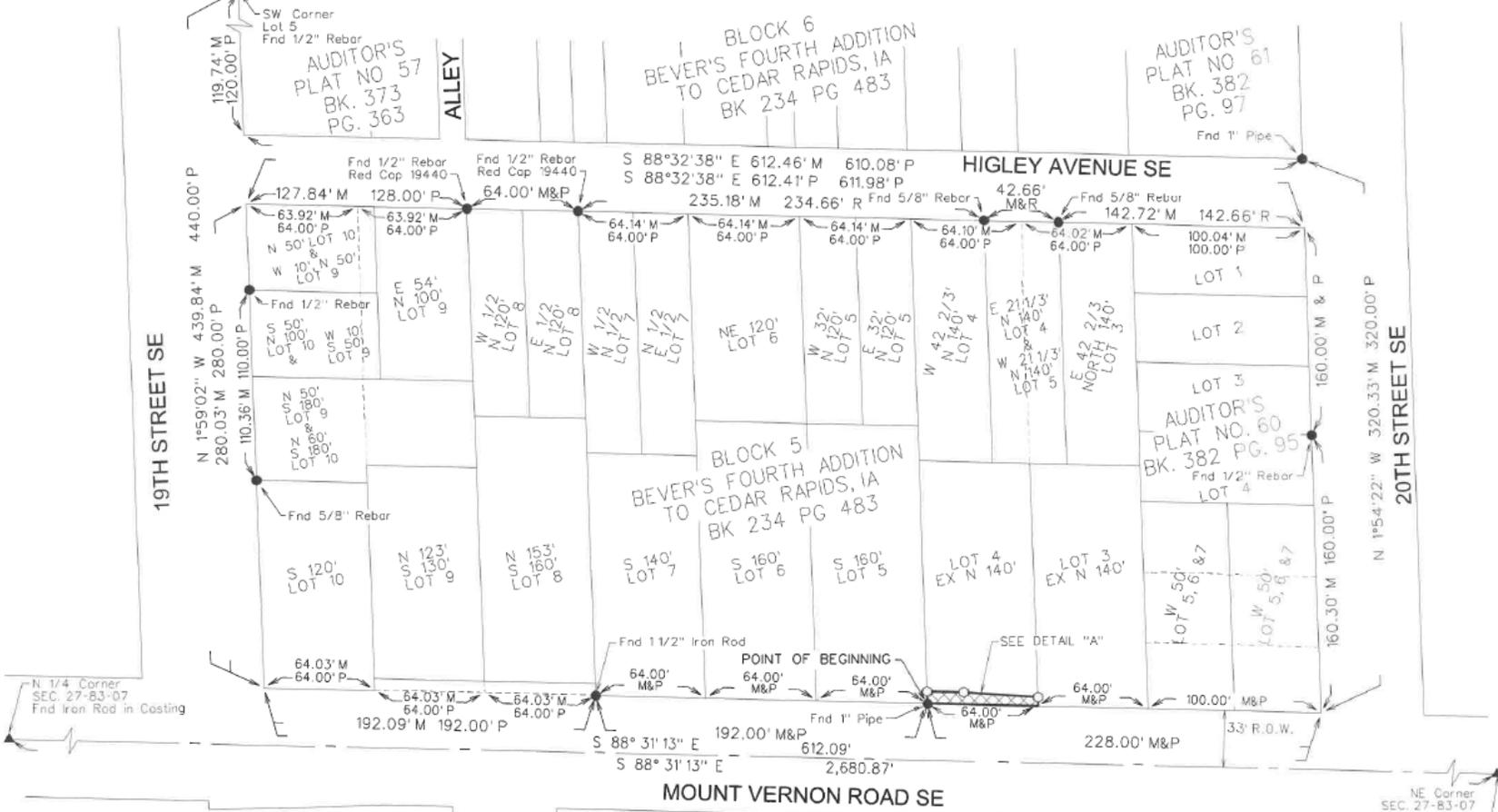
BE IT FURTHER RESOLVED, that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and





# RIGHT-OF-WAY ACQUISITION PLAT



PROJECT NO. 190275 SHEET 2 OF 2	DATE: 03/21/22 SCALE: 1" = 40' DRAWN BY: TWF CHECKED BY: TWF ENGINEER: TWF PROJECT: MOUNT VERNON ROAD SE FROM 14TH STREET SE TO 20TH STREET SE	PROJECT NO. 190275 SHEET 2 OF 2	<b>MOUNT VERNON ROAD SE FROM 14TH STREET SE TO 20TH STREET SE</b> <b>PARCEL 26 - AMBER ETERNO</b> <b>SNYDER &amp; ASSOCIATES, INC.</b> CEDAR RAPIDS, IOWA 608 S. 20TH AVE. STREET S.W. CEDAR RAPIDS, IA 52404 319-362-6284   www.snyderassociates.com
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## MT VERNON ROAD SE FROM 14<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET PAVEMENT IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen SR/WA

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of an Agreement for Temporary Construction Easement in the amount of \$20,000 from Jung's Tae Kwon Do Black Belt Association, Inc., from land located at 1502 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvement project (**Paving for Progress**).

CIP/DID #3012149-00

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

**Background:** In a previous fiscal year, City Council approved funding towards the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project.

This temporary construction easement is required to accommodate the proposed Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of an Agreement for Temporary Construction Easement in the amount of \$20,000 from Jung's Tae Kwon Do Black Belt Association, Inc.

**Alternative Recommendation:** Do not proceed with acquiring the proposed Temporary Construction Easement and direct City staff to abandon or reconfigure the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012149 SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Jung's Tae Kwon Do Black Belt Association, Inc., 1502 Mount Vernon Road SE, OWNER, of the real property known and described as:

See Attached Temporary Construction Easement Exhibit

has agreed to convey the necessary temporary construction easement at 1502 Mount Vernon Road SE to the City of Cedar Rapids for total consideration of \$20,000, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the temporary construction easement in accordance with the terms set forth in the Agreement for Temporary Construction Easement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project (Fund 301, Dept. ID 301000, Project 3012149, SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and City Clerk are hereby authorized to execute the Agreement for Temporary Construction Easement as described herein, and

BE IT FURTHER RESOLVED that the Agreement for Temporary Construction Easement is hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature

**INDEX LEGEND**

SURVEYOR'S NAME / RETURN TO:  
TIM FORNASH  
SNYDER & ASSOCIATES, INC.  
5005 BOWLING ST. SW SUITE A  
CEDAR RAPIDS, IOWA 52404  
319-362-9394  
tforinash@snyder-associates.com  
SERVICE PROVIDED BY:  
SNYDER & ASSOCIATES, INC.  
SURVEY LOCATED:  
LOT 24  
BLOCK 9  
WELLINGTON PLACE THIRD ADDITION  
  
REQUESTED BY:  
CITY OF CEDAR RAPIDS  
ENGINEERING DEPARTMENT

**TEMPORARY CONSTRUCTION EASEMENT EXHIBIT**

DESCRIPTION

THE WEST 10 OF THE SOUTH 50 FEET OF THE WEST 65 FEET OF THE SOUTH 50 FEET OF LOT 24, BLOCK 9, WELLINGTON PLACE THIRD ADDITION

AND

THE SOUTH 10 FEET OF THE WEST 65 FEET OF THE SOUTH 50 FEET OF LOT 24, BLOCK 9, WELLINGTON PLACE THIRD ADDITION,

CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, CONTAINING 0.02 ACRE (1,052 SQUARE FEET) MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PREPARED FOR  
CITY OF CEDAR RAPIDS  
ENGINEERING DEPARTMENT

PROPERTY ADDRESS  
1502 MOUNT VERNON ROAD SE  
CEDAR RAPIDS, IA 52403  
142238202100000

DATE OF SURVEY  
11-03-2020

MOUNT VERNON ROAD SE  
FROM 14TH STREET SE  
TO 20TH STREET SE

DEED HOLDER  
JUNGS TAE KWON DO BLACK  
BELT ASSOCIATION INC  
DBA GREEN LINE AUTO  
1510 MOUNT VERNON ROAD SE  
CEDAR RAPIDS, IA 52403

BASIS OF BEARING  
THE SOUTH LINE OF THE  
SW 1/4 IS ASSUMED TO  
BEAR SOUTH 88°52'27" EAST

CEDAR RAPIDS CONTRACT  
NUMBER - 3012149-04

LEGEND

<u>Survey</u>	<u>Found</u>	<u>Set</u>
Section Corner	▲	△
1/2" Rebar, Yellow Cap #26175 (Unless Otherwise Noted)	●	○
ROW Roll	⊠	
Calculated Point	+	
Plotted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Centerline	----	
Section Line	----	
1/4 Section Line	----	
1/4 1/4 Section Line	----	
Temporary Easement		

**MOUNT VERNON ROAD SE  
FROM 14TH STREET SE TO 20TH STREET SE  
PARCEL 56 - JUNGS TAE KWON DO BLACK BELT ASSOCIATION INC**

SHEET 1 OF 2

PN: 1190275

DATE: 07/19/21

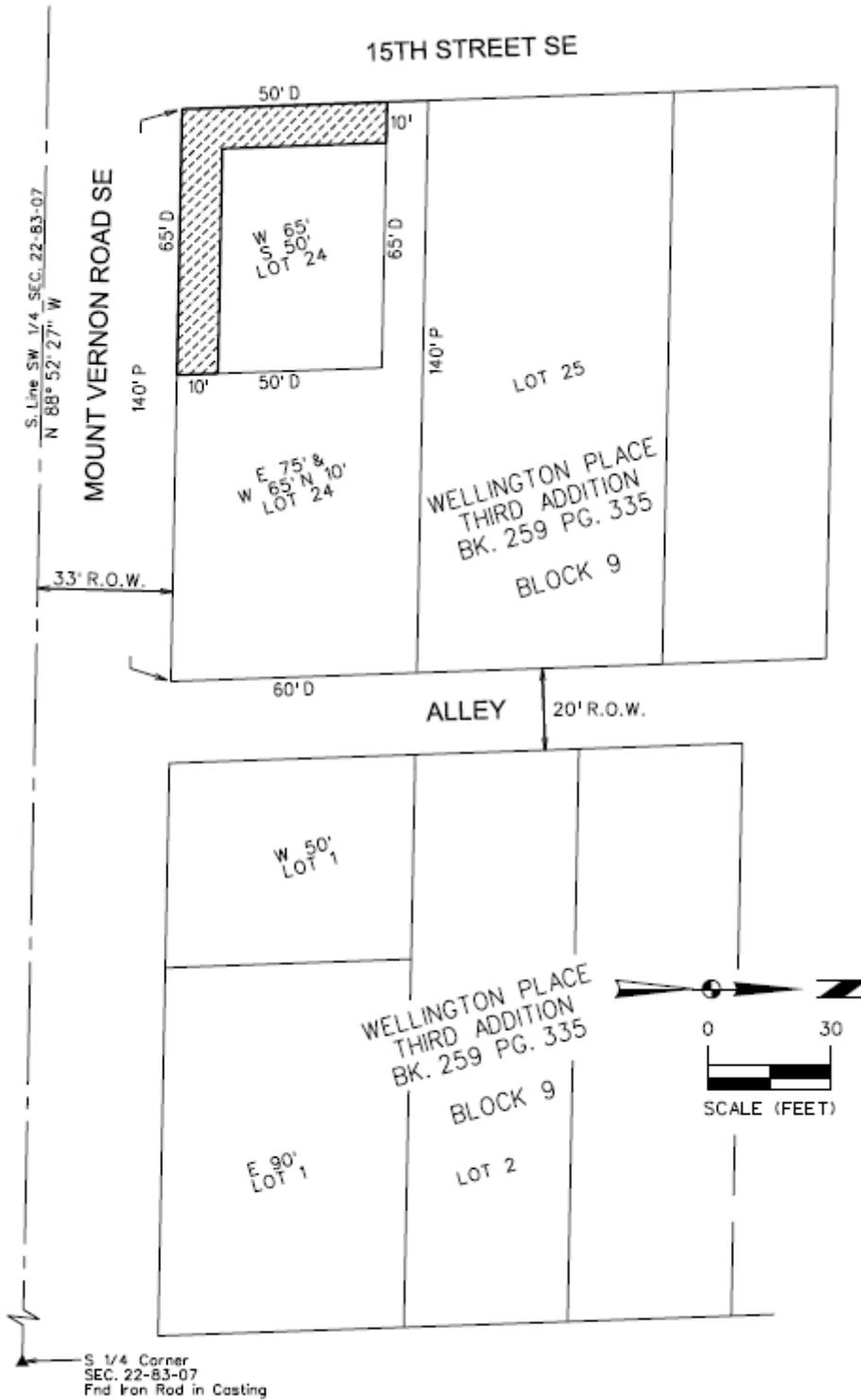
REV:

PM/TECH: TWF



5005 BOWLING STREET S.W.  
CEDAR RAPIDS, IA 52404 (319) 362-9394

# TEMPORARY CONSTRUCTION EASEMENT EXHIBIT



**MOUNT VERNON ROAD SE  
FROM 14TH STREET SE TO 20TH STREET SE  
PARCEL 56 - JUNG'S TAE KWON DO BLACK BELT ASSOCIATION INC**

SHEET	2 OF 2
PN:	1190275
DATE:	07/19/21
REV:	
PM/TECH:	TWF

**S** SNYDER  
ASSOCIATES

5005 BOWLING STREET S.W.  
CEDAR RAPIDS, IA 52404 (319) 382-8384



## MT VERNON ROAD SE FROM 14<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET PAVEMENT IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$417,329; reimbursement for a partial removal and reconstruction of the decorative stone wall and storage of the stones estimated to be in the amount of \$84,000; and accepting a warranty deed for right of way, an easement for drainage, an easement for retaining wall and a temporary grading easement for construction from Oak Hill Cemetery Association from land located 1705 Mount Vernon Road SE in connection with the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Improvements project.

CIP/DID #3012149-00

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

**Background:** In a previous fiscal year, City Council approved funding towards the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

The right-of-way and easements are required to accommodate the proposed project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser and review appraiser's recommendation hired by the City. The reimbursement is based on estimates for the removal and reconstruction of the historic decorative stone wall and storage of the stones.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$417,329; reimbursement for the decorative stone wall estimated to be \$84,000; and accepting a warranty deed for right of way, an easement for drainage, an easement for retaining wall, and a temporary grading easement for construction from Oak Hill Cemetery Association.

**Alternative Recommendation:** Do not proceed with acquiring the proposed right-of-way, easement for drainage, easement for retaining wall, and temporary grading easement for construction and direct City staff to abandon or reconfigure the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Improvements project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/3012149 SLOST

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, Oak Hill Cemetery Association, 1705 Mount Vernon Road SE, Cedar Rapids, Iowa, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat  
See Attached Permanent Drainage Easement Exhibit  
See Attached Permanent Retaining Wall Easement Exhibit

has agreed to convey the necessary right-of-way, easement for drainage, easement for retaining wall and a temporary grading easement for construction at 1705 Mount Vernon Road SE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$54,203
Permanent Easement	\$1,604
Temporary Easement	\$2,942
Damages	<u>\$358,500</u>
TOTAL	\$417,329

, and

WHEREAS, the City agrees to reimburse the OWNER upon receipt of invoice the actual cost estimated to be \$84,000 to remove and reconstruct the historic decorative stone wall along the Mount Vernon Road right-of-way and for storage of the stones, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way, easement for drainage, easement for retaining wall and a temporary grading easement for construction and reimburse for removal and reconstruction of the decorative stone wall and storage of the stones in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for Mount Vernon Road SE from 14th Street to 20th Street SE Improvements Project (Fund 301, Dept ID 301000, Project 3012149),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein.

BE IT FURTHER RESOLVED, that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and

BE IT FURTHER RESOLVED that the Warranty Deed, the Easement for Drainage and the Easement for Retaining Wall from Oak Hill Cemetery Association 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

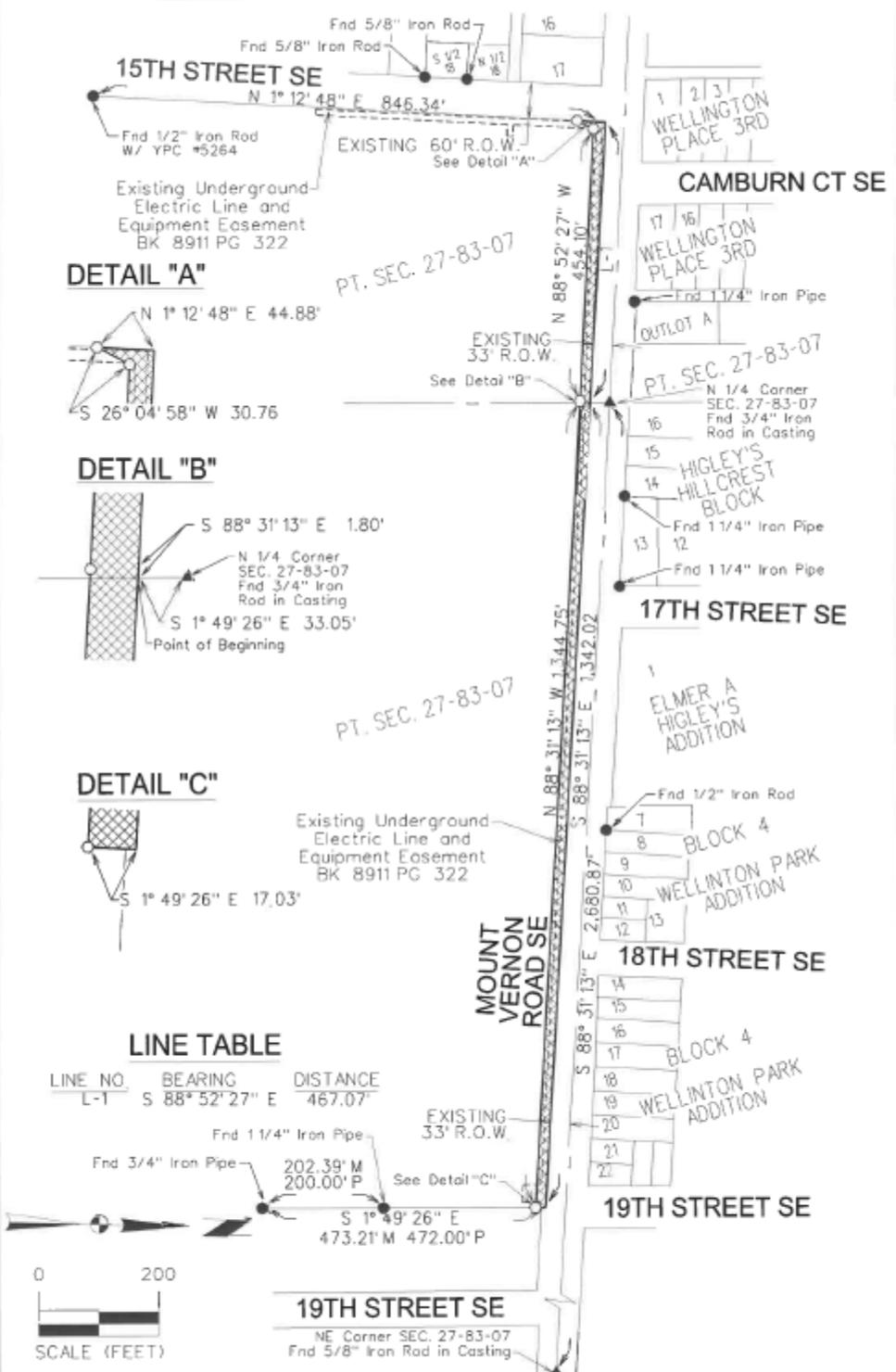
STATE OF IOWA     )  
                          ) ss.  
COUNTY OF LINN    )

I, Alissa Van Sloten, City Clerk of the City of Cedar Rapids, Iowa, do hereby certify that the above and foregoing Resolution and attached documents are true and authentic documents of the City of Cedar Rapids, as full and complete as the same of record and on file in my office, on this 10<sup>th</sup> day of January, 2023.

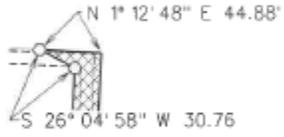
ClerkSignature



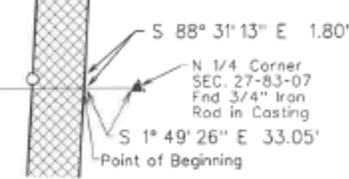
# RIGHT-OF-WAY ACQUISITION PLAT



### DETAIL "A"



### DETAIL "B"

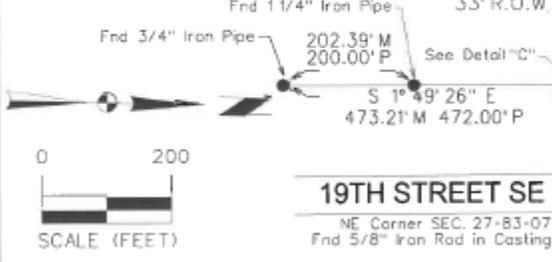


### DETAIL "C"



### LINE TABLE

LINE NO.	BEARING	DISTANCE
L-1	S 88° 52' 27" E	467.07'



**MOUNT VERNON ROAD SE FROM 14TH STREET SE TO 20TH STREET SE**  
**PARCEL 9 - OAK HILL CEMETERY ASSOCIATION**

SHEET	2 OF 2
PN:	1190275
DATE:	07/19/21
REV:	
PM/TECH:	TWF

**S** SNYDER & ASSOCIATES

5005 BOWLING STREET S.W.  
 CEDAR RAPIDS, IA 52404 (319) 362-9394

DATE PLOTTED: 08/02/21 10:00 AM. PLOT FILE: C:\Users\jgibson\OneDrive\Documents\Projects\1190275\1190275.dwg. PLOTTER: HP DesignJet T1100e. PLOT SCALE: 1"=100'. PLOT SHEET: 2 OF 2.

**INDEX LEGEND**

SURVEYOR'S NAME / RETURN TO:  
 TIM FORINASH  
 SNYDER & ASSOCIATES, INC.  
 5005 BOWLING ST. SW SUITE A  
 CEDAR RAPIDS, IOWA 52404  
 319-362-9394  
 twforinash@snyder-associates.com  
 SERVICE PROVIDED BY:  
 SNYDER & ASSOCIATES, INC.  
 SURVEY LOCATED:  
 SEC. 27-83-07

REQUESTED BY:  
 CITY OF CEDAR RAPIDS  
 ENGINEERING DEPARTMENT

**PERMANENT DRAINAGE EASEMENT**

**DESCRIPTION**

A PART OF SECTION 27, TOWNSHIP 83 NORTH, RANGE 7 WEST OF THE 5TH P.M., CITY OF CEDAR RAPIDS, LINN COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 27; THENCE SOUTH 1° 18' 10" WEST, 33.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF MOUNT VERNON ROAD SE AND TO THE POINT OF BEGINNING; THENCE SOUTH 88° 52' 27" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 267.71 FEET; THENCE SOUTH 1° 07' 33" WEST, 17.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 40° 48' 54" EAST, 20.27 FEET; THENCE SOUTH 49° 55' 54" WEST, 10.00 FEET; THENCE NORTH 40° 48' 54" WEST, 29.12 FEET; THENCE SOUTH 88° 52' 27" EAST, 13.44 FEET TO THE POINT OF BEGINNING, CONTAINING 247 SQUARE FEET MORE OR LESS.

PROPERTY SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

**PREPARED FOR**

CITY OF CEDAR RAPIDS  
 ENGINEERING DEPARTMENT

MOUNT VERNON ROAD SE  
 FROM 14TH STREET SE  
 TO 20TH STREET SE

CEDAR RAPIDS CONTRACT  
 NUMBER - 3012149-04

**PROPERTY ADDRESS**

1705 MOUNT VERNON ROAD SE  
 CEDAR RAPIDS, IA 52403  
 142712600100000

**DEED HOLDER**

OAK HILL CEMETERY  
 ASSOCIATION  
 PO BOX 1962  
 CEDAR RAPIDS, IA 52403

**DATE OF SURVEY**

11-03-2020

**BASIS OF BEARING**

THE NORTH LINE OF SEC.  
 27-83-07 IS ASSUMED  
 TO BEAR SOUTH 88° 31' 13"  
 EAST.

**LEGEND**

Survey

- Section Corner
- 1/2" Rebar, Yellow Cap #28175  
(Unless Otherwise Noted)
- ROW Roll
- Calculated Point
- Platted Distance
- Measured Bearing & Distance
- Recorded As
- Deed Distance
- Calculated Distance
- Centerline
- Section Line
- 1/4 Section Line
- 1/4 1/4 Section Line
- Easement

Found

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- C

Set

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I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

*Timothy W. Forinash*  
 Timothy W. Forinash, P.L.S. Date

License Number 28175  
 My License Renewal Date is December 31, 2023

Pages or sheets covered by this work  
 \_\_\_\_\_  
 \_\_\_\_\_

**MOUNT VERNON ROAD SE  
 FROM 14TH STREET SE TO 20TH STREET SE  
 PARCEL 9 - OAK HILL CEMETERY ASSOCIATION**



5005 BOWLING STREET S.W.  
 CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET	1 OF 2
PN:	1190275
DATE:	07/19/21
REV:	
PMTECH:	TWF









## MT VERNON ROAD SE FROM 14<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET PAVEMENT IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works Department

**Presenter at meeting:** Rita Rasmussen, SR/WA R/W-NAC

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution authorizing execution of a Purchase Agreement in the amount of \$615 and accepting a warranty deed for right-of-way and a temporary grading easement for construction from X & Y Realty, LLC for land located at 1956 Mt. Vernon Rd SE in connection with the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project (**Paving for Progress**).  
CIP/DID #3012149-00

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

**Background:** In a previous fiscal year, City Council approved funding towards the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

This right-of-way and temporary grading easement for construction are required to accommodate the proposed Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project. Compensation amounts proposed are based on an appraisal of the subject property, provided by a qualified appraiser hired by the City.

**Action/Recommendation:** The Public Works Department recommends adopting the resolution authorizing execution of a Purchase Agreement in the amount of \$615 and accepting the warranty deed and agreement for temporary grading easement for construction from X & Y Realty, LLC.

**Alternative Recommendation:** Do not proceed with acquiring the proposed right-of-way and temporary grading easement for construction and direct City staff to abandon or reconfigure the Mount Vernon Road SE from 14<sup>th</sup> Street to 20<sup>th</sup> Street Pavement Improvements project.

**Time Sensitivity:** Normal

**Resolution Date:** January 10, 2023

**Budget Information:** NA

**Local Preference Policy:** NA

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

**Recommended by Council Committee:** NA

**Explanation:** NA

Prepared By: City of Cedar Rapids 319-286-5060  
Return To: City Clerk, 101 First Street SE, Cedar Rapids, IA 52401

RESOLUTION NO. LEG\_NUM\_TAG

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

WHEREAS, X & Y Realty, LLC, 293 Deal Court, Staten Island, NY, 10305, OWNER of the real property known and described as:

See Attached Right-of-Way Acquisition Plat

has agreed to convey the necessary right-of-way and temporary grading easement for construction at 1956 Mount Vernon Road SE, to the City of Cedar Rapids for consideration as follows:

Right-of-Way	\$80
Temporary Easement	\$435
Damages	<u>\$100</u>
TOTAL	\$615

, and

WHEREAS, the Public Works Director recommends the City enter into an agreement to purchase the right-of-way and temporary grading easement for construction in accordance with the terms set forth in the Purchase Agreement, and

WHEREAS, the City Council has allocated Capital Improvement funds for the Mount Vernon Road SE from 14th Street to 20th Street Pavement Improvements project (Fund 301, Dept ID 3010000, Project 3012149 SLOST),

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager and the City Clerk are hereby authorized to execute the Purchase Agreement as described herein.

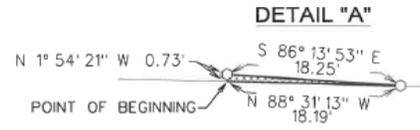
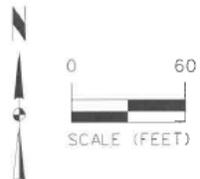
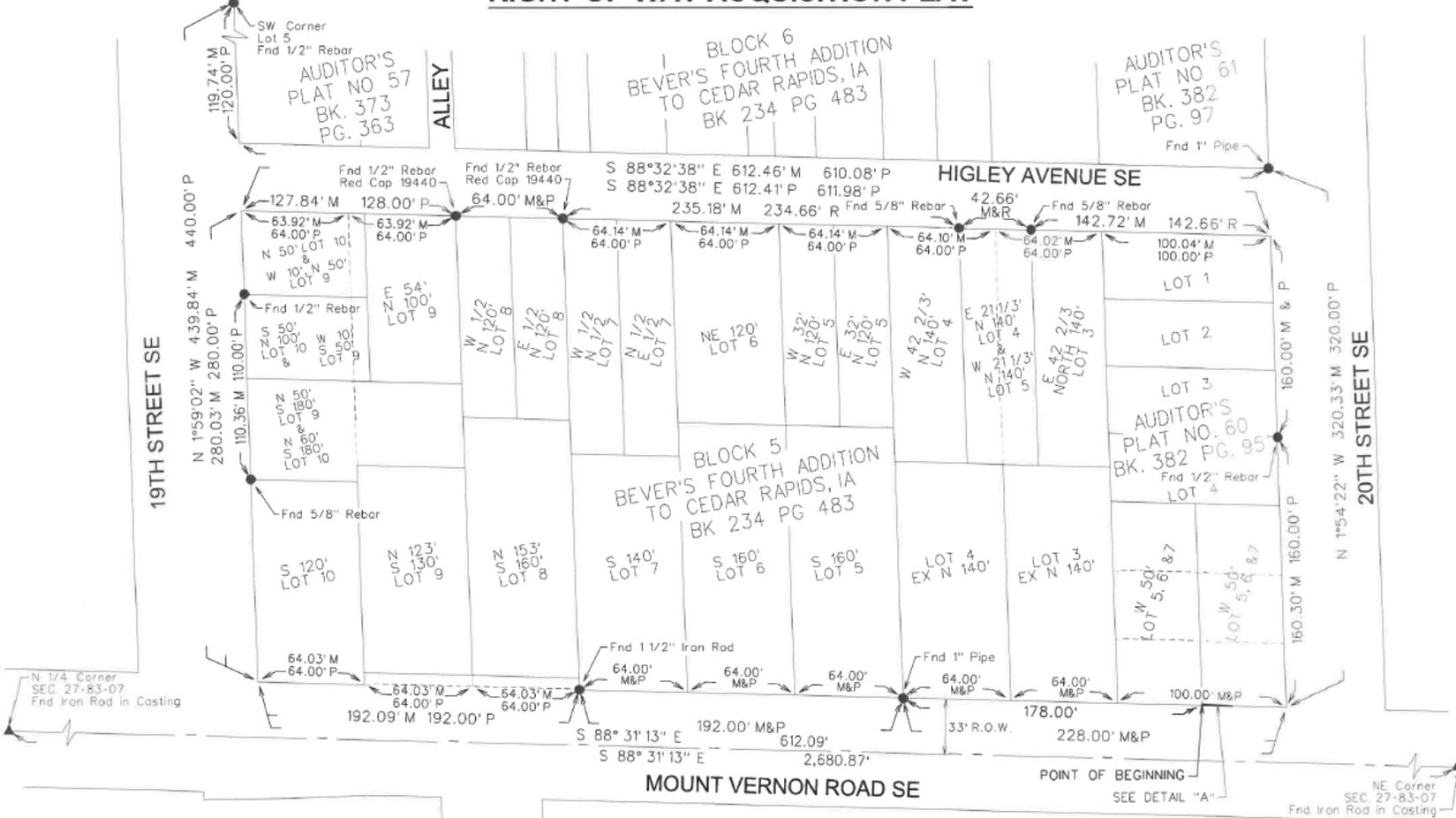
BE IT FURTHER RESOLVED, that the Purchase Agreement and the Temporary Grading Easement for Construction are hereby accepted and thereafter filed with the City of Cedar Rapids Finance Director, and

BE IT FURTHER RESOLVED that the City of Cedar Rapids Finance Director be authorized to issue payment per the Allocation of Proceeds, and





# RIGHT-OF-WAY ACQUISITION PLAT



DATE:	BY:
REVISION:	
Checked By:	TWF
Scale:	1" =
Engineer:	POS
Drawn:	TWF
Project No.:	190275
Project Name:	CEDAR RAPIDS, IOWA
Project Address:	505 BOWLING STREET S.W. CEDAR RAPIDS, IA 52404
Project Phone:	319-362-5094
Project Website:	www.jrpa-associates.com
Project No.:	190275
Project Name:	CEDAR RAPIDS, IOWA
Project Address:	505 BOWLING STREET S.W. CEDAR RAPIDS, IA 52404
Project Phone:	319-362-5094
Project Website:	www.jrpa-associates.com

**MOUNT VERNON ROAD SE  
FROM 14TH STREET SE TO 20TH STREET SE  
PARCEL 23 - X & Y REALTY LLC**

**SNYDER & ASSOCIATES, INC.**

**SNYDER & ASSOCIATES**

Project No. 190275  
 Sheet 2 of 2



## MT VERNON ROAD SE FROM 14<sup>TH</sup> STREET TO 20<sup>TH</sup> STREET PAVEMENT IMPROVEMENTS



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

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

Resolution awarding and approving contract in the amount of \$819,171.49, bond and insurance of Rathje Construction Co. for the 10th Street NE from A Avenue to 1st Avenue – MedQuarter Parkway Improvements project (estimated cost is \$750,000).

CIP/DID #321554-04

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

**Background:**

Rathje Construction Co., Marion, IA	\$819,171.49
Boomerang Corp., Anamosa, IA	\$877,309.05
Pirc-Tobin Construction, Inc., Alburnett, IA	\$879,959.67
Tschiggfrie Excavating, Co., Dubuque, IA	\$925,344.39

Rathje Construction Co. submitted the lowest of the bids received on December 14, 2022 for the 10th Street NE from A Avenue to 1st Avenue – MedQuarter Parkway Improvements project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed by within 95 working days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$819,171.49, bond and insurance of Rathje Construction Co. for 10th Street NE from A Avenue to 1st Avenue – MedQuarter Parkway Improvements project.

**Alternative Recommendation:** If Council chooses not to award the contract for said project, the project could not go forward as proposed unless the bidding process is repeated.

**Time Sensitivity:** Normal. Chapter 26.10 of the Code of Iowa requires the Bid security to be returned within 30 days after the bid opening. Deferral of the contract award after January 10, 2023 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** January 10, 2023

**Budget Information:** 321/321000/321554, NA; 301/3010000/3018021, SLOST; 625/625000/625884-2022096, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 22, 2022 the City Council adopted a motion that directed the City to post notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the 10th Street NE from A Avenue to 1st Avenue – MedQuarter Parkway Improvements (Contract No. 321554-04) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on November 26, 2022 pursuant to which a public hearing was held on December 6, 2022, and

WHEREAS, the following bids were received, opened and announced on December 14, 2022 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 December 20, 2022:

Rathje Construction Co., Marion, IA	\$819,171.49
Boomerang Corp., Anamosa, IA	\$877,309.05
Pirc-Tobin Construction, Inc., Alburnett, IA	\$879,959.67
Tschiggfrie Excavating, Co., Dubuque, IA	\$925,344.39

WHEREAS, general ledger coding for this public improvement shall be as follows: \$524,699.40 301-301000-7970-3018021; \$224,070.09 321-321000-32186-321554; \$50,402 625-625000-625884-6252022096; \$20,000 321-321000-32185-321554

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Rathje Construction Co. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Rathje Construction Co. is hereby accepted and the contract for this public improvement is hereby awarded to Rathje Construction Co.
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 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



**PROJECT LOCATION**

A AVE NE

1ST AVE E

2ND AVE SE

3RD AVE SE

4TH AVE SE

5TH AVE SE

6TH ST SE

7TH ST SE

8TH ST SE

10TH ST SE

12TH ST SE

10TH ST SE

8TH ST SE

7TH ST SE

8TH AVE SE



**MEDQUARTER PARKWAY IMPROVEMENTS PROJECT**





## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Tim Mroch, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** REGULAR AGENDA

Bids were received on December 20, 2022 at the Iowa Department of Transportation for the Tower Terrace Road: Phase B Grading project (estimated cost is \$1,990,000). A report of bids received from the City officer conducting the bid opening is attached.

CIP/DID #301666-05

**EnvisionCR Element/Goal:** ConnectCR Goal 5: Support the development of an effective, regional, multimodal transportation system.

**Background:** This project is a continuation of the Tower Terrace Road corridor improvement project between C Avenue NE and Alburnett Road in Marion. This phase is for grading operations for the section between C Avenue NE and east of Meadowknolls Road, in the city of Marion. The project has sections in Cedar Rapids, Marion and in Linn County. It is expected this grading project will be constructed and completed in 2023. The proposed paving projects for Tower Terrace Road between C Avenue NE and Alburnett Road are expected to begin in 2024 and open to traffic at the end of 2024. This roadway is vital to new growth in Cedar Rapids and Marion and will help increase capacity.

**Action/Recommendation:** Noted on attached bid report.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

**Resolution Date:** None

**Budget Information:** 301/301000/301666, NA

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



December 20, 2022

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Tower Terrace Road: Phase B Grading, Contract Number 301666-05

Dear City Council:

Bids were received on December 20, 2022 for the Tower Terrace Road: Phase B Grading project as follows:

Rathje Construction Co., Marion, IA	\$1,043,013.60
Peterson Contractors, Inc., Reinbeck, IA	\$1,265,447.30
Boomerang Corp., Anamosa, IA	\$1,267,442.70
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,360,320.24
Tschiggfrie Excavating Co., Dubuque, IA	\$1,459,334.14

The engineers cost opinion for this work is \$1,990,000. 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 "T Mroch".

Tim Mroch, PE  
CIP Program Manager

TPM/shh

cc: Bob Hammond, Public Works Director  
Brenna Fall, P.E., City Engineer



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at Meeting:** Tim Mroch, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** REGULAR AGENDA

Bids were received on December 20, 2022 at the Iowa Department of Transportation for the Wiley Boulevard Trail Improvements from Williams Boulevard to 16th Avenue SW project (estimated cost is \$1,500,000). A report of bids received from the City officer conducting the bid opening is attached.

CIP/DID #325052-02

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

**Background:** The Wiley Boulevard Trail project will construct a 10' sidepath from Williams Boulevard to 16th Avenue SW. The project will also upgrade curb ramps and modify traffic signals for pedestrian accommodations at intersections in the project limits. The project will be funded through a Federal-Aid agreement with the Iowa Department of Transportation. The local matching funds will be general obligation bonds.

**Action/Recommendation:** Noted on attached bid report.

**Alternative Recommendation:** None

**Time Sensitivity:** Normal

**Resolution Date:** None

**Budget Information:** 325/325000/325052

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



December 20, 2022

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Wiley Boulevard Trail Improvements from Williams Boulevard to 16<sup>th</sup> Avenue SW, Contract Number 325052-02

Dear City Council:

Bids were received on December 20, 2022, for the Wiley Boulevard Trail Improvements from Williams Boulevard to 16<sup>th</sup> Avenue SW project as follows:

Rathje Construction Co., Marion, IA	\$1,487,704.68
Vieth Construction Corporation, Cedar Falls, IA	\$1,583,681.24
Midwest Concrete, Inc., Peosta, IA	\$1,598,864.41
Pirc-Tobin Construction, Inc., Alburnett, IA	\$1,613,445.09
Boomerang Corp., Anamosa, IA	\$1,661,933.78
Tschiggfrie Excavating Co., Dubuque, IA	\$1,738,846.98
Eastern Iowa Excavating and Concrete, LLC, Cascade, IA	\$1,834,053.81

The engineers cost opinion for this work is \$1,500,000. It is recommended the bids be reviewed by City staff and an action to award or not be presented separately for Council consideration.

Sincerely,

THE CITY OF CEDAR RAPIDS PUBLIC WORKS DEPARTMENT

A handwritten signature in blue ink, appearing to read "Tim Mroch".

Tim Mroch  
CIP Program Manager

TPM/shh

cc: Bob Hammond, Public Works Director  
Brenna Fall, P.E., City Engineer



## Council Agenda Item Cover Sheet

**Submitting Department:** Public Works

**Presenter at meeting:** Tim Mroch, PE

**Director:** Bob Hammond

**Cell Phone Number:** 319-440-1005

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

**Description of Agenda Item:** REGULAR AGENDA

Report on bids and resolution awarding and approving contract in the amount of \$153,823.82, bond and insurance of Rathje Construction Co. for the Glass Road NE Frontage Road project (estimated cost is \$140,000).

CIP/DID #301949-02

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

**Background:**

Rathje Construction Co., Marion, IA	\$153,823.82
Eastern Iowa Excavating & Concrete, Cascade, IA	\$157,873.95
Pirc-Tobin Construction Inc., Alburnett, IA	\$162,162.62
Midwest Concrete Inc., Peosta, IA	\$167,421.00
BWC Excavating, LC, Colon, IA	\$171,811.36
Eggleston Concrete Contractors, Cedar Rapids, IA	\$174,373.44
Dave Schmitt Construction, Cedar Rapids, IA	\$183,015.75
Boomerang Corp., Anamosa, IA	\$187,777.00
B. G. Brecke, Inc., Cedar Rapids, IA	\$198,743.90

Rathje Construction Co. submitted the lowest of the bids received on December 21, 2022 for the Glass Road NE Frontage Road project. The bid is within the approved budget. Construction work is expected to begin this spring and anticipated to be completed within 35 working days.

**Action/Recommendation:** The Public Works Department recommends approval of the Resolution to award and approve contract in the amount of \$153,823.82, bond and insurance of Rathje Construction Co. for Glass Road NE Frontage Road 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 January 10, 2023 may require re-bidding and affect the construction schedule for the improvements.

**Resolution Date:** January 10, 2023

**Budget Information:** 301/301000/301949

**Local Preference Policy:** NA

**Explanation:** NA

**Recommended by Council Committee:** NA

**Explanation:** NA



December 21, 2022

City Council  
City of Cedar Rapids

RE: Report on bids as read for the Glass Road NE Frontage Road, Contract Number 301949-02

Dear City Council:

Bids were received on December 21, 2022 for the Glass Road NE Frontage Road project as follows:

Rathje Construction Co., Marion, IA	\$153,823.82
Eastern Iowa Excavating & Concrete, Cascade, IA	\$157,873.95
Pirc-Tobin Construction Inc., Alburnett, IA	\$162,162.62
Midwest Concrete Inc., Peosta, IA	\$167,421.00
BWC Excavating, LC, Colon, IA	\$171,811.36
Eggleston Concrete Contractors, Cedar Rapids, IA	\$174,373.44
Dave Schmitt Construction, Cedar Rapids, IA	\$183,015.75
Boomerang Corp., Anamosa, IA	\$187,777.00
B. G. Brecke, Inc., Cedar Rapids, IA	\$198,743.90

The engineers cost opinion for this work is \$140,000. 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

  
Becky Kluesner  
CIP Coordinator

BAK/shh

cc: Bob Hammond, Public Works Director  
Brenna Fall, P.E., City Engineer

Public Works Department  
500 15<sup>th</sup> Avenue S.W. - Cedar Rapids, Iowa 52404-2631 - (319) 286-5778 - Fax (319) 774-5653

RESOLUTION NO. LEG\_NUM\_TAG

ACCEPTING PROPOSAL, AWARDING CONTRACT, APPROVING CONTRACT

WHEREAS, on November 22, 2022 the City Council adopted a motion that directed the City to post notice to bidders and publish notice of a public hearing on the plans, specifications, form of contract and cost estimate for the Glass Road NE Frontage Road (Contract No. 301949-02) public improvement project for the City of Cedar Rapids, Iowa, and

WHEREAS, said notice to bidders was posted according to law and the notice of public hearing was published in the Cedar Rapids Gazette on November 26, 2022 pursuant to which a public hearing was held on December 6, 2022, and

WHEREAS, the following bids were received, opened and announced on December 21, 2022 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 January 10, 2023:

Rathje Construction Co., Marion, IA	\$153,823.82
Eastern Iowa Excavating & Concrete, Cascade, IA	\$157,873.95
Pirc-Tobin Construction Inc., Alburnett, IA	\$162,162.62
Midwest Concrete Inc., Peosta, IA	\$167,421.00
BWC Excavating, LC, Colon, IA	\$171,811.36
Eggleston Concrete Contractors, Cedar Rapids, IA	\$174,373.44
Dave Schmitt Construction, Cedar Rapids, IA	\$183,015.75
Boomerang Corp., Anamosa, IA	\$187,777.00
B. G. Brecke, Inc., Cedar Rapids, IA	\$198,743.90

WHEREAS, general ledger coding for this public improvement shall be as follows:  
\$153,823.82 301-301000-30185-301949

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

1. The previous delegation to the City Engineer, or his designee, to receive, open, and publicly announce the bids, and report the results thereof to the City Council at its next meeting is hereby ratified and approved;
2. Rathje Construction Co. is the lowest responsive, responsible bidder on said work and the City Engineer, or his designee, has recommended that the City accept its bid and award the contract to it;
3. Subject to registration with the Department of Labor, the Bid of Rathje Construction Co. is hereby accepted, and the contract for this public improvement is hereby awarded to Rathje Construction Co.
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 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



**GLASS ROAD NE FRONTAGE ROAD**



**CIP# 301949**

0 40 80

SCALE: 1" = 80'



## Council Agenda Item Cover Sheet

**Submitting Department:** Community Development

**Presenter at Meeting:** Jennifer Pratt

**Contact Person:** Jennifer Pratt

**Cell Phone Number:** 319-538-2552

**E-mail Address:** J.Pratt@cedar-rapids.org

**Description of Agenda Item:** REGULAR AGENDA

Presentation and Resolution authorizing allocation from the City's American Rescue Plan Act funding in the amount of \$900,000 to fund four eligible projects serving residents disproportionately impacted by the COVID-19 pandemic (Jennifer Pratt).

CIP/DID # CD-0074-2021

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

**Background:** The Resolution authorizes \$900,000 to be allocated from the City's American Rescue Plan Act funding for four additional projects. These funds are reallocations from previously funded Workforce Development activities, such as the Hotel/Motel Tax Program. Following is a description of each individual activity:

1. Willis Dady – Chandler Pump Building (707 B Avenue NW) \$250,000  
 The project is the adaptive reuse of the historic Chandler Pump Building to create 13 affordable housing units for transitional housing, as part of the Willis Dady Works Program. The employment hub and training center at 800 1<sup>st</sup> Street NW provides the workforce support and the Chandler Pump Building renovation is the housing component. The requested \$250,000, along with \$100,000 in private donations, will complete the final funding gap for project completion.
  
2. Theater Cedar Rapids – ADA Improvements (102 3<sup>rd</sup> Street SE) \$350,000  
 Theater Cedar Rapids is undertaking an extensive enhancement of their historic building with a focus on accessibility. A key component is making space accessible for programming, as well as making the stage accessible for wheelchairs. The enhanced accessibility is consistent with the purpose of the ARPA funding, as people with disabilities should have access to the arts and all quality of life amenities in our community.
  
3. Core Neighborhood Dog Park \$200,000  
 The creation of additional dog parks was identified as a Council Priority during the annual goal setting session in 2022. Having amenities, such as dog parks, is critical to supporting and attracting new residential units into the core of the City – Downtown, MedQ, and Czech Village/New Bohemia neighborhoods. It also is aligned with the 15-

Minute Neighborhood concept, making it accessible and eliminating the need for vehicular trips. Several possible sites are being analyzed for feasibility, so this funding will accelerate the development of a dog park in the core of the community.

4. Westside Library & Opportunity Center Park Concept \$100,000
- Open space was one of the biggest needs identified by residents during the public outreach for the recently adopted Westdale Area Action Plan. The available open space, next to the permanent Westside Library & Opportunity Center, could be enhanced to provide the outdoor activities that are missing. The key to maximizing this opportunity is timing with the design of the facility. The Cedar Rapids Library Foundation is kicking off the building design phase with OPN. Coordinating the park concept with the building design will ensure the indoor/outdoor experience is enhanced for residents.

Upon City Council approval, City staff will draft Administrative Agreements with each of the organizations to establish performance expectations and reporting requirements.

#### Additional Background

The ARPA funding provides relief to state and local governments. Each city with over 50,000 residents receives the funding directly from the U.S. Department of Treasury. The City of Cedar Rapids will receive a total of \$28,190,765 in two equal payments, based on the existing Community Development Block Grant (CDBG) federal formula. This is the same formula used to calculate our annual CDBG and HOME Entitlement awards.

Across all eligible activities, the emphasis of the ARPA funding is on serving low-income and socially vulnerable communities that experienced the impact of the pandemic more severely. It is also on increasing community resiliency in a new reality with issues such as climate change.

The City has been conducting on-going outreach throughout the COVID-19 pandemic, including regular meetings with LAP-AID (Linn Area Partners Active in Disaster) since spring, 2020. Most recently, the City worked with Linn County and United Way to conduct the Community Impact Survey. The City also completed over 1,000 door-to-door surveys to confirm the needs of households in the predominately low-to-moderate income neighborhoods most impacted by derecho damage.

Based on all of these outreach efforts and the resulting data, the City is aligning the ARPA funding with these identified local needs. These fall into three general categories of needs, as described below:

1. Affordable Housing and Social Services  
*PATCH Program, Westside Library/Opportunity Center, and competitive proposal process for local housing/social service providers.*
2. Workforce Training/Education  
*Investment in workforce development to address the largest obstacle for businesses - lack of qualified workforce*
3. Westside Flood Control System  
*Speed up construction of a Westside project to increase resiliency on the Westside and improve equity, as the eastside qualifies for Army Corps of Engineers funding.*

Funding of these activities will benefit the most people, and those who need it most. Funding will also be directed to significant investments that result in long-term improvement and avoid on-going increased operational costs.

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

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

**Time Sensitivity:** NA

**Resolution Date:** January 10, 2023

**Budget Information:** American Rescue Plan Act funds

**Local Preference Policy:** NA

**Recommended by Council Committee:** NA

RESOLUTION NO. LEG\_NUM\_TAG

WHEREAS, the City of Cedar Rapids has been awarded \$28,190,765 in American Rescue Plan Act (ARPA) funding through the U.S. Department of Treasury; and

WHEREAS, the first of two equal payments of \$14,095,382.50 was received by the City in June 2021, and the final payment was made to the City twelve months later; and

WHEREAS, the ARPA funding is provided to state and local governments to continue to support the public response to the COVID-19 pandemic and lay the foundation for a strong and equitable economic recovery; and

WHEREAS, the City will focus on the following eligible activities for use of the funds, as follows:

1. Address negative economic impacts
2. Replace public sector revenue loss
3. Water and sewer Infrastructure
4. Broadband Infrastructure for unserved or underserved locations.

WHEREAS, the City Council of Cedar Rapids has determined an allocation of \$900,000 to fund the following four projects that provide a benefit to residents disproportionately impacted by the COVID-19 pandemic:

- |  |           |
|--|-----------|
| 1. Willis Dady – Chandler Pump Building (707 B Avenue NW)                  | \$250,000 |
| 2. Theater Cedar Rapids – ADA Improvements (102 3 <sup>rd</sup> Street SE) | \$350,000 |
| 3. Core Neighborhood Dog Park  | \$200,000 |
| 4. Westside Library & Opportunity Center Park Concept                      | \$100,000 |

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that the City Manager, or his designees, are authorized to allocate \$900,000 to the four projects referenced above with funding from the American Rescue Plan Act.

PASSED\_DAY\_TAG

LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature



## Council Agenda Item Cover Sheet

**Submitting Department:** City Manager

**Presenter at Meeting:** Scott Mather

**Contact Person:** Caleb Mason

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

**Phone Number/Ext.:** (319) 521-7678

**Description of Agenda Item:** REGULAR AGENDA

Presentation and Resolution authorizing sponsorship of a Business Financial Application to the Iowa Economic Development Authority by International Paper, Inc. for an expansion project at 4600 C Street SW and providing local match funds through the City's Local Match – Economic Development Program (Scott Mather). CIP/DID #URTE-0054-2023

**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 sponsorship of an application for State incentives through the High-Quality Jobs Program by International Paper, Inc and authorizes City participation to serve as local match as required by the State funds. The proposed project provides for the construction of a new building on the campus and installation of natural gas boilers and water treatment plan for steam power to the facility which was previously provided through the coal-powered Prairie Creek Station which is being closed.

The following is a summary of the proposed project:

- + \$103 million capital investment
  - o \$20 million in building expansion
  - o \$83 million in machinery & equipment
- + Construction of a new 20,000 sq ft facility to house a boiler & water treatment plant
- + 7 new jobs created, of which all meet the High-Quality Wage threshold of \$25.20
- + 240 existing jobs retained

The standard incentive under this program provides a 10-year, declining scale exemption of the increased value generated by the project. Based on the proposed investment, the project is expected generated \$2,337,000 in new taxes over a 10-year period, of which \$961,000 being exempted. The City has previously established an Urban Revitalization Area for the property which provides the mechanism for the abatement is already in place. The IEDA Board is anticipated to consider State incentives at its January 20, 2023 meeting.

**Action/Recommendation:** City staff recommends approving the Resolution

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

**Time Sensitivity:** NA

**Resolution Date:** January 10, 2023

**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 from International Paper, Inc. (the “Company”) to sponsor an application to the Iowa Economic Developer Authority for financial assistance through the Business Financial Assistance – High Quality Jobs Program (the “State Program”) to assist in the expansion of its industrial facility at 4600 C Street SW and which includes the retention of, and creation of new jobs, including high-quality jobs, and

WHEREAS, the Company is proposing the construction of an approximately 20,000 square foot building expansion to house a new boiler and water treatment process, together with related machinery & equipment, and site improvements, which is estimated to be a \$103 million total capital investment and will result in the creation of retention of 240 jobs and creation of 7 new jobs, of which, all meet the State’s High Quality Jobs wage threshold (the “Project”), and

WHEREAS, the City Council has adopted Economic Development Programs to support such activities which promote and facilitate economic development objectives of the City, including the expansion of existing businesses and creation of new high-quality jobs, and

WHEREAS, the State Program requires the City to provide local matching funds, therefore, the Project qualifies under the City’s Local Match – Economic Development Program, and

WHEREAS, the City Council has previously approved the Cedar River Paper Revitalization Area pursuant to Resolution No. 1293-7-93 and Ordinance No. 43-93, which provides for the exemption (abatement) of certain value generated by real property improvements; and

WHEREAS, the Local Match program and corresponding 10-year, declining scale exemption provided for under the International Paper Urban Revitalization Area designation pursuant to Chapter 404 of the Iowa Code is estimated to provide an exemption of \$961,000 in total taxes over the 10-year period, and

WHEREAS, the City Council desires to express its support for the Business Financial Assistance application to the State of Iowa and to confirm and authorize local match local match as provided for herein.

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

1. The Project as proposed by International Paper, Inc., as described herein, is given prior approval in accordance with the Plan for the International Paper Urban Revitalization Area designation.
2. The City Manager is authorized to execute the application, contract, and any related documents, as necessary, for the Iowa Economic Development Authority’s Business Financial Assistance Program.

PASSED\_DAY\_TAG  
LEG\_PASSED\_FAILED\_TAG

MayorSignature

Attest:

ClerkSignature